

# MICHELSON, KANE, ROYSTER & BARGER, P.C.

ATTORNEYS AND COUNSELORS AT LAW

RICHARD L. BARGER  
STEVEN B. KAPLAN  
MARK E. BLAKEMANT  
PAUL S. TAGATAC

ALSO ADMITTED IN  
MASSACHUSETTS

HARTFORD SQUARE NORTH  
TEN COLUMBUS BOULEVARD  
HARTFORD, CONNECTICUT 06106

TELEPHONE 860 522-1243  
FACSIMILE 860 548-0194

www.mkrb.com

PAUL R. FITZGERALD†  
BETH N. MERCIER  
CAROLYN A. YOUNG\*

ALSO ADMITTED IN  
NEW YORK

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**Via Email: [nwhess@naugatuck-ct.gov](mailto:nwhess@naugatuck-ct.gov)**

Mayor N. Warren Hess, III  
Borough of Naugatuck  
229 Church Street  
Naugatuck, Connecticut 06770

Re: **Attorney – Client Privileged Communication  
Independent Investigation Pertaining to Police Chief Steven Hunt**

Dear Mayor Hess:

Set forth below are our findings and conclusions in the above matter.

**1. Scope of Investigation**

We were retained to investigate circumstances surrounding the public dissemination of private snap-chat messages (hereinafter “the messages”) between 13-year-old [REDACTED] daughter of Police Chief Steven Hunt, and another minor, [REDACTED]. The messages were exchanged on or about 2019. The messages, which are of a highly offensive racial nature and described more fully below, were made public by [REDACTED] on or about January 22, 2021. Police Chief Hunt first learned about the messages on or about January 22, 2021.

Publication of the messages created questions about Police Chief Hunt’s continued role in that capacity. Specifically, members of the public questioned whether he should resign as Police Chief because of the racial nature of the messages. In the alternative, you have asked us to evaluate whether any employment action should be taken by the Borough with respect to Chief Hunt. Currently, Chief Hunt is on paid administrative leave pending the results of independent investigation into the matter. For the reasons set forth below in greater detail, we conclude that there is no evidence to support a finding that Police Chief Hunt had any knowledge of or played any role in the exchange or publication of the messages.

2. Statement of Facts

The critical facts to this investigation are undisputed. On or about 2019 Police Chief Hunt's daughter sent a series private, direct, snap-chat messages of a highly offensive racial nature to [REDACTED]. The messages most cited in various media outlets include:

"My dad is officially Police Chief so that means he's more advanced in shooting black people than just a couple of minutes ago"

"I almost walked into the jail cells"

"There would have been black people"

"With the niggas"

"When I see you I'm like aye yo that's my nigga"

[behind a poster of black history month] pow pow

"I'll make my dad drive with lights and sirens and if we see any black people we will shoot them"

The above cited messages were privately exchanged between the two minors on or about 2019. Police Chief Hunt's daughter acknowledges the authenticity of the messages. Apparently, they were intended to be deleted. [REDACTED] states that he deleted the messages. In the ensuing two years, [REDACTED] discovered the messages had been saved on his I-Cloud as well as via screenshot. He published the messages on or about January 21, 2021.

Following the publication of the messages, the Borough of Naugatuck, the Naugatuck Police Department and Police Chief Hunt and his wife, Johnna Hunt, Associate Principal of Naugatuck High School, published statements condemning the racially charged messages. The Borough, Police Department and Hunts assured the public that such messages did not reflect their respective values. Moreover, Police Chief Hunt and Mrs. Hunt expressly stated that the comments do not reflect their individual values, family values, or the manner in which they have raised their children. The Hunts expressed outrage and disappointment in their daughter's actions. They also confirmed their longstanding and ongoing commitment "to contribute to a welcoming and accepting community that promotes social justice for all of its citizens."

3. Legal Standard

The Borough of Naugatuck undertook this investigation to determine what, if any, culpability Chief Hunt had in the drafting or publication of the messages. The Borough also questioned whether action should be taken with respect to the Police Chief Hunt's employment.

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More specifically, given the unique circumstances involved, questions arose about whether the Police Chief could be (or should be) held accountable for the statements of his minor daughter. We conducted a comprehensive review of potential legal responsibility of the Police Chief, including by way of example not limitation, review of his employment agreement, Police Officer Standard Training Counsel (POSTC) standards, Borough of Naugatuck Policies and Procedures, Connecticut General Statutes, Connecticut Common Law and internal affairs investigations of the Borough of Naugatuck Police Department.

The Borough of Naugatuck and Police Chief Steven Hunt entered into an employment agreement dated March 1, 2019. The contract is for a term ending June 30, 2022. In addition to outlining terms and conditions of employment, including compensation and benefits, the agreement contains the following provisions governing termination. Police Chief Hunt may not be terminated except for "just cause." Such provisions are set forth below.

