

State of Connecticut
OFFICE OF INSPECTOR GENERAL



Report Regarding
In-Custody Death at the Norwich Police Department on February 4, 2022

Robert J. Devlin, Jr.
Inspector General

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Acknowledgements

The Office of Inspector General acknowledges the assistance provided to this investigation by the following:

Norwich Police Department

*Department of Emergency Services and Public Protection (DESPP), Division of State Police,
Central District Major Crime Squad*

DESPP, Division of Scientific Services

Office of the Chief Medical Examiner

New London Judicial District State's Attorney Paul J. Narducci

INTRODUCTION

On February 3, 2022, the Norwich office of the Department of Adult Probation (Probation) conducted a search of Brenton Chambers' vehicle, residence and business. Probation found suspected fentanyl at all three locations as well as a firearm at his residence. The Norwich Police Department (NPD) arrested Chambers on narcotics and firearm charges. Unable to post bond, Chambers was held in custody at the NPD.

At approximately 3:45 a.m. on February 4, 2022, Chambers suffered a fatal seizure while in his cell. Once notified of the death, the Office of Inspector General requested investigative assistance from the Connecticut State Police, Central District Major Crime Squad (CDMCS). The results of that investigation are set forth in this report.

The investigation establishes that a lethal dose of fentanyl caused Chambers' death. His death was not due to a peace officer's use of force against him nor from any criminal action by any officer of the Norwich Police Department.

INVESTIGATION

Probation

In April 2019, Brenton Chambers¹ was convicted of operating a motor vehicle under the influence of alcohol or drugs (General Statutes §14-227a), and illegal operation of a motor vehicle without an ignition device (General Statutes §14-227k(a)(2)). The court imposed a sentence of 18 months execution suspended after 30 days and 2 years of probation. Probation commenced on May 1, 2019. On February 3, 2020, probation officers conducted a home visit at Chambers' home/business.² In plain view, probation officers observed contraband. This resulted in Chambers' arrest for possession of controlled substances (General Statutes §21a-279)(a)(1)).

On March 6, 2020, Chambers admitted to his probation officer that he had started using heroin. Based on this admission, Probation referred Chambers to a drug program. The first program was not sufficient to meet Chambers' needs. Probation then referred him to a different program for substance abuse/mental health evaluation and treatment. Before Chambers could enter the program, NPD arrested him on May 9, 2020, on charges of assault third degree (General Statutes §53a-61), and breach of peace second degree (General Statutes §53a-181). Because of these arrests, on October 20, 2021, Probation charged Chambers with

¹ On February 4, 2022, Brenton Chambers was a 42 year-old African-American male.

² At that time, Chambers was living at his business premises.

violation of probation (VOP). The court ordered Probation to continue to supervise Chambers while the VOP case was pending.

During the period of this supervised VOP, Chambers struggled to report to Probation as directed. This ultimately resulted in Probation initiating a planned search of Chambers' vehicle and residence.

On February 3, 2022, Probation Officer Michael Sullivan contacted the NPD explaining that Probation officials had approved a search of Chambers and that he was scheduled to report to the Norwich Probation Office at 9:30 a.m. Sullivan planned to conduct the search then. Chambers, however, did not report to Probation at the scheduled time. He contacted Sullivan stating that he had gone to Hartford to complete an intake for the ROOT clinic in order to obtain a methadone prescription.

At 1:56 p.m., Chambers arrived at Probation driving a 1987 Chevrolet Silverado truck. When Sullivan advised Chambers of the planned search, Chambers became upset. At this time, for officer safety, Sullivan handcuffed Chambers behind his back. Probation officers escorted Chambers out of the office and put him into a probation cage car. Probation officers then proceeded to search Chambers' vehicle. NPD officers arrived on scene to assist with security as the truck was parked on a busy street. In the truck, probation officers located a small safe disguised as a dictionary. Inside the safe, was a plastic baggie containing approximately three grams of suspected fentanyl.

