



# DANBURY POLICE DEPARTMENT

375 MAIN ST. DANBURY, CONNECTICUT 06810

## PROFESSIONAL STANDARDS DIVISION

### Investigation Disposition

To: Chief Ridenhour

From: Professional Standards Division

Re: IA 2100609 See below for officers

Date: 08-17-2021

The above referenced internal affairs investigation has been completed and recommend the complaint be classified as:

- UNFOUNDED:** There is sufficient evidence to prove the complaint or incident is false or not factual and did not occur.
- EXONERATED:** There is sufficient evidence which indicates that the act or incident did occur, but the actions were justified, lawful and proper.
- NOT SUSTAINED:** There is insufficient evidence to clearly prove or disprove the complaint or incident.
- SUSTAINED:** There is sufficient evidence to establish that the facts and circumstances support the determination that these actions constitute misconduct as reported in the allegation. Disciplinary action will be taken if warranted.
- OTHER:** There is sufficient evidence to establish that the facts and circumstances support the determination that a violation was committed other than what was originally reported.

Remarks: Sgt. Dickinson, Officers' Dennis, Tibbitts, and K. Utter

Approved: \_\_\_\_\_

Patrick A. Ridenhour Chief of Police

Notification to Complainant: 08/17/21

Notification to Officer(s): \_\_\_\_\_

Sgt. Dickinson: Written Reprimand and BWC refresher  
Off. Dennis: Counseling and remedial training TBD  
Officer Tibbitts: 3-day suspension and remedial training TBD  
Officer K. Utter: 8-day suspension and remedial training TBD



CITY OF DANBURY  
DANBURY, CONNECTICUT 06810

DEPARTMENT OF POLICE  
375 MAIN STREET

PATRICK A. RIDENHOUR, CHIEF  
SHAUN J. McCOLGAN, DEPUTY CHIEF  
(203) 797-4614

August 17, 2021

Mr. SeanPaul Reyes

[REDACTED]  
Bellport, NY 11713

RE: Citizens' Complaint

Dear Mr. Reyes:

I am writing in response to your complaint against Danbury Police Sergeant Dickinson, Officers' Dennis, Tibbitts, and K. Utter stemming from an incident at the Danbury Public Library on June 9, 2021. The investigation of your complaint was handled by our Internal Affairs Division and was largely based on a review of your video as well as footage from our body worn cameras. The disposition is as follows:

**Violation of Rights – Exonerated:** Your belief that you have an unrestricted right to record in public places is not supported by case law. In fact, libraries have specifically been identified as “limited public forums”. This gives library administrators the ability to establish reasonable rules to ensure that the facility is used for its intended purposes. Those rules may vary slightly amongst municipalities and from state to state. In this case library officials deemed your conduct to be disruptive. We also have an independent witness who stated that you were loud and using profanity towards the security guard prior to police arrival, which caused at least one of the library patrons to leave.

Other:

- After you had lowered your camera, the body camera footage does show that Officer K. Utter reached out in an attempt to raise your camera again to record a statement he was making to you. While there is no evidence that he twisted your wrist or caused you any injury, we do acknowledge that this was not an appropriate action and it has been addressed through our internal processes.
- The investigation also revealed concerns with the way some of the officers responded to disparaging comments that you made towards them, the overall interaction during this incident, and comments that were made in the aftermath. This too has been addressed through our internal processes.

Thank you for bringing your concerns to our attention. If you have any additional evidence or credible information that you would like us to consider, please contact the Internal Affairs Division at 203-797-4504.

Sincerely,

*Patrick Ridenhour*  
Chief of Police



CITY OF DANBURY  
DANBURY, CONNECTICUT 06810

DEPARTMENT OF POLICE  
375 MAIN STREET

PATRICK A. RIDENHOUR, CHIEF  
SHAUN J. McCOLGAN, DEPUTY CHIEF  
(203) 797-4614

August 6, 2021

MEMORANDUM 21-55

To: Sergeant John Dickinson  
Cc: Deputy Chief McColgan, Det. Capt. Bishop, Capt. Sturdevant, Officer Stephen Hilderbrand –  
President, Hat City Labor Lodge 028 FOP, Internal Affairs File  
From: Patrick A. Ridenhour, Chief of Police  
Subject: Written Reprimand – IA 210609

Sergeant Dickinson:

Pursuant to your pre-disciplinary hearing on July 29, 2021 I am issuing you a Written Reprimand for the following departmental violation:

- **General Order 1075, Category B, line 30:** *Failure to activate / use body-worn camera or vehicle camera system video and/or audio microphone consistent with department policy*

As you may be aware the presumptive penalty for a Category B offense, if sustained, is a suspension ranging from one to ten days. However, I have considered the following as mitigating factors in this case:

- The body worn camera program is still relatively new to our department
- Your camera was recording video but not audio
- Fortunately, all of your pertinent actions during the incident in question were captured on body worn cameras from other officers at the scene.

In addition, you are required to take a brief refresher training on how to properly operate the body worn cameras. Please contact Detective Captain Bishop to schedule this training. Thank you for your cooperation in this matter.

*Patrick Ridenhour*

Chief of Police  
PAR:



**CITY OF DANBURY**  
**DANBURY, CONNECTICUT 06810**

DEPARTMENT OF POLICE  
375 MAIN STREET

PATRICK A. RIDENHOUR, CHIEF  
SHAUN J. McCOLGAN, DEPUTY CHIEF  
(203) 797-4614

August 9, 2021

**MEMORANDUM 21-57**

**To:** Officer Christopher Dennis  
**Cc:** Deputy Chief McColgan, Det. Capt. Bishop, Capt. Sturdevant, Officer Stephen Hilderbrand -  
President, Hat City Labor Lodge 028 FOP, Internal Affairs File  
**From:** Patrick A. Ridenhour, Chief of Police  
**Subject:** Documented Counseling - IA 210609

Officer Dennis:

Please be advised that this memo will serve as documentation of our discussion at your pre-disciplinary hearing on July 29, 2021.

