

City of Albany
Citizens' Police Review Board
GWU the Center
274 Washington Avenue- Teen Center Conference Room
January 12, 2012
6:00 p.m. - 8:00 p.m.

Present: Marilyn Hammond, Andrew Phelan Jr., Anthony Potenza, Eugene Sarfoh,
Reverend Edward Smart, and Akosua Yeboah.

I. Call to Order and Roll Call

Chairman Edward Smart called the meeting to order at 6:02 p.m.

II. Approval of the Agenda

The agenda was reviewed. Akosua Yeboah moved to approve the agenda. Marilyn Hammond seconded the motion. The motion carried unanimously.

III. Approval of the September 8, 2011 Meeting Minutes

The September 8, 2011 meeting minutes were reviewed. Akosua Yeboah moved to approve the September 8, 2011 meeting minutes. Marilyn Hammond seconded the motion. The motion carried unanimously.

Chairman Edward Smart noted the arrival of Board member Eugene Sarfoh.

IV. New Business

A. *New Complaints*

1. New Complaints Received since the December 8, 2011 Meeting

Chairman Edward Smart reported that the Board received two (2) new complaints since its December 8, 2011 meeting. Board Secretary Andrew Phelan, Jr. read the new complaints.

CPRB No. 1-12/OPS No. CC2012-003

The complainant alleges that on October 14, 2011, an officer from the Bethlehem Police Department pulled her over, towed her car away with her belongings and caused her stress while she was nine months pregnant.

A monitor was not assigned to investigate this complaint.

Andrew Phelan noted that this complaint is against a member of the Bethlehem Department and will be placed on the agenda as soon as the Board receives a preliminary report from the OPS.

CPRB No. 2-12/OPS No. CC2011-135

According to the complainant, on December 18, 2011 at around 1p.m., an officer allegedly pulled her over for failing to yield and driving over the speed limit. The officer allegedly asked the complainant what was the speed limit in Albany. The complainant replied "thirty." The officer allegedly asked the complainant the question twice because he could not hear her. According to the complainant, the officer allegedly told her that he was not going to give her a ticket, but he was going to give her a warning. After the complainant gave the officer her driving license, the officer allegedly began to ask the complainant inappropriate questions such as her place of employment and her weight. The complainant further alleges that the officer threatened to give her a ticket if she did not answer his questions. The complainant claims that when she called the Albany Police Department's Office of Professional Standards (OPS) and left a message to file a complaint, she did not receive a response from the OPS until more than a week later after the Times Union's advocate reached out to the Albany Police Department. The complainant feels that she was bullied, intimidated, and harassed by the officer.

A determination on whether to appoint a monitor has not yet been made.

2. Complaint(s) for Board Review

CPRB No. 61-10/ OPS No. CC2010-146 (Presented by Andrew Phelan, Jr.)

Andrew Phelan, Jr. summarized the complaint. Mr. Phelan stated that on January 10, 2012 he went to the OPS to review the case. He reported that the complaint involved a call handling allegation. The incident occurred on December 17, 2010. The complainant alleged that she and her family are the only persons receiving tickets for parking violations on her street and her neighbors who are parked in violation on the same street are not.

Mr. Phelan summarized the OPS finding for the allegation of call handling as **unfounded**, where the review showed that acts or acts complained of did not occur. The complainant alleges that on December 7, 2010 her son's vehicle was issued a parking ticket for the same violation that her neighbors have committed in the past; however she alleges her neighbors do not receive tickets. Based on the OPS investigation, the detailed parking violation inquiry that was obtained sufficiently revealed that multiple tickets have been issued to multiple different vehicles at multiple different locations upon the street where the complaint resides. A follow-up inquiry was also conducted into the parking ticket history for the complainant and persons with the common name. The inquiry revealed that only one (1) ticket had been issued from year 2009 up to the date of filed complaint

(12/17/10) throughout the entire city of Albany. The mentioned ticket was issued on December 7, 2010. The complainant admitted at the time that her son's vehicle was parked in violation. The officer who issued that ticket denied targeting the complainant or anyone else who resides in the complainant's neighborhood, and there has been no evidence recovered that reveals any member of the APD has targeted the complainant in any way. The complainant disposed of that ticket when she paid the fine. Mr. Phelan further reported that thirty-two (32) tickets were issued on the complainant's street in December 2010 and only one (1) of the tickets were issued to the complainant.