### 7 – Termination:

#### a. termination for just cause.

In the event that Mr. Hunt is discharged for "just cause" (as defined below), Mr. Hunt shall be provided with a hearing consistent with Connecticut General Statute § 7-278. "Just cause" shall mean (i) any act or omission that constitutes a material breach by Mr. Hunt of any of his material obligations under this agreement; (ii) the continued and repeated failure or refusal of Mr. Hunt to perform the material duties required of him as an employee; (iii) any willful, material violation by Mr. Hunt of any law or regulation or Mr. Hunt's conviction of a felony, or any willful perpetration by Mr. Hunt of a common law fraud; or (iv) any other willful misconduct by Mr. Hunt which is materially injurious to the financial condition or reputation of, or is otherwise materially injurious to the BOROUGH or any of its employees or agents.

Consistent with the just cause provisions in the employment contract Chief Hunt's employment is governed by the Borough's Police Commission. Pursuant to Connecticut General Statute § 7-276, the Naugatuck Police Commission shall, among other responsibilities, "have general management and supervision of the police department...." The Police Commission shall "have the sole power of appointment, promotion and removal of the officers and members of such police department, under such regulations as it adopts for such purpose and such appointees shall hold office during good behavior and until removed for cause upon written charges and after a hearing." As cited in the employment contract, pursuant to Connecticut General Statute § 7-278 "no active head of any police department of any town, city or borough shall be dismissed unless there is a showing of just cause by the authority having the power of dismissal and such

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person has been given notice in writing of the specific grounds for such dismissal and an opportunity to be heard in his own defense, personally or by counsel, at a public hearing before such authority.”

We reviewed the Naugatuck Police Department Policies and Procedure Manual. Police Chief Hunt is subject to all policies and procedures, but we focused on the policy governing social media statements for purposes of this investigation. The intended purpose of such policy is to “enhance communication, collaboration, and information exchange; as well as streamline processes and foster productivity.” Critically, the policy includes the following definition:

2.20.3 – Inappropriate Content: Any post that:

1. Defames, abuses, harasses, stalks, threatens or violates the legal rights of others;
2. Includes racism, hatred, slander, threats, obscenity, violence, or vulgarity;
3. Includes spam, or advertisements;
4. Could harm the safety or wellbeing of one of our employees, including personal attacks;
5. Is off-topic;
6. Has personal information about another person or that violates a person’s privacy;
7. Includes copyrighted material that belongs to another;
8. Contains links to inappropriate websites.

On or about November 5, 2020 the State of Connecticut, Department of Emergency Services and Public Protection, Police Officer Standards and Training Counsel, Connecticut Police Academy issued General Notice 20-9, which permits POSTC “to develop and issue written guidance to law enforcement units concerning grounds for suspension, cancellation or revocation of certification.” The notice includes a new section that states:

The holder has been found by a law enforcement unit, pursuant to procedures established by such unit and considering guidance developed under section (g) of this section, to have engaged in conduct that undermines public

confidence in law enforcement, including, discriminatory conduct, falsification of reports or a violation of the Alvin W. Penn Racial Profiling Prohibition Act pursuant to section 54-11 and 54-1m.

The notice further provides guidance about conduct that undermines public confidence in law enforcement. Such conduct includes "intentional acts of bigotry or bias." Such acts include "electronic, audio, or visual posts containing images, acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, religion, or any protective class of individuals." POSTC expressly mentions "public posts" on social media as within the scope of the guidance. By its very nature, the guidance governs the actions, statements, including social media posts, solely of the officer.

#### 4. Summary and Conclusion

It should be noted that the Borough of Naugatuck gave the undersigned complete discretion to investigate the factual and legal issues cited above. We were granted complete access to witnesses who may have information relevant to this investigation as well as all pertinent documents. This summary and conclusion is based solely on our review of the facts, witness statements, documents and applicable law.

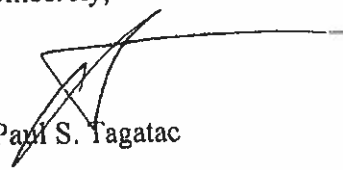
We conclude that there is insufficient evidence to conclude that Police Chief Hunt was complicit in or bears any responsibility for drafting or publishing the messages. In our opinion, we do not believe there is "just cause" under the Employment Agreement or C.G.S. § 7-276 to pursue adverse employment action. Based on our investigation, Police Chief Hunt had no knowledge of the messages before they were exchanged between the two minors. Chief Hunt did not have knowledge of the messages between the time they were exchanged and then made public. Police Chief Hunt learned about the existence of the messages (like everyone else involved in this matter, including the public) on or about January 22, 2021.

The investigation does not reveal any evidence to support a finding that Police Chief Hunt created or fostered an environment of racial insensitivity, personally or professionally. It should be noted that there is no evidence that Police Chief Hunt has at any time during his service as a Police Officer, including Chief, been counseled about or disciplined about matters of a racial nature. To the contrary, Police Chief Hunt has participated in and initiated programs designed to encourage "fair and impartial policing," including racial sensitivity training. Police Chief Hunt has worked with Attorney Kathy Taylor to conduct equity training for the Department. By all accounts, Police Chief Hunt continues to actively engage in training to ensure racial sensitivity throughout the Police Department.

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For the reasons cited above, we find no evidence to suggest that Police Chief Hunt played any role in the messages exchanged by the aforementioned minors. We remain available to discuss any aspect of this investigation and report in greater detail.

Sincerely,



Paul S. Tagatac

PST/rjb