

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

Present: Mickey Bradley, Marilyn Hammond, Reverend Edward Smart, Patrick Toye, and Akosua Yeboah.

Absent: Maritza Martinez, Andrew Phelan Jr., Anthony Potenza, and Eugene Sarfoh.

I. Call to Order and Roll Call

Chairman Edward Smart called the meeting to order at 6:04 p.m. Chairman Smart noted that the Board did not presently have a quorum and that member Patrick Toye would be arriving shortly. Despite not having a quorum, Chairman Smart said that the Board would still read through its new complaints.

II. New Business

A. New Complaint(s)

1. New Complaints Received Since the March 8, 2012 Meeting

Chairman Edward Smart reported that the Board received three (3) new complaints since its March 12, 2012 meeting. In light of the absence of Board Secretary Andrew Phelan Jr., Chairman Smart asked member Marilyn Hammond if she would read the new complaints. Marilyn Hammond read the new complaints.

CPRB No. 12-12/OPS No. CC2012-024

The complainant alleges that on March 15, 2012, an officer was extremely hostile, angry, stressed, and impatient towards the complainant when the officer pulled the complainant over. The complainant alleges that the officer ignored a truck that ran a red light and pulled him over instead. After being approached, the complainant requested a reason for being pulled over and requested another officer to be present, but both requests were ignored. The complainant alleges that the officer put his hand on his gun and opened his door to physically remove him from the vehicle. The complainant further alleges that the other officer who arrived on the scene was an officer who the complainant had complained about in the past and therefore the negative treatment was an act of retaliation on the part of the officer.

A monitor was appointed to investigate this complaint.

CPRB No. 13-12/OPS No. CC2012-032

According to the complainant, on January 22, 2012, an officer allegedly entered the complainant's friend's house, jabbed the friend in the neck and shoved him across the room. The officer then allegedly screamed in the complainant's face like he did to his friend. Another officer told the complainant that he was under arrest, handcuffed the complainant, and threw him onto his friend. The complainant alleges that when the officer searched him, the officer dropped all of his coins out of his pockets and refused to pick the coins up. The officer allegedly pushed the complainant from the table onto the couch, grabbed him by the throat, and started to choke him for about 4 (four) minutes. The complainant further alleges that the officer covered his nose and mouth with his hand. The complainant claims that the officer used profane language while talking to him.

A monitor was appointed to investigate this complaint.

CPRB No. 14-12/OPS No. CC2012-033

The complainant alleges that after he left his friend's house, an officer jumped out of a patrol vehicle and asked him where he came from, requested his I.D. and searched him. According to the complainant, he told the officer where he came from but he did not know his friend's room number. The officers allegedly threatened to take the complainant downtown. The complainant alleges that after the officer took his boots off in the cold weather and searched him, the officers questioned him and unlawfully arrested him. The complainant brought his friend with him to court twice and the charge was dismissed.

A monitor was not appointed to investigate this complaint.

B. Committee Task Force Reports

By-Laws and Rules

Committee Chairman Edward Smart reported that there were no additional by-laws that need to be added to the Board's By-Laws. Board Coordinator Sharmaine Moseley commented that the Board had to discuss the issue of standing. Chairman Smart asked Board Counsel Patrick Jordan to discuss the matter. Mr. Jordan mentioned the possible need for change to the criteria required to have standing to make a complaint with the Board. Mr. Jordan stated that a change in the legislation would not be necessary to change who has standing to make a complaint. Mr. Jordan further stated that a quorum would be needed to make any possible changes. Chairman Smart commented that changes are needed because it is very difficult for a monitor or the Office of Professional Standards (OPS) to investigate a complaint when someone makes a complaint that was

not actually involved in the situation. Chairman Smart noted that the proposed by-law would be entertained at the next meeting.