Mr. Phelan asked if the complainant was present. It was noted that the complainant was not present.

Andrew Phelan moved to concur with the OPS finding regarding the call handling allegation as ***unfounded***. Marilyn Hammond seconded the motion. The motion carried unanimously.

CPRB No. 58-10/OPS No. CC2010-139 (Presented by Eugene Sarfoh)

Eugene Sarfoh summarized the complaint. He stated that this complaint stems from an incident that occurred November 17, 2010. The complainant alleged that her son was arrested at her home on a juvenile warrant from Albany Family Court. She further alleged that the detectives did not present her with a copy of the warrant, were verbally abusive, and pushed their way into her home.

Mr. Sarfoh stated that he reviewed the OPS file, arrest reports, and files from the Albany County Probation Department. The parties involved in this case included an officer from the Albany County Probation Department (ACPD) and an officer from the Albany Police Department.

Mr. Sarfoh noted that the investigation was closed upon the complainant's determination that she no longer wished to proceed with a signed statement. Mr. Sarfoh stated that as a result of the juveniles failure to appear in Family Court a warrant was issued.

Mr. Sarfoh summarized the OPS finding for the conduct standards allegation as ***no finding***, where the complainant has failed to produce information to further the investigation, and withdrew the complaint. The complainant alleged that her son was arrested at her home on a warrant from Albany Family Court. She further alleged that she was not presented with a copy of the warrant; and the detectives were verbally abusive and pushed their way into her home. Based on the OPS investigation, only one member of the APD was involved and the other person was a member of the Albany County Probation Department. This investigation indicated that several people within the home, including the complainant, were actively on probation at the time of the incident. Both the APD Detective and the ACPD Officer denied pushing their way into the complainant's home or verbally abusing the occupants therein. The probation officer

stated that she attempted to present the complainant with the warrant for her son but she refused to view it. It was documented that the scene became hostile, and the complainant was non-cooperative with the officers. The complainant failed to notify the OPS of her address and contact information changes as well as her witness information. When the OPS contacted the complainant, she voluntarily withdrew her complainant and stated that neither she nor her witness wished to participate in this investigation.

Eugene Sarfoh moved to concur with the OPS finding regarding the conduct standards allegation as *no finding*. Chairman Edward Smart seconded the motion. The motion carried unanimously.

CPRB No. 8-11/OPS No. CC2011-017 (Presented by Akosua Yeboah)

Akosua Yeboah summarized the complaint. Ms. Yeboah stated that this incident occurred in the fall of 2010. The complainant parked his vehicle partially on the curb of an Albany street. The complainant alleged that his vehicle was targeted for a ticket because the officer did not use discretion in issuing parking tickets. It was noted that there was no monitor assigned to this complaint.

Ms. Yeboah reported that she reviewed the following documents: APD Confidential Report; Tickets Issued; a Photo that was difficult for Ms. Yeboah to discern; City of Albany Regulations (Chapter 359, Article II); Incident Report; Citizen Complaint Form; New York Law Enforcement Handbook Chapter 71 of the Consolidated Laws Vehicle; and Traffic Law concerning stopping, standing, or parking (NY VTL 1202).

Ms. Yeboah stated that in her review of the complaint she believed that the investigation was handled in a thorough and professional manner. The complainant does not deny that he was parked in violation of the parking law. Nor did he allege that the officer violated his civil or constitutional rights. The complainant claims that the officer did not use discretion in issuing the ticket on his vehicle. Ms. Yeboah stated that discretion is the ability to make responsible decisions. Ms. Yeboah further stated that like the complainant, she is an Albany driver who would like officers to always choose to use their discretion in her favor. However, there is no evidence in the record that the officer acted in a way that was inconsistent with the training or duty of the APD's Standard Operating Standards (SOP) in handling this call.

Ms. Yeboah asked if the complainant was present. It was noted that the complainant was not present.

Akosua Yeboah moved to concur with the OPS finding of *unfounded*. Marilyn Hammond seconded the motion. The motion carried unanimously.

CPRB No. 10-11/OPS No. CC 2011-023 (Presented by Chairman Edward Smart)

Chairman Edward Smart summarized the complaint. The complaint alleged that she was grabbed by an officer and shoved into a glass door. The complainant further alleged that the officer used profanity towards her during the incident. Chairman Smart noted that a monitor was assigned to this complaint. Chairman Smart asked if the monitor was present. Monitor Sal Munafo was acknowledged as being present.

