

# Twenty years ago, YouTuber 'would be dead,' Danbury cop says in body cam video

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DANBURY — Newly released footage from the Danbury Police Department gives further insight into police officers' response to a man recording video inside the city's library and City Hall, including the suggestion from one officer that the man "would be dead" had the incident occurred years ago.

The new footage, in addition to reports connected to multiple incidents involving the man, comes as Danbury police officials work to conclude their internal investigation into the matter.

The 15 videos with hours of body camera footage released this past week to Hearst Connecticut Media through a Freedom of Information Act request are similar to the videos SeanPaul Reyes has posted on his YouTube channel. His channel, Long Island Audit, includes incidents recorded last month at the Danbury Library and this month at City Hall in which he claims to exercise his First Amendment rights to film in public spaces.

An internal police investigation was opened following the library incident that occurred in early June. Friday, Chief Patrick Ridenhour said the initial investigation is in its final stages, as a hearing is pending "and a decision on what, if any further action should be taken."

"It revealed some violations of our policies, including the comments you are referring to, and is now being addressed through our department's disciplinary process," Ridenhour said of the investigation in an email, declining to provide a copy of the report. The comments referred to include a comment made by one officer stating "20 years ago, that f\*\*\*\*\* would be dead," referring to Reyes.

Under the terms of the collective bargaining agreement, officers are permitted to have a hearing with union representation before the department administers any discipline, Ridenhour said. Those private hearings will be held over the next week or so. He declined to release any names of officers involved until conclusion of the hearings.

The head of the Danbury police union and the city's attorney could not be reached for comment on Friday.

Although a hearing is pending, Mayor Joe Cavo said it is likely the officers involved could have to go through retraining.

"It would be my hope that some of the things out of this will be some training that will help deal with these situations in a different manner," he said.

After the library response, Reyes filed an intent to sue a city sergeant and a formal complaint with the police department accusing the officers of violating his constitutionally protected rights.

"The officers were extremely rude and unprofessional to say the least and treated my constitutional rights as a joke," Reyes writes in the complaint Hearst Connecticut Media obtained.

Reyes said Friday he plans to file at least one federal lawsuit over the incidents. He's deciding whether to file a single lawsuit or separate ones for the library and City Hall cases. Reyes was charged with criminal trespass and breach of peace on July 15 after a visit to City Hall in which he was recording. He previously visited City Hall in June and was recording, but was not arrested. He was asked to leave by City Hall security and police in both instances.

"These are bogus charges," Reyes said Friday. He accused the officers of "retaliation" over the library incident.

Since posting his Danbury Library video last month, his YouTube channel, Long Island Audit, has grown by around 22,000 subscribers to 42,400 subscribers.

Of the 15 videos obtained by Hearst Connecticut Media, nine are from his June 9 visit to the library in which he was recording. They also show Reyes later at police headquarters.

The other six videos are from July 15 and show cops and Reyes at City Hall and the police station, where the YouTuber was taken after being arrested.

The audio occasionally cuts out on some of the videos, sometimes when the officers are talking to each other.

“[O]ur policy does allow the officers to sometimes mute the audio when having a discussion with the supervisor or amongst themselves,” Ridenhour said.

Danbury police got body cameras around the start of 2021 and were trained on how to use them shortly afterward, so “it is still a learning process for our officers,” Ridenhour said.

The audio often starts around 30 seconds into the videos because there is a “30-second pre-event buffer built into the system,” he said.

### **Library incident**

Reyes arrived at the library around 5 p.m. June 9 and stood inside filming staff and patrons, according to the police incident report.

Multiple employees told the security guard they were “‘frightened’ by Reyes and that he was making them very uncomfortable by staring at them and filming them with his cell phone without explanation,” the report states.

“They further stated that they were avoiding the lobby area of the library in an attempt to ‘hide’ from him,” the report continues.

The security guard told Reyes he needed to leave because he was “disrupting the normal operations of the library,” the report states.

When officers arrived, the security guard greeted them outside, the body camera footage shows. A library employee is standing outside as the officers walk inside. Two other library employees are seen working in a back room during part of one of the videos. Patrons are seen in the library throughout the videos.

Patrons did not complain about Reyes, the security guard says in one of the videos.

An officer spends multiple minutes searching with library staff for a copy of a policy that would justify why Reyes should stop filming and leave the building, the videos show.

Sgt. John Dickinson eventually reads Reyes a “removal and exclusions of customers” policy that is quoted in the incident report as stating the library administration or its designee may remove or exclude individuals who “interrupt normal library operations by behaving in a disruptive or inappropriate manner toward customers or staff.”

Dickinson told Reyes there was no specific ban against making video or audio recordings in the library, but that he was disrupting the “comfort of the general library population,” the report states.

Reyes gives police his identification and was told not to return to the library, the videos show.

### **Outside the library**

After leaving the building, police escort Reyes off the library property and stay with him for about 10 minutes.

As the video continues, officer Ken Utter can be heard in the video asking Reyes if he left the library and avoided arrest because plans to play a video game with his friends that night.

“What do you do in your spare time?” Reyes asks Utter as the YouTuber stands on the sidewalk abutting Main Street. “Do you look at little girls or something?”

“Yeah, that’s it,” Utter says sarcastically with a laugh.