After completing the search of Chambers' truck, probation officers transported Chambers to his residence at 176 Norwich Avenue, 2nd floor, Taftville to continue the search. Norwich and East Lyme police officers also responded to the residence to assist. A probation officer located a 9mm Diamondback Firearms handgun in the bedroom closet. The gun was loaded with four rounds of ammunition. From the bedroom, probation officers also recovered two plastic bags containing approximately fourteen grams of suspected fentanyl.

Based on the results of the search of the vehicle and residence, a probation supervisor authorized a search of Chambers' business, Juiceman's Cloud City, at 1 Jewett City Road, Taftville. The business was located across the street from Chambers' residence. Probation located fifteen suspected fentanyl pills at the business.

NPD took possession of all of the suspected narcotics and the 9mm handgun. NPD arrested Chambers charging him with possession of narcotics (§21a-279(a)), possession of narcotics with intent to sell (General Statutes §21a-278(b)), and criminal possession of a firearm (General Statutes §53a-217d). Officers did a field test of the suspected fentanyl that yielded a positive reaction indicating the presumptive presence of fentanyl. Probation turned over

custody of Chambers to Officer Elizabeth Harsley. She transported Chambers to NPD headquarters arriving at approximately 3:29 p.m.

Police Reports

Officer Elizabeth Harsley

On February 3, 2022, at 2:53 p.m., Officer Elizabeth Harsley responded to 176 Norwich Avenue to assist Probation with a search of Chambers' apartment. Harsley stood outside of Chambers' apartment near Chambers who sat in the rear of a Probation vehicle.

Following the search, Probation Officer Sullivan told Harsley that Chambers was under arrest and could be transported to Norwich Police Department headquarters. Harsley secured Chambers in her NPD cruiser. She did not search Chambers. She did, however, ask Sullivan if Chambers had been searched. Sullivan stated that all of Chambers' items had been removed at the probation office. Harsley transported Chambers to the NPD without incident.

At the NPD, Harsley assisted Detective Joel Grispino in booking Chambers. Harsley was also present when Grispino searched Chambers. At that time, they noticed that Chambers had a swollen ankle. Chambers said that his ankle was sore from being wedged into the bottom of the probation vehicle's prisoner compartment.

Detective Jason Calouro

On February 3, 2022, Detective Jason Calouro received the evidence seized by Probation from Chambers' vehicle, residence, and business. He documented the evidence as follows:

Item #1: Clear plastic bag with knotted end containing three grams of suspected fentanyl seized from Chambers' vehicle.

Item #2: Diamond Firearms 9mm handgun seized from Chambers' residence.

Item#3: Two clear plastic bags with knotted ends containing fourteen grams of suspected fentanyl seized from Chambers' residence.

Item#4: Suspected fentanyl on a \$10 bill seized from the office area of Chambers' business.

Item #5: Clear plastic bag with knotted end containing white pills from office area of Chambers' business.

Item #6: Two cell phones.

The suspected narcotics were packaged and sent to the Department of Emergency Services and Public Protection, Division of Scientific Services, Controlled Substances Unit for testing.

Officer Zack Desmond

On February 3, 2022, Officer Zack Desmond was working a special detail at the Norwich City Hall. While there, Desmond saw Chambers enter the building and proceed to the Probation office on the third floor mezzanine. At approximately 2:00 p.m., Desmond saw Chambers leaving Probation in handcuffs. Four or five probation officers escorted him. At that time, probation officers began searching a vehicle while Chambers stood on the sidewalk. At approximately 2:30 p.m., NPD arrived and took custody of Chambers. Also at 2:30 p.m., Desmond's special detail ended and he began his patrol shift.

At the NPD, Desmond assisted other officers in booking Chambers. Desmond described Chambers as cooperative. Chambers reported that his ankle hurt and officers requested that EMS respond to evaluate Chambers' ankles. While waiting for EMS, Chambers asked, "Are you guys going to be able to get me my methadone?"

American Ambulance arrived and took Chambers to Backus Hospital. At 7:30 p.m., Desmond was directed to pick up Chambers and the officer who accompanied him at Backus Hospital. Chambers walked out wearing a boot. Chambers entered and exited Desmond's police cruiser voluntarily. Desmond drove back to the NPD where officers escorted Chambers to the booking area.