- While I am sustaining the charge that you are in violation of **General Order 1075, Category A** (*Rude or unprofessional conduct toward the public or in public view*) I have considered the fact that you remained calm throughout this incident even though you were subjected to a barrage of unnecessary personal attacks. Although your verbal responses to those attacks were at times inappropriate, you were not confrontational and I accept the explanation that some of those responses were an attempt to diffuse the situation with humor rather than escalate it.

In addition to this counseling, you are required to take remedial training as determined by me in consultation with Command Staff and the Training Division. The training will address areas of concern that have been identified by this incident. The dates and times of the training will be scheduled by the Training Division. If necessary, you will be given duty leave to attend this training but no overtime.

Thank you for your cooperation in this matter.

*Patrick Ridenhour*

Chief of Police  
PAR:





CITY OF DANBURY  
DANBURY, CONNECTICUT 06810

DEPARTMENT OF POLICE  
375 MAIN STREET

PATRICK A. RIDENHOUR, CHIEF  
SHAUN J. McCOLGAN, DEPUTY CHIEF  
(203) 797-4614

August 12, 2021

MEMORANDUM 21-58

To: Officer Paul Tibbitts  
Cc: Deputy Chief McColgan, Det. Capt. Bishop, Capt. Sturdevant, Officer Stephen Hilderbrand – President, Hat City Labor Lodge 028 FOP, Internal Affairs File  
From: Patrick A. Ridenhour, Chief of Police  
Subject: Suspension from Duty – IA 210609

Officer Tibbitts:

Pursuant to your pre-disciplinary hearing on July 29, 2021 you are suspended from duty without pay for three (3) working days for the following departmental violation(s):

- **General Order 1075, Category A, line 10 *Rude or unprofessional conduct toward the public or in public view*:** I have taken into consideration the fact that you were subjected to a barrage of personal attacks during the incident in question. On the positive side, you took the extra time with library staff to do the necessary research to determine that the complainant did not have an unrestricted right to record in the library without permission. However, your initial approach was confrontational and your overall interaction with the complainant fell way below expectations, especially given your training and experience.
- **General Order 1075, Category B, line 4 *Insubordination*:** I have carefully considered the Union's argument that you did not disobey any direct orders from Sergeant Dickinson. To do so would have been a violation of Category B, line 27 "*Failure to obey an order from a superior officer, oral or written*". However, Category B, line 4 "*Insubordination*" is meant to be more encompassing of any actions that tend to be disrespectful toward a superior officer and/or undermine his/her ability to perform their duties. In this case your constant interruptions and refusal to stand aside when asked clearly undermined Sergeant Dickinson's ability to effectively diffuse the incident in question, resulting in further escalation.

In addition to your suspension, you are required to take remedial training as determined by me in consultation with Command Staff and the Training Division. The training will address areas of concern that have been identified in your handling of this incident. The dates and times of the training will be scheduled by the Training Division. If necessary, you will be given duty leave to attend this training but no overtime.



**CITY OF DANBURY**  
**DANBURY, CONNECTICUT 06810**

DEPARTMENT OF POLICE  
375 MAIN STREET

PATRICK A. RIDENHOUR, CHIEF  
SHAUN J. McCOLGAN, DEPUTY CHIEF  
(203) 797-4614

The dates of your suspension are as follows:



Please note the following:

1. The dates of suspension are in accordance with your known work schedule as of the date of this letter. Any involuntary changes to your work schedule will result in changes to your dates of suspension so that it adds up to three (3) working days.
2. You may not swap or make any voluntary changes to your work schedule during the period of suspension.
3. You are not eligible for any overtime or private duty work during your period of suspension

During your period of suspension, you are not authorized to act in your capacity as a police officer. You are also not authorized to enter any secured areas of Danbury Police Headquarters during your suspension without permission from the Chief, Deputy Chief, or Captain Sturdevant.

Please surrender your department issued firearm(s), Taser, badge, and police identification to the on-duty shift commander prior to the commencement of your suspension.

Finally, if you are experiencing any problems that are affecting your ability to effectively perform your duties please do not hesitate to contact our psychologist, Dr. Keane, any member of Peer Support, the city's Employee Assistance Program, or any other qualified professional for assistance.

Thank you for your cooperation in this matter. Please contact me or your Union representative if you have any questions.

Sincerely,

*Patrick Ridenhour*

Chief of Police

PAR:



CITY OF DANBURY  
DANBURY, CONNECTICUT 06810

DEPARTMENT OF POLICE  
375 MAIN STREET

PATRICK A. RIDENHOUR, CHIEF  
SHAUN J. McCOLGAN, DEPUTY CHIEF  
(203) 797-4614

August 12, 2021

MEMORANDUM 21-59

To: Officer Kenneth Utter  
Cc: Deputy Chief McColgan, Det. Capt. Bishop, Capt. Sturdevant, Officer Stephen Hilderbrand –  
President, Hat City Labor Lodge 028 FOP, Internal Affairs File  
From: Patrick A. Ridenhour, Chief of Police  
Subject: Suspension from Duty – IA 210609

Officer Utter:

Pursuant to your pre-disciplinary hearing on July 29, 2021 you are suspended from duty without pay for eight (8) working days for the following departmental violation(s):

