

Danbury once again ordered to rehire a police officer

By Dirk Perrefort

The state's arbitration board has ordered the city to rehire veteran Police Officer Daniel Sellner.

Sellner was fired three years ago after the city accused him of using excessive force during an arrest.

The arbitration board's decision marks the second time in the last two months that city officials have been ordered to rehire a police officer. A Superior Court judge ruled in April that the city should have issued a suspension instead of firing Officer Chris Belair two years ago for berating a motorist.

Sellner was fired in January 2014 after city officials, including Mayor Mark Boughton, determined based on video of the incident that he used unreasonable force when arresting a youth on Main Street. While officers said the youth fell while in handcuffs, the city maintained that Sellner pushed him to the ground.

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The arbitration board found that there was no evidence of unreasonable force, and noted that even if there had been, the city's Code of Conduct required a 30-day suspension for a first offense.

Boughton declined to comment Tuesday noting that the city will likely appeal the decision.

The city argued in court documents that Sellner had a history of excessive behavior and began a "vengeful manhunt" three years ago after the young man was found trespassing at the city's newly completed skate park and spat on a police car.

"The city stressed that (Sellner's) prior disciplinary record was '... extensive...' and demonstrated that he is '... incorrigible in his misconduct and is not suited to be a police officer...'" the city argued before the board.

Sellner was accused of treating a young man roughly in a holding cell 10 years ago and threatening

a motorist at a city gas station in 2012. He was suspended without pay for a week in 2013 for making a lewd comment to an elementary school teacher, and he underwent retraining after misusing a Taser on a motorist.

“The public needs to trust that the Police Department and its officers serve to protect them, not to endanger or intimidate them,” the city states in court documents.

The police union, however, argued that there wasn’t clear evidence of unreasonable force in the video tape of the Sellner arrest. Union officials added that investigating officers never interviewed Sellner about the arrest and the youth who made the original complaint refused to cooperate with the investigation.

“The city did not compel the testimony of (the youth) either in the internal investigation, at the mayoral hearing or in the instant arbitration hearing,” the union claimed. “That made the investigation fundamentally weak.”

Union President Bryan Reed said they feel vindicated by the board’s decision.

“Hopefully the city now realizes if they terminate someone they should do it for just cause,” Reed said. “From the beginning we’ve held that neither of these officers were guilty and neither should have been terminated.

We believed in their innocence all along.”

Reed said he spoke with Sellner earlier this week and the officer is excited to get his job back. He added that they are working with officials at the state’s police academy to ensure that Sellner and Belair have what they need to be re-certified in the state. The certifications for both officers lapsed while they were unemployed. ■