

TOWN OF WINDSOR, CONNECTICUT

Special Meeting Notice



AGENCY: Health & Safety Committee

DATE: June 16, 2016

TIME: 7:00 PM

PLACE: Town Hall – Ludlow Room

AGENDA

1. Call to Order
2. Public Comment
3. *Discussion of Animal Control Ordinance (Section 12-65)
4. *Discussion of State of Connecticut Traffic Stop Analysis Study
5. Staff Reports
6. Approval of Minutes
 - a) *January 21, 2016
7. Adjournment

*Backup materials

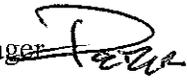
Public Act 75-312 requires notice of Special Meetings to be posted in the Town Clerk's Office not less than 24 hours prior to the time of such meeting. No other business shall be considered at this meeting than that listed on this Agenda.

Agenda Item Summary

Date: June 16, 2016

To: Members of the Health & Safety Committee

Prepared By: Donald Melanson, Chief of Police

Reviewed By: Peter Souza, Town Manager 

Subject: Windsor "Leash Law" Review

Background

Our current Animal Control Ordinance was amended on March 21, 2011 after a thorough review by the Health and Safety Committee and the Town Council. The initial proposal for the change in ordinance was a requirement that all dogs would be required to be on a leash no longer than six (6) feet long. After a public hearing where many residents spoke both for and against a leash law, the Council adopted the current ordinance after taking into consideration the information presented during the public hearing and the Health and Safety Committee meetings.

Earlier this year the Town Council received public comment suggesting that the Animal Control Ordinance be amended to require dogs to be on leashes in publicly-owned parks or open space areas.

Discussion / Analysis

Police and Animal Control Officers have a variety of options available to deal with dogs that are not kept under restraint. Along with a Town Ordinance Violation, officers can also utilize state statute to take enforcement action if necessary. Below are the applicable ordinances and statutes that apply to keeping dogs under restraint:

The *Windsor Town Ordinance* reads as follows:

12-65. Restraint and confinement generally.

[Ord. No. 98-2, § 5, 11-16-1998; Ord. No. 11-01, § 6, 3-21-2011]

- (a) It shall be unlawful for the owner or keeper of any dog to fail to keep their dogs under restraint with a leash or to permit dogs to run at large upon the streets and public ways of the Town or upon property other than that of the owner or keeper. Public service dogs guiding the blind or guiding other physically disabled persons, or dogs being used by public safety personnel for official purposes will not be required to be on a leash.
- (b) No owner, keeper or custodian of any animal shall fail to exercise proper care and control of such animal to prevent the same from becoming a public nuisance.
- (c) For the purpose of recreation with one's dog, the dog may be allowed off leash temporarily in a wide open public park or water access area, as long as the owner/keeper keeps the dog under restraint. This restraint must ensure that the dog does not go within the personal space of other

citizens or their animals (no closer than 10 feet), and that the dog does not cause anxiety or fear to citizens by assertive or aggressive behaviors. If a citizen verbalizes fear or concern or reacts to the dog by changing his or her position, the owner/keeper shall immediately apply a leash to their dog.

The fine for violating this ordinance is \$100.

Connecticut State Law allows officers to take action under the following statute:

Sec. 22-364. Dogs roaming at large. Intentional or reckless subsequent violation.

- (a) No owner or keeper of any dog shall allow such dog to roam at large upon the land of another and not under control of the owner or keeper or the agent of the owner or keeper, nor allow such dog to roam at large on any portion of any public highway and not attended or under control of such owner or keeper or his agent, provided nothing in this subsection shall be construed to limit or prohibit the use of hunting dogs during the open hunting or training season. The unauthorized presence of any dog on the land of any person other than the owner or keeper of such dog or on any portion of a public highway when such dog is not attended by or under the control of such owner or keeper, shall be prima facie evidence of a violation of the provisions of this subsection. Violation of any provision of this subsection shall be an infraction.

The fine for violating this ordinance is \$92.

