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*Albany Community Police Review Board
c/o Government Law Center*

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

*March 14, 2024, at 6:00 p.m.
Albany Law School, Room W212*

I. CALL TO ORDER AND ROLL CALL (N. Vives)

CPRB Chair Nairobi Vives called the meeting to order at 6:20 PM.

BOARD MEMBERS PRESENT:

CPRB Chair Nairobi Vives, Vice Chair Dr. Veneilya Harden, John Levendosky, Antionette Santos, Victor Person, Paul Collins-Hackett, Kevin Cannizzaro, and Matthew Ingram.

OTHERS PRESENT:

CPRB Program Manager Michele Andre, GLC Deputy Director Patrick Woods, T&M Investigator Julie Schwartz, T&M Deputy General Counsel Martin Gleeson, T&M Investigator James Liander, T&M Investigator Patrick Keane, Chief of Police Eric Hawkins, and Deputy Chief Anthony Battuello.

II. T&M INVESTIGATION PRESENTATION (J. Schwartz)

Julie Schwartz led the presentation summary of T&M's investigation report.

Ms. Schwartz began by introducing herself and her team: Martin Gleeson, Deputy General Counsel of T&M; James Liander; and Patrick Keane.

The presentation began by describing the Arch Street protect which started April 14, 2021, at Townsend Park and ended at APD South Station which was to protest Daunte Wright. When the protesters arrived, APD officers confronted the protesters asking them to leave and then returned to the station. The protesters then began banging on the doors and one protester broke the front door. The protesters refused to leave, the officers eventually used OC spray (pepper spray) against the protesters. One of the

protesters had a megaphone which Lt. Devin Anderson pulled from a protester's hand and which caused lacerations on the protesters lip and chipped their tooth. After the confrontation, some protesters built an encampment outside of South Station with heaters and tents.

APD officers reported to Chief Hawkins that Lt. Anderson's address was exposed online (doxed) and his family was being threatened. Because of this, Chief Hawkins allowed officers to cover their names but not their badge numbers.

On April 22, 2021, Lt. Josiah Jones was sent to speak with a protester in charge and when no one responded, he instructed protesters via megaphone to clear out and leave within 15 minutes or they would be arrested. When none of them left, APD officers raided the encampment and arrested those who failed to comply with their order to leave. In doing this, some APD officers covered their names and/or badge numbers and failed to provide this information when asked.

It was further reported that some APD officers carried polymer shields and other areas on their person. There were images provided by T&M to support this allegation.

The Board received four complaints.

The Office of Professional Standards (OPS) investigated this incident and produced two reports. As to the incidents on April 22, 2021, OPS sustained that the APD officers did cover their names and or badge numbers as per Chief Hawkins's directive, and arrestee's property was not safeguarded but it was partially the arrestee's fault for not following the APD's order to leave the area. OPS found that the April 14 allegation of excessive force were unfounded and exonerated that APD dragged a female protester by her legs while arresting her. OPS further found that the April 22 allegations of covering their badge numbers and use of the thin blue line insignia was unfounded.

T&M conducted their own independent research. T&M found that the alleged use of force in removing the megaphone from the female protester was sustained. T&M further sustained the covering of badge numbers on April 22, display of thin blue line insignia and paraphernalia, failed to safeguard an arrestee's property, and failure to provide names and/or badge numbers. T&M could not sustain the allegations of covering their name/badge number on April 14, use of unreasonable force on April 14 for using the spray and removal from the ramp, and further could not sustain the use of unreasonable force on April 22 when taking down the encampment. T&M further found that Lt. Jones failed to use his Body Worn Camera (BWC), Chief Hawkins directive on removing names but not badge numbers was not clearly conveyed, APD officers failed to follow APD guidelines for use of OC spray, failed to confirm that APD officers were doxed, failed to investigate allegations of doxing, failed to follow their own Operational Orders regarding takedown of the encampment, failed to visibly inspect APD officers prior to the takedown of the encampment to ensure they were within Uniform Guidelines. T&M also found that there was no post-operative review and prepare an After-Action Report, failed to acknowledge that thin blue line insignias

can harm public trust, and failed to properly and timely investigate the Civilian Complaints.

