



**CITY OF ALBANY
COMMUNITY POLICE REVIEW BOARD
PUBLIC MONTHLY MEETING
MEETING MINUTES**

*November 10, 2022, at 6:00 p.m.
Albany Law School, Room E115*

I. CALL TO ORDER AND ROLL CALL

(Vives)

Chair Nairobi Vives called the meeting to order at 6:00PM.

BOARD MEMBERS PRESENT: Nairobi Vives, Dr. Veneilya Harden, Paul Collins-Hackett, Kevin Cannizzaro, Zach Garafalo, Matthew Ingram, John Levendosky, Victor Person

OTHERS PRESENT: CPRB Program Manager Michele Andre, GLC Deputy Director Patrick Woods, Assistant Corporation Counsel Matt Toporowski, Assistant Corporation Counsel Raisi Mobebe, OPS Joshua Laiacona, Andrew Lah, CPRB Interns Danielle Piccone and Brandon Khalil

II. APPROVAL OF THE AGENDA

(Vives)

III. PUBLIC COMMENT

No public comment.

IV. REPORT FROM MOEEL LAH FAKHOURY LLP

Andrew Lah reported that Ms. Andre, several Board members, Russell Bloom and himself sat through the first round of interviews and currently deciding who will advance to the second round of interviews. The goal is to complete the interview process by the end of the calendar year. Additionally, Russell Bloom, Rania Adwan, and Mr. Lah will be coming to Albany to host a training with the Board in December. He shared there are other issues in progress, but those are adequately addressed in the Committee Reports.

CASE REVIEW/UPDATE

CC2019-020 – Matthew Ingram

Board member Matthew Ingram reported that he completed the case review for complaint CC 2019-020. Mr. Ingram agreed with OPS's finding that the issues in the case are unfounded. The Board moved to close the investigation on this complaint. He shared there were several delays for him to go to OPS to conduct a review of their investigation on this complaint. The Board expressed concern to Commander Laiacona about the case taking over three years to be closed. Additionally, the Board asked the Commander about the procedures for officers' turning off their body-worn cameras during interactions with civilians and among off-duty officer(s).

The OPS and Board have made the following findings as to the conduct of the specific officer involved:

- With regards to the allegation of improper Arrest Authority & Procedures, the CPRB and OPS reached a finding of **Unfounded**.
- With regards to the allegation of improper Conduct Standards, the CPRB and OPS reached a finding of **Unfounded**.

The Board may make a finding of unfounded "where the review shows that the acts or acts complained of did not occur or were misconstrued." Upon motion and second, the Board findings was approved.

COMMITTEE REPORTS

BY-LAWS AND RULES

(K. Cannizzaro)

Board member Kevin Cannizzaro is the new chair of the Bylaws and Rules Committee. He reported that he held a Bylaws and Rules Committee meeting with the consultant group last week to help start amending the Board's By-laws and Rules to reflect Local Law J authority. The committee is looking to prioritize several items, including amending by-laws consistent with Local Law J. Lastly, he hopes for the committee to hold monthly meetings on the first Thursday of every month.

COMMUNITY OUTREACH

(P. Collins-Hackett)

Board member P. Collins-Hackett reported that the committee is in contact with several community outreach groups. One group is Common Justice which prioritizes spreading information about victim compensation. Another group is the Center for Community Alternatives, a group dedicated to people reentering society after incarceration. Next, he shared the progress of holding a "Know Your Rights" event, hopefully, next year in 2023 and will provide updates from meetings scheduled with community partners. Additionally, he stated he looks forward to the upcoming Capital of New York State Black Expo at MVP Arena. He expressed gratitude for the efforts put forth by Ms. Andre to prepare for this event. Lastly, he encouraged more participation in the Community Outreach meetings by fellow Board Members

MEDIATION

(V. Collier)

Dr. Rev. Collier was not present to give a report.

POLICE DEPARTMENT LIASON

(Dr. Harden)

Board member Dr. Harden reported the confidentiality stipulation between the CPRB and Albany Police Department was executed to allow the Board to have a remote electronic review for cases. She reported the Board can review cases more quickly and decrease review wait times. Lastly, Dr. Harden and Chair Vives will conduct a police academy class to introduce the cadets to the Board members and their work. Both expressed a desire for Board members to be present to engage with the cadets.

MONITOR TASK FORCE

(Dr. Harden, N. Vives)

Board member Dr. Veneilya Harden had nothing to report for the Monitor Task Force. Chair Vives shared the Monitor Task Force will likely be changed and replaced by the Investigation Committee. This change will likely be on the agenda for the December meeting.

REPORT FROM PUBLIC LIAISON

(N. Vives)

Chair Nairobi Vives shared the importance of the executed confidentiality stipulation and that the Board is continuing to work with the Common Council and the City's administration for an increase in the CPRB's 2023 budget. She shared there continue to be both public and private meetings to ensure the CPRB receives the necessary funding to staff the Board.

Chair Vives and K. Cannizzaro were present at the Common Council budget public hearing.