Chairman Smart reported that he reviewed the following documents: OPS Confidential Report; Criminal Trespass Form 4010; sworn testimony from the volunteers; Sworn Statement; sworn testimony by family members; Citizen Complaint Form; Grievance Notification Report; Community Case Physician's Report; St. Peter's Medical Examination Report; Visitor's Log; Intra-Departmental Correspondence (IDC); and Property Report. Chairman Smart asked the monitor if he had anything to add. Mr. Munafo replied that he had two issues raised in his report.

Mr. Munafo stated that it was established that the complainant was initially allowed into the building by the officer but was confronted when she had entered a second time a few minutes later and became uncooperative. It was also established that the officer told her to leave the building and then used force to escort her. The degree of force was contested but does not appear to be excessive. The second issue was the complainant being stopped by the officer. The officer stated that he had allowed her to enter before because he recognized her because she was with her sister who was a resident. Due to the level of high crime in the area after seeing her no longer with her sister he questioned her.

Chairman Smart asked if the complainant was present. It was noted that the complainant was present. The complainant stated that at the time of the incident she was visiting her sister and entered the building where her sister lived. They were locked out so her sister told her to wait in the lobby so she could go upstairs. The complainant stated that she went back outside and entered the building again to check on her sister. At this point, the officer stopped the complainant by asking questions about whom she was visiting. The complainant explained to the officer that she came back to see if her sister was ok. The officer told her that he needed her name, information, address, and why she was coming to see her sister. The complainant asked the officer why he needed that information. The officer allegedly told the complainant that she needed to fill out her name, which she did. The complainant then told the officer "thank you and have a nice day" and proceeded towards the elevator. The officer angrily and repeatedly told the complainant to come here right now. The complainant walked towards the officer and asked him what the problem was. The officer told the complainant that she needed to leave the building. At this point, the complainant called her sister to come downstairs because she was told to leave the building. The complainant was walking towards the exit sign when the officer stated that she would have to leave out through the lobby. Although the complainant

complied, she still wanted to know why she had to leave the building and what she had done wrong. The officer then stated that if the complainant did not leave now that he was going to handcuff and arrest her. The complainant got on her cell phone again to call her sister and the officer told her that she was not listening. The officer allegedly shoved her into a glass door and the strap from her purse got caught in the door. The complainant stated that the building has a monitor to see who comes in and out of the building for security reasons. The complainant's sister's friend saw her being shoved and told the complainant's sister to hurry up and go downstairs.

Chairman Edward Smart thanked the complainant for her attendance at this meeting. The complainant's brother stated that he wanted to speak. The complainant's brother stated that he saw what was going on because you could watch what is going on in the building. He stated that he was looking at the camera and his sister called him to come down because the officer was very rude. When he got downstairs, the officer was still pushing his sister out of the building, which was uncalled for.

The complainant stated that she was a nurse and was scheduled to work the next day. The way the officer shoved her in the ribs caused her to suffer a rib contusion. The complainant further stated that she went to St. Peter's Hospital and got x-rays.

Mr. Munafo added that the sign-in sheet was unreadable and the fact that the complainant wrote the wrong building down initially likely contributed to the events of this incident. He stated that if there was a cooperative demeanor from the complainant the events would have been different.

Chairman Smart summarized the OPS finding for the use of force allegation as ***unfounded***, where the review showed that the act or acts complained of did not occur. The complaint alleged that the officer grabbed her and shoved her into a glass door. Based on the OPS investigation, the surveillance video did not depict the officer grabbing or pushing the complainant in any way during the interaction. Both independent witnesses stated that the officer guided the complainant out of the building. The officer stated that he corralled the complainant towards the door and out into the vestibule by extending his arm. The video displayed the officer extending his arm, and with an open palm place his right hand on the complainant's back, while at the same time opening the door with his left hand. The officer utilizing minimal force then guides the complainant out the door. The complainant's witnesses stated that she argued with the officer, and both stated that they had advised her to stop. The complainant stated that she did not refuse to provide the officer with any information prior to being escorted out of the building. Chairman Smart reported that the officer responded to an ever-escalating situation with volunteers. The reason given for escorting the complainant out of the building was because her signature was not legible. This is the only building where visitors are required to sign in and not sign out. The signing reflects first names, last

names, nicknames, and the majority of them are illegible. Since this is a Public Housing Building, the officer does have authority to either arrest an unidentified visitor for Trespass, or to escort him/her out of the building if their identity and reason for being in the building cannot be verified. The video displays that the complainant did make contact with the door when she resisted being escorted out by the officer. She did not appear to be in any pain or appear to sustain an injury as a result because she continued to argue with the officer inside the vestibule. The complainant did not seek immediate medical attention, as she opted to wait until the next day to follow up.