III. PUBLIC COMMENT

One of the complainants prepared a statement. The complainant expressed frustration on the use of OC spray, use of excessive force, and general uncooperative nature of the Albany police and the police officers involved. The complainant recounted viewing the videos of their daughter's assault and their difficulty in trying to find their daughter after their daughter's arrest. The complainant further highlighted how APD took their daughter's phone and lied to them about their daughter's whereabouts after the arrest. The complainant noted that they initially discouraged their daughter and other protesters not to report their complaints. The complainant called for Chief Hawkins to be fired and ended with the sentiment that APD believes that they are above the law.

Another complainant on Zoom asked whether Devin Anderson still works for APD and asserted unrelated misconduct other allegations against Devin Anderson.

Chief Hawkins confirmed that Devin Anderson still works for APD.

Another complainant on Zoom and noted that they did not suffer injuries from April 14 or April 22, but made statements on the investigation and their frustration that Devin Anderson is still employed despite other allegations and issues with him. The complainant ended by calling for Devin Anderson to be fired.

A complainant spoke on their experience being arrested and searched. The complainant recounted that they were having an asthma attack and asked for a female officer. The complainant noted that they waited a long time for a female officer and when one did arrive, she cut off the complainant's binder. The complainant commented on their experiences of transphobia with APD. The complainant further stated that the report by T&M was not thorough and there were things that were not investigated and should have been.

Another complainant recounted their experience at Arch Street. They noted their experiences of uses of force including a dislocated shoulder. They also noted their night in Schenectady jail for use of chalk. The complainant discussed their problems and disgust with APD and their continuing injury. The complainant expressed their frustration with the lack of information and the lack of a proper investigation. The complainant ended their comment by expressing their hatred for the APD and wish for accountability.

A final complainant discussed their assault on April 14, 2021, and brought the megaphone with which they were hit in the face. The complainant described their trauma from April 14, including therapy and their fear of leaving the house after the assault. The complainant further describes losing their therapist and directly addressed Chief Hawkins and their disgust with his handling of the situation. The complainant

also passed around the megaphone and demanded that Chief Hawkins hold it, which he refused to do. The complainant played a voicemail from their mother which they received while the encampment was being taken down which expressed her worry for her daughter, the complainant. The complainant also discussed her continued experiences with the APD and how she feels targeted by APD and was also doxed after the South Station confrontation. The complainant called for Chief Hawkins and Devin Anderson to be fired.

Publications Editor and Community Events Organizer Chel Miller read a public comment submitted by email. The commenter noted their experience at South Station included the encampment raid on April 22. The commenter further noted the use of the Thin Blue Line insignia and the lack of badge numbers and names.

One of the complainants reiterated their frustration with the mishandling of complaints by APD and how only four complaints made their way into the investigation. The complainant further noted their frustration with the investigation process and that while this is a step in the right direction, the existence of the police and the continued employment of Devin Anderson are symptoms of a continued lack of accountability. The complainant ended by shouting out the other protesters and the lack of protection for black trans people in Albany and across the country.

Another one of the complainants reiterated that multiple complaints were submitted and yet were not reported to the CPRB or investigated. The complainant rebutted the claim that the encampment was in the way.

The next complainant expressed their anger with what happened April 14 and April 22, and how their complaint did not make it to review. They talked about how they suffer from PTSD and how the events at Arch Street compounded this PTSD. They recounted seeing Blue Lives Matter masks on and the officers' disregard for the protesters. The complainant then addressed Chief Hawkins' actions and his choice not to fire or suspend Devin Anderson.

The daughter of one of the complainants spoke, first on the proposed recommendations which were in connection to their arrest, and further discussed their non-violence. They then expressed that the recommendations are not followed, and it is only a change on paper. Finally, they discussed how they were distraught with this situation, and they want Chief Hawkins to be fired.

A public commenter started by noting the irony of "protect and serve." He then discussed some failings of the APD: refusal to comply with a subpoena, failure to use their BWCs, displaying Blue Lives Matter insignias, and use of expired pepper spray.

One of the complainants added to their public comment, questioning how OPS found no use of excessive and if so, why was there a trigger warning before the videos were shown at the meeting. The complainant additionally questioned the lack of some video evidence. The complainant emphasized their continuing trauma as a result of the events

of April 22. The complainant further explained the property damage and destruction they experienced.