Officer Anthony Marceau

On February 3, 2022, at approximately 6:06 p.m., Officer Anthony Marceau accompanied Chambers from the NPD to Backus Hospital. Chambers had complained of a swollen ankle that he sustained while in the custody of Probation. The hospital treated Chambers and discharged him with a boot. Officer Desmond transported Chambers and Marceau back to the NPD.

At the NPD, officers escorted Chambers to the booking area without incident. Marceau searched Chambers before putting him into cell #5.

Dispatcher Rachael Willey

On February 3, 2022, at approximately 11:30 p.m., Dispatcher Rachael Willey began her overnight shift. She learned that Chambers was being held in custody on a \$150,000 bond. Willey and her desk officer counterpart, Officer Sarabeth Hanyckyj, observed Chambers throughout the night via camera feed into cell #5 displayed on a monitor in the dispatch area of the NPD.

During the night, she observed Chambers leaning forward with his elbows on his knees falling asleep. Willey and Hanyckyj continually watched Chambers for fear that he might fall forward and hit his head.

Sometime prior to 4:00 a.m., Willey went to the restroom and, when she returned, Hanyckyj informed her that Chambers appeared to be “acting funny.” Willey believed that Chambers was having a seizure. Hanyckyj grabbed a medical kit and went to check on Chambers. Willey called the report room and notified Officer Christine Ramos that she needed to check on the prisoner. On the video monitor, Willey observed Ramos, Hanyckyj, and Officer Jared Szuba enter Chambers’ cell to check on him. Hanyckyj called Willey and requested an ambulance because Chambers was unresponsive and without a pulse.

Willey called American Ambulance and the Norwich Fire Department. EMS personnel arrived within four minutes. Officers removed Chambers from the cell and started CPR. Officers continued compressions until EMS arrived.

Officer Sarabeth Hanyckyj

On February 4, 2022, Officer Sarabeth Hanyckyj was the NPD desk officer for the midnight shift. At approximately 3:40 a.m., she checked on Chambers via the video monitor. He was sitting on the cell’s bench looking away from the camera. Dispatcher Willey stepped out briefly and when she returned Hanyckyj looked at the monitor and saw Chambers lying on his back. His body language was not right. She went to check. Officers Ramos and Szuba were already inside the cell. They pulled Chambers out of the cell. Hanyckyj could not detect a pulse.

Officer Jared Szuba

On February 4, 2022, at approximately 3:37 a.m., Dispatch told Officer Jared Szuba of a suspected seizure. Szuba and Officer Ramos went to cell #5. Chambers was lying on the cell bench facing up. There was vomit in the area of his mouth and on the bench. He was unresponsive.

Szuba was unable to confirm a pulse and began CPR. EMS arrived and, at 4:20 a.m., transported Chambers to Backus Hospital. Szuba went to the hospital as well. Doctor Vivian Weinberger pronounced Chambers dead at 4:33 a.m.

Officer Christine Ramos

On February 4, 2022, at 3:47 a.m., Dispatcher Willey notified Officer Christine Ramos that Chambers was having a seizure and requested that Ramos check on him. Ramos and Szuba

went to Chambers' cell. He was lying on his back not breathing and unresponsive. Ramos and Szuba pulled Chambers out of the cell and started CPR. They continued to give aid until the arrival of EMS and the Norwich Fire Department.

Sergeant Christopher Chastang

On February 4, 2022, Sergeant Christopher Chastang was the patrol supervisor for the midnight shift. At approximately 3:51 a.m., he was called to headquarters on a report that a male prisoner was unresponsive. Upon his arrival at NPD, EMS was providing medical assistance to Chambers.

Chastang directed Officer Szuba to check Chambers' cell for foreign objects or contraband that could have contributed to Chambers' medical emergency. Szuba reported finding no such items.

Lieutenant Christopher Merrill

On February 4, 2022, Lieutenant Christopher Merrill was the midnight shift commander. Upon reporting for duty, he was told that the NPD was holding a male prisoner for arraignment on drug charges relating to a home check by probation officers.

