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# Middletown POLICE DEPARTMENT

*"To proudly serve in partnership with the community through a commitment to excellence, professionalism and integrity."*

## *Press Release November 13, 2008*

The Middletown Police Department's internal affairs investigation into the May 16, 2008 incident on Fountain Avenue which resulted in the arrest of five Wesleyan University students is complete.

The investigation included interviews of students, Middletown Police officers, and officers from assisting agencies as well as Wesleyan Public Safety personnel.

The following is a summary of the event:

The first Middletown Police officer arrived on scene, at approximately 1:30 am. At that time, someone in the crowd threw a beer bottle which impacted the windshield area of an Officer's vehicle. Soon afterward, a call for mutual aid was issued to surrounding towns due to the size and unruliness of the crowd, which was estimated to be between 200-300 students. Ultimately, police personnel from Cromwell, Portland and the Connecticut State Police responded to assist this agency and Wesleyan Public Safety.

As the officers awaited assistance from these other agencies, Wesleyan Public Safety (WPS) and Middletown Police Department (MPD) officers attempted to speak with students and advise them to leave the area, with little or no success. WPS officers reported they repeatedly and continually warned students that police would likely use less lethal force to clear the road, however most students remained. Many students reported they remained in the area just to see what would happen next, and still others were summonsed to the scene by friends, apparently just to watch the police presence.

Some students who were interviewed during the investigation reported they did not receive any instruction from MPD or WPS to clear the area; however the vast majority indicated they knew and understood WPS and MPD were attempting to clear the roadway and to break up the party.

At approximately 2:15 am, MPD officers made several announcements over the PA system from a cruiser warning students to disperse and clear the area. Reportedly, this announcement was made anywhere from two to eight times over the period of several minutes. Several minutes following this announcement, the officers proceeded southbound on Fountain Avenue in an attempt to clear the street.

Within a short period of time, a total of five Wesleyan students were placed under arrest for various charges based upon "on-sight" violations.

Based upon this investigation, the officers were faced with what they described as a large, unruly and hostile crowd. In the course of two of these arrests, two Middletown Police officers were assaulted. It was determined that the officer's use of force was "objectively reasonable" in that the officers utilized physical force, tasers and K9's to effect these arrests, to prevent injury to themselves and others, and to prevent escape, as authorized by the law detailed in Graham v. Connor and the Middletown Police Department Use of Force Policy.

The Middletown Police Department continues to work closely with Wesleyan University leaders and students in an effort to improve communications. Our hope is that with better communication, we hope to develop a better relationship with the Wesleyan community and prevent this type of event from occurring in the future.



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Lynn M. Baldoni  
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