A public commenter started by noting that none of one of the complainant's resulting trauma was her fault. This commenter was present at Arch Street and discussed what he described as unfathomable and disgusting. The commenter noted that he lost all trust in the police force and does not want the children he teaches to distrust the police, but that reality says otherwise. The commenter ended by questioning what the police are trying to hide.

The next public commenter noted the uncooperative actions of the APD officers and recounted violence from a member of the public during the march preceding the confrontation on April 14, and how she was screaming violent things and an APD sergeant did nothing. The commenter reiterated the frustration with APD and the handling of this investigation.

The next public commenter applauded the protesters and his own case against APD which was dismissed with prejudice. The commenter stated that he experienced similar issues with his case that the protesters experienced and that APD officers refused to show up to testify in his own case which led to its dismissal.

The next public commenter recounted a prior issue with Chief Hawkins in 2020 at a separate protest. The commenter then discussed things that were not involved in the report including a New York state anti-terrorism task force which erected a fence after the protesters set up their encampment, the loss of complaints. They further claimed that the attack was planned. The commenter noted that when the encampment was raided, the protesters were hosting a food and clothing drive. The commenter further discussed their experience on April 14 and their frustrations with the investigation process, not being interviewed, and the charges initially brought against the protesters. The commenter then discussed that their young children were present at some point during the occupation of the encampment and questioned what would have happened to them were they there on either the 14th or 22nd. The commenter referenced the comments made comparing the protesters to the January 6th insurrection. The commenter discussed bringing litigation and the lack of public conversation or apology.

The next commenter, a member of the Common Council of the City of Albany Derek Johnson, talked about his experience during the protest and how if he conducted himself the way the officers conducted themselves, he would have been fired. He discussed his disappointment and objection with the use of tear gas. He noted the troubled history of APD and that he advocated for a conversation between the protesters and APD. The commenter discussed his personal experience with family and police violence and the city's inability to regulate tear gas and chest cams. He further lamented the issue of there continuing to be no findings despite the evidence. The commenter also noted the increased militancy of the APD under Chief Hawkins's leadership and frustration with not being heard by Chief Hawkins. He ended by stating

that nothing has gotten better, and he will continue to speak up and show up until something changes for the better.

The next public commenter spoke in support of the protesters and reiterated the issues with Lt. Devin Anderson. The commenter raised an issue with APD's failure to honor the subpoenas by the CPRB. The commenter called for the dismantlement of police as an institution.

The next commenter stated that he lived around the corner from the police station and that they thought APD's presence at the meeting is not in good faith. They discussed the lack of police accountability and though they like to think that people act in good faith, APD should not be afforded that grace. They concluded by stating that they do not have faith in the institution.

IV. CASE REVIEW & PRESENTATION

CC2021-010

(J. Levendosky)

The complaint alleged that the officers removed and obstructed nametags or badges, officers used excessive force, and officers wore Blue Lives Matter/Thin Blue Line insignias on their riot gear on April 22, 2021. The allegations are conduct standards and use of force.

With regards to 1 count of alleged improper Conduct Standards of removing APD identification that occurred on April 14, 2021, T&M reached a finding of **Not Sustained**.

With regards to 1 count of alleged improper Conduct Standards of removing APD identification that occurred on April 22, 2021, T&M reached a finding of **Sustained**.

With regards to 1 count of alleged improper Use of Force that occurred on April 22, 2021, T&M reached a finding of **Not Sustained**.

With regards to 1 count of alleged improper Conduct Standards of APD officers displaying "Thin Blue Line" insignia on uniforms and equipment, T&M reached a finding of **Sustained**.

Board Member Cannizaro asked APD what APD intends to do to address Thin Blue Line/Blue Lives Matter insignias.

Chief Hawkins stated that it was addressed before the investigation and report was done.

Cannizaro followed up noting that OPS did not follow up with any independent civilian witnesses, and the corroborating evidence came well after OPS's report. He expressed concern that the action Chief Hawkins took was without the evidence that is available now. He asked if Chief Hawkins could address why this issue will not be revisited.

Chief Hawkins reiterated that the appropriate corrective action has been taken. Cannizzaro asked what the appropriate corrective action is. Chief Hawkins stated that it has been made very clear what uniform standards are.

Batman stated that the goal is to increase trust and transparency in the community, and the short and dismissive comments from Chief Hawkins does not help this goal. He noted that there does not seem to be a good faith effort by Chief Hawkins to work with the CPRB.

