

# The City of Albanys' Community Police Review Board

2019 Second Quarter Report of the City of Albany

February 1, 2018 – April 31, 2019



Submitted to:

The Mayor of the City of Albany

The Common Council of the City of Albany

The Police Chief of the City of Albany



## **BACKGROUND**

Section 42-340 of Chapter 42, Part 33 of the Albany City Code requires the Government Law Center of Albany Law School to file, on behalf of the Albany Community Police Review Board (CPRB), quarterly reports containing “statistics and summaries of complaints, including a comparison of the CPRB’s findings with the final determinations of the [Police] Department.” This is the Second Quarter Report so submitted in the year 2019.

The Government Law Center of Albany Law School was retained by the City of Albany to provide a number of services to the Board, the City, and the community. Many of these services are discussed, as appropriate, below.

## **DEFINITIONS**

### **Definition of Terms**

For purposes of this Report, the following words and phrases shall have the following meanings:

APD - City of Albany Police Department

COMPLAINT - A written statement concerning police conduct which is either submitted to the Community Police Review Board for filing with the Albany Police Department or filed directly with the Albany Police Department

CPRB or BOARD - Community Police Review Board

GOVERNMENT LAW CENTER - The Government Law Center of Albany Law School

GRIEVANCE FORM - An APD form used to gather contact information from the complainant and forwarded to the Government Law Center for CPRB outreach purposes

MEDIATION - A structured dispute resolution process in which a neutral third party assists the disputants to reach a negotiated settlement of their differences

OFFICER - Any sworn police officer of the City of Albany Police Department affected by a citizen complaint

OFFICE OF PROFESSIONAL STANDARDS (OPS) - Professional Standards Unit of the City of Albany Police Department

## **Definition of CPRB Findings**

Section 42-344A of Chapter 42, Part 33 of the Albany City Code charges the Board with making one of the following findings on each allegation by majority vote after review and deliberation on an investigation:

- (1) *Sustained* - where the review discloses sufficient facts to prove the allegations made in the complaint.
- (2) *Not Sustained* - where the review fails to disclose sufficient facts to prove or disprove the allegation made in the complaint.
- (3) *Exonerated* - where the acts which provide the basis for the complaint occurred, but the review shows that such acts were proper.
- (4) *Unfounded* - where the review shows that the act or acts complained [of] did not occur or were misconstrued.
- (5) *Ineffective Policy or Training* - where the matter does not involve guilt or lack thereof, but rather ineffective departmental policy or training to address the situation.
- (6) *No Finding* - where, for example, the complaint failed to produce information to further the investigation; or where the investigation revealed that another agency was responsible and the complaint or complainant has been referred to that agency; or where the complainant withdrew the complaint; or where the complainant is unavailable to clarify the complaint; or where the officer is no longer employed by the City.
- (7) *Mediation* - where the complaint is resolved by mediation.

## **BOARD MEMBERSHIP**

The following members constituted the Board during the second quarter of 2019:

Larry Becker	Zach Garafalo	Matthew Ingram
Reverend Victor Collier	Warren E. Hamilton, <i>Vice Chair</i>	Ivy Morris, <i>Chair</i>
John T. Evers	Veneilya A. Harden, <i>Secretary</i>	

As of April 2019, there are two positions open for Mayoral Appointment.

## **COMPLAINT REVIEW**

Under Section II, Subsection I of the Board's Operating Procedures, each of the nine appointed members of the Committee on Complaint Review, in addition to the Chair of the Committee, will be responsible for the presentation of a particular complaint to the Board at its monthly meetings as assigned by the Chair of the Committee. The February and April meetings were cancelled in the second quarter of 2019.

## **COMPLAINT SUMMARIES**

The Board received four new complaints in addition to its eleven active complaints and four suspended complaints. Of the fifteen complaints before the Board, there were no complaints presented for review during the second quarter.

## **MEETING**

The Board meets on the second Thursday of every month so as not to conflict with the monthly meetings of the County Legislature, and to encourage media and public participation at its meetings.

The Board met once to conduct business during the second quarter of 2019. The meeting was held at the Center for Law and Justice, 200 Green St., at 6:00 p.m:

- An initial draft of the new CPRB Reference Manual was circulated to the Board for review.
- Board Member Matt Ingram presented: *Traffic Stops - A better understanding of data on traffic stops throughout the City of Albany.*
- The board expressed concern regarding access to Albany Police Department Standard Operating Procedures.
- It was announced at the meeting, the CPRB is invited to conduct our outreach presentation for the 2019 Albany Citizens Police Academy.
- Advertisement went out to Government Law Center Fellows for new monitors.
- Matt and Veneilya were reappointed by Common Council.
- There was discussion around local travel and the Travel Policy and adding guidance to future notifications. It was recommended the Board (Committee) take issue with the way travel is spelled out by the City vs Actual.
- Engaged a group discussion around current committee structure. The board decided to make this is an ongoing conversation and open dialogue about the way the board operates and goals. Can

analysis and data be part of outreach? Zach discussed the City considering exploring Drones and the efficacy and education and oversight.

### **CONCLUSION**

The Boards' second quarter concluded with a meeting scheduled with Albany Police Department's Management Team, to include The Police Chief, Deputy Chief and Commander. Member Ivy Morris was elected as Chair. Warren E. Hamilton was elected as Vice Chair. And Veneilya Harden was re-elected as Secretary. The Albany Community Police Review Board continues to work collaboratively with the Albany Police Department, The City of Albany and the Community we serve.

Respectfully submitted,

Clay Gustave  
Government Law Center of Albany Law School  
Approved by and submitted on behalf of the  
City of Albany Citizens' Police Review Board

Approved by the CPRB: TBD