

**City of Albany**  
**Citizens' Police Review Board**  
**Thursday, November 9, 2017, 6:00 p.m.**  
University at Albany, Downtown Campus - Milne Hall  
135 Western Ave, Levitt Room (M120)

**M E E T I N G M I N U T E S**

**Present:** Larry Becker, Matt Ingram, Ivy Morris, Reverend Victor Collier, Mike Grady Veneilya Harden and Zach Garafalo

**Guest:** Commander Michael Hicks, Detective Kathleen Hendrick and Adrianna Leblanc

**I. Call to Order and Roll Call**

Chair called the meeting to order at 6:05 p.m. and Roll Call.

**II. Approval of the Agenda**

Chair greeted all guests. Motioned to approve the agenda. Motioned by Rev. Collier and seconded by Larry Becker.

**III. New Business**

**A. Approval of October 19, 2017 Meeting Minutes**

Board member Rev. Collier motioned to approve the meeting minutes, board member Mike Grady seconded that motion.

**B. Approval of Third Quarter Report**

Board member Rev. Collier motioned to approve the Third Quarter Report, board member Mike Grady seconded that motion.

**C. New Complaint Summaries**

New complaint summaries were read by Mike Grady:

**CPRB No. 16-17**

The complainant says that he called the police because he demanded a refund from a store worker for a meal he didn't find suitable to eat and the police officer told the complainant there was nothing he (the Officer) could do about his issue.

A monitor was not assigned to this case.

**CPRB No. 17-17**

The complainant says he was pulled over by an unmarked police vehicle and the (3) police officers were rude and arrogant. The complainant also alleges the only reason he was stopped was because he was a white man with a black man in a rental car with out-of-town plates. He also alleges he called South Station several times requesting to speak

to a supervisor and was told, “Supervisors will not call a complainant. So, don’t expect it.”

A monitor was assigned to this case.

**D. Cases Reviewed**

- i. CPRB No. 6-17 / OPS No. CC2017-018
  - ii. CPRB No. 20-16 / OPS No. CC2017-002
- \*Complaints for Board Review (\*see Table 1)*

**E. Committee/Task Force Reports**

*By-Laws and Rules*

Committee Chair Matt Ingram nothing new to report.

*Ad HOC Travel & Training Policy*

Committee Chair Matt Ingram nothing new to report.

*Education and Community Outreach*

Committee Chair Z. Garafalo started meeting with Neighborhood associations.

*Mediation*

Committee Chair Reverend Victor Collier reported that there are no updates at this time.

*Police Department Liaison*

Committee Chair Veneilya Harden discussed her transition meeting with Ivy, Mickey and Clay. Wants the board to reconsider the direction of this committee.

*Public Official Liaison*

Committee Chair Ivy Morris reported that there was nothing new to report.

*Task Force on Monitors*

Committee Chair Larry Becker reported that he wants to address the importance of the value of the Monitors assessment of the cases. Adriana advised Larry to refer to the bylaws before taking action.

**F. Elections for Committee / Task Force Elections**

Nothing new to report.

**G. Report from the Government Law Center (GLC)**

As listed on the Complaint Status Report, for the third quarter, there are 8 active complaints. Of those 5 were reviewed this evening. 1 was closed, and 2 are currently suspended.

A total of 729 complaints have been closed, including 42 complaints that have been closed with no review. The total number of complaints filed to date is 747.

**H. Report from the Office of Professional Standards (OPS)**

Commander Michael Hicks Body Cameras are deployed. There will be 20 on the street.

**IV. Public Comment**

Adrianna mentioned common council passed the ordinance that reappointed Zach, Matt Veneilya. All other members whom have not received a letter from the City Clerk have until December 6<sup>th</sup> to schedule and sign your Oath of Office. Additionally, Common Council voted two new member (John T. Evers and Warren Hamilton) to the board.

**V. Adjournment**

Chair Ivy Morris motioned to adjourn the meeting. Requested availability to Reverend Victor Collier seconded that motion. The meeting was adjourned at 7:05 p.m.

