Dear Central Family,

We are about to make public the findings of a very troubling investigation into issues and concerns involving the CCSU Police Department. I am deeply disturbed and saddened by the findings (the full report can be viewed here). (Attached)

There is significant evidence that a sexual assault complaint by one of the department’s own officers was inappropriately handled when the incident was first reported in 2016. I am particularly troubled as to how the department’s chain of command did not, in a timely manner, conduct an investigation when the sexual assault was first reported.

Among other findings the investigators reported:

- Several police officers were hired by the CCSU Police Department even though background checks found evidence of significant discipline or other disqualifying performance issues in their past;
- An informal environment exists within the department, including relaxed professional standards and a fraternity-like environment, including inappropriate behavior, banter, or horseplay;
- Required sexual harassment prevention and other trainings are not taken seriously and serve as additional evidence that diversity and equity principles are not respected;
- A pervasive use of inappropriate gender labels for women and perception that the work of females is subjected to harsher criticism;
- Belief that expressing concern and/or opinion about the treatment of women in the department results in discrimination and retaliation; and
- Concern that all shifts are not staffed with a ranking, supervisor officer.

While we look deeper into the concerns brought to light by the investigation, today I made personnel changes to mitigate future issues. I want to assure our CCSU family and the public that the past environment, behaviors, and attitudes within the CCSU Police Department are not acceptable.

Among the immediate first steps, Bernard R. Sullivan, retired Commissioner of Public Safety and former Hartford Police Chief, has been hired to serve as CCSU’s Assistant to the President for Safety. In addition to overseeing the police department, Sullivan will be charged to identify and
correct defective procedures, policies, and training, evaluate staffing levels and budgetary issues.

He also will determine what means are necessary to restore professionalism to the department while rebuilding trust among its employees, the CCSU community, and the public and take disciplinary action where appropriate. This mission is not new to Sullivan. He was selected by former Governor William O’Neill in 1989 to take the helm of the Connecticut State Police when it was embroiled in controversy and worked to rebuild the force and restore its credibility.

Today, I placed Chief Administrative Officer Richard Bachoo on paid administrative leave pending an investigation. His responsibilities have been reassigned to ensure the campus operates smoothly and efficiently. Until further notice:

- Facilities Management and Environmental Health & Safety will be headed by Sal Cintorino, Assistant Chief Administrative Officer, and he will report directly to me;

- Information Technology will be headed by George F. Claffey, Jr., who will continue in his position as the Chief Information Officer for Charter Oak State College on a part-time basis; and

- Event Management will report to Chief Financial Officer Charlene Casamento.

Further, the Office of Diversity and Equity will undergo further review to ensure its investigations are conducted in a prompt, fair, and unbiased manner.

Indeed, these are very challenging times for us all. I repeat my pledge to you that I remain absolutely committed to taking the necessary steps to ensure the CCSU campus is a welcoming, safe environment for all.

If you have any concerns or questions, please feel free to email me at toro@ccsu.edu or go to www.ccsu.edu/ccc to anonymously share information.

Sincerely,

Zulma R. Toro
President
MEMORANDUM

TO: Dr. Zulma Toro, President, CCSU
FROM: Shipman & Goodwin LLP
      Attorneys Lisa Banatoski Mehta and Christopher Engler
DATE: June 18, 2018
SUBJECT: Police Department Review and Climate Investigation

As you know, we were asked to participate in a recent investigation related to a reported sexual assault by one sworn member of the Police Department against another member of the Police Department. A separate investigation report addressing the findings of the investigation into the specific allegations of the complaint made to the Office of Diversity and Equity Programs ("ODE") at Central Connecticut State University ("CCSU") in November of 2017 has already been issued. However, as part of the investigation, we were also asked to review and inquire into various issues related to the climate of the Police Department. Accordingly, this memorandum addresses our findings with respect to the climate, the administration's handling of expressed concerns, and other personnel related matters.