Ms. Moseley asked how the Board was going to address the issue of whether or not individuals are allowed to video meetings. Mr. Jordan replied that the matter has not been resolved and that as of right now no one in the audience can be videotaped because complainants and officers are supposed to remain anonymous throughout the entire process. However, he noted, it would probably be alright for someone to tape the Board throughout the meeting. Chairman Smart asked Barbara Smith, Chair of the Public Safety Committee, if the Board should take a position on this issue. Ms. Smith commented that the meeting is subject to the open meetings law but the issue of confidentiality is very important. She stated that the committee does not have a specific stance at the moment on the issue but the issue has been discussed.

Community Outreach

Committee Chairperson Akosua Yeboah reported that the CPRB brochures have been translated into Spanish and will soon be available to the public. She stated there are many Spanish dialects, so we would like to make sure that we are reaching the individuals in our community. She further reported that copies of the new brochures were shared with the Board. Committee Chair Yeboah reported that there is an upcoming meeting with the NAACP. She stated that she will be available and anyone is welcome to join her in communicating the role that the CPRB plays in the community. Committee Chair Yeboah stated that the committee is planning on having similar talks with the University at Albany and local schools.

Mediation

Committee Chairman Edward Smart stated that Board member Mickey Bradley has decided to sit on this committee instead of chairing it. Mr. Bradley thanked Chairman Smart. Chairman Smart reported that the mediation process is currently being reviewed and that the Board is waiting to hear from representatives of the police union concerning this process.

Police Department Liaison-Policy Review/Recommendations

Chairman Edward Smart stated that Committee Chair Andrew Phelan was not present. OPS Detective Kathy Hendrick reported that last week the committee met with the OPS. At that meeting, items discussed were the reporting of early warning system and personnel management issues which would notify the Board of any particular officer that needed additional assistance as determined by the OPS. The OPS will report information to the Board and leave out any identifying information. None of the officers' personal information would be shared. Chairman Smart summarized that the OPS will give the

Board a report that would state the following actions that took place. This document was still awaiting approval from Corporate Counsel. Chairman Smart and Mr. Jordan noted that this agreement was a starting point. Councilmember Smith stated that the Committee on Public Safety was discussing this same issue as well.

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 she had nothing new to report.

III. Approval of the Agenda

The agenda was reviewed. Patrick Toye moved to approve the agenda. Akosua Yeboah seconded the motion. The motion carried unanimously.

IV. New Business (Con't)

2. Complaint(s) for Board Review

CPRB No. 29-11/OPS No. CC2011-084 (Presented by Chairman Edward Smart)

Chairman Edward Smart summarized the complaint. The complainant alleged that unnecessary use of force was used on her son by officers. The complainant further alleged that her son was kicked and slammed into the ground and into the police car by the officers. Chairman Smart reported that he reviewed the following documents: Citizen's Complaint Form; Confidential Report; Juvenile Contact Card; Field Report Cards; Call Log; four (4) Inter-Departmental Correspondence (IDC's); and a Sworn Statement and Contact Sheets.

Chairman Smart stated that monitor Al Lawrence was assigned to this case and was present. Mr. Lawrence stated that a witness gave a different account than the complainant regarding the use of force allegation. He further stated that the police officers stated that they simply handcuffed the complainant's son and did not use excessive force. Based on the accounts given by the witness and the police officers, Mr. Lawrence stated that he concurred with the OPS finding of ***not sustained***. He further stated that there was no evidence of injuries on the complainant's son which would support the allegation.

Chairman Smart summarized the OPS' finding of ***not sustained*** for the use of force allegation, where the review failed to disclose facts to prove or disprove the allegation made in the complaint. Based on the OPS investigation, a witness stated that he saw an officer kick the complainant's son's legs out from underneath him and push him face

down into the sidewalk, before handcuffing him. The witness did not make any reference to the son being kicked in the back or slammed into the ground. The officers stated that the interaction took place on grass and not on the sidewalk. The son admitted that he was in possession of a knife during the incident in question and said that he tensed up due to the police presence. He believed his reaction made the police officer angry. The officers stated that the complainant's son was uncooperative and that at no time was the son kicked or slammed into the ground. The son's account of the incident would lead a reasonable person to believe that he would have sustained an injury of some sort due to the degree of force that is alleged in the complaint but there are no injuries documented.