Cannizzaro followed up stating that there have been comments by certain supervisory officers during the OPS investigation that they do not personally have an issue with officers wearing Thin Blue Line/Blue Lives Matter insignias but that they understand it could create issues. He asked whether Chief Hawkins was concerned that supervisors are at odds with his statement that wearing these symbols is improper.

Chief Hawkins restated that the appropriate corrective action has been taken.

Cannizzaro commented that it is troubling that there will no further review of the Blue Lives Matter/Thin Blue Line issues, and to have no action in the face of corroborating evidence is troubling. Chief Hawkins stated that there was no inaction. Cannizzaro disagreed that there was action because OPS recommended no discipline.

Board Member Person addressed Chief Hawkins and expressed hope that the Board can continue working with APD, but right now there may be no right answer. He stated the need for Chief Hawkins to work with the Board.

Board Member Levendosky moved to accept the findings of T&M, seconded and passed.

After review and deliberation of the investigation of the complaint by the Office of Professional Standards (OPS) and T&M, the CPRB has made the following findings as to the conduct of the specific officers involved:

- With regards to 1 count of alleged improper Conduct Standards, the CPRB reached a finding of **Not Sustained**
- With regards to 1 count of alleged improper Conduct Standards, OPS reached a finding of **Not Sustained**
- With regards to 1 count of alleged improper Conduct Standards, the CPRB reached a finding of **Sustained**
- With regards to 1 count of alleged improper Conduct Standards, OPS reached a finding of **Exonerated**
- With regards to 1 count of alleged improper Use of Force, the CPRB reached a finding of **Not Sustained**
- With regards to 1 count of alleged improper Use of Force, OPS reached a finding of **Unfounded**

- With regards to 1 count of alleged improper Conduct Standards, the CPRB reached a finding of **Sustained**
- With regards to 1 count of alleged improper Conduct Standards, OPS reached a finding of **Unfounded**

CC2021-011

(J. Levendosky)

The complaint alleged that the officers removed nametags and/or badges on April 14, 2021, and April 22, 2021, the Blue Lives Matter insignia was present on April 22, 2021, and excessive force was used on April 22, 2021. Allegations were two conducts standards violation and one use of force violation.

With regards to 1 count of alleged improper Conduct Standards of removing APD identification, T&M reached a finding of **Sustained**.

With regards to 1 count of alleged improper Conduct Standards of APD officers failing to provide their names or badge numbers, T&M reached a finding of **Sustained**.

With regards to 1 count of alleged improper Use of Force, T&M reached a finding of **Not Sustained**.

Board Member Cannizzaro asked Chief Hawkins and Deputy Chief Battuello about the length of time OPS took to investigate this case, and what has been done and will be done on a supervisory level to work on this time issue. Battuello noted that the investigations had been too long and not up to standard, and they will work on the timing in the future.

Cannizzaro asked whether not following general orders would result in any kind of disciplinary action because it does not seem like there is any discipline for not completing the report within 60 days. Battuello stated that normally there is disciplinary action taken when general orders are not followed, and hoped OPS would impose discipline if these orders are not being followed. Battuello added that it was most likely due to prior staffing issues and they hope there is the proper staffing and leadership in place now at OPS.

Board Member Levendosky asked what prompted APD to investigate the Arch Street incident as just the incident itself and not the individual complaints. Battuello answered that typically they are separated and while he was not a part of that decision to only investigate the incident but assured that now there would be a separate individual administrative investigation.

Board Member Santos asked why complainants were not interviewed. Battuello stated that he did not know the details but was briefed that the detectives leading the cases made attempted to reach out to all the complainants for interviews.

Board Member Cannizzaro commented that in his conversations with OPS and throughout the time on the Board, it is not OPS's practice to go above and beyond and seek out witnesses in the civilian populace to investigate these complaints and stated that this does not comport with his understanding of proper investigative techniques. He noted that much of the evidence from this case came from the Board's independent investigation which included witness interviews which would not have been found with just the OPS report, and that there needs to be a policy change on this point. He then asked whether there is intent to address this issue.

Chief Hawkins says this has all been assessed, and any corrections or adjustments that need to be made will be made.

Chair Vives asked about the alleged missing complaints and whether this point has been investigated or will be investigated by APD/OPS. Deputy Chief Battuello stated that he planned to follow-up. Chair Vives responded that difficulty with filing complaints has been an issue since she joined the Board and though the complaint process has changed, it deserved attention. Battuello agreed.