Chairman Edward Smart moved to concur with the OPS finding regarding the use of force allegation as ***unfounded***. Chairman Smart also noted that he would like to make the following suggestions to the Albany Housing Department and the Albany Police Department for: all housing buildings to follow the same guidelines and procedures for entry or none at all; and all volunteers receive additional training on procedures and conflict resolution. Chairman Smart stated that this situation was escalated by bad choices. He would also like sign-in sheets to be updated and adhered to by all visitors. Chairman Smart stated that those suggestions in a letter may help stop this type of incident from occurring again. Andrew Phelan, Jr. seconded the motion. The motion carried unanimously.

Chairman Smart summarized the OPS finding for the conduct standards allegation as ***not sustained***, where the review failed to disclose sufficient facts to prove or disprove the allegation made in the complaint. The officer allegedly used profanity towards the complainant. Chairman Smart stated that this allegation was not made by the complaint, but by the complainant's witness. The complainant's witness stated that the officer used profanity outside of the building as the complainant walked away. The officer denied using any profanity. The independent witnesses both stated that the officer was professional and respectful.

Chairman Smart stated that the language used by the officer is in question. The Board encourages our officers to always take the high road. Chairman Edward Smart stated that because there is not enough evidence to prove or disprove the allegations made in the complaint he moved to concur with the OPS finding of ***not sustained***. Marilyn Hammond seconded the motion. The motion carried unanimously.

CPRB No. 14-11/OPS No. CC2011-029 (Presented by Anthony Potenza)

Anthony Potenza summarized the complaint. He reported that the complaint was received on March 18, 2011. The allegation in this complaint was arrest, authority and procedure. Mr. Potenza stated that although the Civilian Complaint Report stated that a monitor was assigned to the complaint that was a misprint. There was no monitor assigned to this case. The complainant alleged that he was riding a bicycle when he was stopped by an officer. The complainant was talking on his cell phone so the officer asked

him to hang up the phone. The complainant further alleged that the officer began to search the complainant and when the officer took the phone, he dropped it on the ground. The officer allegedly picked up the phone and put it on his car with everything else that was in the complainant's pockets. The complainant believes that the officer put the phone in his car. The complainant was arrested and when he was given a receipt for his property, the phone was not included. When the complainant asked why his phone was not marked down, the officer allegedly said "Oh, it's in my car, I'll bring it as soon as I'm done filling out the forms." The complainant felt that he was stopped because he was riding a girl's bike.

Mr. Potenza reported that he reviewed the following documents: APD Departmental paperwork; Officer Interview Statements; Video; Citizen Complaint Form with the complainant's statement that he felt he was stopped for riding a girl's bike; APD Complaint Report; OPS Confidential Report which detailed the arrest and property; Complainant's Statement to the police that he thought there might be an outstanding warrant; Complainant's Statement that he had fake crack and was trying to sell it; Officer Statement contained in the IDCs concerning the stop and arrest; two (2) IDCs; Verbal Report that the complaint stated that he had fake crack; APD Property Report; Screening Sheet; and the officer's handwritten notes on the case.

Mr. Potenza summarized the OPS finding for the arrest, authority, and procedure allegation as ***not sustained***, where the review failed to disclose sufficient facts to prove or disprove the allegation made in the complaint. The complainant felt that he was stopped because he was riding a girl's bike. Based on the OPS investigation, the officer stated that he stopped the complainant because he fit the description of a subject that had an outstanding warrant. After the officer ascertained the complainant's identity, it was confirmed that he did have an active Arrest Warrant issued by Albany Police Court. The officer was authorized to stop the complainant under the circumstances and there is no evidence to indicate he was stopped for riding a girl's bike.

Anthony Potenza moved to concur with the OPS finding regarding the arrest, authority, and procedure allegation as ***not sustained*** and that the investigation was thorough and complete. Marilyn Hammond seconded the motion. The motion carried unanimously.

