30th Board of Representatives City of Stamford

President MATTHEW QUINONES Clerk of the Board SUSAN NABEL Majority Leader RODNEY PRATT Minority Leader MARY L. FEDELI

MINUTES

President Quinones called the meeting to order at 7:07 p.m.

President Quinones read the call of the meeting: "I, Matthew Quinones, President of the 30th Board of Representatives of the City of Stamford, Connecticut, and pursuant to Section C2-10-4 of the Stamford Charter, hereby call a Special Meeting of said Board of Representatives at the following time and place:

Monday, August 5, 2019

7:00 p.m. Legislative Chambers, 4th Floor Government Center 888 Washington Boulevard Stamford, CT 06904-2152

to consider and act upon the following:

1. A30.076 Stamford Chief of Police (Chris Murtha) 07/03/19 – Submitted by Mayor Martin 06/25/19 – Interviewed by Committee

AGENDA

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by President Matthew Quinones.

<u>ROLL CALL</u>: Conducted by Clerk of the Board Susan Nabel. There were 38 members present and 2 absent or excused (Reps. Mahoney and Moore). <u>See Vote Record 2383.</u> Rep. Moore joined the meeting after roll call.

COMMITTEE PRESENTATION:

APPOINTMENTS COMMITTEE: <u>Attendance & Votes</u> <u>Minutes & Video</u> Annie Summerville, Chair Denis Patterson, Vice Chair Meeting: Tuesday, June 25, 2019 6:30 p.m. – Legislative Chambers

Chair Summerville reported that the Appointments Committee met as indicated above. In attendance were Chair Summerville, Vice Chair Patterson, and Committee Member Reps.

Figueroa, Kolenberg, Liebson, Matherne, McGarry and Pratt. Absent or excused was Rep. Pia. Also present were Reps. Adams, de la Cruz, DePina, Di Costanzo, Fedeli, Giordano, Jacobson, Lee, McMullen, Michelson, Miller, Moore, Nabel, Roqueta, Sherwood, Spadaccini, Stella, Wallace, Watkins and Zelinsky; Mayor Martin, Amy Livolsi, Assistant Corporation Counsel; Michael Handler, Director of Administration, Michael Pollard, Chief of Staff; Ted Jankowski, Director of Public Safety, Health and Welfare; Charlotte Lansing, PERF; Constance Hubbard, Catalina Horak and Jack Bryant, Search Committee members; and approximately 100 members of the public.

FAILED 15-23-1

1. A30.076 Stamford Chief of Police (Chris Murtha) 06/05/19 – Submitted by Mayor Martin 06/25/19 – Failed in Committee 1-6-1 07/01/19 – Withdrawn 07/03/19 – Resubmitted by Mayor Martin

A motion to approve Item No. 1 was made and seconded. A motion for a roll call vote was made, seconded and approved by a vote of 35-2-0 (Reps. Adams, Aquila, Coleman, Cottrell, de la Cruz, DePina, Di Costanzo, Fedeli, Giordano, Graziosi, Jacobson, Kolenberg, Lee, Liebson, Lion, Lutz, Matherne, McGarry, Michelson, Miller, Morson, Nabel, Patterson, Pendell, Pratt, Quinones, Roqueta, Saftic, Sherwood, Spadaccini, Stella, Summerville, Wallace, Watkins, Zelinsky in favor; Reps. McMullen and Pia opposed). <u>See Vote Record 2384.</u>

Rep. Watkins read the following statement into the record:

So we find ourselves tonight facing a critical decision. Whether or not to confirm the appointment of Assistant chief Chris Murtha as our new Chief of Police.

There are those who have argued that there is no particular urgency in appointing a new Chief. With respect, I disagree. I, and I am sure a number of you, have been approached by senior officers who have emphasized that the current uncertainties are hurting our Department and that the temporary leadership can not substitute for a new Police Administration.

There are those who have argued that the Mayor should have appointed an internal candidate, and the candidate most frequently mentioned was Jim Matheny. I agree that an internal candidate would have entailed less immediate risk, and I have great respect for Jim Matheny. Having said that, there are clear advantages and opportunities in seeking new perspectives and new experiences, even though they bear risk. The simple truth is that it was the Mayor's decision and his right to decide where to draw the line, and he and the Selection Committee decided that an external candidate was the way to go. With the passage of time and circumstances it must be clear to all of us that there is no going back to a Jim Matheny candidacy, or for that matter any other internal candidate.

There are those who have argued that Chris Murtha's being a named defendant in the discrimination law suit should disqualify him from consideration. These views appeared to shift when the court removed him as a named defendant in that law suit, and now these views focus on the fact that he is a senior officer in a department that is subject to such a law suit. Fellow Representatives lets be honest together. The truth is that these law suits are part of the daily landscape of many if not most Police Departments. We have been told by PERF and the Administration that every one the 11 finalist candidates for our position were either themselves individually or their Departments named in

similar actions. In fact, our own Stamford Police Department is the subject of a similar court complaint. It is simply unrealistic to expect that we will attract the quality of candidate we need if we are to place such an unrealistic filter on their candidacy.