Board Member Levendosky moved to accept the findings of T&M, seconded and passed.

After review and deliberation of the investigation of the complaint by the Office of Professional Standards (OPS) and T&M, the CPRB has made the following findings as to the conduct of the specific officers involved:

- With regards to 1 count of alleged improper Conduct Standards, the CPRB reached a finding of **Sustained**
- With regards to 1 count of alleged improper Conduct Standards, OPS reached a finding of **Exonerated**
- With regards to 1 count of alleged improper Conduct Standards, the CPRB reached a finding of **Sustained**
- With regards to 1 count of alleged improper Conduct Standards, OPS reached a finding of **Unfounded**
- With regards to 1 count of alleged improper Use of Force, the CPRB reached a finding of **Not Sustained**
- With regards to 1 count of alleged improper Use of Force, OPS reached a finding of **Unfounded**

CC2021-012

(J. Levendosky)

Complainant alleged the police officer used excessive force and failed to safeguard personal property when arresting her daughter on April 22, 2021. The allegations are Use of Force, Conduct Standards, Call Handling, and improper Evidence and Property Handling. After review and deliberation of the investigation of the complaint by the Office of Professional Standards (OPS) and T&M, Board Member Levendosky made a motion to table the findings as to the conduct of the specific officers involved after

review of new evidence which was seconded and passed - Board Member Levendosky abstain from vote.

With regards to 1 count of alleged improper Excessive Force, T&M reached a finding of **Not Sustained**.

With regards to 1 count of alleged improper Conduct Standards of APD officers failing to provide their names or badge numbers, T&M reached a finding of **Sustained**.

With regards to 1 count of alleged improper Call Handling, T&M reached a finding of **Sustained**.

With regards to 1 count of alleged improper Evidence and Property Handling, T&M reached a finding of **Sustained**.

T&M's additional findings related to CC2021-012:

With regards to 1 count of alleged improper Conduct Standards of removing APD identification, as directed by Commander Joseph McDade, T&M reached a finding of **Sustained**.

With regards to 1 count of alleged improper Conduct Standards involving the failure to wear a body-worn camera by Lieutenant Josiah Jones, T&M reached a finding of **Sustained**.

Board Member Cannizzaro asked what is being done to address what he described as rampant misuse of BWCs since in his experience there have been multiple cases of officers not turning their cameras on or not leaving them on for the whole encounter.

Chief Hawkins disputed the characterization of "rampant misuse" and that violations have been addressed and appropriate corrective actions has been taken.

Cannizzarro clarified that the use of the term "rampant" is from his own experience with being on the Board. Chief Hawkins responded that there has been BWC violations that did not originate with complaints and when there were violations, they were dealt with.

Board Member Levendosky moved to accept the findings of T&M. Not seconded. Board Member Collins-Hackett moved to table this case until additional evidence can be reviewed, seconded and passed. Board Member Levendosky abstained.

CC2021-020

(J. Levendosky)

The complainant alleged experiencing excessive force on April 14, 2021. The allegations are Use of Force.

With regards to 1 count of alleged improper Use of Force, on April 14, 2021, by Lieutenant Devin Anderson towards a person known to APD, T&M reached a finding of **Sustained**.

With regards to 1 count of alleged improper Use of Force, on April 14, 2021, T&M reached a finding of **Unfounded**.

With regards to 1 count of alleged improper Use of Force, on April 14, 2021, T&M reached a finding of **Not Sustained**.

Board Member Cannizzaro commented that one of the reasons the excessive force claim is unfounded is because there are still issues with APD officers refusing to appear and participate in statutorily authorized interviews. Much of the investigation requires knowing what an officer perceived and believed, and without compliance with the provisions of Local Law J, a use of force determination cannot be made. Cannizzaro explained that this decreases community trust, and he hoped that APD complies with these interviews.

Board Member Levendosky moved to accept the findings of T&M, seconded and passed.