Chairman Smart asked was the complainant the person that the officer assumed he was when they arrested him? Anthony Potenza responded that the officer believed that he fit the description of someone who had an outstanding warrant.

Chairman Smart asked if the complainant was the person that the officer thought that the arrest warrant was for. Mr. Potenza responded in the affirmative.

Anthony Potenza summarized the OPS finding for the call handling allegation as ***sustained***, where the review disclosed sufficient facts to prove the allegations made in the

complaint. The complainant alleged that the officer took possession of the cell phone and it was not in his property at booking. Based on the OPS investigation, the complainant was transported to the South Station in a separate patrol car. When he was being processed for his arrest his phone could not be located. The officer stated that he recalled placing the phone in the pocket of the complainant's hoodie then placing him in the rear of his patrol vehicle while he awaited the arrival of another officer for assistance. The complainant was transported from the scene in another patrol vehicle by an officer and then escorted into the South Station. Both officers later searched their vehicles for the phone, which was never found. It is possible that the phone was left at the scene of arrest and found by someone before the officer returned to search for it. It is also possible that the phone fell out of the complainant's hoodie pocket while being escorted from the patrol unit into the South Station. The investigation found that the officer violated departmental policy (Article 14.1-Violations of Rules) - Members shall not commit or omit any acts which constitute a violation of any of the rules, regulations, directives, or orders of this department, whether stated in these series of rules or not. As per Article 2.7 Code of Ethics - Safeguard the lives and property of the citizens.

Anthony Potenza moved to concur with the OPS finding of *sustained* for the call handling allegation. Chairman Edward Smart seconded the motion. The motion carried unanimously.

CPRB No. 19-11/OPS No. CC2011-042 (Presented by Akosua Yeboah)

Akosua Yeboah summarized the complaint. The incident took place on March 17, 2011. This complaint alleged violations of use of force and call handling. The complainant alleged that after being arrested, he was transported to the hospital to be treated for anxiety. While he was in the hospital he alleged an officer grabbed him by his disabled arm and yanked him back to the stretcher, causing the condition of pain to worsen. The officer stated that he did handle the complainant moving him back to the stretcher for his safety but did not use excessive force. The complainant further alleged that the officer purposefully withheld personal property, five cartons of cigarettes and a cell phone, from him by not sending this property to the Albany County Jail. Based on the OPS investigation, the OPS attempted to retrieve a video of the incident but were told by the hospital that those tapes are not saved back to the night of the incident. Hospital risk management would not allow any personnel to be interviewed as to the possible witnessing of the force used by the officer. Ms. Yeboah further reported that there was a monitor assigned to this complaint. She asked if the monitor was present. Monitor Frank White was acknowledged as being present. He stated that he had nothing to add.

Ms. Yeboah reported that she reviewed multiple letters from the complainant to the APD, the OPS, and the CPRB. She stated that she also reviewed the following documents: OPS Confidential Report; APD Inter-Departmental Correspondence; Property Reports;

Booking and Arrest Reports; various documents describing the physical and mental health of the complainant; and the deposition from the officer and the monitor's report.

Ms. Yeboah stated that the one question she had was with the hospital not allowing witnesses to be interviewed. She wanted to know if the OPS asked if the complainant waived his HIPPA rights to allow the hospital interviews. OPS Commander Ron Matos replied that the staff and the facility itself is regulated by its own staff attorneys and risk management and would not avail them to be interviewed. In the interview with the complainant regarding how he was on a stretcher, during the time that the complainant was at the hospital, he was under arrest and handcuffed as protocol to a stretcher and his medical condition caused him to sit forward in the stretcher numerous times. The complainant himself stated to the officer that he could not do it himself and needed the officer to guide him back into the stretcher so that he was no longer sitting forward. An OPS officer interviewed the complainant regarding his property. One of the detectives brought it to him and the complainant never once mentioned the hospital incident. The officer acknowledged that he made contact with the complainant to guide him back to the stretcher.

Ms. Yeboah asked if the complainant was present. It was noted that the complainant was not present.