Although not applicable to Windsor's parks and recreation areas, the Department of Energy and Environmental Protection does further restrict pets in state parks as follows:

Section 23-4-1. General regulations

- (f) Pets and riding animals. (1) Except as provided in subdivision (5) of this subsection, riding animals and pets must be on a leash that is no longer than seven (7) feet in length, and must be under the control of their owner or keeper at all times. (2) Pets and riding animals, including, but not limited to dogs and horses, are prohibited in the following areas of state parks and forests at all times: all buildings, swimming areas and other areas so posted. No person shall allow any pet or riding animal under their control to enter a water body in which there is a Department of Environmental Protection designated swimming area from anywhere on Department of Environmental Protection property containing that swimming area from April 1 through October 31, inclusive.

The fine for violating this regulation is \$75.

As noted above, earlier in 2016 the Town Council received public comment requesting the amendment of section 12-65, subsection (c) of the Animal Control Ordinance, which relates to where dogs may be allowed off leash in a wide open park or water access area. Comments received suggested that the ordinance be amended so that dogs would not be allowed to be off leash in wide open public park areas.

In the four year period from 2012 through 2015, the department received the following animal complaints at our parks and open spaces:

- Northwest Park: 19 general animal complaints
- Other Town Parks: 9 general animal complaints
- Town Schools: 8 roaming/stray dog complaints

Because reports or enforcement action were not taken on most of these complaints, it is difficult to determine whether the complaint was for a roaming dog, a dog being off leash with the owner present, or some other type of complaint.

Of these incidents in the town's open spaces, there is one complaint of a dog bite (2014) and two complaints in the dog park of dog vs. dog (2012). All three of these incidents occurred at Northwest Park. Other complaints involved such things as dogs chasing deer, etc.

During this four year period, the Police Department has issued 107 state infractions for violation of state law related to roaming dogs. No town ordinance violations have been issued. Of the 107 infractions, only two were issued in town parks or open spaces, one in 2011 and another in 2013. Both of these were issued at Sage Park Middle school.

Financial Impact

None

Other Board Action

None

Recommendations

This item is presented for information and discussion purposes.

Attachments

None

Agenda Item Summary

Date: June 16, 2016

To: Members of the Health & Safety Committee

Prepared By: Donald Melanson, Chief of Police

Reviewed By: Peter Souza, Town Manager 

Subject: State of CT Traffic Stop Data Analysis and Findings, 2014-2015--

Background

On April 7, 2015, the Central Connecticut State University (CCSU), in conjunction with the State Office of Policy and Management (OPM), released a report entitled "Traffic Stop Data Analysis and Findings, 2013-2014." The report evaluated traffic stop data from municipal police departments, special law enforcement agencies and the state police for the 12 month period from October 1, 2013 through September 30, 2014. The report identified the Windsor Police Department (WPD) as having disparities in traffic stop data. However, the disparities did not reach a threshold warranting a full follow-up analysis by CCSU. The WPD did take several proactive steps after the report was released. This included:

- WPD supervisory staff, the Town Manager and the Assistant Town Manager met with CCSU staff in an effort to better understand the report, Windsor's numbers and to get suggestions for appropriate staff training.
- All WPD supervisory staff and officers attended Fair and Impartial Policing training classes held at various dates from May through July 2015.
- WPD staff identified several data collection errors in Windsor's traffic stop data. Officers received re-training on data input procedures in May 2015.
- The WPD planned to perform a more comprehensive analysis of the traffic stop data with CCSU staff in the fall/winter of 2015. However, due to commitments to analyze data from departments that were identified as being over the threshold, CCSU personnel were not able to perform further analysis with Windsor staff.

On May 12, 2016, CCSU released a second report on Traffic Stop Data Analysis and Findings. The second report covered the 12 month period from October 1, 2014 through September 30, 2015 and included over 586,000 motor vehicle stops made by Connecticut police officers from various departments and agencies. The second report calls for the WPD to undergo a full follow-up analysis by CCSU staff because of three factors: 1) our composite synthetic control test results; 2) our descriptive benchmark test results; and 3) the data from the first report. While none of these results taken individually would be sufficient to trigger a full follow-up analysis, when they are considered together they make a sufficient case for CCSU staff to perform additional analytical measures.

