

City of Albany

CITIZENS' POLICE REVIEW BOARD

Annual Report 2011

Submitted by
The Government Law Center of Albany Law School
on behalf of the
City of Albany Citizens' Police Review Board



Eleventh Annual Report of the City of Albany
Citizens' Police Review Board

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

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BACKGROUND

In July 2000, legislation creating the City of Albany Citizens' Police Review Board (the "Board") was signed into law, adding part 33 to Chapter 42 (Departments and Commissions) of the Code of the City of Albany. The purpose of this legislation was to create an independent review body to review and comment on completed investigations of complaints made by citizens against officers of the City of Albany Police Department for alleged misconduct. Its goals were to improve communication between the Police Department and the community, to increase police accountability and credibility with the public, and to create a complaint review process that is free from bias and knowledgeable of actual police practices.

DEFINITIONS

For purposes of this report, the following words and phrases shall have the meaning described in this report:

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

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

CPRB or BOARD – The Citizens' Police Review Board.

GOVERNMENT LAW CENTER (GLC) – The Government Law Center of Albany Law School.

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) – The Professional Standards Unit of the City of Albany Police Department.

INTRODUCTION

In a unique arrangement, 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. Among the services to be provided, § 42-340 of the legislation requires that the Government Law Center "file annual reports with the Common Council and the Mayor [,] which contain statistics and summaries of citizen complaints, including a comparison of the [Board's] findings with the final determinations of the [Police] Department" on behalf of the Board. This is the Eleventh Annual Report so submitted, covering the Board's operations from November 1, 2010 to October 31, 2011.

ORGANIZATION OF THE BOARD

The Board is comprised of nine members, five members appointed by the Common Council, and four members appointed by the Mayor, who serve for three-year staggered terms. In selecting the members of the Board, the legislation provides that the Common Council and the Mayor shall endeavor to reflect community diversity in their appointments, and requires that members of the Board reside in the City of Albany; possess a reputation for fairness, integrity, and responsibility; have a demonstrated interest in public affairs and services; and neither be an officer or employee nor a relative of an officer or employee of the City of Albany.

The following members constituted the Board during its eleventh year of operation:

Jason Allen

Appointed: 10/18/2004
Date Original Term Expired: 10/26/2006
Re-Appointed: 11/21/2006
1st Full Term Expired: 10/26/2008
Re-Appointed: 1/28/2009
2nd Full Term Expired: 10/26/2011
Resigned: 8/26/2011

Ronald Flagg

Appointed: 10/18/2004
Date Original Term Expired: 10/26/2007
Re-Appointed: 1/28/2008
2nd Term Expired: 10/26/2010

James Frezzell

Appointed: 12/20/2010
Date Original Term Expires: 10/26/2012
Resigned: 5/11/2011

Marilyn Hammond

Appointed: 12/3/2008
Date Original Term Expired: 10/26/2011

Lilian Kelly

Appointed: 12/20/2010
Date Original Term Expires: 10/26/2013
Resigned: 10/7/2011

Andrew Phelan, Jr.

Appointed: 9/26/2006
Date Original Term Expired: 10/26/2009
Re-Appointed: 3/23/2010
2nd Term Expires: 10/26/2012

Anthony Potenza

Appointed: 10/5/2006
Date Original Term Expired: 10/26/2008
Re-Appointed: 3/23/2010
2nd Term Expired: 10/26/2011

Eugene Sarfoh

Appointed: 1/3/2011
Date Original Term Expires: 12/31/2014

Reverend Edward Smart

Appointed: 3/20/2008
Date Original Term Expired: 10/26/2009
Re-Appointed: 3/23/2010
1st Full Term Expires: 10/26/2012

Akosua Yeboah

Appointed: 12/21/2009
Date Original Term Expires: 10/26/2012

Appointments and Re-Appointments

First Quarter

On December 28, 2010, City of Albany Mayor Gerald D. Jennings appointed Eugene

Sarfoh, Esq. as a member of the CPRB to serve a three-year term which will commence on January 3, 2011 and expire on December 31, 2014. On December 20, 2010, the City of Albany's Common Council appointed James Frezzell and Lilian Kelly to serve as members of the CPRB. Mr. Frezzell will serve a two-year term which will expire on October 26, 2012. He was appointed to fill the seat vacated by former Board member Jean Gannon on August 8, 2010. Ms. Kelly will serve a three-year term which will expire on October 26, 2013.

Third Quarter

The Government Law Center sent a letter to the Mayor and Common Council requesting that the Mayor and Common Council fill the vacancy left by Board member Daniel Fitzgerald and the upcoming vacancy which would be left by Board member Ronald Flagg. Mr. Flagg's first three (3) year term on the Albany Citizens' Police Review Board began on October 18, 2004. On October 26, 2007, he was re-appointed to serve a second three (3) year term which will expire on October 26, 2010. Since Mr. Flagg has served two consecutive terms with the Board, he was not eligible for re-appointment at this time.

Fourth Quarter

At the end of this quarter, Board members Marilyn Hammond and Anthony Potenza's terms expired and both were eligible for re-appointment to new terms. Both members expressed an interest in serving another term. The Government Law Center sent a letter to the Mayor and Common Council requesting that they both be re-appointed.

Resignations

Third Quarter

In correspondence dated May 11, 2011 to the CPRB, Board member James Frezzell announced his resignation from the Board effective immediately. Mr. Frezzell was a City of Albany Common Council appointee and was serving a two-year term which was set to expire on October 26, 2012. He was appointed to fill the seat vacated by former Board member Jean Gannon on August 8, 2010.

Fourth Quarter

In correspondence dated August 26, 2011 to the City of Albany Common Council, former Chairman and Board member Jason Allen announced his resignation from the Board effective immediately. In October 2004, Mr. Allen was appointed by the Albany Common Council to fill the remainder term of a vacancy created by a former Board member. Since then, he served two three-year terms on the Board and his second term was set to expire on October 26, 2011. He would not have been eligible for re-appointment at this time.

In correspondence dated October 7, 2011, Lilian Kelly announced her resignation from the Board effective immediately. Ms. Kelly was appointed by the Albany Common Council to fill the vacancy created by former Board member Daniel Fitzgerald. Her term was set to expire on October 26, 2013.

Vacancies

During the third quarter of 2011, the Board had one (1) vacancy to be filled by the City of Albany Common Council.

During the fourth quarter of 2011, the Board had a total of three (3) vacancies to be filled by the City of Albany Common Council. One of those vacancies was created by James Frezzell who resigned in the third quarter. The other two (2) vacancies were created by Board members Jason Allen and Lilian Kelly who both resigned during the fourth quarter.

New Member Orientation Program

According to § 42-339 of the legislation, “[c]ompletion of the orientation program concerning the goals, powers, and procedures of the [Board] is required before a member may participate as a voting member. In addition, graduation from the Albany Police Department’s Citizen Police Academy . . . within six months of the start of the member’s term is required.”

The orientation program consists of two (2) sessions. The first session of the orientation program is coordinated and facilitated by the Government Law Center to educate the new members about the organization and operation of the Board and included training on the CPRB Legislation; By-Laws and Rules of Procedure; the complaint review process; the Board’s public education and community outreach program; the role of the Government Law Center as administrative staff; the Open Meetings Law; the Freedom of Information Law; Section 50-a of the New York Civil Rights Law; an introduction on laws relating to Civil Rights violation and excessive use of force; and ethics. The second session of the orientation program is coordinated and facilitated by the Albany Police Department’s Office of Professional Standards and is comprised of training to educate the new Board members on the APD’s organization and operation.

During the first quarter of 2011, new Board members Lilian Kelly and James Frezzell attended and participated in the Board’s orientation program. New Board member Eugene Sarfoh attended and participated in the program in the second quarter of 2011.

New Member Citizens’ Police Academy

During the second and third quarter of 2010, new Board member Lilian Kelly and Eugene Sarfoh participated and successfully completed the APD’s Citizens’ Police Academy. Attendance at the Academy is a part of the Board’s training requirement. The Citizens’ Police Academy consists of fifteen (15) three-hour training sessions. These sessions included an overview of the Albany Police Department, including its command structure; patrol unit; and the Office of Professional Standards. As part of the training requirement, Kelly and Sarfoh are required to participate in a ride-along with an APD officer. The ride-along consists of a Board member riding with an APD officer during his/her work shift. This serves as an opportunity for the Board members to observe the interaction between the officers and the community.