Chairman Smart asked if the complainant was present. It was noted that the complainant was not present.

Chairman Smart noted that the police officers were called at least 16 (sixteen) times to a large fight involving damage to property. The complainant's son walked across the street to get a better view of the fight and returned to the porch after police arrived. The complainant's son was asked to stop when police tried to control the incident. The complainant's son was uncooperative and resisted the actions of the police. The son resisted by falling to the ground and keeping his body rigid. It was noted that these actions constitute resistance. The officer did not slam the complainant's son and did not kick him. No medical attention was given and no record of medical attention was submitted. No evidence is given to sustain the allegation of excessive force. The actions of the officers were reasonable and no evidence is given of excessive use of force.

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

CPRB No. 27-11/OPS No. 2011-082 (Presented by Chairman Edward Smart)

Chairman Edward Smart summarized the complaint. The complainant alleged that an officer refused to issue a parking ticket to their neighbor's vehicle and also refused to summon a supervisor to the scene.

Chairman Smart reported that he reviewed the following documents: Confidential Report; Citizen's Complaint Form; IDC; Call Log; and Notes. Chairman Smart asked if the complainant was present. It was noted that the complainant was not present.

Chairman Smart summarized the OPS finding for the call handling allegation as *exonerated*, where the acts which provide the basis for the complaint occurred, but the review showed that such acts were proper. Based on the OPS investigation, it was at the discretion of the officer to issue a ticket. The complainant was offered help and no emergency situation existed. The officer followed policy and was professional

throughout the ordeal. A vehicle was parked improperly in the complainant's driveway but through mediation, the officer was able to get the vehicle moved in a reasonable amount of time. The people who parked in the wrong driveway were moving into the property next door, and did not realize that they were parking in the wrong driveway. They apologized for their actions.

Chairman Smart stated that he agreed with the OPS finding of *exonerated*. Chairman Edward Smart moved to concur with the OPS finding. Marilyn Hammond seconded the motion. The motion carried unanimously.

CPRB No. 25-11/OPS No. CC2011-060 (Presented by Patrick Toye)

Patrick Toye summarized the complaint. The complainant alleged that on May 29, 2011, the complainant's car was towed and the Albany Police Department (APD), in searching her car, damaged the vehicle and misled her as to the location of where her vehicle was towed.

Mr. Toye summarized the OPS finding for the first call handling allegation as *ineffective training or policy*. Based on the OPS investigation, prior to this incident, the APD received a phone call stating that a white BMW was on the street with four (4) male occupants who had guns and drugs. The APD responded and found no occupants in the car and the car's windows down. The APD determined that the car being parked on the street with the windows down was an unsafe situation and therefore elected to have the car towed. The tow slip indicated that the car was towed to Traffic Safety. However this was incorrect. The car was towed to the lot of Pearlman's Garage. The officer who told the complainant that the car was at Traffic Safety should have known that the car had been towed to Pearlman's Garage.

Mr. Toye summarized the OPS finding for the second call handling allegation as *not sustained*. The complainant alleged that the officers searched and damaged her vehicle. Based on the OPS investigation, no officer claimed to have searched the vehicle and no officer claimed to have observed another officer searching the vehicle. The complainant did not specify what the damage was.

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

Patrick Toye moved to concur with the OPS finding for the first call handling allegation as *ineffective training or policy*. Marilyn Hammond seconded the motion. The motion carried unanimously.

Patrick Toye moved to concur with the OPS finding for the second call handling allegation as *not sustained*. Marilyn Hammond seconded the motion. The motion carried unanimously.