At 3:46 a.m., Dispatcher Willey reported to Merrill that Chambers was having a suspected seizure. Willey contacted American Ambulance and the Norwich Fire Department for assistance. On his monitor, Merrill saw Chambers on his back not moving. Officers Ramos and Szuba began chest compressions. Chambers was not responsive. When EMS arrived, they took over.

Merrill reviewed the video for cell #5 from 3:15 a.m. forward. He did not see Chambers ingest anything.

Digital Evidence

The following digital evidence is relevant to Chambers' in-custody death:

1. To view Officer Harsley's body-worn camera recording of her taking Chambers into custody, click [here](#).
2. To view Officer Grispino searching Chambers at the NPD booking area, click [here](#).

3. To view Officer Marceau searching Chambers upon his return from Backus Hospital and just before he was placed in cell #5, click [here](#).
4. To view Chambers' actions in reaching into the front pocket of his hoodie about thirty minutes prior to his seizure, click [here](#).
5. To view Chambers' seizure, click [here](#).

Evidence

CDMCS detectives seized Chambers' clothing as part of the investigation. The clothing consisted, inter alia, of RAW brand tee shirt and sweat suit. Examination of these garments revealed that they have hidden pockets sewn into inconspicuous areas along the hems and other locations. Such pockets are suitable for concealing contraband such as drugs.





Autopsy

On February 5, 2022, Jacqueline Nunez, M.D., Associate Medical Examiner with the Office of the Chief Medical Examiner (OCME) performed an autopsy on Chambers. The autopsy report states:

CAUSE OF DEATH: ACTIVE FENTANYL INTOXICATION WITH RECENT COCAINE USE

MANNER OF DEATH: ACCIDENT (SUBSTANCE ABUSE)

The autopsy report describes the final diagnosis as follows:

FINAL DIAGNOSIS

I ACUTE AND CHRONIC SUBSTANCE ABUSE

- A. ACUTE FENTANYL INTOXICATION
- B. COCAINE USE

- 1. BENZOYLECGONINE DETECTED IN POSTMORTEM TOXICOLOGY

SPECIMEN

- C. PULMONARY EDEMA (RIGHT LUNG 1080 GRAMS and LEFT LUNG 900 GRAMS)
- D. SEE TOXICOLOGY REPORT

II CARDIAC HYPERTROPHY, 740 GRAMS

III HEPATOSTEATOSIS, 2640 GRAMS

IV NON-CONTRIBUTORY VIRAL STUDIES

The autopsy report detailed the postmortem examination of Chambers' body. The report noted that Chambers had an enlarged heart, fatty liver and pulmonary edema. The basis for the diagnosis of the cause of death derived from the toxicological report.

Toxicology

The Office of the Chief Medical Examiner sent samples of Chambers' blood to NMS Labs in Horsham, PA. The toxicology reports indicates, inter alia, the following positive findings:

<u>Analyte</u>	<u>Result</u>	<u>Units</u>	<u>Matrix Source</u>
4-ANPP	Presum. Pos.	ng/ml	Antemortem blood
Benzoyllecgonine	110	ng/ml	Antemortem blood
Fentanyl	67	ng/ml	Antemortem blood
Norfentanyl	51	ng/ml	Antemortem blood

The toxicology report contains reference comments regarding the substances detected in Chambers' blood. Those reference comments may be summarized as follows:

4-ANPP (Despropionyl fentanyl)

4-ANPP is a precursor chemical used in the production of fentanyl/fentanyl related analytes and is also a fentanyl metabolite and may be a metabolite of other fentanyl-related analytes.

Benzoyllecgonine (Cocaine Degradation Product)

Benzoyllecgonine is an inactive metabolite and chemical breakdown product of cocaine. Cocaine is a DEA Schedule II controlled central nervous system stimulant drug.