- **General Order 1075, Category B, line 30 *Failure to activate / use body-worn camera or vehicle camera system video and/or audio microphone consistent with department policy***: I have considered the following as mitigating factors in this case:
  - The body worn camera program is still relatively new to our department
  - Fortunately, all of your pertinent actions during the incident in question were captured on body worn cameras from other officers at the scene.
- **General Order 1075, Category B, line 4 *Insubordination***: I have carefully considered the Union's argument that you did not disobey any direct orders from Sergeant Dickinson. To do so would have been a violation of Category B, line 27 "*Failure to obey an order from a superior officer, oral or written*". However, Category B, line 4 "*Insubordination*" is meant to be more encompassing of any actions that tend to be disrespectful toward a superior officer and/or undermine his/her ability to perform their duties. In this case your constant interruptions and refusal to stand aside when asked clearly undermined Sergeant Dickinson's ability to effectively diffuse the incident in question, resulting in further escalation.



CITY OF DANBURY  
DANBURY, CONNECTICUT 06810

DEPARTMENT OF POLICE  
375 MAIN STREET

PATRICK A. RIDENHOUR, CHIEF  
SHAUN J. McCOLGAN, DEPUTY CHIEF  
(203) 797-4614

- **General Order 1075, Category A, line 10 *Rude or unprofessional conduct toward the public or in public view (2 counts):***
  - The first count pertains to your interaction with the complainant at the library on June 9, 2021. I have taken into consideration the fact that you were subjected to a barrage of unnecessary personal attacks during this incident. However, our own video clearly shows that your responses to those attacks were confrontational and your overall interaction with the complainant fell way below expectations, especially given your experience.
  - The second count pertains to comments you made that were caught on Officer Tibbitts' body worn camera after interaction with the complainant ceased. The nature of the comments is very disturbing and is being considered as an aggravating factor. Specifically, you made reference to your belief that the complainant would have been on the ground five years ago and that 20 years ago he would have been "dead with his teeth missing". While I understand that you were clearly frustrated after a tense encounter comments such as these are never acceptable under any circumstances. They cause embarrassment to our department and can easily hamper our efforts to build and maintain positive relationships with our community. I have taken into consideration that you believed you were speaking privately to another officer at the time.

The presumptive penalty for these offenses is a suspension ranging from 1 – 10 days. While I was initially inclined to impose the maximum penalty I have taken some mitigating factors into consideration, specifically:

- You have been a member of this department for 25 years with no previous violations or discipline of any kind
- At your pre-disciplinary hearing you took full responsibility for your comments and actions, gave no excuses, and offered a sincere apology.
- Your comments, while clearly unacceptable, inflammatory, and made in public view, were anecdotal and not made directly to anyone. There is also no evidence to suggest that you have committed any unlawful assaults on any members of the public during your career.

In addition to your suspension, you are required to take remedial training as determined by me in consultation with Command Staff and the Training Division. The training will address areas of concern that have been identified in your handling of this incident. The dates and times of the training will be scheduled by the Training Division. If necessary, you will be given duty leave to attend this training but no overtime.

You are also required to take refresher training on how to properly operate the body worn cameras. Please contact Detective Captain Bishop to schedule this training, which is relatively brief and can be done while on duty.



**CITY OF DANBURY**  
DANBURY, CONNECTICUT 06810

DEPARTMENT OF POLICE  
375 MAIN STREET

PATRICK A. RIDENHOUR, CHIEF  
SHAUN J. McCOLGAN, DEPUTY CHIEF  
(203) 797-4614

The dates of your suspension are as follows:



Please note the following:

1. The dates of suspension are in accordance with your known work schedule as of the date of this letter. Any involuntary changes to your assignment will result in changes to your dates of suspension so that it adds up to eight (8) working days.
2. You may not swap or make any voluntary changes to your work schedule during the periods of suspension.
3. You are not eligible for any overtime or private duty work during your period of suspension.

During your period of suspension, you are not authorized to act in your capacity as a police officer. You are also not authorized to enter any secured areas of Danbury Police Headquarters during your suspension without permission from the Chief, Deputy Chief, or Captain Sturdevant.

Please surrender your department issued firearm(s), Taser, badge, and police identification to the on-duty shift commander prior to the commencement of your suspension.

Finally, if you are experiencing any problems that are affecting your ability to effectively perform your duties please do not hesitate to contact our psychologist, Dr. Keane, any member of Peer Support, the city's Employee Assistance Program, or any other qualified professional for assistance.

Thank you for your cooperation in this matter. Please contact me or your Union representative if you have any questions.

Sincerely,

*Patrick Ridenhour*

Chief of Police



# DANBURY POLICE DEPARTMENT

## CIVILIAN COMPLAINT REPORT

Please give this completed document to a Police Supervisor or send it to the Internal Affairs Unit of this agency at the following address: Chief of Police, Danbury Police Department, 375 Main St., Danbury, CT 06810. (203)797-4611, email: internalaffairs@danbury-ct.gov.