Officers

During its eleventh year of operation, the Board's officers were:

Chair	Jason Allen (<i>until the end of first quarter of 2011</i>) Reverend Edward B. Smart (<i>beginning at the end of first quarter of 2011</i>)
Vice-Chair	Reverend Edward B. Smart (<i>until the end of first quarter of 2011</i>) Anthony Potenza (<i>beginning in the second quarter of 2011</i>)
Secretary	Andrew Phelan, Jr.

During the first quarter of 2011, nominations were held for the positions of Chair, Vice-Chair, and Secretary pursuant to the Board's Bylaws (Art. IV, Section 1). Jason Allen was nominated for the Chair position. Jason Allen declined the nomination. Reverend Edward Smart was nominated for the Chair position, Anthony Potenza was nominated for the Vice-Chair position, and Andrew Phelan, Jr. was nominated for the position of Secretary. The slate was presented, voted on, and approved unanimously at the Board's February 4, 2011 meeting. Reverend Edward Smart was elected as Chairman; Anthony Potenza was elected as Vice-Chair; and Andrew Phelan, Jr. was re-elected as Secretary.

Committees and Task Forces

First Quarter

At the CPRB's December 16, 2010 meeting, nominations and elections for the Chair and member positions of the Board's committees and task force were postponed until the three (3) new Board members completed orientation and were ready to vote.

Second Quarter

At the CPRB's February 9, 2011 meeting, nominations and elections were held for the chair and member positions of the Board's committees and task force. Chairman Edward Smart described the purpose of each of the Board's committees and task forces. Board members Akosua Yeboah and Anthony Potenza expressed interest in serving on the By-Laws and Rules Committee and Chairman Smart expressed interest in chairing the Committee. Board members Lilian Kelly and Akosua Yeboah expressed interest in serving on the Community Outreach Committee. Board member James Frezzell expressed interest in chairing the Committee. Board member Andrew Phelan expressed interest in continuing to serve as Chair of the Complaint Review Committee. Board member Akosua Yeboah expressed interest in serving as Chair of the Monitors Task Force. Board member Marilyn Hammond's name was listed on the Task Force subject to her approval. Board members Anthony Potenza and Jason Allen agreed to serve on the Policy Review/Recommendations committee. Board member Andrew Phelan expressed interest in continuing to serve as Chair of the Committee. Chairman Edward Smart expressed interest in chairing the Public Official Liaison Committee. Board members Jason Allen, James Frezzell, Akosua Yeboah, Andrew Phelan and Anthony Potenza expressed interest in serving on the Public Official Liaison Committee. The slate was presented, voted on, and approved unanimously.

The following committees and task force were operational and active in the Board's eleventh year of operation, with each Board member serving on at least one committee/task force:

<i>By-Laws and Rules</i>	Jason Allen (Chair) (<i>ended in 2nd Quarter</i>) Reverend Edward Smart (Chair)(<i>commenced in 2nd Quarter</i>) Anthony Potenza Akosua Yeboah
<i>Community Outreach</i>	Reverend Edward Smart (Co-Chair) (<i>ended in 2nd Quarter</i>) James Frezzell (Chair) (<i>commenced in 2nd Quarter</i>) Jason Allen (<i>ended in 4th Quarter</i>) Lilian Kelly (<i>commenced in 2nd Quarter</i>) Eugene Sarfoh (<i>commenced in 2nd Quarter</i>) Akosua Yeboah
<i>Complaint Review</i>	Andrew Phelan, Jr. (Chair) Jason Allen (<i>ended in 4th Quarter</i>) James Frezzell (<i>commenced in 2nd Quarter & ended in 3rd Quarter</i>) Ronald Flagg (<i>until the middle of the 1st quarter</i>) Marilyn Hammond Lilian Kelly (<i>commenced in 2nd Quarter & ended in 4th Quarter</i>) Anthony Potenza Eugene Sarfoh (<i>commenced in 2nd Quarter</i>) Reverend Edward Smart Akosua Yeboah
<i>Mediation</i>	Jason Allen (Chair) (<i>ended in 4th Quarter</i>) Anthony Potenza Reverend Edward Smart (<i>ex-officio</i>)
<i>Police Department Policy Review/Recommendations</i>	Andrew Phelan, Jr. (Chair) Jason Allen (<i>ended in 4th Quarter</i>) Anthony Potenza Reverend Edward Smart (<i>commenced in 2nd Quarter</i>)
<i>Public Official Liaison</i>	Ronald Flagg (Co-Chair) (<i>ended in the 1st quarter</i>) Reverend Edward Smart (Chair)(<i>commenced in 2nd Quarter</i>) James Frezzell (<i>commenced in 2nd Quarter & ended in 3rd Quarter</i>) Marilyn Hammond (<i>ended in the 1st quarter</i>) Andrew Phelan, Jr. Anthony Potenza Akosua Yeboah (<i>commenced in 3rd Quarter</i>) Jason Allen (<i>ex-officio</i>)

Task Force on Monitors Akosua Yeboah (Chair)
Marilyn Hammond
Lilian Kelly (*commenced in 2nd Quarter & ended in 4th Quarter*)
Reverend Edward Smart (*ex-officio*)
Jason Allen (*ex-officio*)

BY-LAWS AND RULES/MEDIATION

First Quarter

The Board continued to wait on a response from the Albany Police Department's Union Counsel Christine Caputo-Granich regarding the results of a petition that was filed by the Public Employment Relations Board (PERB) seeking to decertify from Council 82 and Local 2841. All negotiations with these Unions regarding the mediation program ceased until a determination has been made as to who will represent Local 2841.

Second Quarter

At its February 9, 2011 meeting, during the review of a complaint, a couple of Board members stated that they were concerned that a monitor was not assigned to that particular case due to the complainant's allegations. During the second quarter of 2011, members of the By-laws and Rules Committee met twice to review its operating procedures and ensure that there are guidelines in place when assigning monitors to complaints. At that meeting, the Committee agreed that guidelines were in place. The Committee also agreed to add the Board's monitors' protocol to its operating procedure.

The Government Law Center received an email correspondence from the Albany Police Department's Union Counsel, Christine Caputo-Granich, informing the Board that the Albany Police Department's Local 2841 Union determined that it is no longer interested in mediation at this time, therefore, there was no need to schedule any more meetings regarding this topic. The Board is currently awaiting a response from Police Chief Steven Krokoff.

Third Quarter

On July 5, 2011, members of the By-Laws and Rules Committee met to discuss what the Office of Professional Standards is required to report in its investigations. The Committee felt strongly that OPS's confidential reports should only reflect allegations within an individual's complaint and not procedures based on Subject Resistance Reports, Arrest Reports, etc. The Committee agreed that its Counsel, Patrick Jordan, would discuss with the OPS that the reports should contain allegations in the complaint and a separate section for administrative items such as failure to fill out Subject Resistance Reports and Arrest Reports.

At its June 9, 2011 meeting, the Board approved amendments to its operating procedures which included the addition of the Board's monitors' protocol to its operating procedure.

The Board continued discussions with the APD regarding the mediation program. At the end of this quarter, the Board was awaiting a response regarding the status from OPS Commander Ron Matos and Chief Steven Krokoff.

Fourth Quarter

Albany Police Department's Commander Ron Matos informed the Board that new APD union representatives were in place to be elected. He asked the union representatives to meet with their attorney regarding mediation and has not received a response. He does not expect a response until after the union elections.

COMMUNITY OUTREACH

Second Quarter

Members of the Community Outreach Committee met twice to discuss the CPRB brochure as well as a possible second brochure that would explain to the citizens what happens at a CPRB meeting. The Board agreed that the second brochure is necessary because complainants and community activists attend its meetings and are unaware of the meeting process. Members of the committee also discussed scheduling a meeting between the GLC and Committee Chair James Frezzell to share with him what should be included in his presentation to the community.

Third Quarter

In May 2011, the Community Outreach Committee met and made changes to the complaint process brochure, as well as to the meeting guideline brochure. The committee agreed that the meeting guideline brochure should be translated into Spanish.

In June 2011, Board member Akosua Yeboah nominated Board member Lilian Kelly to serve as chair of the Community Outreach Committee. Lilian Kelly accepted the nomination. The Board voted unanimously for Ms. Kelly to serve as chair.

Fourth Quarter

Due to vacation scheduling conflicts, the committee did not meet in the summer months as planned to finalize the draft brochures and schedule outreach meetings. Committee member Akosua Yeboah agreed to work with Committee Chair Lilian Kelly in scheduling future meetings with the outreach groups in the community.