Discussion/Analysis

The Traffic Stop and Data Analysis Report (Report) evaluates traffic stop data to identify if any racial and ethnic disparities exist. The Report makes it clear that racial and ethnic disparities in traffic stop data do not, by themselves, provide conclusive evidence of racial profiling. Policing agencies with consistent data disparities are made subject to CCSU's follow-up analysis, which helps departments understand why the disparities may exist and allows departments to examine data at the officer level.

The Report utilizes a host of descriptive and statistical tests to analyze traffic stop data. The analysis can be broken down into the following categories:

- *Descriptive Measures*
 - Statewide Driving Population – compares a town's percentage of Black, Hispanic, and Minority drivers stopped in relation to the statewide average of Black, Hispanic, and Minority drivers stopped.
 - Estimated Driving Population – compares a town's percentage of Black, Hispanic, and Minority drivers stopped in relation to an estimated driving population for that town. The estimated driving population is determined using 2010 census data along with other data sources which estimate where people work and where workers live.
 - Resident Only Stop Comparison – compares stops of Black, Hispanic, and Minority residents to the resident driving age population.
- *Analysis of Traffic, Veil of Darkness* – Compares traffic stop data utilizing the assumption that officers have an impaired ability to determine a driver's race at night compared to daylight hours.
- *Analysis of Traffic Stops, Synthetic Control* – A synthetic control is a unique benchmark constructed for each individual department using various stop-specific and town-level demographic characteristics as captured through inverse propensity score weighting.
- *Analysis of Vehicular Searches, KPT Hit Rate* – Compares vehicle searches by officers compared to the success rate of those searches.

As the Report states, the analysis conducted should serve as an initial step towards the identification of racial and ethnic disparities in policing data. Department and Town leaders have already met with CCSU staff to make sure we understand the most recent report's findings and to begin the process of having CCSU further analyze our traffic stop data. The department will work with CCSU to determine how if any data errors may have affected the analysis of Windsor's traffic stop data. Once any errors are addressed, we will work with CCSU staff to do the following:

- Map motor vehicle stops using GPS data so that stops can be broken down and compared to census tract data.
- Identify areas and issues that can affect estimated driving populations, including roadway characteristics such as state roads, shopping areas, schools, and business/commercial areas.
- Identify calls for service data, crime data, and motor vehicle accident data so that these can also be applied to census tracts so that these can provide a better understanding of how this data relates to traffic stop information.
- Perform an officer level analysis to determine if statistical disparities could be driven by individual officers.

The report on Traffic Stop Data Analysis and Findings does not provide conclusive evidence of racial profiling, but it does demand an analysis and review as to why the disparities exist in Windsor. This includes maintaining open and transparent dialogue with community members. Over the next several months, department staff will be working with CCSU to gain a better understanding of what factors are driving our traffic stop data.

The full report on Traffic Stop Data Analysis and Findings as well as background information can be found at www.ctrp3.org.

Financial Impact

None at this time

Other Board Action

None

Recommendations

This item is presented for information purposes only. No action is requested of the committee.

Attachments

Recap of Windsor Traffic Stop Data

Windsor Police Traffic Stop Data

October 1, 2014 – September 30, 2015

	State Population	Town / City Population	Estimated Driving Population	Traffic Stops
Total	2,825,9461	23,222	45,857	5,716
Race				
White Non-Hispanic	2,113,081	13,022	30,617	2,554
Black Non-Hispanic	257,809	7,477	9,355	2,504
AI/AN Non-Hispanic	5,281	0	17	21
AsPac Non-Hispanic	105,613	1,020	1,797	108
Native Hawaiian Non-Hispanic	757	0	1	0
Other	8,934	0	32	0
Ethnicity				
Hispanic	356,471	1,703	4,037	529
Gender				
Male				3,448
Female				2,2681

Residency Information	
CT Resident	Town/City Resident
5,2621	2,0791
92.06%	36.37%

Stop Enforcement Method		
General	Blind	Spot Check
3,830	1,841	45
67%	32.21%	0.79%

Nature of the Traffic Stop			
	Investigative	Motor Vehicle	Equipment
Totals	23	4,538	1,155
Race			
White NH	11	2,118	425
BlackNH	10	1,895	599
AsPac NH	0	91	17
AI/AN NH	0	15	6