Date of Incident <b>6/9/21</b>	Time of Incident <b>6:30 PM</b>	Date Reported <b>6/10/21</b>	Time Reported <b>11:15 AM</b>	
Location of Incident <b>Danbury Public Library</b>				
Complainant's Name <b>Sean Paul Reyes</b>		Complainant's Address (Street, City, State, ZIP) [REDACTED] <b>NY 11713</b>		
Complainant's DOB [REDACTED] <b>91</b>	Complainant's Home Phone# —	Complainant's Work Phone# —		
Complainant's Cell Phone# [REDACTED]	Complainant's E-mail [REDACTED] <b>gmail.com</b>			
Employer —	Occupation —			
Employer's Address —		Employer's Telephone —		
Name of Person Assisting Complainant —	Address —	Telephone —		
Employee Complained about (if known): (Name or physical description, Badge #, Car #, etc.) <b>Sgt. Dickinson</b> <b>Officer Tibbitts # 640</b> <b>Officer Utter # 533</b> <b>Officer Dennis 647</b>				
Witness Information (Name, D.O.B., Address, Telephone #, etc.) <b>Body cam</b>				
Please provide answers to the following questions:				
		YES	NO	UNSURE
1. To your knowledge, was all or any part of the incident complained of video or audio taped by anyone?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Are you afraid for your safety, or that of any other person, for any reason as a result of making this complaint?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Has anyone threatened you or otherwise tried to intimidate you in an effort to prevent you from making this complaint?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Are you able to read, write and speak the English Language?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. If your answer to Question #4 is "No" or "Unsure", have you been provided with adequate language assistance to help you understand and fill out this form?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>(If you answered "Yes" to any of the above questions, please provide details below.)</i>				


Details of the Incident: Please provide a full description of the circumstances that prompted your complaint. Attach supporting documentation, as appropriate; including letters, e-mails, photographs, video or audio tapes, etc.

SEE ATTACHED STATEMENT (A) Page.

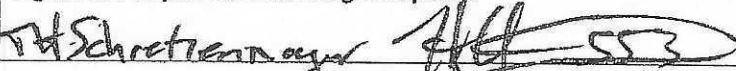
(Attach additional pages, if necessary)

I have read, or had read to me, the above and attached complaint and statement consisting of \_\_\_ pages. All of the answers are true and accurate to my knowledge. I understand that making a false statement intended to mislead a law enforcement officer in his official function is a violation of Connecticut General Statute 53a-157b and could result in my arrest and being fined and/or imprisoned.

Complainant's Signature 	Date and Time Signed 11:20 AM 6/10/21
On this the <u>10</u> day of <u>June</u> , 20 <u>21</u> , before me the undersigned officer, personally appeared the complainant whose name is subscribed above and acknowledged that he/she truthfully executed this instrument for the purposes herein contained.	Notary (For Authority See C.G.S. §§1-24, 3-94a et seq.) 
	Print Rank/Name/ID Number: Sgt T. SCHREIBENNA FR 553

Person Receiving the Complaint		
Rank/Name/ID Number	Date Received	Time Received
Sgt 	6/10/21	1122

Method of Contact (Check):  Telephone  In-Person  Mail  E-Mail  Other

Signature of person receiving complaint 	Complaint Control Number CES# 2100030679
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FORMAL COMPLAINT DANBURY POLICE DEPARTMENT INTERNAL AFFAIRS

CC: MAYORS OFFICE, CORPORATION COUNSEL, FBI CIVIL RIGHTS DIVISION.

On June 9th 2021 at approximately 6:30 PM, I was peacefully exercising my First Amendment right (Freedom of the Press) to film in public at the Danbury Public Library. I was gathering content and information for a story I am working on for public dissemination. The library security guard, who was ignorant to this right granted by the U.S Constitution, told me to stop filming which I respectfully declined. He then continued to call the Danbury Police Department. Officers Utter Badge #533, Tibbitts #640, Dennis #647 & Sgt. Dickinson all arrived on scene. Upon arriving they demanded ID, I refused as they had no reasonable articulable suspicion that I had committed crime or was going to commit one. I explained to them my purpose, that I was a member of the press peacefully exercising my first amendment right, gathering information and content for a story that will be disseminated to the public. The officers were extremely rude and unprofessional to say the least and treated my constitutional rights as a Joke. I explained to them that they were not policy enforcement but LAW enforcement. I was engaged in a constitutional protected activity. Section 242 of Title 18 makes it a crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States.

These officers knowingly violated the above federal law by removing me from the Public Library under threat of arrest. These officers should have known the law and been trained properly, so that they could advise the security guard at the library that I was not breaking any laws and that I could not be trespassed for simply exercising my rights. Unfortunately, these officers were as ignorant as the security guard when it comes to the constitution and my rights. Not only was I removed by threat of arrest, I was also told if I came back to the public library I would be arrested, which is depriving me of public services that I have a right to utilize.

The Danbury Police Officers also violated my 4th Amendment rights. They did this by forcing me, under threat of arrest, to provide them with my identification. I had no legal obligation to provide my identification as I was not suspected of committing a crime, there was no RAS.

Lastly, as I was standing on the PUBLIC sidewalk after my rights had been violated. Officer Utter went crazy and decided it was within his right to grab my wrist and twist so that my camera was on him as he mocked me. This was unacceptable. This officer had no right to touch me. I want him held accountable for this.

All of my allegations will be corroborated, by body camera footage as well as my own camera footage. I sincerely hope that you thoroughly investigate this matter and hold these officers and Sgt. Dickinson accountable for their unlawful actions and unprofessional behavior. I am also requesting apologies from all officers Involved as well as the unlawful trespass to be rescinded so I may have access to the public services I'm entitled to at the Danbury Library. Hopefully going forward your officers will be better trained on the constitution they swore an oath to God to uphold and protect. Also, I feel these officers would benefit from additional de-escalation training. As none was used in this incident in my opinion.

I will be forwarding a copy of this complaint to the FBI Civil Rights Division, as well as to the Mayor's office as I will be filing a lawsuit against the city due to your officer's unlawful actions.