Ms. Yeboah summarized the OPS finding for the use of force allegation as ***not sustained***, where the review failed to disclose sufficient facts to prove or disprove the allegation made in the complaint. It is alleged that an officer grabbed and yanked the complainant's arm. Based on the OPS investigation, the complainant was transported to the emergency room due to his request for treatment. The officer stated that the complainant refused to sit in an upright position on the stretcher while awaiting medical attention, and due to being handcuffed to the stretcher, the officer felt the complainant's position may have made him vulnerable to injury. The office stated that he adjusted the complainant's position using minimal force and the complainant gave no indication he was in pain or had any pre-existing injury to his arm. The ER cameras preserved no footage of the incident in question and the hospital administration will not allow its members to be interviewed with regards to patient affairs due to potential HIPPA law conflicts. The complainant made no mention of pain or injury to any part of his body at the time of the incident or to any member of the hospital staff, nor is any injury or complaint of pain on his hospital paperwork. Further, when the OPS met with the complainant on April 11, 2011, he never made mention of any use of unnecessary force. Ms. Yeboah asked if the complainant was present. It was noted that the complainant was not present.

Akosua Yeboah moved to concur with the OPS finding of ***not sustained*** for the use of force allegation. Chairman Edward Smart seconded the motion. The motion carried unanimously.

Ms. Yeboah summarized the OPS finding for the property handling allegation as *exonerated*, where the acts which provided the basis for the complaint occurred, but the review showed that such acts were proper. Ms. Yeboah stated that she agreed with the OPS finding since the complainant's property was returned and the complainant was satisfied with that.

Akosua Yeboah moved to concur with the OPS finding of *exonerated* for the property handling allegation. Chairman Edward Smart seconded the motion. The motion carried unanimously.

B. Committee Task Force Reports

By-Laws and Rules

Committee Chairman Edward Smart stated that he had nothing new to report.

Community Outreach

Committee Chair Akosua Yeboah reported that on January 25, 2012, the Committee has a presentation scheduled with members of the NYCLU at Albany Law School at 6:30 p.m. She encouraged any Board members who are present to attend. Committee Chair Yeboah further reported that the Committee also discussed scheduling an informational session with the public and will continue to pursue that. With respect to the brochures, the Committee has new brochures that were drafted. We will be translating them from English to Spanish and presenting them to the Board for final approval and printing. Committee Chair Yeboah stated that she was informed that the Public Safety Committee was interviewing people to participate on the Board. She further stated that she reached out to the Committee to participate in the interviewing to give insight because the Common Council members do not always attend this Board's meetings.

Mediation

Committee Chairman Edward Smart stated that the Board is still waiting to hear about the status of the mediation program and that Commander Ron Matos will be giving an update in his report.

Police Department Liaison-Policy Review/ Recommendations

Committee Chairman Andrew Phelan stated that he had nothing new to report.

Public Official Liaison

Committee Chairman Edward Smart stated that he had nothing new to report.

Task Force on Monitors

Task Force Chair Akosua Yeboah stated that the last Task Force meeting on monitors was canceled because she had had surgery and was unable to attend. An email will be sent to reschedule sometime in the early spring. Task Force Chair Yeboah informed the Board to be on the lookout for that email.

C. Nominations for Elected Board Officer Positions

Chairman Edward Smart stated that during this time by law, the Board is to elect those who will serve as Chair, Vice Chair, Secretary, and other officers as determined by resolution. At this time the Board will entertain nominations for Secretary. Chairman Smart stated that Andrew Phelan currently serves as the Secretary of the Board. Chairman Edward Smart nominated to re-elect Andrew Phelan as Secretary. Marilyn Hammond seconded the nomination. It was noted that there were no other nominations. The motion carried unanimously.

Chairman Edward Smart asked if there were any nominations for Vice-Chairman. He stated that Anthony Potenza currently serves as the Vice-Chairman. Chairman Edward Smart moved to nominate Anthony Potenza to continue serving as Vice-Chairman of the Board. Akosua Yeboah seconded the motion. It was noted that there were no other nominations for this position. The motion carried unanimously.

Chairman Edward Smart asked if there were any nominations for Chairman. Andrew Phelan moved to nominate Chairman Edward Smart. Marilyn Hammond seconded the motion. It was noted that there were no other nominations for this position. The motion carried unanimously.

