



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

September 8, 2022, at 6:00 p.m.
via Zoom

I. CALL TO ORDER AND ROLL CALL (Vives & Dr. Harden)

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

COMMITTEE MEMBERS PRESENT: Nairobi Vives, Dr. Veneilya Harden, Paul Collins-Hackett, Dr. Rev. Collier, Kevin Cannizzaro, Zach Garafalo, John Levendosky, Victor Person, Matt Ingram,

OTHERS PRESENT: GLC Deputy Director Patrick Woods, CPRB Program Manager Michele Andre, Matt Toporowski, Andrew Lah, Russell Bloom, Rania Adwan

II. APPROVAL OF THE AGENDA (Vives)

Chair Nairobi Vives moved to approve the agenda. Upon motion and seconded, the agenda was approved.

III. PUBLIC COMMENT

There was no public comment.

IV. REPORT FROM MOEEL LAH FAKHOURY

Andrew Law and Russell Bloom presented their recommendations for the investigative structure for the CPRB. Namely, they recommend a bifurcated model, in which the CPRB create an investigative and review arm of the CPRB with independent investigators. Initially, investigators could be hired on a contract basis, but the long-term goal would be to hire full-time investigative staff. This would create a structure that has a clear delineation

between board adjudication and objective fact investigation. Mr. Bloom noted that this model is used in oversight for the Bay Area Rapid Transit Police Department.

Under this model, the Board members would focus on review and policy. For example, the Board might: vote whether to approve/appeal findings reached by the investigative staff; review which cases to refer to the investigative arm or to OPS at intake stage; review all investigative outcomes to determine whether policy recommendations are appropriate; use a monitoring system for some cases and focus investigative resources on certain categories of cases or cases of strong community concern.

Mr. Bloom clarified that there would be leadership within the investigative body that is charged with allocating resources, ensuring quality in the investigation process, etc. This role might be named a “lead investigator,” “senior investigator,” “executive director,” etc. Chair Vives emphasized that the Board will have ample opportunities to review details about the model. Mr. Ingram moved to endorse creating an investigative arm of the CPRB. Upon motion and seconded, the proposal was approved.

Ms. Adwan also shared information about a digital outreach platform called Konveio (<https://konve.io>). The platform turns regular PDFs into social documents that enable community members to add comments and feedback on documents, such as proposed policies. Using the platform requires internet access. Chair Vives notes that it could be a way to encourage public comment on proposed policy changes. This would be an add-on to existing outreach strategies. Chair Vives has approved a 3-month pilot to try out the platform.

V. CASE REVIEW/UPDATE

CC2018-013 – Assigned P. Collins-Hackett

Mr. Collins-Hackett reviewed footage related to the case and identified misconduct (problematic language and discourtesy) by the officer involved. Allegations of physical misconduct were determined to be unsubstantiated by OPS. Commander Laiacona shared the following findings from OPS: use of force (exonerated), problematic language (founded), evidence and property handling (unfounded), courtesy issue (founded). The officer named in the complaint is no longer employed by APD and these notes were added to their file. Mr. Collins-Hackett moved to close the case noting that the conduct issues were addressed.

The Board has made the following findings as to the conduct of the specific officer involved:

- With regards to the allegation of improper Use of Force, the CPRB reached a finding of Exonerated.
- With regards to two counts of the allegation of improper Conduct Standards (problematic language and discourtesy), the CPRB reached a finding of Founded.
- With regards to the allegation of improper Evidence and Property handling, the CPRB reached a finding of Unfounded.

Upon motion and seconded, the Board findings was approved.

CC2019-008 - P. Collins-Hackett

OPS determined the allegations to be unfounded based on available evidence. Mr. Collins-Hackett moved to close the case in agreement with OPS findings. Discussion focused on lack of available evidence. The only available evidence was video footage from officers' bodycams. The complainant was present at the meeting via Zoom, but did not respond when given the option to speak. With regards to the allegation of improper Use of Force, the Board reached a finding of Unfounded - Upon motion and seconded, the Board finding was approved with one abstain.