Sincerely,

SEANPAUL REYES

June 10, 2021

**HAND-DELIVERED**

Janice R. Giegler  
Town Clerk  
City of Danbury  
155 Deer Hill Avenue  
Danbury, CT 06810

Re: **NOTICE OF INTENT TO SUE**

Town Clerk:

Notice is hereby given pursuant to Connecticut General Statute Section 7-465 that the undersigned party intends to proceed with litigation against the following City of Danbury, Connecticut employee(s):

- Sergeant Dickinson, for an incident occurring on June 9, 2021 within the City of Danbury, Connecticut, in connection with a violation of my constitutional rights under the 1<sup>st</sup> and 4<sup>th</sup> Amendments to the United States and Connecticut Constitutions, at the Danbury Public Library at 170 Main Street, Danbury and subsequent seizure of driver's license and personal identity.

Should you have any questions or concerns, please contact the undersigned.

Thank you for your attention to this matter.

Respectfully,

\_\_\_\_\_  
Sean-Paul Reyes

\_\_\_\_\_  
Bellport, New York 11713

Cell: \_\_\_\_\_

email: \_\_\_\_\_

cc: Katie Pearson, Library Director  
Robert Lamin, Chief Legal Officer, Office of Corporation Counsel





**CITY OF DANBURY**  
DANBURY, CONNECTICUT 06810

Patrick Ridenhour, Chief  
Department of Police  
375 Main Street

Daniel Mulvey, Captain  
Professional Standards Division  
(203) 797-4538

To: Chief Ridenhour

From: Detective Lieutenant Sturdevant

Date: 06/23/21

Re: IA 210609- (CFS#2100030550) Sergeant John Dickinson, PO Ken Utter, PO Stephan Cameron, PO Paul Tibbitts, PO Christopher Dennis

**Summary:** On 06/09/21 Danbury Police Officers responded to the Danbury Public Library on the report of a person who would not leave after being requested to by the security guard. The person, later identified as Sean Paul Reyes, was video recording in the library, and upon request to leave he stated it was his First Amendment Right to record in a public building and refused to leave. Four officers and Sgt. Dickinson responded to the call which was recorded by Reyes and posted on his YouTube account, Long Island Audit. On 06/10/21 Reyes came to the Danbury Police Department and filed a formal civilian complaint against the officers who responded to the library, alleging that they were violating his Constitutional Rights.

**Complaint:** On 06/10/21 I was notified by Sgt. Schretzenmayer that he received a formal complaint from Reyes. Reyes alleges that his Constitutional First and Fourth Amendment Rights were violated by the responding officers. Reyes claims that he is constitutionally allowed under the First Amendment to video record in a public library and that he travels to various locations testing officers' knowledge and spread awareness. He claims that he is an independent journalist and has all the privileges afforded to the press under the First Amendment. He also claims that his Fourth Amendment Rights were violated because he was forced to produce his identification under the threat of arrest.

**Action Taken:** I viewed the YouTube video posted by Reyes and informed Chief Ridenhour and Deputy Chief McColgan of this matter. All radio transmissions, Body-Worn Camera (BWC) footage, and phone calls pertaining to this incident were downloaded and saved.



The video posted by Reyes was approximately 34 minutes long and was obviously edited at certain points. The video begins with the library security guard approaching Reyes and asking him to stop recording inside the library. Reyes refused, stating that it was his Constitutional Right to film in a public place. The guard, Nodar Chikhladze, politely continued to try and explain the library's rules and policies on recording in the library but Reyes refused to comply with any directions by Nodar. This prompted Nodar to call the Danbury Police for assistance. At 1718 hours Officers Chris Dennis and Paul Tibbitts were dispatched to the library. Shortly after those officers were dispatched Officer Stephan Cameron called out over the radio for dispatch to put him out at the library. Officers Tibbitts and Dennis arrived shortly after Officer Cameron and met with Nodar outside, in front of the main entrance to the library. Officer Ken Utter advised dispatch to put him out at the library approximately 2 minutes later. Neither Officer Cameron nor Officer Utter was dispatched to this call, they self dispatched upon hearing the call over the radio.

As soon as Officers Dennis, Tibbitts, and Cameron walk into the library they walk over to Reyes who was standing in the lobby, still recording with his cell phone. Reyes asks for their names and badge numbers and Officer Tibbitts immediately responded with "Sure, can I have your ID please?" Reyes and the officers then go back and forth about Reyes being asked to leave the library.

During this time, where edits were made, PO Tibbitts was in the administrative office talking to library employees to obtain their policies and discuss this issue with them. PO Tibbitts received a copy of the library policies, which are included with this report. When PO Tibbitts returns from the administrative offices Reyes begins to talk to him and they both condescendingly talk to each other. Reyes then turns to PO K. Utter and tells him he is a servant. Conversations continue between PO K. Utter and Reyes until Sgt. Dickinson arrives. As soon as Sgt. Dickinson arrives he begins a dialogue with Reyes. He asked Reyes to leave and Reyes asked if he would be arrested if he did not. Sgt. Dickinson told him he would be arrested for trespass at which time Reyes said he will leave under threat of arrest. This occurred within 20 seconds of Sgt. Dickinson arriving on scene. As Reyes started to walk out both PO Tibbitts and PO K. Utter stopped Reyes from leaving and said they needed his ID. Reyes attempted to talk to Sgt. Dickinson and PO Tibbitts continued to interrupt Sgt. Dickinson and talk over him. As this continues PO K. Utter interrupted Sgt. Dickinson.