In October 2011, Committee Chair Lilian Kelly resigned from the Board. At its October 13, 2011 Board meeting, Board member Akosua Yeboah agreed to chair this committee. On October 21, 2011, the Committee held a meeting to finalize the Guide to Meetings Brochure and the CPRB Complaint Process Brochure. Draft copies of both brochures were forwarded to the Board. At that meeting, it was agreed that the next step would be to translate both brochures into Spanish. The Committee also scheduled two (2) outreach meetings for November 2011 and January 2012.

COMPLAINT REVIEW

Pursuant to Section II, Subsection I of the Board's Operating Procedures, each of the four (4) appointed members of the Committee on Complaint Review, in addition to the Chair of the Committee, shall be responsible for the presentation of a particular complaint to the Board at its regular, monthly meetings, as assigned by the Chair of the Committee.

The following Board members were appointed to serve on the Committee in the eleventh year of operation:

<i>November 2010</i>	<i>Jason Allen, Marilyn Hammond, Andrew Phelan, Jr., Reverend Edward Smart, and Akosua Yeboah.</i>
<i>December 2010</i>	<i>Jason Allen, Andrew Phelan, Jr., Anthony Potenza, and Reverend Edward Smart.</i>
<i>January 2011</i>	<i>Jason Allen, Marilyn Hammond, Andrew Phelan, Jr., Anthony Potenza, and Reverend Edward Smart.</i>
<i>February 2011*</i>	<i>James Frezzell, Marilyn Hammond, Lilian Kelly, Andrew Phelan, Jr., Anthony Potenza, Reverend Edward Smart, and Akosua Yeboah.</i>
<i>March 2011</i>	<i>James Frezzell, Marilyn Hammond, Lilian Kelly, Andrew Phelan, Jr., Anthony Potenza, and Reverend Edward Smart.</i>
<i>April 2011</i>	<i>James Frezzell, Lilian Kelly, Anthony Potenza, Eugene Sarfoh, Reverend Edward Smart, and Akosua Yeboah.</i>
<i>May 2011</i>	<i>Marilyn Hammond, Lilian Kelly, Andrew Phelan, Jr., Anthony Potenza, Eugene Sarfoh, Reverend Edward Smart, and Akosua Yeboah.</i>
<i>June 2011</i>	<i>Marilyn Hammond, Lilian Kelly, Andrew Phelan Jr., Anthony Potenza, Reverend Edward Smart.</i>
<i>July 2011</i>	<i>The Board did not meet in July 2011.</i>
<i>August 2011</i>	<i>The Board did not meet in August 2011.</i>
<i>September 2011</i>	<i>Marilyn Hammond, Lilian Kelly, Andrew Phelan Jr., Anthony Potenza, Eugene Sarfoh, Chairman Edward Smart, and Akosua Yeboah.</i>
<i>October 2011</i>	<i>Marilyn Hammond, Andrew Phelan Jr., Anthony Potenza, Eugene Sarfoh, Chairman Edward Smart, and Akosua Yeboah.</i>

November 2011

Marilyn Hammond, Anthony Potenza, Eugene Sarfoh, Chairman
Edward Smart, and Akosua Yeboah.

**Complaint review not assigned for month; Board members listed are those who reviewed complaints during that month's meeting.*

COMPLAINT REVIEW: SUMMARIES AND STATISTICS

Section 42-340C of Chapter 42, Part 33 of the Albany City Code charges the Board with providing “statistics and summaries of citizen complaints, including a comparison of [its] findings with the final determinations of the [Police] Department.”

First Quarter

The Board received eleven (11) new complaints in addition to its seventy-three (73) active complaints and eleven (11) suspended complaints. Monitors were appointed to investigate five (5) of the eleven (11) new complaints. Of the eighty-four (84) complaints before the Board, the Board presented seventeen (17) complaints for review and rendered findings for the allegation(s) contained in fifteen (15) complaints. These fifteen (15) complaints contained a total of thirty-two (32) allegations of misconduct. As to the fifteen (15) complaints that were reviewed and closed, the Board made findings consistent with the preliminary findings of the Office of Professional Standards in all fifteen (15) cases.

Second Quarter

The Board received fifteen (15) new complaints in addition to its sixty-nine (69) active complaints and eleven (11) suspended complaints. Monitors were appointed to investigate five (5) of the fifteen (15) new complaints. Of the eighty-four (84) complaints before the Board, the Board presented thirty-one (31) complaints for review and rendered findings for the allegation(s) contained in twenty-nine (29) complaints. These twenty-nine (29) complaints contained a total of eighty-two (82) allegations of misconduct. As to the twenty-nine (29) complaints that were reviewed and closed, the Board made findings consistent with the preliminary findings of the Office of Professional Standards in all twenty-nine (29) cases. As to the two (2) complaints where the Board took action, one (1) was tabled and assigned a monitor due to the allegations in the complaint and the other one was sent back to the OPS to be further investigated.

Third Quarter

The Board received nine (9) new complaints in addition to its fifty-three (53) active complaints and thirteen (13) suspended complaints. Monitors were appointed to investigate two (2) of the nine (9) new complaints. Of the sixty-two (62) complaints before the Board, the Board presented sixteen (16) complaints for review and rendered findings for the allegation(s) contained in all sixteen (16) complaints. These sixteen (16) complaints contained a total of thirty-eight (38) allegations of misconduct. As to the sixteen (16) complaints that were reviewed and closed, the Board made findings consistent with the preliminary findings of the Office of Professional Standards in all sixteen (16) cases. The Board unanimously voted to not review four (4) complaints because they were not written on complaint forms and/or the Board previously

reviewed, deliberated, voted on, and closed those cases.

Fourth Quarter

The Board received ten (10) new complaints in addition to its forty-two (42) active complaints and thirteen (13) suspended complaints. Monitors were appointed to investigate five (5) of the ten (10) new complaints. Of the fifty-two (52) complaints before the Board, the Board presented sixteen (16) complaints for review and rendered findings for the allegation(s) contained in (13) complaints. These thirteen (13) complaints were closed and contained a total of twenty-three (23) allegations of misconduct. As to the thirteen (13) complaints that were reviewed and closed, the Board made findings consistent with the preliminary findings of the Office of Professional Standards in all thirteen (13) cases.

Of the ten (10) new complaints received, Board action was taken on one (1) complaint because the complaint involved a public service officer (meter) and not a police officer. The Board does not have jurisdiction over public service officers. Board action was also taken on one (1) complaint that was received in the third quarter because the complaint involved a dispatcher and not a police officer. These actions included the Board voting unanimously not to accept and review the two (2) complaints. Of the sixteen (16) complaints reviewed, the Board failed to reach a finding, by majority vote, on three (3) complaints. These three (3) complaints were sent back to the OPS to be further investigated.

Number of Complaints Filed

During its eleventh year of operation (November 1, 2010 to October 31, 2011), the Board received a total of forty-five (45) new complaints (See Figure 1.) The Board received an average of four (4) complaints per month from November 2010 to October 2011. These complaints included those filed with the Board directly (filed either in person, by regular U.S. mail, or via facsimile) and those filed with the Board through the Office of Professional Standards (OPS).

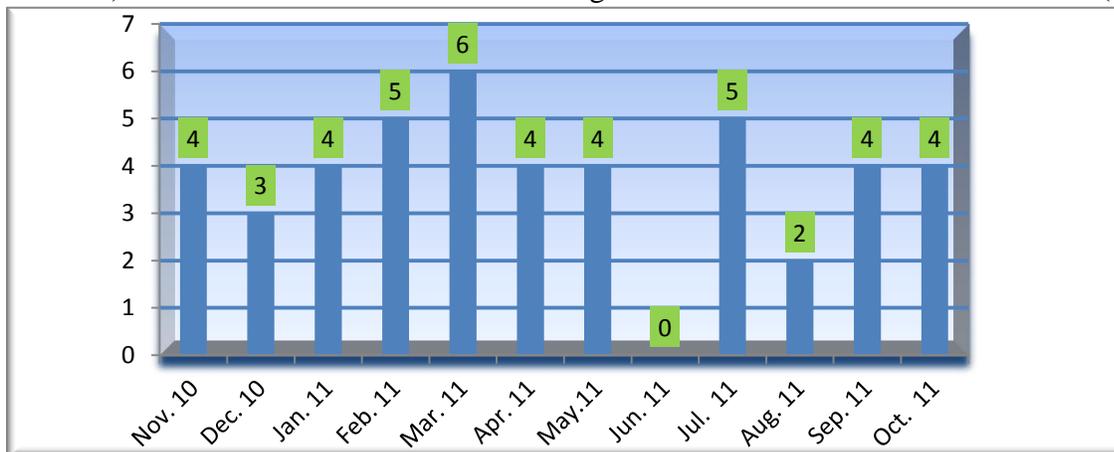


Figure 1: Monthly breakdown of complaints filed November 1, 2010 to October 31, 2011
Total forty-five (45).