A. Workplace Environment

As part of our inquiry, we reviewed historical documents related to background and personnel files and interviewed witnesses regarding the work environment. By way of background, the Police Department was previously led for many years by Chief Jason Powell (a retired member of the Hartford Police Department) until he retired from CCSU service and was subsequently replaced by Chief Gregory Sneed in or about February, 2014. While in office, Chief Powell recruited a number of other retired Hartford Police Officers including but not limited to Officer Curtis Lollar, the respondent in the related ODE investigation. The review of the applications and background files of the Police Department demonstrates that several officers were hired with "red" flags in their background (significant discipline or other disqualifying performance issues, false statements, etc.), including but not necessarily limited to Officer Lollar. In interviews with some personnel assigned to conduct the information contained in the background checking files, these individuals expressed some concern about the fact that they were assigned to engage in these background investigation activities and felt pressured to recommend candidates, particularly from Hartford, for entry into the CCSU Department. In Officer Lollar's case, a "red" flag had been raised by some
previous criminal charges and significant disciplinary action (i.e. a 56 day suspension) associated with those events. Both Chief Powell and Chief Administrative Officer Richard Baccou were aware of such concerns. By email dated June 16, 2009, Chief Powell addressed these concerns and indicated that he had “satisfied himself as to [Lollar’s] overall suitability based upon [his] review of the entire background file” as well as his personal knowledge of Lollar, Lollar’s passage of a polygraph and psychological evaluation and the verbal recommendations of other Hartford Police Officers and/or command staff. Interestingly, the email represents that Officer Lollar told the background investigator that his lost time from the above-referenced 56 day suspension was fully restored following a dismissal of criminal charges. However, records in the CCSU files demonstrate that such suspension was reduced by agreement between the City of Hartford and the Hartford Police Union to a 33 day suspension. Nevertheless, Officer Lollar was knowingly hired with these background concerns on June 19, 2009. Other officers were also hired with similar shortcomings or under circumstances that would preclude their return to employment with other state and/or municipal agencies.

Despite the fact that, as a law enforcement agency, the Department is a paramilitary organization, the environment historically has been informal with nearly unanimous agreement among all interviewees. Perhaps because many of the employees are previously retired officers from other departments, the job is seen and/or perceived as a “retirement job” with more relaxed professional standards and a fraternity-like environment. In fact, the reports of those interviewed and a review of the records confirms that jokes, inappropriate behavior or banter and horseplay have not been foreign to this workplace. Though not exclusively, Officer Lollar has been a key participant in such activities. Notably, there was also universal consensus that he is the “problem child” and “bully” in the Police Department and that the work environment has been much improved since his placement on paid administrative leave in November, 2017.

Like many police departments, the CCSU Police Department has been historically male dominated. There are currently two female officers, but the majority of the workforce (sworn and unsworn) is still predominantly male. During our inquiry, the perception of many (though not all) full-time employees (including a mix of males and females) suggests that the work of females in the Department is the subject of more frequent and harsher criticism through selective supervision. In some cases, it has been suggested that females are more well-suited for community policing as opposed to active law enforcement activities. As a result, there have been some complaints about “gaslighting,” discrimination and/or retaliation for expressing concerns or opinions.

1 The hiring of this cadre of Hartford officers has had some negative effects on morale over the course of time including infighting among them or the perception that they “stick together” “to protect one another.”
Furthermore, the interviews demonstrated that there is generally a lack of acknowledgement of the importance of diversity and equity principles by virtue of reports concerning the failure of some members of the Department to take seriously sexual harassment prevention and other trainings regarding diversity and equity topics, the pervasive use of inappropriate gender labels for women such as "girls," and the like. Immediately prior to the commencement of the November, 2017 ODE investigation regarding the alleged sexual misconduct policy violations, it was credibly reported that Officer Lollar had made inappropriate comments about another female officer's attitude and announcing that her attitude must be as a result of her menstruation cycle. To our knowledge, no disciplinary or corrective action has been issued with respect to that incident by the Police Department.

Finally, with respect to the work environment, there was widespread concern raised by sworn members at all levels in the Department about the availability of adequate supervision. Currently, not all shifts are staffed with a ranking officer as a supervisor due to budgetary limitations. This means that a senior police officer on a shift that does not have a regular supervisor assigned is "bumped up" and designated as "Officer In Charge." As a result, there are instances in which those who have expressed concerns about another officer, including but not limited to Officer Lollar, may be supervised by such officer on a periodic or regular basis depending on shift assignments. This exacerbates possible concerns related to actual or perceived issues with discriminatory, disparate or retaliatory treatment and should be addressed.

B. Reporting of Concerns/Complaints

In the course of the investigation into this matter, it became clear that the work environment issues identified above have discouraged the reporting of concerns and complaints historically. While nearly all of those interviewed (with the exception of Officer Lollar) indicated that the situation has improved since Chief Sneed's arrival, there is still more work to do in this area. First, the interviews demonstrated that there is confusion as to where members of the Department should go to report various concerns outside of the chain of command. For example, many individuals were unsure as to whether they should go to Human Resources or Office of Diversity and Equity to report any concerns. The general perception was that Human Resources handles disciplinary issues and, therefore, is not thought to be an appropriate place to report an employee concern or complaint. Likewise, the Office of Diversity and Equity and its Chief Diversity Officer were commonly characterized as "not welcoming" or "police friendly." A review of the tape recorded interviews in this matter and subsequent interviews with some of the same individuals confirmed the view that reporting concerns to and being interviewed by the Office of Diversity and Equity was not a positive experience. Many of the participants (who were not respondents in such matters) commented that as participants in such investigatory interviews, they felt