CC2019-021 - Rev. Collier

Incident occurred in 2019. OPS initially determined the allegations to be unfounded. Rev. Collier reviewed evidence in the case and was in agreement with the OPS findings. Rev. Collier moved to close the case. The Board has made the following findings as to the conduct of the specific officer involved:

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

Upon motion and seconded, the Board findings was approved with one abstention.

VI. COMMITTEE REPORTS

BY-LAWS AND RULES

(M. Ingram)

Mr. Ingram stated that there was no substantive update. With the adoption of a bifurcated model, there would have to be changes to the bylaws. Mr. Ingram shares that he hopes to establish a regular schedule for the committee and invites Board members to come to committee meetings.

COMMUNITY OUTREACH

(P. Collins-Hackett)

P. Collins-Hackett reported that the committee has been meeting frequently to plan programs, including instructional videos and "know your rights" events. Chair Vives thanked Mr. Person for tabling and outreach activities.

MEDIATION

(V. Collier)

Rev. Collier shared that there were no substantive updates from the committee, however there is a need to encourage the community to use this resource. Chair Vives emphasized that community outreach activities could help community members learn about it.

POLICE LIAISON COMMITTEE

(Dr. Harden)

Dr. Harden requested an update about the confidentiality agreement that would enable remote access to evidence. Mr. Toporowski will follow up with the Chief and anticipated possible language changes. Mr. Cannizzaro suggested the following changes: either party should be able to initiate good faith revisions (mutual agreement should not be required to initiate revisions). Mr. Toporowski agreed and implemented the change. Chair Vives and Mr. Cannizzaro offered to be available for a phone call as needed.

MONITOR TASK FORCE

(Dr. Harden)

No new updates from the monitor task force.

VII. REPORT FROM PUBLIC LIAISON

(N. Vives)

Chair Vives shared that the committee looks forward to completing the confidentiality agreement.

VIII. REPORT FROM GOVERNMENT LAW CENTER

(P. Woods and M. Andre)

Ms. Andre shared that the Board received 3 complaints since the last meeting and 2 cases for which OPS has shared reports. There are 2 cases for which the Board will receive monitors' reports. Ms. Andre will be attending the National Association for Civilian Oversight of Law Enforcement (NACOLE) conference in-person next week. Several Board members are registered to attend virtually. The CPRB has been invited by the Mt. Vernon Police Oversight group to discuss what police oversight could look like in Mt. Vernon in a virtual city hall meeting. Ms. Andre also reported that she is obtaining quotes for case management platforms and DEI training.

IX. REPORT FROM OPS

(J. Laiacona)

Commander Laiacona shared that a new detective has been hired by OPS.

X. REPORT FROM THE CHAIR

(N. Vives)

Chair Vives expressed that the budget narrative below would allow the Board to professionalize their work.

XI. REPORT FROM CORPORATION COUNSEL

(M. Toporowski)

Mr. Toporowski shared that he and Ms. Andre are working to streamline the invoicing and payment process.

XII. NEW BUSINESS

(N. Vives)

Approval of 2021 Annual Report

Chair Vives moved to approve the 2021 annual report. Upon motion and seconded, the report was approved.

Approval of August 11 Public Monthly Meeting Minutes

Chair Vives moved to approve the minutes from the August 11 Public Monthly Meeting. Upon motion and seconded, the minutes were approved.

CPRB 2023 Budget Narrative

Chair Vives moved to approve the 2023 Budget Narrative. Mr. Cannizzaro expressed thanks to all who have worked on the narrative. Chair Vives thanked Ms. Andre and Ms. Adwan for their work on the narrative. Upon motion and seconded, the budget narrative was approved.

Proposal Request for Investigative Services

Ms. Andre stated that the request for proposals for investigative services has been posted and distributed online.

VIII. ADJOURNMENT

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Michele Andre
Program Manager