Since the Board's inception (October 27, 2000 to October 31, 2011), the Board received a

total of five hundred and twenty-two (522) complaints (See Figure 2.) The Board received an average of forty-seven (47) complaints per year. These complaints included those filed with the Board directly (filed either in person, by regular U.S. mail, or via facsimile) and those filed with the Board through the Office of Professional Standards (OPS).

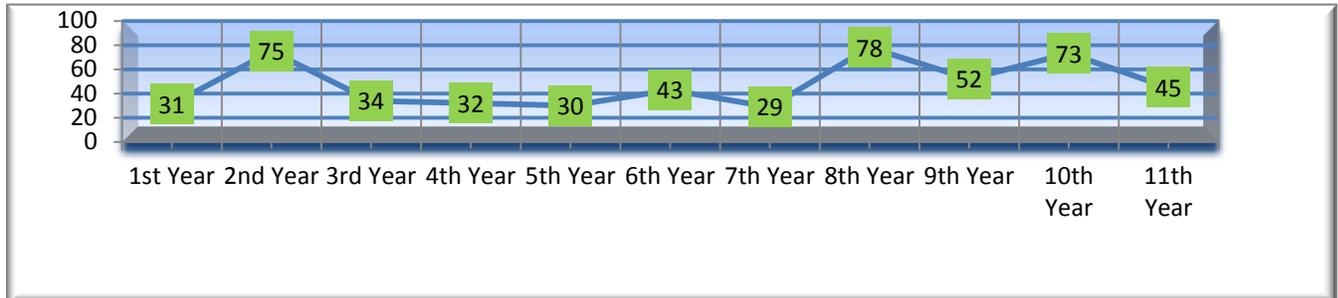


Figure 2: Yearly breakdown of complaints filed October 27, 2000 to October 31, 2011
Total five hundred and twenty-two (522).

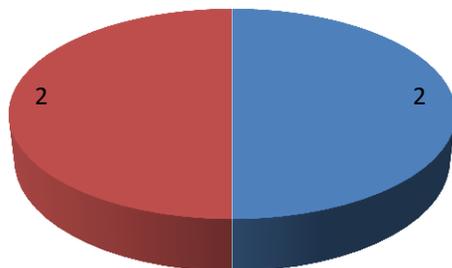
Appointment of Monitors

Under § 42-343(B)(1) of the legislation, the Board is required to appoint an individual to observe and monitor the Office of Professional Standards’ investigation of a complaint “in the event the complaint alleges use of force or a violation of civil rights.” Of the forty-five (45) complaints filed in the eleventh year, the Board appointed a monitor to observe the OPS’s investigation of seventeen (17) complaints.

Race/Ethnicity and Gender of the Complainant and the Officer(s)

Complainants who file a Citizen Complaint Form with the Board may, at their option, include information relating to their race/ethnicity and gender. Of the forty-five (45) complaints filed with the Board in the eleventh year, fourteen (14) contained information from the complainant regarding the complainant’s gender; twelve (12) contained information from the complainant regarding the complainant’s race/ethnicity; and twelve (12) contained information from the complainant regarding the complainant’s gender and race/ethnicity. The twelve (12) identified complainants out of these forty-five (45) complaints were comprised of: two (2) African-American females; six (6) African-American males; two (2) Caucasian females; two (2) Caucasian males (See Figure 3).

Females



Males

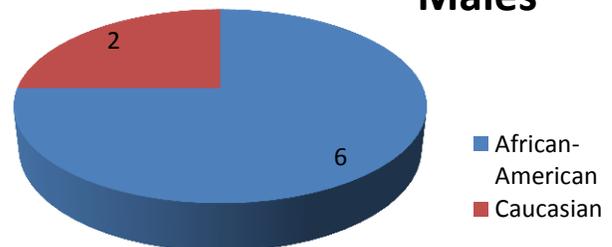


Figure 3: Race/Ethnicity and Gender of the Complainant

Of the forty-five (45) complaints filed with the Board in the eleventh year, all forty-five complaints were submitted on a complaint form. Of those forty-five (45) complaints, nineteen (19) complainants chose not to submit information regarding their race/ethnicity and/or gender. In three (3) of the forty-five complaints, the complainants chose not to submit information regarding their race/ethnicity and/or gender and this information could not be determined based on language contained in the reports. In twenty-eight (28) of the forty-five (45) complaints, the gender of complainant, fifteen (15) males and thirteen (13) females, were determined by language contained in the complaint form, the Office of Professional Standards' preliminary report, and/or the report of the monitor, if a monitor was assigned to the complaint. In one (1) of the forty-five (45) complaints, the complainants submitted information about their gender but not race/ethnicity.

In addition to the optional section provided for complainants, the Citizen Complaint Form provides a section for the complainant to enter descriptive information about the officer(s) who are the subject of the complaint. In this section, the complainant is asked to provide race/ethnicity and gender information about the officer(s), if known. Forty-seven (47)¹ police officer descriptions, including race/ethnicity and/or gender, were included within the forty-five (45) complaints filed with the Board in the eleventh year.

Thirty (30) of the forty-five (45) complaints filed with the Board included information about the police officer's gender provided by the complainants. Eighteen (18) of the forty-seven (47) police officer gender descriptions, however, were redacted by the Office of Professional Standards. Of the eighteen (18) police officer gender descriptions that were redacted, the gender of twelve (12) officers (male) and one (1) officer (female), were assumed from the language contained in the complaint. Twenty-one (21) of the forty-seven (47) police officer gender descriptions were not redacted by the Office of Professional Standards. Of the twenty-one (21) police officer gender descriptions that were not redacted, the genders of eighteen (18) police officers were male and three (3) police officers were female. Concerning the gender information of the eight (8) police officers that was not provided by the complainant, the genders of eight (8) male police officers were assumed from the language contained in the complaint.

The ethnicity/race of thirty-two (32) police officers was provided by the complainants. Fifteen (15) of the thirty-two (32) police officer ethnicity/race descriptions, however, were redacted by the Office of Professional Standards. Therefore, in those fifteen (15) descriptions, the ethnicity/race of the police officers could not be ascertained from the language contained in the complaints. The seventeen (17) police officer ethnicity/race descriptions that were not redacted identified three (3) police officers as African-American and fourteen (14) police officers as Caucasian.

Of the forty-five (45) complaints filed with the Board in the eleventh year, descriptions regarding the race/ethnicity and/or gender for police officers in eight (8) complaints were either

¹It should be noted that the Board is not privy to any information that would identify the officers who are the subject of a citizen complaint. Therefore, it is not known whether these forty-seven (47) police officer descriptions are of forty-seven (47) different officers or are of a number of the same officers.

not included or the information was unknown. Thirty-seven (37) police officer names were provided by the complainant, but were redacted by the Office of Professional Standards.

Allegations Contained in the Complaints

In the eleventh year of operation, the number of allegations were determined in thirty-eight (38) of the forty-five (45) complaints filed with the Board. Twenty-two (22) of the forty-five (45) complaints contained a single allegation of misconduct against an officer or officers of the Albany Police Department. Sixteen (16) of the forty-five (45) complaints contained multiple allegations, with a majority of these complaints averaging two (2) misconduct allegations. The allegations could not be determined for seven (7) of the forty-five (45) complaints filed with the Board, because no complaint form was filed for two (2) of those complaints; four (4) complaints were closed with no review; and OPS preliminary reports were not received yet during this annual year for one (1) of those complaints.

Sixty (60) allegations were made in the thirty-eight (38) complaints where allegations could be determined. Of the sixty (60) allegations, the Board identified four (4) categories of allegations. Thirteen (13) sub-categories of allegations were also identified, one (1) of which fell under the category of Arrest Authority and Procedures, four (4) of which fell under the category of Call Handling, six (6) of which fell under the category of Unprofessional Conduct Standards, and two (2) of which fell under the category of Use of Force. In identifying these categories and subcategories of allegations, the Board accounted for the complainant’s own classification of the allegations contained in his or her complaint.