Chair Vives shared the CPRB hopes to bring on independent counsel for various matters and subpoena service. She asks for input on complications in procurement that may arise based on local laws and it is an issue for the Board to research going forward. The Corporation Counsel's representatives at the meeting tentatively agreed that under the City's procurement policy an RFP would not be required to obtain outside counsel if the total cost of the counsel is under \$20,000.

REPORT FROM GOVERNMENT LAW CENTER

(M. Andre)

Current Data and Reports

CPRB Program Manager Ms. Andre reported that since the last meeting, the CPRB received five new complaints. Currently, there are 92 active cases, 1 case awaiting the assignment of a detective and a case number, 40 cases under investigation by the CPRB

and OPS, 31 cases under supervisor review by OPS and 9 cases pend the Board's approval. Furthermore, there were 4 cases voted to be independently investigated and 7 cases to be resolved through mediation. The two monitor reports received for 2022 cases were assigned to Board members for review. Additionally, 2022 3rd Quarterly and September and October Public Monthly Meeting Minutes are awaiting approval by the CPRB.

Case Management

Ms. Andre reported that the CPRB has committed to HighQ for a case management system for the Board.

Laptops for Board Members

Ms. Andre reported that laptops were purchased and will arrive soon to assist remote Board Member case review. Albany Law's IT department will set up the laptops and Ms. Andre will notify the Board when they are available for pickup.

Other Administrative Details to Report

Ms. Andre reported that she had scheduled catering and photography for the upcoming training with consultants. She also reported that By-Laws and Rules Committee meetings have been scheduled for 2023. Ms. Andre noted that she also attended Common Council budget meetings. Ms. Andre reported on the Common Council's Call for Applications to fill Mr. Garafalo's position as his term expired. He will remain in his position until someone takes his place. The Common Council informed Michele Andre that three people had applied to fill the position. Albany Law School's third quarterly billing for the administrative agency and the October consultant bill have been submitted to the Audit's Office for approval.

REPORT FROM OPS

(J. Laiacona)

Confidentiality Agreement

Commander Laiacona restated that the confidentiality agreement between the CPRB and OPS was approved. The remote electronic access will start either Monday, November 14th or Tuesday, November 15th. He offered training and technical assistance from OPS to anyone who struggled with the new electronic case review process. Additionally, there may be information that the board will have to come down to OPS to review, similar to the original process.

Police Academy

Commander Laiacona reports that the curriculum for the Board's one-hour class at the police academy was approved. The Commander is supportive of the CPRB coming to speak with cadets and hopes to add more classes with the academy in the future. He adds that the number of cadets decreased over the past few years. There is an average of ten people in each graduating class.

He reports there was no discipline issued during the first three quarters of 2022. There was a disciplinary issued at the beginning of what is currently the fourth quarter. Thus, there will be more information to report at the end of the fourth quarter.

REPORT FROM THE CHAIR

(N. Vives)

Chair Vives shared gratitude for the support and hard work of the GLC, the consultants from Moeel Lah and Fakhoury LLP, community members, and the Board members themselves. She shared the CPRB received recognition for their hard work and dedication from the Common Council, more specifically from Council Member Derek Johnson. Board members continue to attend meetings to fight for what the Board needs from the City of Albany.

The Board is working towards compliance with legislative changes arising out of Local Law F.

REPORT FROM CORPORATION COUNSEL

(M. Toporowski, R. Mobebe)

M. Toporowski shared he is happy that the confidentiality agreement was completed and signed. Secondly, there is an upcoming sealing conviction records fair on November 29th which he invites Chair Vives to volunteer at. Lastly, there is no longer any pending litigation against the CPRB.

NEW BUSINESS

(N. Vives)

September 8 and October 14 Meeting Minutes

Board Members unanimously approved the September and October Meeting Minutes.

Third Quarterly Report for 2022

Board Members unanimously approved the 2022 Third Quarterly Report.

Update on Request for Proposal for Investigative Services

Ms. Andre reported that the CPRB received approximately 240 applications for the contract investigator position. There were ten people/entities who were offered interviews; eight interviews were conducted on November 4th and four promising candidates were identified from the interviews conducted. Additionally, the Board hopes to contract with a firm and three investigators. The Board hopes to finalize and wrap up the hiring process by the end of the calendar year.

Moeel Lah Fakhoury LLP Agreement

Ms. Andre reported that Moeel Lah Fakhoury and the Board must notify to the Corporation Counsel of their wish to continue working together in 2023; The notification must be received by November 30th. Chair Vives, Dr. Harden, and P. Collins-Hackett explicitly showed support to continue the agreement in 2023. There were no objections; the CPRB agreed to move forward with notifying the Corporation Counsel that the agreement will continue.

RFP 2022-30 CPRB Administrative and Oversight

Chair Vives shared concerns about the CPRB potentially operating under a new contract with a new administrative agency pursuant to an RFP that was issued by the Corporation Counsel's Office. The Board expressed their concerns with Common Council and continues to wait to see the result of the RFP.

VIII. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:00pm.

Respectfully Submitted,

Michele Andre
Program Manager