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2 Some individuals felt as though one or more officers had been embarrassed or undermined at University events by the Chief Diversity Officer.
as though they were placed on the defensive by accusations made or implied in the interview and that they were generally not supported or given the benefit of the doubt. These feelings and observations further contribute to the view that the Office of Diversity and Equity is not viewed as an unbiased forum for investigations into employee concerns.\(^3\)

As part of our investigation, we also inquired about other possible avenues for redress of complaints or concerns. Generally, those interviewed were not inclined to bring any such issues to the attention of the Chief Administrative Officer or his staff although his office oversees the Police Department at the University. Most, though not all, commented that the Chief Administrative Officer does not have a rapport with the staff at the Police Department. On the other hand, there was nearly universal agreement that the President Toro’s office would be an appropriate and welcoming place for comments and concerns of all types.

Notwithstanding the foregoing, most staff members of the Police Department agreed that, as members of a paramilitary organization, they should first report concerns up through the intervening levels of supervision in the chain of command before seeking the assistance of another University office or agency. Most, if not all participants, also expressed that they were more likely to bring concerns through the chain of command to the Chief Sneed as opposed to Retired Chief Powell. However, the records of Department demonstrate that documentation, specifically concerning corrective measures to address disciplinary matters, performance issues, or other concerns is lacking. There is no standard policy or practice for documenting such issues and ensuring that such documentation is placed in a personnel or similar file in the event that further review and action is required. In those instances in which some documentation exists, it remains predominantly in the email or supervisory file of the supervisor who received the concern or addressed the incident, not in any formal document in the personnel file. Furthermore, a review of the personnel files of current employees demonstrates that there is little formal discipline, even when informal counseling or other measures have been exhausted and further instances of the performance concern or misconduct occur. Likewise, these same issues plague the performance evaluations of the Police Department.

The November, 2017 complaint that resulted in the ODE investigation and the assignment of the undersigned investigators to assist and supplement such investigation reveals serious shortcomings of the Police Department in the handling of the report of the alleged sexual assault one year before the complaint was filed with ODE. Indeed, following a meeting regarding a performance issue, on or about November 17, 2016 a female officer in the Police Department reported to Lieutenant Dercole that she had been sexually assaulted by another member of

\(^3\) Since our investigation into this matter, interviews with other CCSU staff and/or students outside of the Police Department have echoed the sentiment that the Office of Diversity and Equity is not satisfactorily fulfilling the critical function of receiving, investigating and addressing complaints.
the Police Department. The officer informed the Lieutenant that she was telling him “as a friend and not her Lieutenant” and asked Lieutenant Dercole not to tell the Chief. Lieutenant Dercole contemporaneously documented the matter in a memo and reported it to the Chief upon the Chief’s return from vacation on December 5, 2016. The Lieutenant indicated that he provided a copy of the attached memorandum concerning such report to the Chief as well. Chief Sneed acknowledged that he had been informed by Lieutenant Dercole that a claim of sexual assault had been reported by the female officer and that he placed a call to Chief Administrative Officer Richard Bachoo to discuss the matter. Both the Chief and the Chief Administrative Officer stated independently in their individual interviews that they did not know the allegation was against another member of the Department. However, Lieutenant Dercole’s memorandum clearly states that fact. Both the Chief and Chief Administrative Officer queried, “What did we have? What did we know?” Ultimately, there was a decision made by the Chief, after consultation with the Chief Administrative Officer, not to conduct any internal or other investigation due to lack of information and a lack of a cooperating complainant. At that time, the Chief did not have any conversation with the female officer regarding the allegation or his knowledge of it.

Notably, the Chief Administrative Officer was first informed by the individual who made the report to ODE regarding the alleged assault of the female officer, but the Chief Administrative Officer did not himself report the matter to ODE for further action in accordance with the University’s Policies. After the filing of the ODE complaint one year later, the Chief also contacted the Chief Administrative Officer and consulted with the State’s Attorney for the jurisdiction and the State Police regarding a possible criminal investigation for the first time. Likewise, the Chief reached out to the female officer for the first time to check on her wellbeing. It is inexplicable that a law enforcement agency like the CCSU Police Department would not have conducted at least some investigation into such a serious allegation against one of its officers as soon as it became aware of the allegation in 2016. Its failure to do so in this case likely hindered the later 2017 investigation into the matter as memories fade and available evidence may have expired with the passage of time. Furthermore, in the interim, the Police Department failed to take any other mitigating measures. The wholly inadequate manner in which this matter was handled calls into serious question the judgment of those responsible for the operation and direct oversight of the Police Department. Immediate measures are required to address these issues.