Arrest Authority and Procedures	2
False/Illegal/Improper/Unlawful Arrest	1
Call Handling	7
Racial Bias	2
Improper Handling of Personal Property	4
Failure to Complete Report/Investigate/Handle Report	4
Refused Medical Treatment	1
Unprofessional Conduct Standards	7
Rude/Disrespectful	7
Derogatory/Inappropriate/Profane/Offensive/Vulgar/Threatening/Racially-Biased/Unnecessary Language	9
Harassment	1
Racial Bias	1

Race-Based Stop	1
Racial Profiling	1
Use of Force	0
Excessive Use of Force	9
Unnecessary Use of Force	3

Figure 4: Allegations Contained in Complaints Filed - Total 60

Figure 4 illustrates the allegations made in thirty-eight (38) identifiable complaints filed with the Board. Given that many of these complaints contained more than one allegation, the total number of allegations made is not equal to the number of complaints filed with the Board.

Five percent (5%) of the allegations identified in the thirty-eight (38) complaints filed with the Board were classified as arrest authorities and procedures.

Thirty percent (30%) of the misconduct alleged was classified as call handling. Call handling included: racial bias; improper handling of personal property; failure to complete report/investigate/handle report; and refusal of medical treatment.

Forty-five percent (45%) of the allegations identified in the complaints were classified as unprofessional conduct standards. Unprofessional conduct standards included allegations of rude/disrespectful behavior toward the complainant; language; harassment; intimidation; racial bias; and unlawful ticketing. Language was identified as unnecessary, derogatory, inappropriate, profane, offensive, vulgar, threatening, or racially-biased.

Use of force accounted for twenty percent (20%) of the misconduct alleged. The use of force allegations were identified as excessive and unnecessary.

Suspension of Review

“Upon the written recommendation of the Corporation Counsel, the Common Council or the Mayor may suspend the [Board’s] review of any complaint where a separate criminal investigation is underway or where a civil action against the City is underway, or pending.” (See § 42-348). At the beginning of its eleventh year of operation, the Board had eleven (11) suspended complaints which were carried over from previous years of operation. Two (2) of the eleven (11) suspended complaints were filed in the Board’s sixth year of operation (November 1, 2005 – October 31, 2006). Two (2) of the eleven (11) suspended complaints were filed in the Board’s seventh year of operation (November 1, 2006 – October 31, 2007). Two (2) of the eleven (11) suspended complaints were filed in the Board’s eighth year of operation (November 1, 2007 – October 31, 2008). Five (5) of the eleven (11) suspended complaints were filed in the Board’s ninth year of operation (November 1, 2008 – October 31, 2009). At the end of the eleventh year, the Board had thirteen (13) suspended complaints. Two (2) of the thirteen (13) suspended complaints were filed in the Board’s tenth year of operation (November 1, 2009 – October 31,

2010).

Board and Police Department Findings

At the conclusion of the Office of Professional Standards' investigation of a citizen complaint, the Police Department is required to submit a preliminary report of its findings to the Board. (See § 42-343(E)). Following its review and deliberation of a complaint, which may include, in appropriate cases: 1) review of the complaint, the OPS's preliminary report, the monitor's report, if one has been assigned to the complaint, transcripts, and any other information contained in the Board's complaint file and the OPS's investigative file, which is not confidential and/or otherwise protected by state, federal, local law, or by the collective bargaining agreement; 2) presentations made by monitors; and 3) questioning of detectives from the OPS and officers of the Police Department, the Board is authorized by § 42-343(F)(1) of the legislation to render a finding or findings on the complaint. The Chief of Police must then "review the Department's preliminary report in light of the [Board's] finding and . . . make the Department's final determination." (See § 42-345).

2009-2010

At the conclusion of the Board's tenth year of operation, findings had not yet been made with respect to eighty-four (84) complaints. Of the eighty-four (84) complaints carried over into the eleventh year, seventy-three (73) complaints were active and eleven (11) complaints were suspended. One (1) of the seventy-three (73) active complaints was filed in the Board's eighth year of operation (November 1, 2007 – October 31, 2008). Eight (8) of the seventy-three (73) active complaints were filed in the Board's ninth year of operation (November 1, 2008 – October 31, 2009). Sixty-four (64) of the seventy-three (73) active complaints were filed in the Board's tenth year of operation (November 1, 2009 – October 31, 2010). These complaints were not reported and rendered findings in the Board's Tenth Annual Report and were, therefore, carried forward into the eleventh year.

2010-2011

In the Board's eleventh year of operation, forty-five (45) complaints were filed with the Board. In addition, seventy-three (73) active complaints were carried forward from the Board's tenth year of operation. The Board reviewed eighty-four (84) complaints and rendered findings for seventy-three (73) complaints. Five (5) of the eighty-four (84) complaints were reviewed by the Board more than once in the eleventh year. Sixty-six (66) of the eighty-four (84) complaints reviewed were previously not reviewed and were, therefore, carried forward into the Board's eleventh year of operation. Out of the sixty-six (66) complaints that were carried forward from the Board's tenth year of operation, the Board reviewed and rendered findings for all sixty-six (66) of those complaints. Two (2) complaints were filed in the eighth year and carried forward into the eleventh year; Seven (7) complaints were filed in the ninth year and carried forward into the eleventh year; and fifty-seven (57) complaints were filed in the tenth year and carried forward into the eleventh year.

Out of the forty-five (45) complaints that were filed in the Board's eleventh year, the Board reviewed eight (8) and rendered findings for the allegations contained in seven (7).

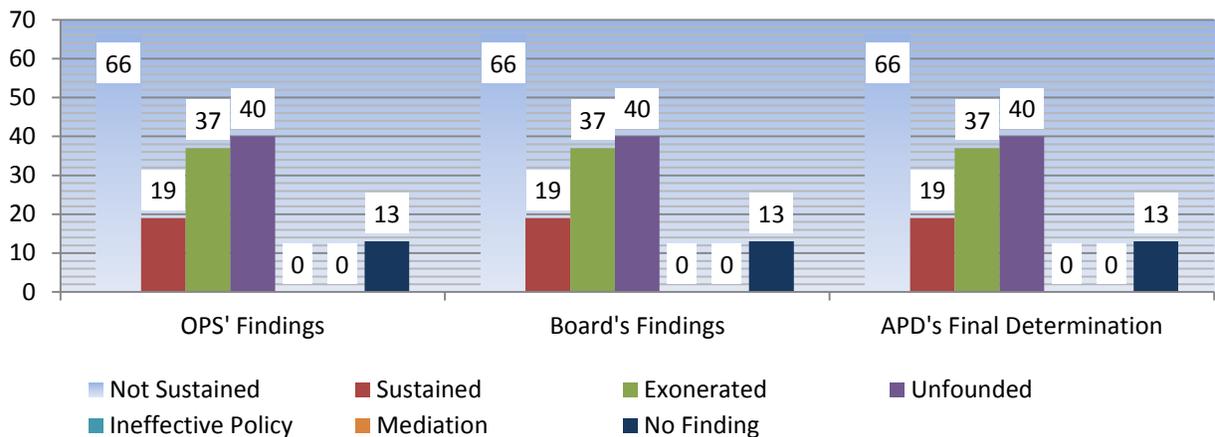


Figure 5: Comparison of the findings made by the Board and the findings made by the Police Department, including the preliminary findings of the Office of Professional Standards and the Albany Police Department’s final determinations (November 1, 2010 - October 31, 2011).

In its eleventh year of operation, since forty-nine (49) of the seventy-three (73) complaints that were reviewed and closed contained multiple allegations of misconduct, the number of findings made is not equal to the number of complaints in which findings were rendered. The seventy-three (73) complaints that were reviewed and closed contained a total of one hundred and seventy-five (175) allegations of misconduct.

The Board made findings consistent with the preliminary findings of the Office of Professional Standards in all seventy-three (73) cases that were reviewed and closed.

Further Investigation/Board Action

Under § 42-343(F)(2) of the legislation, the Board may, after its “review and deliberation of the preliminary report of the Department’s finding . . . request that Professional Standards conduct further investigation of the complaint.”

In its eleventh year of operation, of the eighty-four (84) complaints reviewed, the Board sent seven (7) complaints reviewed back to the Office of Professional Standards for further investigation and/or because the motions made by the Board failed. These complaints involved twenty-one (21) allegations. Four (4) of the five (5) complaints were reviewed more than once during the eleventh year and closed. The findings for three (3) complaints are still being investigated by the OPS and will not be reported in the Board’s Eleventh Annual Report. These three (3) complaints will be carried forward into the twelfth year.

CPRB No. 57-09/OPS No. CC2009-093 was initially reviewed by the Board in November 2010, and sent back to the OPS for a further investigation. This complaint was reviewed by the Board again in February 2011 and April 2011. It was deliberated on, voted on and closed by the Board in April 2011.

CPRB No. 30-10/OPS No. CC2010-055 was initially reviewed by the Board in December 2010 and sent back to the OPS for further investigation since the motions made by the Board failed. This complaint was reviewed by the Board again in September 2011, where it was deliberated, voted on, and closed by the Board.