Reyes eventually leaves the interior of the lobby and exits through the main doors. Officers Dennis, Tibbitts, and K. Utter follow him out and advise him that he is not allowed on the property but can film the exterior from the public sidewalk. As they are leaving the front step area Reyes again taunts the officers and they engage in back and forth banter. The officers follow Reyes to the sidewalk on Main St. in front of the library where they continue to engage with him for approximately another 7 minutes and 30 seconds.

The following is a timeline of some of the more pertinent interactions with Reyes based on the individual officers' BWC footage when available. When footage from a specific officer was not available I utilized the footage from other officers' BWC. Copies of the BWC are included with this report to review the entire incident.

17:24:36- Officers make contact with Reyes inside the library. PO Tibbitts takes the lead and when Reyes asks for their names and badge numbers PO Tibbitts replies "Sure, can I have your ID please." Reyes reads their names and badge numbers off of their uniforms. The officers never stated their names and badge numbers but Reyes did read them aloud so they knew that he had their information. Danbury Police Department Policy states that an officer must provide a name and badge number, it does not state that the officer must state it when asked. Since Reyes did immediately obtain the names and badge numbers of all officers on the scene on his own by reading them off of their uniform shirts there was no violation of this policy.

17:25:26- Reyes was asked by the officers if he was asked to leave and he avoids the question and engages in conversation. Officers Tibbitts and Dennis confirm with the security guard that he was asked to leave. The security guard confirms that Reyes is not wanted on the library property and they would like him to leave.

17:25:44- Reyes asks for a supervisor

17:25:52- Reyes specifically asks PO Dennis to speak to a supervisor. PO Dennis stares at him and does not respond to him or call for a supervisor.

17:26:53- Reyes asks for a supervisor. PO K. Utter tells him he doesn't need a supervisor, "you got four cops here." Reyes again asks for a supervisor and PO K. Utter tells him three more times "you don't need one, you don't need one, you don't need one...right now." (Taken from 647 BWC).

17:30:33- Reyes asks for a supervisor (PO Cameron calls for a supervisor at 17:30:55)

17:30:55- PO Cameron uses his cell phone to call dispatch and request a Sergeant be dispatched to the library.

17:31:20- Reyes calls PO K. Utter a tyrant. Reyes and PO K. Utter talk back and forth and PO Dennis intervenes and tells PO K. Utter not to be like the trolls. PO Dennis told Reyes that it just seems creepy that he is recording kids in a library. Reyes tells PO Dennis his beard is creepy.

17:32:10- Reyes states that "policy does not matter, but you will learn it, I don't know if it's going to be the easy way or the hard way but you will learn it."

17:33:18- Reyes tells PO K. Utter that he looks like he violates people's rights and that he looks like a tyrant. Reyes said he has the look in his eyes like a tyrant. PO K. Utter tells Reyes he is a



tyrant, he looks just like one. PO K. Utter states "Look at your eyes right now, that's tyrant right there. You're saying my eyes are, look at yours." (Taken from 647 BWC)

17:36:28- Reyes tell PO Tibbitts that his name is going to go great on YouTube. PO Tibbitts tells him that he is already on there.

17:36:52- Reyes states that PO's Tibbitts, Dennis, and K. Utter are all tyrants, but PO Cameron is not. PO K. Utter asks Reyes why PO Cameron is not a tyrant and to "tell me why." Reyes responds that he is the only one who is not trying to violate his rights. PO K. Utter asks what rights he violated and Reyes responded that just by being here he is violating his rights. Both PO K. Utter and PO Tibbitts say "he's here too", pointing to PO Cameron. PO K. Utter then points at Reyes and says "I know why, I know why", at the same time Reyes is saying "because he's not telling me to leave." Reyes then says "Is that why? Is that why?" At that time PO Tibbitts walks away to talk to the library staff. Reyes and PO K. Utter go back and forth for several seconds about what he meant by his statement. (Taken from 647 BWC) This statement can be construed as insinuating that PO Cameron would not be sued because he is African American.

17:39:30- Reyes tells PO K. Utter that PO K. Utter is his servant.

17:41:45- PO Dennis tells Reyes "you're a weird dude."

17:49:40- Reyes states he will leave under threat of arrest after Sgt. Dickinson told him he would be arrested for trespassing. As he is about to leave both PO K. Utter and PO Tibbitts intervene and stop Reyes from leaving. PO Tibbitts puts his hand on Reyes' right upper arm with an open hand and tells him "hold on, hold on". PO K. Utter steps toward Reyes and tells Sgt. Dickinson "we need to get his ID." The interactions between them continue for another 11 minutes and 36 seconds inside the library. During this time both PO Tibbitts and PO K. Utter interrupt Sgt. Dickinson several times while he is speaking. PO Dennis interrupted Sgt. Dickinson one time to expedite the conclusion of the call.

17:53:20- Reyes says "I'm sorry I know the law more than you, very sad." PO Tibbitts responds "you're sad." PO K. Utter then tells Reyes "You really are pathetic." Sgt. Dickinson intervenes and tells them to stop and tells Reyes "you're going to talk to me now."

17:57:28- Reyes points to each officer and tells them they will each be getting a complaint against them. PO Dennis then says "You get a complaint, you get a complaint, you get a complaint, everybody gets a complaint. A regular Oprah Winfrey over here." Reyes calls PO Dennis a bozo, and then calls PO Dennis and PO K. Utter bozos and tyrants. Sgt. Dickinson intervenes and tells Reyes we are going to handle this in a business manner. Reyes says "They aren't acting professional at all." Sgt. Dickinson stated that they will. Reyes replied "They don't listen to you. You told him to shut up like three times."

17:59:20- Reyes states he is a journalist getting a story. PO Tibbitts tells him to "get a real job."