Fentanyl

Fentanyl is a prescription opioid commonly used as an anesthetic/analgesic. It is reported to be 80 to 200 times as potent as morphine and has a rapid onset of action as well as addictive properties. Illicit fentanyl is readily available due to low production cost and its high

potency. It is often sold as heroin and is commonly found in combination with other illicit drugs. Signs associated with fentanyl toxicity include severe respiratory depression, muscle rigidity, seizures, hypotension, coma and death. The report goes on to note: "In fatalities from fentanyl, blood concentrations are variable and have been reported as low as 3 ng/ml. Post mortem blood fentanyl concentrations ranged from 0.30 – 110 ng/ml (median 11 ng/ml) in 301 femoral blood specimens obtained from accidental drug overdose death investigations. These concentrations ranged from 9.7 – 41.3 ng/ml (median 17.2 ng/ml) in 7 fentanyl only cases in another case series."

Norfentanyl

Norfentanyl is the primary inactive metabolite of the synthetic narcotic analgesic fentanyl.

State Laboratory

The Controlled Substances Unit tested the suspected narcotics seized from Chambers' vehicle, residence, and business. The results were as follows:

- a. Bag with three grams of suspected fentanyl from Chambers' vehicle – the results were positive for fentanyl and xylazine.
- b. Fourteen grams of compressed powder of suspected fentanyl seized from Chambers' residence – the results were positive for cocaine.
- c. Ten dollar bill containing suspected fentanyl seized from office area of Chambers' business – the results were positive for cocaine.
- d. White pills seized from office area of Chambers' business – the results were negative for any controlled substance.

FINDINGS

1. In February 2022, Brenton Chambers was under the supervision of Probation. Although in violation status, the court ordered Probation to continue to supervise Chambers while the violation of probation (VOP) case pended in court.
2. In March 2020, Chambers admitted to his probation officer that he had started using heroin and Probation referred him to drug treatment programs. During the period of supervised VOP, Chambers struggled to report to Probation as directed. This resulted in Probation Officer Michael Sullivan obtaining authorization to do a planned search of Chambers' vehicle and residence.

3. On February 3, 2022, Chambers was scheduled to report to the Norwich Probation Office at 9:30 a.m. He did not report at that time. He contacted Sullivan and told him that he had gone to Hartford to complete an intake in order to obtain a methadone prescription.
4. When Chambers arrived at Norwich Probation at 1:56 p.m., Sullivan informed him of the planned search. Probation then proceeded to search Chambers vehicle, a 1987 Chevrolet pickup truck, his residence at 176 Norwich Avenue and his business, Juiceman's Cloud City, at 1 Jewett City Road. These searches resulted in the seizure of a firearm and bags of powder that the state laboratory determined to be fentanyl and cocaine.
5. The Norwich Police Department (NPD) assisted Probation in the searches. They later took Chambers into custody following his arrest on narcotics and weapons charges. The police set his bond at \$150,000 cash or surety.
6. Officer Elizabeth Harsley transported Chambers to the NPD. At the NPD, Chambers went through the booking process administered by Detective Joel Grispino who searched Chambers. It was at this time that Chambers complained that his left ankle hurt. Officers requested EMS to respond to the NPD to evaluate Chambers' ankle. While waiting for EMS, Chambers stated, "Are you guys going to be able to get me my methadone?"
7. At approximately 6:06 P.M., EMS transported Chambers to Backus Hospital. Later at approximately 7:30 p.m., Officer Desmond picked up Chambers at the hospital and returned to NPD. At the NPD, Officer Marceau searched Chambers before placing him into cell #5.
8. During the early morning hours of Friday, February 4, 2022, Dispatcher Willey and Officer Hanyckyj observed Chambers via a video monitor receiving a camera feed from cell #5.
9. At approximately 3:37 a.m., Willey and Hanyckyj noticed Chambers acting in a way that caused them to believe that Chambers was having a seizure. They notified other NPD officers who responded to cell #5 to assist Chambers. They found him unresponsive and commenced CPR. Within four minutes, EMS arrived and at 4:20 a.m., they transported Chambers to Backus Hospital. Doctor Vivian Weinberger pronounced Chambers dead at 4:33 a.m.
10. On February 5, 2022, Associate Medical Examiner Jacqueline Nunez, M.D. performed an autopsy on Chambers. Following the receipt of the toxicology report, Dr. Nunez determined Chambers' cause of death to be acute fentanyl intoxication and the manner of death to be accidental.