Finally the whole discussion has now morphed into something to do with "Trust". In my business life I have had to initiate change and manage the outcomes thereof. In my experience Trust isn't a chit which is handed from those who hold it to those who need it. Trust is earned, over time and by hard work. It needs to be constantly reinforced. And Trust is fragile. And Trust can be manipulated by those who wish it to be shaken.

It is clear that Chief Murtha will face a Trust issue if he leads our Police Department. In fact, with the process we have gone through ANYONE coming into this role will now face a measure of heightened distrust. The question therefore is whether we think Chief Murtha has the experience, the insight and the skill to earn the Trust of those who work for him and the community he will serve. I believe his work in Prince George's county where he has broad support and respect should give us the comfort to entrust our Police Force to his leadership.

Rep. Nabel read the following statement into the record:

The action on this item is to either reject Chris Murtha as the candidate for police chief of Stamford or to accept the nomination and name him as chief.

To help myself think carefully and clearly, I made a list, two columns: accept or reject the nominee.

Among the reasons for rejection: a US District Court suit and accusations from members of the PGC dept that Murtha hindered advancement and promotion of minority group members of his Dept. as well accusations that he tampered with time records of minority dept. members.

For Stamford, these accusations are lightning rods. We pride ourselves on the mutual respect shared among our diverse communities. Passionate voices, including my own, immediately questioned the appropriateness of putting forward a candidate with this cloud on his record.

Equally passionate voices were raised to dissolve the cloud and clear Murtha's record, most notably in the nominee's interview with our Appts Committee, his Chief spoke factually to clear Murtha of those charges. Official references and unofficial phone calls to residents of PG County also disputed the allegations.

In early July, Judge Chuang dismissed Murtha's name from the suit in question for lack of evidence.

Further thoughts on the accusations: do we still operate on the assumption that a person is innocent until proven guilty, or have we stepped so far back from that principle that the combination of your position in society, your race and the neighborhood you come from are enough facts to judge you guilty?

One other suggested reason for rejection has been that Murtha is not an internal candidate, did not come up through Stamford's ranks. As has been stated early on in this process, the reasons for going to a national search are to bring a wider talent pool with different perspectives and a fresh eye to the role. I agree with that view.

On the side of acceptance: Murtha has gone through a rigorous interview process with the search firm, search committee, and the community. He emerged from an adversarial interview with the BOR in where, in spite of disrespectful comments, he managed to talk about his vision for change and about how the Stamford PD can rise from excellence to superiority. He has made himself available to anyone who has asked for further conversation. It is said that actions speak louder than words: Dep Chief Murtha's record of community involvement reported to us by members of that community speaks factually and clearly to his record.

We have seen a long record of accomplishment as well as a long history of continuing education in his resume, notably in methods of policing that are critical to a small-rapidlybecoming-large city. We have seen strong positive recommendations from a complete spectrum of colleagues, subordinates, superiors, community leaders and community members. We have seen a lengthy background check — more detail than it is common practice for a candidate in any search process to make public.

Although I had initial reservations, I feel that it would be unjust to vote "no" on this candidate, as that would be a rejection based on accusation that has proved baseless, on hearsay, and on the current trend to place blame on the basis of typecasting and circumstance. I will be voting in favor and I base that on qualifications, record and the promise I am hopeful Deputy Chief Murtha will bring to our City.

After extensive debate, a motion to move the question was made, seconded and approved by a vote of 33-5-1 (Reps. Adams, Aquila, Coleman, Cottrell, de la Cruz, DePina, Fedeli, Giordano, Graziosi, Jacobson, Kolenberg, Lee, Liebson, Lutz, McGarry, McMullen, Michelson, Moore, Morson, Nabel, Patterson, Pendell, Pia, Pratt, Quinones, Saftic, Sherwood, Spadaccini, Stella, Summerville, Wallace, Watkins, Zelinsky in favor; Reps. Di Costanzo, Lion, Matherne, Miller, and Roqueta opposed; Rep. Figueroa abstaining). <u>See Vote Record 2385.</u>

The original motion failed by a roll call vote of 15-23-1 (Reps. DePina, Di Costanzo, Fedeli, Jacobson, Lion, McMullen, Michelson, Miller, Moore, Morson, Nabel, Patterson, Summerville, Wallace and Watkins in favor; Reps. Adams, Aquila, Coleman, Cottrell, de la Cruz, Giordano, Graziosi, Kolenberg, Lee, Liebson, Lutz, Matherne, McGarry, Pendell, Pia, Pratt, Quinones, Roqueta, Saftic, Sherwood, Spadaccini, Stella and Zelinsky opposed; Rep. Figueroa abstaining).

ADJOURNMENT:

President Quinones adjourned the meeting at 8:34 p.m.

This meeting is on video.