18:01:24- As Reyes is leaving the building he calls the officers bozos. Then tells PO Tibbitts that "if he didn't have the badge when you touched me..." Reyes then starts calling the officers douche bags, and calls them tyrants again.

18:02:35- Reyes steps onto the public sidewalk and tells the officers they are dismissed. Officers' remained on scene with Reyes for approximately 7 minutes and 30 seconds after he left the library property. Reyes continues to try to antagonize the officers while he is on the sidewalk. He tells PO Tibbitts if he didn't have a badge and gun he would run from him like a little bitch. Reyes asked him why he kept his face covering on since they were outside, was it because he has herpes? He calls the officer pussies and little bitches.

18:10:00- Officer K. Utter is looking into the camera and tells Reyes several times that "You're wrong." As Reyes pans to his left, away from Officer K. Utter and towards Officer Tibbitts, Officer K. Utter grabs Reyes by his right wrist, which is the hand holding his cell phone, and turns it back towards him pointing the camera back at himself. Officer K. Utter then speaks into the camera continuing to say "You're wrong."

18:10:30- PO K. Utter and PO Tibbitts walk away from Reyes towards the entrance of the library. PO K. Utter says to PO Tibbitts "Where did Steve go? He disappeared." PO Tibbitts stated, "he skipped out a while ago." PO K. Utter responded, "He's such a fucking pussy." PO K. Utter then says to PO Tibbitts, "I hate fucking people like that (referring to Reyes) I'm telling you right now, fucking five years ago with this shit, he would have been on the fucking ground. Ten, fifteen, twenty years ago, that motherfucker would be dead. His teeth would be missing." The audio is then shut off by PO Tibbitts.

18:12:43- Although there is no audio you can see that PO K. Utter appears to realize that his BWC was not activated. It appears he asked PO Tibbitts and PO Dennis if you had to hit it twice (referring to the button to activate the BWC)

Sgt. Dickinson, PO Tibbitts, and PO K. Utter spent approximately nine more minutes engaging with Reyes once he left the library and went to the public sidewalk.

On 06/15/21 letters were placed in the involved officers' mailbox advising them that they were being given the option of meeting with Det. Sgt. Fabich and me to discuss this incident if they chose. Sgt. Dickinson and Officer Cameron both declined to meet with us by email to me on 06/18/21. PO's Dennis, Tibbitts, and K. Utter did not respond back, which they were advised by doing so would indicate that they did not wish to take advantage of this opportunity.

On 06/15/21, I was contacted by Mr. Rufus Ward of Danbury, CT. After speaking on the phone Ward agreed to come to the Danbury Police Department and give me a statement about what he witnessed during the incident on 06/09/21. Ward stated that on 06/09/21, he was in the library reading articles on his laptop when he heard the security guard talking to an unknown individual. Ward stated that he frequents the library and has known the guard to always be polite and



professional. He heard the guard say "Please" about 6-8 times, each time increasing the tone of his voice. He then heard the unknown male say "Who are you, the freedom police?!!" then immediately after "I don't give a fuck who you call, I'm going to sue you and the Danbury Police Department." Ward stated he left at that time because he did not want to be involved in a disturbance. Ward stated that he did not contact me until today because he was unaware there was an incident until he read about it in the Patch. He stated that he did not watch the YouTube video, but the guy who was causing the problem was looking for a confrontation.

Reyes edited about 20 minutes out of his video that was captured on the officers' BWC footage. Much of the footage Reyes edited for his YouTube version excluded when he was calling the officers pussies and little bitches, continuing to antagonize the officers.

**Findings:** Through consultation with Corporation Counsel and the States Attorney's office it was determined that public libraries are considered limited public forums. This allows the entity, in this case, the Danbury Public Library, to restrict access to uses consistent with the normally allowable activities intended for that facility. Activities, such as filming, can be restricted or prohibited, and would not be a violation of a person's First Amendment Rights. Based on this the officers on the scene had a right to remove, detain, and/or arrest Reyes while they investigated this incident for trespassing. There were no violations of Reyes' constitutional rights.

During the investigation, other issues were discovered about the officer's conduct on the scene. A review of the department-issued BWC footage showed violations of our policies and procedures that are addressed separately from Reyes's original complaint. The following are my findings:

**Sgt. John Dickinson:** Upon his arrival to the library Sgt. Dickinson met with PO Tibbitts outside the library to discuss what was happening. Both officers turned off the audio on their BWC during this discussion. Sgt. Dickinson did not turn his audio back when he entered the library and engaged with Reyes. Sgt. Dickinson turned his audio on after 16 minutes, once he realized it was still off. Although the audio function on Sgt. Dickinson's BWC was not activated all interactions he had with Reyes were captured on the other officers' BWC. From the time Sgt. Dickinson had contact with Reyes until he realized his audio was not on and he activated it he was always close to another officer whose BWC captured all interactions during this call.

Sgt. Dickinson is in violation of a Category B offense, #30- Failure to activate/use body-worn camera or vehicle camera system (ICOP) video and/or audio microphone consistent with department policy. General Order 3235 (Body Worn Camera) Section IV, C (8), states "If it becomes necessary to discuss issues surrounding an investigation with a supervisor or another officer in private, the officer may mute the BWC audio while continuing to record video....The officer must reactivate/resume the audio recording as soon as this discussion concludes."

**PO Cameron:** PO Cameron had two separate videos submitted for this incident. The first video is of his initial response to the library which shows him meeting with the security guard and Officers Tibbitts and Dennis.



PO Cameron had very little interaction with Reyes during this entire incident. When Sgt. Dickinson arrived on the scene at approximately 1747 hours PO Cameron met him outside and turned off his BWC at 17:47:17 hours.