CPRB No. 24-11/OPS No. CC2011-072 (Presented by Marilyn Hammond)

Marilyn Hammond summarized the complaint. The complainant alleged that an officer was not knowledgeable of his duties and was repeatedly told by a department member that it was not their job to file a complaint for her. It was further alleged that another officer used profanity in the presence of the complainant.

Ms. Hammond asked if the complainant was present. It was noted that the complainant was present.

Ms. Hammond reported that she reviewed the following documents: Confidential Report; Call Sheet; Incident Report; and nine (9) IDC statements regarding the alleged profanity. There were many officers in the South Station on that day.

Ms. Hammond summarized the OPS finding for the first call handling allegation as *not sustained*. The complainant alleged that she asked a clerk for a form and was told that the form was available at the Department of Motor Vehicles (DMV). She was allegedly told not to let the DMV send her back to the station. The complainant returned to the station after visiting the DMV and being told to get the form at the police station. The complainant spoke to an officer at this time and the officer followed up with his sergeant to begin the paperwork. A female clerk was working at the desk at that time and told the officer that he did not have to file a report. Two (2) black officers came in, while the complainant and a friend were sitting in the lobby. The complainant alleged that one of the officers used profanity but she did not know if it was used towards her. The complainant claimed that the initial officer was not rude towards her but he was unprofessional due to his lack of knowledge. The complainant further alleged that the clerks were negligent in their duties.

Ms. Hammond reported that on July 21, 2011, an OPS detective met with the complainant. On August 4, 2011, the detective met with the clerks, who could not recall any profanity. On August 6, 2011, after reviewing paperwork the clerk stated that the officer was not unprofessional and the clerk did not advise the officer that it was not his job to assist the complainant. On August 24, the detective interviewed the officer. The officer stated that the complainant appeared frustrated because she believed she had been receiving the run-around, but she was satisfied and happy in receiving the necessary paperwork. He did not recall following up with his supervisor on how to handle the situation. Ms. Hammond further reported that audio from the detective's meetings with the clerks and the officer are on file.

Ms. Hammond asked if the complainant had anything to add. Ms. Hammond explained that based on her review the clerks were saying one thing while the officers said something opposite. The complainant stated that she was upset because the officer kept deferring to the clerks as to whether issuing a form was a part of his job or not. The clerks told the officer that the complainant could only receive the form from the DMV. The DMV told the complainant that she could only receive the form from the police. The complainant further stated that she was frustrated because she had to visit the police station multiple times to receive a simple form. The complainant added that she did not receive a copy of the police report when she first lodged the complaint. Ms. Hammond stated that she thought the issue was a lack of knowledge concerning proper procedure.

OPS Detective Anthony Battuolo stated that the officer denied ever asking the clerk for assistance and the clerks deny ever giving assistance. He further stated that it is against procedure to issue a report on the scene. Based on the investigation, the officer stated that he discussed with the complainant how to go about procuring a report.

Chairman Smart asked Detective Battuolo where the specific form was obtained from. The detective replied that the form was located at the DMV. However, the APD has the form for anyone who reports license plates lost or stolen and that form is offered to the APD by the DMV. However in this case, the officer determined that larceny was involved. Due to this, the officer filed the necessary paperwork. Chairman Smart asked Detective Battuolo if the complainant eventually received the paperwork form from the APD. Detective Battuolo replied in the affirmative. Chairman Smart asked Detective Battuolo why the complainant was not issued the form the first time that she visited the police station. Detective Battuolo responded that it was not immediately ascertained that a petit larceny had been committed, which was why the form was not given. Detective Battuolo further stated that the officer in question denies having two (2) meetings with the complainant. Board member Patrick Toye asked the complainant if she looked online for the form. The complainant replied that she looked online to see what to do when a person's license plates are stolen. She further stated that she needed to get the vehicle out of her name because she was getting parking tickets. The complainant alleged that she was told by the officer in question to let her insurance lapse, which she chose not to do. The complainant further stated that she also went to the Saratoga police department and was told the same thing. The Saratoga police suggested that she go to the State Police and that it had to be done in Albany. Detective Battuolo stated that there was a shift change at the station and that the officer alleged that he only met with the complainant once and that he never advised the complainant to let her insurance lapse.