CPRB No. 25-10/OPS No. CC2010-042 was initially reviewed by the Board in February 2011 and sent back to the OPS for further investigation. This complaint was reviewed by the Board again in April 2011, where it was deliberated, voted on, and closed by the Board.

CPRB No. 32-09/OPS No. CC2009-057 was initially reviewed by the Board in February 2011, and sent back to the OPS since the motions made by the Board failed. This complaint was reviewed again in May 2011 and was sent back to the OPS for a further investigation. This complaint was reviewed a third time by the Board in June 2011, where it was deliberated on, voted on and closed by the Board.

CPRB No. 16-10/OPS No. CC2010-021 was initially reviewed by the Board in April 2011 where the Board agreed that a monitor should have been assigned to this complaint based on the allegations. At that meeting, the complaint was tabled. This complaint was reviewed again in October 2011, where after it was reviewed by the Board, the motions failed to carry. The findings for this complaint are still being investigated by the OPS and will be carried forward into the Board's twelfth year.

Two (2) complaints were reviewed once by the Board in the eleventh year, however, the motions made by the Board failed to carry. These two (2) complaints will be carried forward into the Board's twelfth year.

Board action was taken on six (6) complaints during the Board's eleventh year. These actions included the Board voting unanimously not to accept and review these six (6) complaints because the complaints were not filed using complaint forms, were previously reviewed, or involved public service officers over whom the Board does not have oversight jurisdiction.

Mediation

After a complaint is filed, § 42-346(C) of the legislation provides that "the complainant or officer may at any time in the review process utilize the [Board's] mediation process . . . to resolve the complaint. Additionally, the Board is authorized under § 32-343(F)(4) to refer the complaint to mediation following its review and deliberation of the Department's preliminary report of its findings. In the tenth year of operation, the Board forwarded one (1) complaint (CPRB No. 21-09/OPS No. CC2009-037) to the OPS for mediation. This complaint was reviewed by the Board in October 2010 and sent to the OPS to request that four (4) of the allegations that they were unable to make a finding for, be mediated between the officer and the complainant, with the officer's consent. This complaint was carried from the Board's tenth year into the eleventh year. Consent from the officer was not given so the complaint was not mediated. It was reviewed, deliberated on, voted on, and closed in the Board's eleventh year. In the eleventh year, the Board did not send any complaints to mediation.

Complaints Reviewed and Closed

At the close of its eleventh year in October 2011, the Board reviewed eighty-four (84) complaints and closed a total of seventy-three (73). Figure 6 illustrates a monthly comparison of the number of complaints reviewed and closed by the Board between November 1, 2010 and October 31, 2011.

At the conclusion of the eleventh year of operation, the Board had not yet made findings with respect to fifty (50) complaints, thirty-seven (37) of which are open and active complaints and thirteen (13) of which are complaints that have been suspended from the Board’s review. None of these fifty (50) complaints will be reported in the Board’s Eleventh Annual Report and, therefore, they all will be carried forward into the twelfth year.

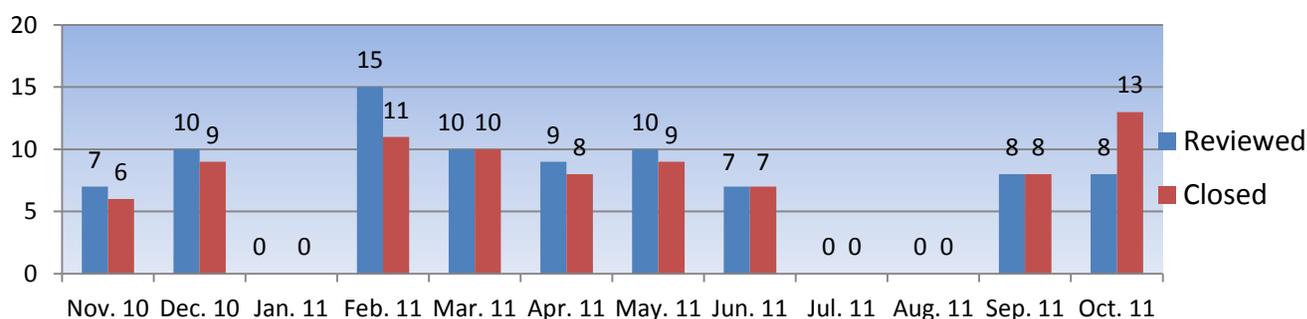


Figure 6: Monthly Comparison of Complaints Reviewed and Closed for the period November 1, 2010 to October 31, 2011.

GRIEVANCE FORM REVIEW: SUMMARIES AND STATISTICS

In its eleventh year of operation, the Board received eighty-five (85) new grievance forms from the OPS, in addition to its fifty-one (51) grievance forms that were received in its eight year of operation, sixty-six (66) grievance forms that were received in its ninth year of operation, and ninety-one (91) grievance forms that were filed in its tenth year of operation. Out of the eighty-five new grievance forms received from the OPS, eight (18) complaint forms were filed. Of the two hundred and ninety-three (293) grievance forms received by the Board since the inception of the grievance form process, seventy-nine (79) complaint forms were filed.

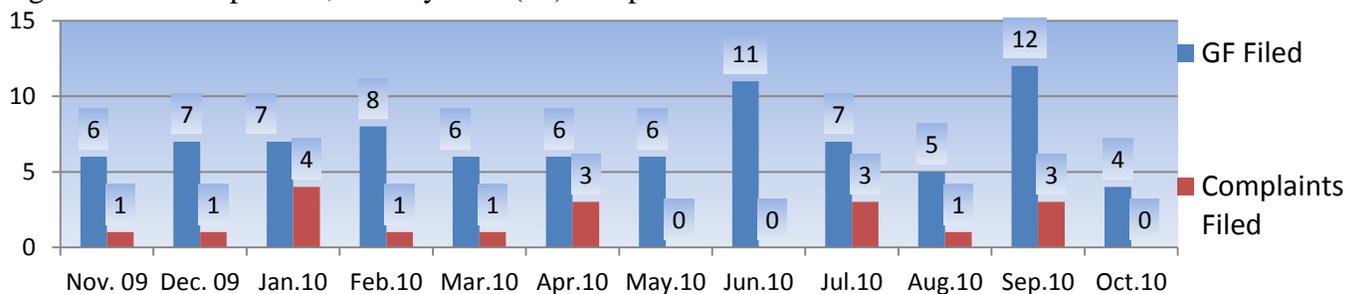


Figure 7: Monthly Comparison of Grievance Forms Filed and Complaints Filed for the period November 1, 2010 to October 31, 2011.

POLICE DEPARTMENT LIAISON - POLICY REVIEW/RECOMMENDATIONS

During the fourth quarter, the committee met with Police Chief Steven Krokoff and his staff to discuss the Early Warning System and what type of report would be available to the Board. Also discussed were cameras in the police vehicles and what the Board would be able to view from the video footage. The Committee was informed that the OPS has to protect the officer's identity on the video. Chief Krokoff agreed to look at ways in which the officer's identity could be masked on the video.

PUBLIC OFFICIAL LIAISON

First Quarter

On December 2, 2010, members of the Public Official Liaison Committee met with Mayor Gerald Jennings to update him on the Board's four (4) initiatives which included the Early Warning System, cameras in the APD vehicles, mediation, and the grievance form process. At that meeting, the Committee mentioned its concern about not being able to see the video of incidents recorded from police vehicles. Mayor Jennings agreed to discuss the Board's concern with Corporation Counsel John Reilly. The committee also mentioned its concern that they have not received any outputs from the APD's Early Warning System. At that meeting, there was some discussion about the challenges the Board is having with making the mediation program official, and the vacancies that exist on the Board. Mayor Jennings requested that if the Board or anyone in the community had any suggestions for new members, they should contact his office.

At its December meeting, the Board discussed the possibility of meeting with the Common Council's Public Safety Committee on January 12, 2011. It was agreed that the Board would meet with the Public Safety Committee on that date.

Second Quarter

On March 9, 2011, members of the Public Official Liaison Committee met with the Albany Common Council's Public Safety Committee to update them on the Board's four (4) initiatives which included the Early Warning System, cameras in the APD vehicles, mediation, and the grievance form process. At that meeting, the Committee mentioned its concern about not having the standard operating procedures for the cameras in the police vehicles. The committee also mentioned its concern that they have not received any outputs from the APD's Early Warning System as well as not being able to see the videos that are in the police vehicles. Board Counsel William Kelly agreed to research how other cities address the issue of videos recorded during a traffic stop.