“What do you do, officer, tyrant?” Reyes continues.

Less than a minute later, Reyes questioned why officer Paul Tibbitts continued to wear a face covering outside.

“What do you have herpes, got to cover up the herp?” Reyes asks.

Reyes said Friday he “lost (his) cool” because he was “tired” of the officers “violating” his rights.

“They were treating me so horribly,” Reyes said. “I try to stay professional in all my videos, I do. This was so horrendous.”

A couple minutes later, the officers and Reyes argue over constitutional issues, leading Utter to put his hand on Reyes’ wrist.

“It’s constitutionally protected activity. If I went in there and I was acting like an a\*\*\*\*\* —” Reyes says.

“You’re wrong,” Utter says, pointing at the camera.

He moves his body to get in better view of Reyes’ camera and motions with his right hand for Reyes to come closer, bringing his left hand to touch Reyes’ wrist, the body camera footage from Dickinson, the sergeant, shows.

“You’re wrong,” Utter says.

“Don’t touch me,” Reyes says, swatting with his left hand without touching Utter. “Don’t touch me.”

The cop's thumb and fingers hold Reyes' wrist, but Utter does not appear to twist the YouTuber's wrist, as Reyes claims in a complaint filed with the police department.

"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," Reyes wrote in his complaint. "This was unacceptable. This officer has no right to touch me. I want him held accountable for this."

After the back and forth, a group of officers met away from Reyes.

"You know what I'm telling you right now, f\*\*\*\*\* five years ago with this s\*\*\* he would have been on the f\*\*\*\*\* ground," Utter tells a fellow cop after the two walk away from Reyes outside of Danbury Library on June 9.

"Absolutely," Tibbitts says.

"And 20 year ago, that f\*\*\*\*\* would be dead," Utter says. "He'd be f\*\*\*\*\* — his teeth would be missing."

The audio cuts out shortly after.

The comments surprised Mayor Cavo, who said he has not watched the footage.

"Wow, OK," he said, in reaction to learning about the comment. "As a mayor of the city, I'm really disappointed that those words may have been uttered or spoken by an officer of the city of Danbury."

### **City Hall incident**

On July 15, Reyes made two visits to City Hall, according to a police incident report also obtained in the FOIA request. During his second visit that day, Reyes was arrested.

During the initial visit July 15, city attorney Laszlo Pinter told Reyes he was not permitted to film in the offices of City Hall, according to a police incident report. Police were called then and Reyes left.

Reyes claims City Hall's security guard pushed him several times during his first visit to City Hall July 15. Police did not provide body camera footage from that visit. Reyes, who filmed the incident, said he went to the police station afterward and provided video to the officers that shows the security guard pushing him.

That video is not available, however, as body camera footage shows police seizing Reyes' phone when he was arrested July 15, which the police report confirms. Reyes told Hearst Connecticut Media the phone still has yet to be returned.

Reyes returned to City Hall to film around 2:30 p.m., went to the second floor and "pushed past" the security guard to film across the tax assessor's counter, according to the police report.

Pinter told police Reyes was "very loud and disruptive while he was in City Hall causing the employees to feel uncomfortable," the police report states. An employee in the tax assessors' office hit the "panic alarm button," prompting officers—including one who responded to the first visit—to arrive.

In one video, Town Clerk Jan Giegler says to an officer that Reyes "busted" into her office and tried to film city employees, in addition to attempting to record video over the counter at work stations. Giegler said she told him he could not do so and that he needed to leave.

Reyes told police he went to the town clerk's office to file a Freedom of Information Act request, according to another video.

As he talks to one officer, another comes down the hallway, asks for his name, reaches for his camera and then tells him to turn around and put his hands behind his back.

"You were told not to go film in the offices. You filmed in the offices," the officers says as he and another officer handcuff Reyes.

Police walk the YouTuber down the stairs and outside City Hall before placing him in a police car and bringing him to a jail cell, the footage shows.

Outside City Hall, Pinter told an officer that Reyes had “upset” City Hall staff, the footage shows.

The department has not launched an internal investigation into the City Hall incident.

“In general supervisors review all arrests that we make,” Ridenhour said in an email. “At this time we have no indication of any violations of our department policies from the one on July 15. The concerns were only with the June 9 incident and only as it pertained to the demeanor of the responding officers.

### **City Hall filming rules**

City employees were refreshed on Danbury’s policy on recording in public buildings as a result of Reyes’ videos, Cavo said.

The city has reviewed this policy with internal and outside legal counsel, Cavo said.

Members of the public may film in hallways and common areas in City Hall, but cannot record over staff’s counters or computer screens because they could capture residents’ private information, he said. People looking to do more extensive filming in City Hall in offices are required to sign a 10-page form with these rules and get approved to film in City Hall for a fee. Reyes said this form was mentioned to Reyes but not provided on July 15.

“It gives people the opportunity if they want to film, they can film,” Cavo said. “But they have to be mindful of other people’s privacy.”

Since Reyes’ first visit to Danbury, two men filmed in City Hall and followed the city’s policy, Cavo said. The men signed in with the security guard and wore masks as required during COVID-19. They were not asked to fill out the form, the mayor said. Reyes also returned to City Hall this past week, holding a rally, and filmed inside the building, not having to fill out a form, nor pay the fee.