Board member Akosua Yeboah stated that even if the complainant had met with two (2) different officers, the policy should be the same. Detective Battuolo stated that the form is only able to be issued when a crime is involved. He further stated that it was not ascertained that a crime was involved until the officer issued the form. Ms. Hammond

stated that the policy should be consistent. The detective stated that the form is able to be submitted by the DMV without police involvement. Ms. Hammond stated that she concurred with the OPS finding of *not sustained* for the call handling allegation, but that the police should be asked to increase awareness among officers on which forms are available to the public. Marilyn Hammond moved to concur with the OPS finding. Akosua Yeboah seconded the motion. Mr. Toye stated that he disagreed with the finding of *not sustained* and believed the allegation reflected a finding of *ineffective training or policy*. Detective Battuolo asserted that since there is no record of a first meeting between the complainant and the police, the evidence supports a finding of *not sustained*. The motion failed to carry by a vote of 1-4. It was noted that Chairman Edward Smart, Mickey Bradley, Patrick Toye, and Akosua Yeboah voted in the negative. Chairman Smart stated that the Board did not agree with OPS finding of *not sustained*. He further stated that the finding should be *ineffective training or policy* because he believed that the complainant went back and forth between the police department and DMV for the form. Ms. Yeboah stated that she finds it hard to believe that the complainant made several trips to the police department and there is no record of it. Chairman Edward Smart moved for a finding of *ineffective policy or training* for the first call handling allegation. Akosua Yeboah seconded the motion. The motion carried unanimously. Marilyn Hammond moved for a finding of *ineffective policy or training* for the second call handling allegation. Akosua Yeboah seconded the motion. The motion carried unanimously.

Marilyn Hammond moved to concur with the OPS finding of *not sustained* for the conduct standards allegation. Chairman Edward Smart seconded the motion. The motion carried unanimously.

CPRB No. 21-11/OPS No. CC2011-040 (Presented by Mickey Bradley)

Mickey Bradley noted that Akosua Yeboah tried to reach the complainant by phone, but the complainant's number was not in service. He summarized the complaint. The complainant alleged that on April 1, 2011, he was approached by a man who was threatening and intimidating. The complainant had an active order of protection against the man. The complainant alleged that the officers acted improperly in failing to make an arrest and declined to make a report about the incident. The complainant further alleged racism but never uses the term racism in his complaint. Mr. Bradley reported that the complainant is African American and was allegedly referred by one of the officers as "People like him." The complainant claimed that the officers acted unprofessionally.

Mr. Bradley reported that he reviewed the following documents: 911 Transcripts; and interviews with the complainant, officers, and the complainant's wife. Based on the OPS investigation, the complainant called 911 because he saw the man on the street. The complainant believed there were outstanding warrants for the man's arrest, so he wanted

to report it. The man did not see the complainant at first and when he did, he tried to avoid him. The complainant followed the other man down the street and two officers responded. The officers declined to make an arrest, despite the complainant's wish for them to do so. Upon arrival, the officers ascertained that there were no outstanding warrants against the complainant. It was not until the complainant was told that there were no outstanding warrants that he insisted the other man be arrested for violating the order of protection. The officers decided that since the man did not approach the complainant, their meeting was on public ground, and the complainant was following the other man, that an arrest was not appropriate. After they declined to make an arrest, the complainant accused the officers of racism. Mr. Bradley further reported that the allegation of unprofessional conduct standards was based upon the complainant stating that the officers yelled at him. The officers stated that the complainant was highly agitated when they arrived.

Mr. Bradley summarized the OPS finding for the call handling allegation as *unfounded*. The complainant alleged that the target officers did not do their jobs properly by not making an arrest. Based on the OPS investigation, the man did not violate the order of protection and did not have any outstanding warrants. Therefore, the officers acted correctly.