After review and deliberation of the investigation of the complaint by the Office of Professional Standards (OPS) and T&M, the CPRB has made the following findings as to the conduct of the specific officers involved:

- With regards to 1 count of alleged improper Use of Force, the CPRB reached a finding of **Sustained**
- With regards to 1 count of alleged improper Use of Force, OPS reached a finding of **Unfounded**
- With regards to 1 count of alleged improper Use of Force, the CPRB reached a finding of **Unfounded**
- With regards to 1 count of alleged improper Use of Force, OPS reached a finding of **Unfounded**
- With regards to 1 count of alleged improper Use of Force, the CPRB reached a finding of **Not Sustained**
- With regards to 1 count of alleged improper Use of Force, OPS reached a finding of **Unfounded**

Board Member Levendosky moved to accept the additional findings of T&M, which was seconded and passed.

After review and deliberation of the investigation of the complaint by the Office of Professional Standards (OPS) and T&M, the CPRB has made the following findings as to the conduct of the specific officers involved:

- With regards to the allegations that APD officer(s) were “doxed,” **CPRB did not find any evidence that any officer(s) were “doxed.”**

- With regards to the allegation that APD failed to monitor activity at the encampment from April 14, 2021, through April 22, 2021, **CPRB did find that because of a lack of intelligence, APD was unprepared to remove the encampment on April 22, 2021.**
- On April 14, 2021, Sergeant Anthony DiGiuseppe released OC Spray and failed to follow APD Guidelines.
- On April 14, 2021, a “Blue Lives Matter”/ “Thin Blue Line” flag was observed hanging in South Station.
- After April 14, 2021, APD failed to investigate or refer for investigation allegations that APD officers were threatened on-line and/or “doxed.”
- After April 14, 2021, APD ordered that officers could cover or remove their name tags after claims of officers being “doxed.”
- From April 14, 2021, through April 22, 2021, APD failed to monitor the protesters’ activities at the South Station encampment.
- On April 22, 2021, APD failed to follow their own operational order regarding the takedown of the encampment.
- On April 22, 2021, APD Supervisors failed to visibly inspect officers to ensure that their uniforms and equipment met APD Guidelines.
- On April 22, 2021, APD failed to follow APD General Orders Uniform Guidelines regarding badge and name placement on uniforms.
- On April 22, 2021, APD did not have a thorough plan for processing and charging arrestees.
- After April 22, 2021, APD failed to conduct a post-operative review and After-Action Report of the takedown of the encampment.
- APD failed to understand that officers displaying “Blue Lives Matter”/ “Thin Blue Lives” paraphernalia on uniforms and equipment undermined the protesters’ trust.
- APD investigated the individual cases separately from the OPS Confidential Report and failed to conduct a thorough and timely investigation.

V. **POLICY AND PRACTICE RECOMMENDATIONS** (J. Levendosky)

Board Member Levendosky reported that the Board found there were substantiated allegations of misconduct, but no discipline could be imposed by the APD because of the one-year statute of limitations stipulated by the Police Union contract. To address this, the CPRB proposed that several policy changes and amendments to APD’s general orders are made to address timely completion of misconduct reviews, applying de-escalation to avoid unnecessary use of force, proper use of BWCs, completion of thorough After-Action incident reviews, and a training recommendation in relation to the display of controversial imagery when engaging with members of the public. reported substantiated allegations of misconduct but because of the timeliness issues with OPS reports, discipline could not be imposed.

Board Member Cannizzaro asked Chief Hawkins how, in light of this new evidence only derived through independent investigation, there is not trigger a whole new set of

policy discussions at the supervisory level. Specifically, Cannizzaro noted the sentiment by the Chief that there would be no further investigation.

Chief Hawkins answered that they are in a constant state of making adjustments, and they will not disregard any recommendations made by the Board.

Board Member Levendosky noted that the APD report was dated April 2023, and there were many things that were either not addressed or the way they were address was insubstantial in a way that would not facilitate the change sought. He noted that the policy recommendations are given with the hope that there can be something built from a traumatic experience. He further stated that the recommendations were made from looking at current policy and finding things that could be improved and trust could be built based off of the complaints at issue.

Chief Hawkins stated that he does not need a report when adjustments need to be made, and any time there is an incident, it is immediately assessed, and adjustments are made immediately. He noted that recommendations will be implemented in addition to the prior adjustments that were made. Chief Hawkins said they will review the recommendations, and there may be changes that have already been implemented without formal policy change.