Respectfully submitted,

Clay Gustave  
Coordinator

**\*Table 1 Complaints for Board Review**

CPRB / OPS NO.	SUMMARY	ALLEGATIONS	OPS FINDING	CPRB FINDING / ACTION
#06-17 / OPS No. CC2017-018	<p>The complainant alleged he was arrested for no reason, his head was “banged” on some steps during his arrest. His apartment was searched without consent, his property was damaged and an officer filed a false report.</p>	<p><b>Arrest Authority &amp; Procedures-</b> where the review shows that the act or acts complained did not occur. The complainant alleged he was arrested for no reason. Based on the reported observations of the responding officers and the statement provided by a witness the complainant was arrested and charged with Assault 3<sup>rd</sup> Strangulation, Resisting Arrest, Criminal Possession of a Weapon and Menacing 2<sup>nd</sup></p> <p><b>Use of Force</b> - where the acts which provide the basis for the complaint occurred, but the review shows that such acts were proper. The complainant alleged officers “banged” his head on some steps during his arrest. Officers stated the complainant struck his head on the steps while resisting his arrest. An officer stated he advised the complainant that he was under arrest and ordered him to place his hands on top of his head. The complainant attempted to push off the officer, turned and started to retreat back up to the second floor. The officer grabbed onto the complainant’s arm and they fell to the ground. The officer stated the complainant struck his head on the steps during the initial fall that</p>	<p>1. Unfounded 2. Exonerated 3. Unfounded 4. Not Sustained 5. Unfounded</p>	<p>*1. Unfounded 2. Exonerated 3. Unfounded 4. Not Sustained 5. Unfounded</p> <p>*Chair Ivy Morris recused herself from voting because the complainant is her cousin.</p>

		<p>resulted because he pulled away resisting his lawful arrest. The witness confirmed what was reported by the officer and stated the complainant's injury occurred because he was fighting and was out of control.</p> <p><b>Call Handling-</b> where the review shows that the act or acts complained did not occur. The complainant alleged his apartment was searched without his consent. Officers all stated the witness provided them consent to search her apartment. The witness stated the officers entered her residence with her permission but does not recall the details of the conversation because it was over a year ago. She insisted that the police had rescued her, that she was involved in a domestic violence situation and that the police did what they were supposed to do.</p> <p><b>Evidence &amp; Property Handling-</b> Where the review fails to disclose sufficient facts to prove or disprove the allegation made in the complaint. The complainant alleged the phones in his apartment were damaged. Officers denied damaging any property belonging to anyone related to this call. The witness stated the complainant had grabbed her phone from her hand and thrown it to the ground. She was not aware of any other</p>		
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		<p>phone damaged at the residence, but thought the complainant lost his phone.</p> <p><b>Conduct Standards -</b> where the review shows that the act or acts complained did not occur. The complainant alleged an officer wrote a false statement. The officer stated she in fact wrote on the second page of the DIR at the request of the witness. The officer stated she only wrote what was relayed to her by the witness and did not make up any of the facts. Once the report was complete the witness reviewed it and signed it. The witness stated she in fact relayed the events to the officer who wrote the report for her and that it was an accurate description of events.</p>		
#20-16 / OPS No. CC2017-002	CO says he was illegally detained and illegally arrested in South Carolina	<p><b>Arrest and Authority-</b> where the review shows that the act or acts complained did not occur or were misconstrued. The complainant alleged that he was illegally detained. There is no evidence to indicate he was illegally detained while at 53 Walter St. He stated to OPS that he knew he was free to go and did in fact leave the home of 53 Walter St. that night. The detective stated all occupants were free to go and that all parties did leave. Furthermore if the</p>	<ol style="list-style-type: none"> <li>1. Unfounded</li> <li>2. Unfounded</li> </ol>	<ol style="list-style-type: none"> <li>1. Unsustained (V. Harden)</li> <li>2. Unfounded-Seconded by Matt</li> <li>3. Unfounded</li> </ol>

		<p>complainant did not leave the home of 53 Walter St. there would be no need for a warrant to have been issued nor arrested in the State of South Carolina during the month of June 2016. All information gained from the occupants was freely given to detectives.</p> <p><b>Arrest Authority and Procedures-</b> where the review shows that the act or acts complained did not occur or were misconstrued. The complainant alleged he was illegally arrested while in the state of South Carolina. Records indicated he was arrested on the strength of a sealed indictment by the Albany County District Attorney's Office. The ADA stated the case was dismissed and all paperwork pertaining to the case is sealed.</p>		
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