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

Based on his review of the facts of the case, Mr. Bradley moved to concur with the OPS finding of *unfounded*, where the review shows that the act or acts complained of did not occur or were misconstrued. Chairman Edward Smart seconded the motion. Akosua Yeboah abstained from voting. The motion failed to carry by a vote of due to a lack of a quorum.

Ms. Yeboah stated that she abstained from the vote due to the fact that a monitor had not been appointed to this case. She explained that without the benefit of an independent monitor's view she was not comfortable voting. Chairman Smart noted that when the complaint was initially received, the term racism was never used or alleged. Racism was alleged later on during the interview process. Mr. Jordan commented that with Ms. Yeboah's abstention, there was no longer a quorum and a vote could not take place. Ms. Yeboah stated that if racism is alleged at any time in the process a monitor should be assigned. At the time the complaint was filed all of the members of the Board were apprised of the complaint and were notified that a monitor had not been appointed. At that point, it is the responsibility of Board members to decide whether or not a monitor should have been assigned. Chairman Smart stated that there was no problem assigning a monitor for this case. Chairman Edward Smart moved to assign a monitor to this case. Mickey Bradley seconded the motion. The motion carried unanimously. Mr. Jordan

stated that the Board could appoint a monitor whenever they liked but that he was wary of the prospect of appointing monitors to cases where the investigation was already concluded.

CPRB No. 20-11/OPS No. CC2011-051 (Presented by Akosua Yeboah)

Akosua Yeboah summarized the complaint. Ms. Yeboah stated that an officer was called to respond to a subject who had an active warrant. An individual was detained who was not the subject of the warrant, but who fit the description. However, despite the fact that this individual did not match the initial warrant, it was discovered by the officer that a bench warrant existed for the individual who was initially mistakenly arrested. Using information gathered from the initial, mistaken arrest, the officer travelled to the individual's residence and arrested him. During the arrest, the complainant arrived on the scene at her home and asked the police what was going on. She was told that her roommate was being arrested due to a warrant stemming from an unpaid fine. The complainant became agitated and offered to pay the officer the amount of the fine.

Ms. Yeboah reported that she reviewed Criminal Procedure Law Section 120-A and Section 120-B which states that "an officer must without unnecessary delay..." Officers are mandated to make an arrest if they see an arrest warrant. It was reported that no monitor was assigned to this case. Ms. Yeboah reported that she reviewed the following documents: Call History; Booking and Arrest Report; Subject Resistance Report; Intra-Departmental Correspondences (IDC); Confidential Report; and Correspondence between the OPS and the complainant. Ms. Yeboah further reported that she had discussions with the investigating detectives.

Ms. Yeboah asked if the complainant was present. It was noted that the complainant was not present. Ms. Yeboah reported that the complainant appeared on the scene and asked the officer what was going on. She was informed that an arrest was being made of her roommate from an outstanding fine. The complainant attempted to pay the officer cash for the fine which the officer refused.

Ms. Yeboah summarized the OPS finding for the conduct standards allegation that the officer used excessive force as *exonerated*. The complaint alleged that excessive use of force was used and the officer acted improperly when the officer put the complainant in handcuffs. The complainant alleged that she asked for her handcuffs to be loosened and they were not. Based on the OPS investigation, the officer stated that he used an appropriate amount of force to get the complainant under control. Multiple witnesses (including the complainant's witness) stated that the complainant became very combative. Ms. Yeboah stated that while she agreed with the OPS finding, she was concerned that in trying to gain control of the complainant, the officer's reaction

escalated very quickly. Ms. Yeboah noted that the officer seemed to go from zero (0) to nine (9) perhaps too quickly.