Chair Vives emphasized that a lot of the Board's work is done outside of the meetings and they are constantly discussing public trust and what the Board's duty is to bridge the gap. She highlighted that meetings like this one are where the public trust is made and when adjustments are not in writing, the policy is not adjusted. If there is no writing to fall back on and hold APD accountable to it, there is no adjustment. Chair Vives further acknowledged the high emotions but stated that the things being shouted out are misinformation in a meeting where the community is supposed to be coming to together to talk about this very real event that happened.

Chair Vives then addressed Chief Hawkins and how she will continue to show respect and show up and do the work, but Chief Hawkins also needs to respect the process and she can't have the answer just be that they have made the adjustments when they're not in the general orders.

Chief Hawkins responded that the Chief does not have to wait to make adjustments and they do not have to be in writing when they are made. He said that he does not have to wait until recommendations are given. He then emphasized that APD will listen and digest the recommendations from the Board on this incident. Finally, he said that when things are happening, he makes adjustments immediately and then waits for formal internal or external recommendations to be made.

Chair Vives addressed Chief Hawkins noting that this is part of the process and they have to appreciate what the community has gone through and echoed the sentiments that the community deserves better. She thanked him for taking the time to clarify his answer, but that she hopes he responds in that way going forward. She further

emphasized that there needs to be more cooperation and respect, including complying with subpoenas and respecting the independent investigators and their time. Chair Vives summarized that what is needed by the Board and the community is an honest conversation and an authentic connection which helps rebuild trust.

Chief Hawkins responded to Chair Vives stating that he knew the meeting would be intense, but his purpose for being there was to acknowledge, hear, and digest the report from the independent investigators and the public comments. He does not know what else he could say publicly that he hasn't already said but is still present in the spirit of cooperation.

Board Member Cannizarro added that the recommendations are generally non-controversial and are part of best practices recommended by the Department of Justice. He further asked whether Chief Hawkins can commit to getting back to the Board within 60 days of receiving the recommendations report with his plans on what they will do with the recommendations.

Chief Hawkins did know if they could commit to that time period but assured that they will review the recommendations and report back.

Chair Vives confirmed that these discussions will continue to happen within the public official liaison committee and continue to report back to the Board and members of the community.

VI. PUBLIC COMMENT

The commenter asked why the officers do not show up to subpoenas and that the same actions are an arrestable offense for regular citizens. They stated that the Chief is avoiding the questions asked by the Board and not being respectful. They further stated questioned the Chief's stated sense of urgency and why the investigation took so long.

The commenter commended the Board's patience and understood why the communication from the Board was an issue. They noted that their main remark is that they see the intention and vision of the Board, but they do not see the point past the intention. Specifically, they recounted the activism involved in passing Local Law J, but the Board still cannot get compliance with subpoenas. However, the commenter does not believe that Chief Hawkins can change in the necessary ways.

They ended by asking how they are able to trust the people on the CPRB when the people the Board is supposed to be holding accountable can be held accountable.

The next commenter stated their belief that any emotion shown and any word not perfectly calculated will be used to further villainize South End residents as well as minority residents of Albany. They then stated that Chief Hawkins is a figurehead of the greater military industrial complex and that APD and Chief Hawkins will use the statements and expressions of the people in the room during the meeting against them. They further confronted Chief Hawkins and their disgust with the way he has led and

continues to lead APD as well as the lack of clarity on what adjustments he has made. The commenter reiterated a sentiment from the last commenter on the Board's inability to do the work they were charged with. The commenter compared Chief Hawkins to the NYPD and lack of humanity in their values. Next, the commenter discussed a lack of change in the community and the police that they have seen. They then discussed their own experiences with being doxed and attacked online. They ended with the hope that Chief Hawkins resigns.

The final commenter asked Chief Hawkins why he is defensive and dismissive, and compared him to the leadership in Saratoga Springs. They criticized his actions on April 22, 2021, by hanging back. The commenter also noted that the protesters are not being paid to be at the meeting, but Chief Hawkins is technically on the job, and started to question what Chief Hawkins would do if his son was on the other side of police violence.

VII. APPROVAL OF POLICY AND PRACTICE RECOMMENDATIONS

Chair Vives moved to approve the policy and practice recommendations, seconded and passed.

VIII. REMARKS FROM THE CHAIR

(N. Vives)

Chair Vives thanked everyone for showing up including members of the community, APD, current Board Members, past Board Members, and elected officials.

IX. ADJOURNMENT

There being so further business, the meeting was adjourned at 10:16 p.m.