Chairman Edward Smart noted that the Committee/Task Force structure list for the By-laws and Rules Committee members currently include: Chairman Edward Smart (Chair), Anthony Potenza and Akosua Yeboah; Community Outreach members currently include: Akosua Yeboah (Chair) and Eugene Sarfoh; Complaint Review members currently include: Andrew Phelan (Chair) with all members of the Board on a rotating basis; Mediation members currently include: Chairman Edward Smart (Chair) and Anthony Potenza; Police Department Liaison members currently include: Andrew Phelan (Chair) and Anthony Potenza; Public Official Liaison members currently include Chairman Edward Smart (Chair), Andrew Phelan, Anthony Potenza, and Akosua Yeboah; Monitor members currently include Akosua Yeboah (Chair), Marilyn Hammond, and Chairman Edward Smart.

Chairman Smart asked if there were any other members of the Board that would like to serve on any of these committees.

Akosua Yeboah asked if the Board's by-laws allow for a member to be a chair on more than one committee. Board counsel Patrick Jordan informed the Board that under their by-laws a Board member cannot hold a chair position on more than one committee. He

further stated that the Board could vote to suspend the by-laws to allow for a member to be a chair on more than one committee. Chairman Edward Smart stated that this would be temporary until other Board vacancies were filled.

D. Report from the Government Law Center

Government Law Center (GLC) Coordinator of the Board Sharmaine Moseley gave the report.

Complaint Inventory as of Date of Meeting

It was reported that included in tonight's packets is the complaint database scorecard. As of today, there are currently thirty-four (34) active complaints before the Board for review. Of those thirty-four (34) active complaints, six (6) were reviewed and closed by the Board at tonight's meeting. This leaves the Board with twenty-eight (28) active complaints. There are no complaints ready to be reviewed at the next meeting.

It was reported that four hundred and eighty-five (485) complaints have been closed. The total number of complaints that remain suspended from review is thirteen (13). The total number of complaints filed to date is five hundred twenty-six (526).

It was further reported that since the Board's last meeting, the Government Law Center (GLC) received nine (9) grievance forms, bringing the total number of forms received to two hundred and ninety-six (296). In response to the GLC's outreach to all individuals, the GLC has received eighty-two (82) Citizen Police Review Board (CPRB) complaint forms.

Board Member Vacancies

It was reported that there are still three (3) vacancies on the Board. All of the vacancies are Common Council appointees. There are also two (2) Board members whose terms expired at the end of October. Board member Hammond has been re-appointed by the Mayor. The GLC have not received correspondence from the Common Council regarding Board member Potenza's re-appointment.

APD Ride-Along

It was noted as a reminder that Board members should participate in at least one ride-along per year. Board members should let GLC staff know if assistance is required in arranging a ride-along.

GLC Staff

It was reported that the GLC has a new Executive Assistant. Donna Eames will be assisting the GLC with a portion of CPRB administrative duties, so she will be contacting the Board soon.

Upcoming Meetings

It was reported that the next Board meeting is scheduled for Thursday, February 16 at 6 p.m.

E. Appointment of New Members to the Committee on Complaint Review for February 2012

The following Board members were appointed to the Committee on Complaint Review for February 2012: Marilyn Hammond, Andrew Phelan Jr., Anthony Potenza, Eugene Sarfoh, Reverend Edward Smart, and Akosua Yeboah.

F. Report from the Office of Professional Standards

Commander Matos reported that thirty-one (31) new officers were sworn in and twenty-seven (27) of those officers will be attending the academy and four (4) others have already been certified as police officers and will be joining the ranks immediately. The training program is being updated to include: video training; web based training; web based testing and will be rolled out in a timely fashion. The department just appointed a new public information officer, also known as the department's spokesman. Officer Steve Smith currently works at Center Station patrol. The OPS will be expanding its ranks, adding one more detective. The name of that detective will be available at the next meeting.

G. Report from the Chair

Chairman Edward Smart reported that the Board has been contacted by the City of Syracuse to model their Board after Albany.

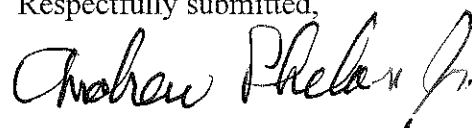
V. Public Comment

Chairman Edward Smart opened the floor for public comment. It was noted that there were no public comments.

VI. Adjournment

Chairman Edward Smart moved to adjourn the meeting. Marilyn Hammond seconded the motion. The motion carried unanimously. The meeting adjourned at 7:15 p.m.

Respectfully submitted,

A handwritten signature in black ink, reading "Andrew Phelan, Jr." in a cursive script.

Andrew Phelan, Jr.
Secretary