LAW

General Statutes §51-277a(a)(2)(A) provides in part:

“... whenever a person dies in the custody of a peace officer or law enforcement agency, the Inspector General shall investigate and determine whether physical force was used by a peace officer upon the deceased person, and if so, whether the use of physical force by the peace officer was justifiable under section 53a-22. If the Inspector General determines that the person died as a result of possible criminal action not involving the use of force by a peace officer, the Inspector General shall refer such case to the Division of Criminal Justice for potential prosecution.”

General Statutes §53a-22, as applicable here, provides:

“(b) ... a peace officer ... is justified in using physical force upon another person when and to the extent that he or she reasonably believes such use to be necessary to: (1) Effect an arrest or prevent the escape from custody of a person whom he or she reasonably believes to have committed an offense, unless he or she knows that the arrest or custody is unauthorized; or (2) defend himself or herself or a third person from the use or imminent use of physical force while effecting or attempting to effect an arrest or while preventing or attempting to prevent an escape.

Neither General Statutes Chapter 886, nor the penal code define the terms “physical force” or “criminal action.” For purposes of this report, I apply such terms in accord with their ordinary meanings.

ANALYSIS

The investigation establishes that, in February 2022, Brenton Chambers was struggling with substance abuse – particularly opioids. In March 2020, he told his probation officer that he had started using heroin. The morning of February 3, 2022, he went to a program in Hartford seeking a methadone prescription. After his arrest and while in the NPD booking area, he asked the officers, “Are you guys going to be able to get me my methadone?” Probation found fentanyl in his vehicle and cocaine at both his residence and business.

The analysis of Chambers’ blood sample taken at the autopsy showed a fentanyl level of 67 ng/ml. Doctor Nunez told me that this was a high level and supported her conclusion that acute fentanyl intoxication was Chambers’ cause of death. She described the death as “accidental” and due to substance abuse.

All of this refutes any suggestion that police misconduct was involved in Chambers' death or that his death was from some sort of criminal action. The above facts, however, present a serious question:

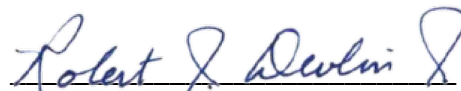
How was Brenton Chambers able to ingest fentanyl while held in cell #5 of the Norwich Police Department?

The camera in cell #5 does not record Chambers putting suspected drugs into his mouth. Other factors, however, support an inference that, sometime before 3:37 a.m., he did just that. Chambers had access to fentanyl. Probation found it in his truck inside a fake dictionary. The RAW clothing he wore had two secret pockets where he could have hidden fentanyl. At 3:11 a.m., Chambers reaches into the front pocket of his hoodie and at several points prior to 3:37 a.m., he turns so that the camera only shows his back. He could have put something into his mouth at these times. The powerful and overwhelming physical reaction he experienced (and that the camera records) is strong evidence of his reaction to a fentanyl overdose. I believe that, in combination, these facts support a reasonable inference that Chambers was able to ingest fentanyl while in cell #5 shortly before his death.

CONCLUSION

The investigation establishes that Brenton Chambers' death was due to acute fentanyl intoxication. Such death was not due to the result of any physical force used against him by a peace officer or any other criminal action. Accordingly, there is no cause to refer this matter for potential prosecution. The Office of Inspector General will take no further action on this matter.

Submitted this 15th day of February, 2023.



ROBERT J. DEVLIN, JR.
INSPECTOR GENERAL

ADDENDUM

Recommendation

Change of Clothes for In-Custody Arrestees

This report concludes that the most likely scenario leading to Chambers' death was his ingestion of fentanyl during the early morning hours of February 4, 2022. He likely had these drugs on his person when he was arrested and neither the probation officers who arrested him nor the Norwich police officers that took him into custody discovered them. The RAW brand clothing that Chambers wore had several concealed pockets designed to secrete drugs or other contraband.

One way to address this situation would be to take custody of the arrestee's clothing while the person is in police custody. The police agency could provide the arrestee with hospital scrubs or similar clothes to wear. When the arrestee is transported to court, his or her clothes would be returned. While involving some cost and additional effort by the police agency, such an approach would likely substantially reduce the chance of an in-custody drug-induced death.