Stops by Month	
October	544
November	496
December	482
January	288
February	250
March	418
April	455
May	701
June	493
July	549
August	541
September	499

Disposition of the Traffic Stop

Disposition of the Traffic Stop			
	UJAR	Misdemeanor Summons	Intrraction
Total	10	182	948
Race			
White NH	4	39	462
Black NH	3	118	375
AsPac NH	0	2	20
AI/AN NH	0	0	3
Ethnicity			
Hispanic	3	231	88

Disposition of the Traffic Stop			
	Written Warning	Verbal Warning	No Disposition
Total	313	4,227	36
Race			
White NH	161	1,871	17
Black NH	120	1,872	16
AsPac NH	7	78	1
AI/AN NH	1	17	0
Ethnicity			
Hispanic	24	389	2

Disposition of the Traffic Stop			
	Written Warning	Verbal Warning	No Disposition
Total	313	4,227	36
Race			
White NH	161	1,871	17
Black NH	120	1,872	16
AsPac NH	7	78	1
AI/AN NH	1	17	0
Ethnicity			
Hispanic	24	389	2

	Age of the Driver					60and Over
	16-25	26-40	41-59	60and Over	592	
Total	1,305	1,915	1,902	33.50%	33.28%	10.36%
Race						
White NH	494	773	966	30.27%	37.82%	12.57%
Black NH	661	867	741	34.62%	29.59%	9.35%
AsPac NH	16	43	38	39.81%	35.19%	10.19%
AI/AN NH	3	11	5	52.38%	23.81%	9.52%
Ethnicity						
Hispanic	131	221	152	41.78%	28.73%	4.54%
Middle Eastern						

	Search Information						
	Car Searched	% of Stop	Consent	Inventary	Other	Contraband Found	% of Search
Total	85	1.49%	7	36	42	24	28.24%
Race							
White NH	26	1.02%	3	9	14	7	26.92%
Black NH	43	1.72%	3	18	22	14	32.56%
AsPac NH	1	0.93%	0	1	0	0	0.00%
AI/AN NH	2	9.52%	1	0	1	4	0.00%
Ethnicity							
Hispanic	131	2.46%	0	8	51	3	23.08%

	Statutory Authority Cited for Stop												
	Registration Violation	Display of Plates	Suspension or Revocation (license or registration)	Speed Related	Defective / Improper lighting equipment	Stop Sign Violation	Traffic Control Signal	Other Moving Violation	Other Equipment Violation	Excessive Window Tinting	Seatbelt/ Child restraint Violation	Cellphone Violation	Other
Total	2.97%	2.33%	0.80%	25.44%	27.31%	7.16%	12.59%	4.65%	0.23%	1.07%	6.74%	5.83%	3.10%
Race													
White NH	2.55%	2.51%	0.47%	29.64%	21.81%	7.40%	13.12%	4.39%	0.27%	0.35%	7.05%	7.52%	2.94%
Black NH	3.75%	2.32%	1.16%	22.00%	33.03%	6.63%	10.90%	5.11%	0.12%	1.84%	6.31%	3.95%	2.88%
AsPac NH	0.93%	1.85%	0.00%	24.07%	15.74%	13.89%	23.15%	7.41%	0.93%	0.93%	4.63%	6.48%	0.00%
AI/AN NH	0.00%	4.76%	0.00%	23.81%	38.10%	4.76%	19.05%	4.76%	0.00%	0.00%	4.76%	0.00%	0.00%
Ethnicity													
Hispanic	1.89%	1.51%	0.95%	21.74%	28.73%	7.18%	13.42%	3.21%	0.38%	0.95%	7.75%	6.62%	5.67%

**TOWN OF WINDSOR
HEALTH AND SAFETY COMMITTEE
SPECIAL MEETING
JANUARY 21, 2016
TOWN HALL – COUNCIL CHAMBERS**

UNAPPROVED MINUTES

1. CALL TO ORDER

Councilor Jenkins called the meeting to order at 7:02 p.m. Councilors Simon and Govoni were present. Town Manager Peter Souza was also present.

2. PUBLIC COMMENT - None.

3. OVERVIEW OF SCHOOL RESOURCE OFFICER PROGRAM

Police Chief, Don Melanson, provided an overview of the School Resource Officer (SRO) program. He discussed his SRO experience in West Hartford and explained the various roles of the SRO. He described the SRO selection process and the SRO training.