Mr. Jordan asked why a monitor was not appointed to this case since the complainant alleged excessive force. Ms. Yeboah responded that the complainant did not say that she was injured, nor was there a hospital report. She further stated that the use of excessive force allegation is very common and that she looked for more when assigning a monitor. Mr. Jordan stated that he believes this might reflect some inconsistency on the part of the Board. Chairman Smart stated that he agreed with Ms. Yeboah in that the force used in this instance did not necessitate the appointment of a monitor.

Akosua Yeboah moved to agree with the OPS finding of *not sustained* for the first conduct standards allegation. Chairman Edward Smart seconded the motion. The motion carried unanimously. Akosua Yeboah moved to agree with the OPS finding of *exonerated* for the use of force allegation with her concerns. Chairman Edward Smart seconded the motion. The motion carried unanimously. Akosua Yeboah moved to agree with the OPS finding of *exonerated* for the second conduct standards allegation. Chairman Edward Smart seconded the motion. The motion carried unanimously.

C. Appointment of New Members to the Committee on Complaint Review for May 2012

The following Board members were appointed to the Committee on Complaint Review for May 2012: Mickey Bradley, Marilyn Hammond, Chairman Edward Smart, and Akosua Yeboah.

D. Approval of 2011 Second Quarterly Report

The 2011 Second Quarterly Report was reviewed. Chairman Edward Smart moved to approve the 2011 Second Quarterly Report. Akosua Yeboah seconded the motion. The motion carried unanimously.

E. Report from the Government Law Center

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

It was reported that Board member Maritza Martinez is currently at the Citizens' Academy and that she could fill in the rest of the Board regarding those activities at next month's meeting.

Complaint Inventory as of Date of Meeting

It was reported that the Board is making great progress in disposing of cases. As of today there are currently twenty-six (26) active complaints before the Board for review. Of the twenty-six (26) active complaints, five (5) were reviewed and closed by the Board at

tonight's meeting. This leaves the Board with twenty-one (21) active complaints. There are five (5) cases ready to be reviewed at the next meeting.

It was reported that five hundred (500) complaints have been closed. The total number of complaints that has been suspended from review has increased from thirteen (13) to sixteen (16). It was further reported that correspondence was sent to Board Counsel Patrick Jordan inquiring as to the status of those complaints. The total number of complaints filed to date is five hundred and thirty-seven (537).

It was further reported that since the Board's last meeting, the GLC received nine (9) grievance forms, bringing the total number of forms received to three hundred and eighteen (318). In response to the GLC's outreach to all individuals, the GLC has received eighty-eight (88) Citizen Police Review Board (CPRB) complaint forms, which represents about twenty (20) percent.

Board Member Reappointment

It was reported that the Common Council reappointed Tony Potenza to the Board, but the GLC is still awaiting Mr. Potenza's reappointment letter.

NACOLE

It was reported that the NACOLE conference is taking place in San Diego, California from October 14-18. Chairman Edward Smart, Marilyn Hammond and Maritza Martinez informed the GLC of their intent on attending the conference. Patrick Toye commented that he would be unable to attend the conference. It was further reported that Deputy Chief Reilly will be attending the conference on behalf of the APD.

F. Report from the Office of Professional Standards (OPS)

OPS Detective Kathy Hendrick reported that the OPS has been working very hard to close all of the cases remaining from 2011 by May.

G. Report from the Chair

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

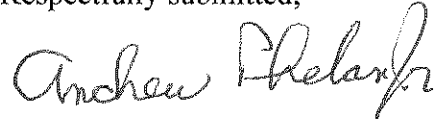
V. Public Comment

Chairman Edward Smart opened the floor for public comment. Councilmember Barbara Smith stated that she praised the APD's efforts in closing cases. It was noted that there were no additional public comments.

VI. Adjournment

Marilyn Hammond moved to adjourn the meeting. Chairman Edward Smart seconded the motion. The motion carried unanimously. The meeting adjourned at 7:25 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Andrew Phelan, Jr." The signature is written in black ink and is positioned above the printed name.

Andrew Phelan, Jr.

Secretary