The second video starts at 17:50:13 hours with PO Cameron outside the library. He then enters the library at 17:50:55 hours and remains by the front doors behind Reyes, while the other officers and Sgt. Dickinson are talking to him. At 17:51:40 hours the video stops and PO Cameron leaves the scene.

PO Cameron did not violate any policies, procedures, or General Orders of the Danbury Police Department.

**PO K. Utter:** Although PO K. Utter did not activate his BWC all interactions between him and Reyes were captured on other officers' BWC. PO K. Utter was always in the presence of another officer and was never alone with Reyes at any time.

PO K. Utter is in violation of a Category B offense, #30- Failure to activate/use body-worn camera or vehicle camera system (ICOP) video and/or audio microphone consistent with department policy. General Order 3235 (Body Worn Camera) Section IV, C (2)- states "Police officers issued a BWC shall activate recording at the beginning of any interaction with the public in a law enforcement capacity."

Category B offense #4- Insubordination. Once Sgt. Dickinson was on the scene he took over talking with Reyes. Within 20 seconds of being on the scene, he had Reyes ready to leave the library. Both PO Tibbitts and PO K. Utter intervened and overstepped Sgt. Dickinson, causing Reyes to remain in the library. They all remained inside the library for another 11 minutes and 36 seconds after Reyes said he would leave and started to back out of the library towards the door. Several other times both Officers spoke over Sgt. Dickinson while he was speaking with Reyes, and acted inappropriately, calling Reyes sad and pathetic. Sgt. Dickinson told them at least twice to stop and that he was handling it. Reyes even called out Sgt. Dickinson and said that "they don't listen to you..." General Order 1300- Command Protocol/Obey Lawful Orders Section III (B) states "Officers of the same rank will defer to a senior ranking officer for direction."

Category A offense #10- Rude or unprofessional conduct toward the public or in public view. General Order 1000- Mission Statement/Values/Canon of Ethics- Section III (B) subsections 3 and 4. "The Danbury Police Department CORE VALUES are: 3. Professionalism, 4. Respect." At various times throughout his interaction with Reyes PO K. Utter was condescending and inappropriate towards Reyes. As an example, PO K. Utter called Reyes pathetic. He also grabbed Reyes's wrist and pulled Reyes's hand, which was holding his cell phone, back towards him so he could continue speaking into Reyes' camera. PO K. Utter did not grab Reyes in an aggressive or

hard manner, or cause any injuries. There were other examples throughout the video of his unprofessional behavior that were noted above and should be addressed.

**PO Paul Tibbitts:** Several times during the interaction in the library PO Tibbitts speaks with employees and attempts to clarify the library policies in regards to filming inside the library to come to a successful resolution. While he does perform some investigative tasks his demeanor and conduct towards Reyes throughout much of the interaction is condescending, mocking, and inappropriate.

PO Tibbitts is in violation of Category A offense #10- Rude or unprofessional conduct toward the public or in public view. General Order 1000- Mission Statement/Values/Canon of Ethics- Section III (B) subsections 3 and 4. "The Danbury Police Department CORE VALUES are: 3. Professionalism, 4. Respect." At various times throughout his interaction with Reyes PO Tibbitts was condescending and inappropriate towards Reyes. As an example, PO Tibbitts called Reyes "sad" and he was mocking him at times during their interactions.

Category B offense #4- Insubordination. Once Sgt. Dickinson was on the scene he took over talking with Reyes. Within 20 seconds of being on the scene, he had Reyes ready to leave the library. Both PO Tibbitts and PO K. Utter intervened and overstepped Sgt. Dickinson, causing Reyes to remain in the library. They all remained inside the library for another 11 minutes and 36 seconds after Reyes said he would leave and started to back out of the library towards the door. Several other times both Officers spoke over Sgt. Dickinson while he was speaking with Reyes, and acted inappropriately, calling Reyes sad and pathetic. Sgt. Dickinson told them at least twice to stop and that he was handling it. Reyes even called out Sgt. Dickinson and said that "they don't listen to you..." General Order 1300- Command Protocol/Obey Lawful Orders Section III (B) "Officers of the same rank will defer to a senior ranking officer for direction."

At approximately 17:36:25 on PO Tibbitts BWC, he tells Reyes that he is already on YouTube. I checked YouTube and saw a video from 8 months ago that was posted by Todd Pettrignani. During this video, Todd continues to ask for PO Tibbitts's name and badge number. PO Tibbitts points at his uniform shirt and says "it's right there." Todd tells him he needs to say it, that PO Tibbitts is a public servant, and that he needs to say his name and badge number. PO Tibbitts says "no I don't, it's right there" (pointing to it embroidered on his uniform shirt). This continues back and forth until PO Tibbitts says "I don't need to say shit."

**PO Chris Dennis:** PO Dennis is in violation of Category A offense #10- Rude or unprofessional conduct toward the public or in public view. General Order 1000- Mission Statement/Values/Canon of Ethics- Section III (B) subsections 3 and 4. "The Danbury Police Department CORE VALUES are: 3. Professionalism, 4. Respect." At various times throughout his interaction with Reyes PO Dennis was condescending and inappropriate towards Reyes. As an example PO Dennis says "You get a complaint, you get a complaint, you get a complaint, everybody gets a complaint. A regular Oprah Winfrey over here", after Reyes pointed to each

officer and told them they will each be getting a complaint against them. PO Dennis also called Reyes a weird dude.

Respectfully submitted,

D/ [Signature] #504

Detective Lieutenant Michael Sturdevant #504