Councilor Jenkins asked if the SRO gets involved with the high school advisory group. Officer Josh Amaro described his involvement with the advisory group.

Councilor Jenkins asked if emotional intelligence testing is used when selecting an SRO. Chief Melanson explained that the officer's pattern of performance is closely considered before someone is moved forward for consideration as an SRO.

Councilor Simon asked how often the SRO is rotated. Chief Melanson said rotation occurs every 3-4 years.

Councilor Simon asked what the SRO does during school vacations. Chief Melanson said the SRO reports back to patrol.

Councilor Simon asked if the position helps manage overtime. Town Manager Souza said the position can contribute to the management of overtime. Officer Amaro explained his typical work day schedule.

Councilor Govoni expressed his approval with the SRO being involved with groups such as the Parent Teacher Organization.

A member of the audience asked if the high school SRO can visit the other schools in order to establish relationships earlier on. Chief Melanson said the current SRO is assigned only to the high school, but other officers do visit the other schools on occasion.

A member of the audience asked if Officer Amaro has a backup. Chief Melanson said there is no assigned backup except backup that is called in via radio.

A member of the audience asked how many hours of mental health training is received by the SRO. Chief Melanson said that officers receive mental health training outside of the SRO training.

An audience member asked how the Board of Education interfaces with the SRO program. Councilor Jenkins explained that a Memorandum of Understanding exists between the Superintendent and the Chief of Police.

A member of the audience praised Officer Amaro for his performance as an SRO.

4. DISCUSSION OF POLICE OFFICER RECRUITING AND HIRING PROCESS

Chief Melanson spoke to the importance of a police department representing the community it services with respect to diversity. He explained that police departments are looking for honesty, emotional control and maturity.

Chief Melanson reviewed the qualifications for the position of a police officer. He explained the various stages of the applicant selection process.

Councilor Jenkins inquired if there are questions asked during the interview process that relate specifically to implicit bias. Chief Melanson answered yes and explained various questions asked.

Councilor Simon asked about how the test is designed. Chief Melanson provided information about the Wonderlic test.

Councilor Simon asked how many women took the most recent test. Chief Melanson said he would provide that information.

Councilor Jenkins read aloud race and sex information about the applicants that passed the recent test. Chief Melanson described the various recruitment efforts made recently to recruit minority applicants.

Councilor Jenkins asked if the recruitment efforts targeted an older audience. Town Manager Souza explained the recent efforts the town undertook for a certified officer recruitment.

Councilor Simon asked how the recent 105 applicants compare to recruitments conducted in previous years. Human Resources Director, Amelia Bliss, provided statistics about previous recruitment efforts.

Councilor Govoni expressed his satisfaction with the test being used.

A member of the audience asked for clarification regarding the total number of applicants versus the number of applicants that chose to take the test.

Councilor Simon asked about the difference between the recent recruitment test and the tests used in previous tests. Ms. Bliss explained the use of tests in the past.

A member of the audience asked how the specific historically black colleges were chosen. She also asked if Windsor has addressed training and retraining officers with respect to interactions with citizens. Chief Melanson discussed the training efforts and community outreach efforts that take place and will take place with the Windsor Police Department.

A member of the audience said he is concerned with the Wonderlic test and how it impacts minority candidates. He also asked what Windsor does to deal with potentially problematic candidates that worked for other departments. Chief Melanson explained the legal barriers to hiring some officers.

Councilor Jenkins described the Study Circles in use at Windsor High School.

5. STAFF REPORTS - None.

6. APPROVAL OF MINUTES

a) May 21, 2015

Councilor Simon **MOVED** and Councilor Govoni seconded to approve the unapproved minutes of the May 21, 2015 minutes of the Health and Safety Committee with changes. The motion passed 2-0-1 with Councilor Jenkins abstaining.

7. ADJOURNMENT

Councilor Simon **MOVED** and Councilor Govoni seconded to adjourn at 8:08 p.m. The motion passed 3-0-0.

Respectfully submitted by,

Jonathan Luiz, Assistant Town Manager