Third Quarter

On May 17, 2011, members of the Public Official Liaison Committee met with the Albany Common Council's Public Safety Committee to update them on the status of the Board's four (4) initiatives which included the Early Warning System, cameras in the APD vehicles, mediation, and

the grievance form process. At that meeting, the Committee mentioned its concern about not being able to see the videos of incidents recorded from police vehicles. The Public Safety Committee members agreed that Corporation Counsel should look at how other jurisdictions handle the privacy of officers in videos. The Public Official Liaison Committee also mentioned that the Board has not received a report from the Albany Police Department's Early Warning System. Police Chief Steven Krokoff agreed to release what he is allowed to release. He will let the Board know after consulting with attorneys. The Committees discussed the status of the mediation program. The Public Official Liaison Committee members agreed to schedule a meeting with the Albany Police Department's Union representatives to discuss concerns they may have about the mediation program.

TASK FORCE ON MONITORS

First Quarter

The Board continued its discussion with the OPS regarding acquiring copies of APD SOPs for its monitors and updated SOPs for the Board members. The Board agreed that the monitors should receive the same copies as the Board.

In December 2010, one of the Board's newest monitors, Jennifer Merritt, informed the GLC that she can no longer be a monitor for the Board. As a result, the monitor pool decreased to nine (9) monitors.

REPORTS

In its eleventh year of operation, three (3) quarterly reports; amendments to three (3) quarterly reports; and one (1) annual report were submitted to the Board for approval. Each report detailed the activities of the Board and the Government Law Center during each time period covered. The First Quarterly Report of 2010; Second Quarterly Report of 2010; Third Quarterly Report of 2010; Fourth Quarterly Report of 2010; Tenth Annual Report; Amendments to the First Quarterly Report of 2010; Second Quarterly Report of 2010; and Third Quarterly Report of 2010 were adopted by the Board before the close of the eleventh year. A copy of each of these reports was submitted and filed with the Mayor, the Common Council, and the Chief of Police as required by § 42-340(c) of the City Code. Additional copies were forwarded to members of the public, community groups and organizations, and other interested parties on the Board's mailing list. These reports were also posted on the Board's website.

TRAINING

Section 42-339 of the legislation creating the Board requires that "the Government Law Center . . . provide, to [Board] members, and the members shall undergo continuing education on issues related to the interaction between civilians and police officers . . ."

Third Quarter

The Board discussed the annual NACOLE Conference, scheduled for September 12-15, in New Orleans, LA. Chairman Edward Smart, Board members Marilyn Hammond and Lilian Kelly,

and GLC Coordinator for the Board Sharmaine Moseley agreed to attend the conference. Board member Anthony Potenza agreed to be an alternative in the event that one of the three (3) Board members could not attend. The Board also agreed to request that Chief Steven Krokoff send an APD representative to the conference.

Fourth Quarter

In September 2011, Chairman Edward Smart, Board member Marilyn Hammond, Coordinator for the Board Sharmaine Moseley, and OPS Detective Anthony Montalvo attended the Annual NACOLE Conference in New Orleans, LA. The conference provided an opportunity for community members, practitioners of police oversight, and law enforcement officials to exchange information about police oversight and law enforcement accountability. Some of the issues discussed at the conference included: reviewing complaint investigations; establishing an outreach program; relationship bridge building; police shootings after Katrina; police oversight problem workshops; electronic control weapons; and developing a mediation program.

At its October 13, 2011 meeting, CPRB attendees recommended that the Albany Police Department send more than one detective to the conference because it is difficult for one (1) detective to attend all of the sessions. At that meeting, the Board also agreed to hold off on scheduling any upcoming training until new Board members are appointed.

MEETINGS OF THE BOARD

The Board met as a whole ten (10) times for the conduct of business in the eleventh year. The meetings held in the eleventh year of operation all took place at GWU the Center, 274 Washington Avenue, in the Teen Center Conference Room. There was a public comment period held at each of the monthly meetings, and the meetings were devoted primarily to the review of complaints and a discussion of committee activities. Due to conflicting summer vacation schedules, the Board did not meet during the months of July 2011 and August 2011. The Board did not meet as scheduled in January 2011 due to a lack of a quorum. However, the Board met twice in February 2011.

The Board met as a whole two (2) times for the conduct of business in the first quarter. Meetings were held on November 19, 2010 and December 16, 2010. In the second quarter, four (4) meetings were held on February 4, 2011, February 9, 2011, March 10, 2011, and April 11, 2011. The Board met two (2) times for the conduct of business during the third quarter. Meetings were held on May 18, 2011 and June 9, 2011. In the fourth quarter, the Board met as a whole two (2) times for the conduct of business. Meetings were held on September 8, 2011 and October 13, 2011.

GOVERNMENT LAW CENTER

Pursuant to the enactment of the legislation creating the Board in July 2000, the Government Law Center was retained by the City of Albany to provide a number of support services to the Albany Citizens' Police Review Board. The Coordinator of the Board and support staff worked collaboratively during this year to prepare, submit, and file the Board's quarterly reports; organize and facilitate the Board's ongoing training program; coordinate the Board's

public education/community outreach campaign and initiatives; provide staff support in preparation of, during, and following each of the Board's monthly meetings; handle all administrative matters relating to the complaint review process; and assist the Board in its day-to-day operations. These services are discussed in detail below.

First Quarter

During the first quarter of 2011, the Government Law Center engaged in the following activities as directed by the local law and pursuant to its contractual obligations with the City of Albany:

- Coordinated, scheduled, and engaged in a meeting between the Board's Public Official Liaison Committee and Mayor Gerald Jennings regarding Board initiatives.
- Coordinated, scheduled and conducted a new Board member orientation.
- Arranged logistics for Board members Lilian Kelly and James Frezzell to undergo required orientation training.
- Arranged logistics for an upcoming meeting between the Albany Common Council's Public Safety Committee and the Board.
- Forwarded correspondence from monitor Jennifer Merritt to the Board.
- Forwarded to the Board revised copies of the member contact information list and the 2011 meeting schedule.
- Interviewed and hired one (1) Albany Law School student intern to assist in providing administrative and staff support services to the Board.
- Drafted and forwarded correspondence to Chief Steven Krokoff requesting the APD's final determinations for complaints reviewed by the Board.
- Forwarded correspondence to the Board from Chief Steven Krokoff on the APD's final determinations for complaints reviewed by the Board.
- Forward correspondence from former Board member Ron Flagg to the Board.
- Drafted and forwarded the Board's list of accomplishments to Mayor Jennings.
- Drafted and forwarded correspondence to Commander Ron Matos regarding CPRB No. 57-09/OPS No. CC2009-093 and CPRB No. 30-10/OPS CC2010-055.
- Drafted and forwarded correspondence to the Albany Law Career Center in regard to the student work study positions available with the CPRB.

- Drafted and forwarded to the Board for review its Third Quarterly Report for 2010.
- Forwarded the updated database scorecard and the grievance form chart to the OPS and members of the Board.
- Notified organizations, community groups, and complainants of the Board's public meeting by posting a press release in City Hall, and sending out mail and e-mail notices and press releases.
- Forwarded the updated database scorecard to the OPS and members of the Board.
- Continued the development of the CPRB electronic database.

Second Quarter

During the second quarter of 2011, the Government Law Center engaged in the following activities:

- Coordinated, scheduled, and engaged in a meeting between the Board's Public Official Liaison Committee and the Albany Common Council's Public Safety Committee regarding Board initiatives.
- Coordinated, scheduled and conducted a new Board member orientation.
- Arranged logistics for new Board member Eugene Sarfoh to undergo required orientation training.
- Forwarded the Albany Citizen Police Academy application to the Board.
- Arranged logistics for an upcoming meeting between the Albany Common Council's Public Safety Committee and the Board.
- Finalized the order of business cards for the Board.
- Coordinated with the City of Albany the logistics for ordering CPRB stationary and envelopes.
- Drafted and forwarded correspondence to Chief Steven Krokoff requesting the APD's final determinations for complaints reviewed by the Board.
- Forwarded correspondence to the Board from Chief Steven Krokoff on the APD's final determinations for complaints reviewed by the Board.
- Drafted and forwarded correspondence to Commander Ron Matos regarding CPRB No. 32-09/OPS No. CC2009-057; CPRB No. 57-09/OPS CC2009-093; and CPRB No. 30-10/OPS CC2010-055.