C. Recommendations for Further Action

Based on the results of our review, we recommend that the University consider the following further actions and any others that the University deems appropriate:

- Immediate action to take whatever disciplinary action the University deems appropriate in accordance with the underlying investigation.
• Immediate action to correct the defective procedures that resulted in the failure of the Police Department to promptly investigate serious allegations into the conduct of CCSU police officers and take mitigating measures as appropriate. Such action may include establishment of more formal policies and procedures regarding the proper handling, documentation and investigation of concerns, training regarding such policies and procedures and/or discipline or removal of the University officials responsible for direct oversight of the Police Department.

• Immediate action to review the role and performance of the Office of the Diversity and Equity and its Chief Diversity Officer to ensure that the mission of the Office is being properly fulfilled and that investigations are being conducted in a prompt, fair and unbiased manner. Such review may also include further training of investigators in appropriate interview techniques and investigation procedures.

• Immediate action to educate and train individuals regarding proper behavior in the workplace, discrimination, sexual harassment and diversity and equity principles as well as to clearly communicate to whom complaints and concerns should be made and that they will be addressed promptly and with due regard for the seriousness of the matter.

• Immediate action to address documentation of personnel matters. Such action may include establishment of formal policies regarding the documentation of personnel related performance issues and disciplinary matters to ensure consistency and fairness, training for supervisors regarding the investigation and handling of performance issues and discipline and implementation of recordkeeping standards to ensure the completeness of personnel files.

• Immediate action to correct deficiencies with respect to background investigations conducted during the hiring process. Such action may include the use of outside investigators for this purpose, a checklist to ensure all records and steps have been completed and a certification that there is no perceived or actual conflict of interest with the investigators conducting the review of the potential candidates.

• Address concerns related to staffing of the Department as budgetary measures allow.

• Final Note: Prior to the conclusion of our underlying investigation, we were forwarded a concern submitted anonymously to the University regarding the conduct of the Chief Administrative Officer. It was forwarded to us because there was also a reference to the CCSU Police Department. We did not find a connection to our underlying investigation related to the Police
Department and the particular respondent in that case, however, we recommend further prompt investigation into the allegations relating to the Chief Administrative Officer.

Please let us know if you wish to discuss further the findings and recommendations of this supplemental report. In the interim, we hope that this information and feedback is helpful to the University.

Attachment

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On 11/17/16 at approximately 3:30 P.M., Off. [redacted] arrived at my office regarding an Evading Incident she investigated and reported the complainant did not want to press charges. I wrote to her in Case Management that an estimate of damage is required, which could determine if a warrant is necessary. Also, she should not ask the complainant about pressing charges, as it may be looked upon as if Off. [redacted] was attempting to avoid completing a warrant. I told her the complainant came in and filed a police report so there was no need to ask after the investigation if she wanted to press charges. Off. [redacted] stated she knows people talk about her and say she doesn’t know anything about police work. I told her no one thinks that about her that everyone can get better at their job.

Off. [redacted] then stood up, closed the door and asked if she could talk to me. She said, you know I have gone through rough times in the past year and had like a nervous breakdown and wanted to thank me for being there and always watching out for her. She stated there were other issues she has dealt that were not discussed. She said she wanted to talk “off the record” and wanted to speak to me as a friend and not her Lieutenant. Off. [redacted] stated she was sexually assaulted by a member of this police department, but said she will never tell me who, where or when it occurred, as the Lord helped her put it all behind her and does not want to talk about it anymore. I said she should have told me sooner as she should not have to come to work every day and see this person.

When I said I would have to tell my boss (Chief Sneed), she walked over to me and said, “Please LT, I came to you as a friend, not a worker”. I explained I need to advise Chief Sneed and she begged and begged me not to, as she has moved on and did not want me to tell anyone, but if she ever decided to report it, she would come to me first. I said I would think about it and she asked me to advise her first if I were to tell anyone.

Chief Sneed is away on vacation for (1) week, but I will speak with him upon his return.

On 12/5/16, I advised Chief Sneed regarding this incident and was told to document this incident (which I did on 11/17/16).

On 12-6-16 I called Off. [redacted] in to my office and told her that today I informed Chief Sneed what she had told me regarding her assault. She stated again that she did not want to say anything just wanted to put it behind her. She stated that her Pastor, Psychiatrist and mentor helped her move on and they also tried to have her make a complaint.