- Revised the Board's Operating Procedures and forwarded the document to the Board for approval.
- Forwarded to the Board revised copies of its committees/task force elections list, Board officer positions election and nominations list, and revised member contact information list.
- Prepared binder(s) of oversight information for CPRB new member orientation.
- Received and forwarded to the Board correspondence from the complainant regarding CPRB No. 64-09/OPS No. CC2009-130.
- Drafted and forwarded to the Board and complainant correspondence regarding complainant's concerns on CPRB No. 64-09/OPS No. CC2009-130.
- Drafted and forwarded correspondence to Police Chief Steven Krokoff regarding the NACOLE 2011 Annual Conference.
- Drafted and forwarded to the Board its Guide to Meeting Brochure.
- Revised and forwarded to the Board changes made to its CPRB Brochure.
- Forwarded to the Board an opinion received by its Counsel regarding the appointment of monitors to cases.
- Drafted and forwarded to the Board for review amendments to its First, Second, and Third Quarterly Reports for 2010.
- Drafted and forwarded to the Board for review its Fourth Quarterly Report for 2010.
- Forwarded the Board's amendments to its First, Second, and Third Quarterly Reports for 2010 and Fourth Quarterly Report for 2010 to its members, City of Albany public officials, and residents.
- Forwarded the updated database scorecard and the grievance form chart to the OPS and members of the Board.
- Notified organizations, community groups, and complainants of the Board's public meeting by posting a press release in City Hall, and sending out mail and e-mail notices and press releases.
- Forwarded the updated database scorecard to the OPS and members of the Board.
- Forwarded to the Board press clippings regarding the Albany CPRB.

- Continued the development of the CPRB electronic database.

Third Quarter

During the third quarter of 2011, the Government Law Center engaged in the following activities:

- Coordinated, scheduled, and engaged in a meeting between the Board's Public Official Liaison Committee and the Albany Common Council's Public Safety Committee regarding Board initiatives.
- Coordinated, scheduled, and engaged in a meeting with the Board's By-Laws Committee.
- Arranged logistics for Board members Akosua Yeboah and Marilyn Hammond's participation in an APD ride-along.
- Drafted and forwarded correspondence to Chief Steven Krokoff requesting the APD's final determinations for complaints reviewed by the Board.
- Forwarded correspondence to the Board from Chief Steven Krokoff on the APD's final determinations for complaints reviewed by the Board.
- Received and forwarded to the Board and the Common Council the resignation correspondence of Board member James Frezzell.
- Revised Board's operating procedures and forwarded revised amendments to the Board for approval.
- Received and forwarded to the Board correspondence from the complainant regarding CPRB No. 23-11/OPS No. CC2010-122.
- Drafted and forwarded to the Board complainant correspondence regarding complainant's concerns on CPRB No. 23-11/OPS No. CC2010-122.
- Drafted and forwarded correspondence to the City of Albany Mayor Gerald Jennings and Common Council President Carolyn McLaughlin notifying them of Board vacancies.
- Interviewed and hired one (1) Albany Law School student intern to assist in providing administrative and staff support services to the Board.
- Forwarded the updated database scorecard and the grievance form chart to the OPS and members of the Board.
- Notified organizations, community groups, and complainants of the Board's public meeting by posting a press release in City Hall, and sending out mail and e-mail notices and press releases.

- Forwarded the updated database scorecard to the OPS and members of the Board.
- Forwarded to the Board press clippings regarding the Albany CPRB.
- Continued the development of the CPRB electronic database.

Fourth Quarter

During the fourth quarter of 2011, the Government Law Center engaged in the following activities:

- Forwarded correspondence to the Board from the NAACP regarding Freedom Fund Dinner.
- Drafted and forwarded to the Board its First Quarterly Report for 2011 and Tenth Annual Report for review.
- Forwarded the Board's First Quarterly Report for 2011 and Tenth Annual Report to its members, City of Albany public officials, and residents.
- Attended the 17th Annual NACOLE Conference in New Orleans, LA, in September 2011.
- Drafted and forwarded correspondence to NACOLE regarding the Board member designated to exercise the CPRB's vote at its annual conference.
- Processed travel reimbursement for two (2) Board members who attended the NACOLE Conference in New Orleans, LA.
- Forwarded correspondence to the Albany Common Council Public Safety Chairperson Barbara Smith notifying her of Board vacancies.
- Drafted and forwarded correspondence to Chief Steven Krokoff regarding CPRB No. 12-10/OPS No. CC2010-016.
- Drafted and forwarded correspondence to Chief Steven Krokoff requesting the APD's final determinations for complaints reviewed by the Board.
- Forwarded correspondence to the Board from Chief Steven Krokoff on the APD's final determinations for complaints reviewed by the Board.
- Received and forwarded to the Board and the Common Council the resignation correspondence of Board members Jason Allen and Lilian Kelly.

- Notified organizations, community groups, and complainants of the Board's public meeting by posting a press release in City Hall, and sending out via mail and e-mail notices and press releases.
- Drafted and forwarded correspondence to the City regarding Freedom of Information Law (FOIL) requests.
- Forwarded the updated database scorecard and the grievance form chart to the OPS and members of the Board.
- Forwarded to the Board press clippings regarding the Albany CPRB.
- Continued the development of the CPRB electronic database.

Over the course of the Board's eleventh year, the Government Law Center also performed the following administrative tasks:

- Scheduled and revised the Board's 2011 Monthly Meeting Schedule;
- Arranged logistics for and coordinated regular monthly meetings, meetings with APD command staff, community outreach meetings, and NACOLE conference including: securing dates, times, and locations for each meeting, and providing notice to the affected parties and to the public;
- Arranged logistics for and coordinated committee/task force meetings, including: securing dates, times, and locations for each meeting, and preparing meeting materials;
- Arranged logistics for and coordinated new member orientation, including: securing dates, times, and locations for each session, and preparing materials;
- Arranged logistics for APD ride-alongs;
- Attended monthly meetings, committee meetings, task force meetings, orientation sessions, meetings with APD personnel and city officials, and an annual conference;
- Prepared and assembled regular monthly meeting packets for Board members, including: photocopying complaints, reports, and accompanying documents for review;
- Prepared a summary of new complaints filed with the Board for presentation by the Chair of the Committee on Complaint Review at each monthly meeting;
- Prepared findings forms for the recording of Board determinations by members of the Committee on Complaint Review at each monthly meeting;
- Reported all activities related to Board business at each monthly meeting;

- Recorded and transcribed the minutes of each monthly meeting;
- Forwarded complaint-related correspondence to Board members;
- Notified affected parties of Board findings, recommendations, and requests following each monthly meeting;
- Provided content for, updated, and maintained the Board's website to include new meeting minutes, new Board members, photographs of the Board, meeting schedule; and reports;
- Conducted a monthly accounting and inventory of complaints filed with the Board, including a summary of active and closed complaints, recommendations, and pending requests submitted to the Chief of Police, the Office of Professional Standards, and the Corporation Counsel's Office;
- Reported monthly complaint accounting and inventory to the Board at each of its meetings;
- Assisted with word processing and forwarding the Board's requests and recommendations to the Chief of Police; the Office of Professional Standards; and/or the Corporation Counsel's Office;
- Received and logged complaints and grievance forms;
- Opened and closed complaint files;
- Forwarded complainant related correspondence to Board members;
- Updated and distributed orientation materials;
- Updated and maintained the Board's website to include reports, new meeting minutes, new Board members, and the new meeting schedule;
- Maintained regular communications with Board members, the Albany Police Department and the Corporation Counsel's office;
- Answered inquiries from the community and the media about the Board and the complaint review process; *and*
- Forwarded complaint forms to complainants as requested.

CONCLUSION

The Board continued to be active in its eleventh year of operation. In its eleventh year, the Board re-elected Board officers; elected chairs and members for its committees and task force; continued to work collaboratively with the APD towards the enactment of the mediation program, the use of cameras in police vehicles, and the Early Warning System; revisited its operating

procedures and brochures; served as guest lecturers to community-based organizations; reviewed eighty-four (84) complaints and closed a total of seventy-three (73) of its active complaints; held ten (10) regular monthly meetings; held several committee/task force meetings and trainings; participated in the 2011 NACOLE Conference in New Orleans, LA; reviewed and approved three (3) quarterly reports; reviewed and approved amendments to three (3) quarterly reports; reviewed and approved one (1) annual report, and participated in meetings with the APD Command Staff, the Office of Professional Standards, the Albany Common Council's Public Safety Committee, and City officials.

After eleven years of operation, the Board remains dedicated to improving communication between the Police Department and the community; increasing police accountability and credibility with the public; and building upon and maintaining a complaint review process that is credible, impartial, and fair to all.

Respectfully submitted,

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