

**City of Albany**  
**Citizens' Police Review Board**

**Thursday, November 12, 2015, 6:00 p.m.**  
University at Albany, Downtown Campus - Milne Hall  
135 Western Avenue, Levitt Room (M120)

**MEETING MINUTES**

**Present:** Larry Becker, Mickey Bradley, Mike Grady, Maritza Martinez, Ivy Morris,  
Kerry Mulligan, David Rozen

**Excused Absence(s):** Reverend Edward B. Smart, Charles Goodbee

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

Vice Chair David Rozen called the meeting to order at 6:04 p.m.

**II. Approval of the Agenda**

Vice Chair David Rozen motioned to approve the Agenda. Secretary Mickey Bradley seconded the motion. The motion carried unanimously.

Board member Kerry Mulligan made a motion to postpone review of CPRB No. 15-15 until the next meeting Agenda, per the complainant's recent request. Board member Michael Grady seconded the motion. The motion carried unanimously. A motion to approve the revised Agenda was made by David Rozen and seconded by Secretary Mickey Bradley. The motion again carried unanimously.

**III. Old Business**

**A. CPRB No. 38-15 / OPS No. CC2015-026**

This complaint pertains to the same incident as CPRB No. 9-15 / OPS No. CC2015-026, which was reviewed on October 15, 2015. Board member Kerry Mulligan moved for a "Closed / No Review" status. The motion was seconded by Board member Maritza Martinez. The motion carried unanimously.

**IV. New Business**

**A. *New Complaint(s)***

1. Three new complaint summaries received since October 15, 2015. Three cases were presented to allow Board members a second opportunity to appoint an independent monitor.
  - i. CPRB No. 36-15 / OPS No. CC2015-066 - Board members voted to not assign a monitor.
  - ii. CPRB No. 37-15 / OPS No. CC2015-064 - Board members voted to not assign a monitor.

iii. CPRB No. 38-15 / OPS No. CC2015-026 – Board members voted to not assign a monitor.

2. Complaints for Board Review (\*see Table 1)

**B. *Appointment of New Members to the Committee on Complaint Review***

Board Members Larry Becker, Mickey Bradley, Mike Grady, Ivy Morris, Kerry Mulligan, and David Rozen agreed to review complaints for the next meeting.

**C. *Committee/Task Force Reports***

By-Laws and Rules

Committee Chair David Rozen reported that there are no updates at this time.

Education and Outreach

Committee Chair Ivy Morris reported that she is coordinating with Board member Mike Grady to collect CPRB members' donations for a holiday toy drive in Arbor Hill. Board members will be contacted via email with details.

Vice Chair David Rozen noted issues with securing funding for the development and printing of new outreach materials.

Mediation

Committee Chair Maritza Martinez reported that a follow-up mediation orientation is being planned for one mediator who was unable to attend the group orientation held previously in September.

Monitor Task Force

No report at this time. Vice Chair David Rozen noted that this Committee needs a Chair.

Police Department Liaison

Committee Chair Mickey Bradley reported that Committee members have been invited to attend an APD Body Worn Camera Grant Program meeting. Mr. Bradley stated plans to update Board members regarding the Subcommittee's progress at the next monthly Board meeting. Board member Maritza Martinez pointed out that she is also a member of the Committee.

Pending confirmation of Chief Brendan Cox's availability, Board members are invited to attend a meeting on Wednesday, November 18<sup>th</sup>, at 6:00 p.m. with Chief Cox regarding the Dante Ivy case and participate in a in-depth discussion regarding the incident and subsequent investigation.

Public Official Liaison

No report at this time.

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

Coordinator for the CPRB Maureen Obie reported that as of today there are currently 39 active complaints before the Board for review. Of those 39 active complaints, 5 were reviewed by the Board at tonight's meeting leaving the Board with 34 active complaints on record. There are at least 5 cases ready for the next Board meeting Agenda. Six hundred twenty-six Complaints have been closed. The total number of complaints that remain suspended from review is 10. The total number of complaints filed to date is 710. Since the last Board meeting, the GLC received 3 grievance forms, bringing the total number of forms received to 510. In response to the Board's outreach to all individuals, the Board has received 141 CPRB complaint forms, which is 28%.

Ms. Obie reported that there is currently one mayoral vacancy on the Board as a result of Reverend Edward Smart's end of term. Board member Maritza Martinez's first 3-year term expired on October 26th. A request for Ms. Martinez's reappointment for a second term has been submitted in writing to Mayor Sheehan and the Common Council, and a response is pending.

An evening farewell reception in honor of Reverend Edward Smart's 5 years of service as Board Chair, was held on October 29<sup>th</sup>, at Albany Law School. The reception was well attended by a variety of stakeholders. Mayor Sheehan presented Reverend Smart with a proclamation declaring October 29<sup>th</sup> as Reverend Edward B. Smart Day. Reverend Smart was also presented with a National Association on the Civilian Oversight of Law Enforcement (NACOLE) resolution in acknowledgement of his longstanding and dedicated service to NACOLE, and its Scholarship and Strategic Planning Committees.

Ms. Obie advised that in response to Board members' feedback, the GLC will continue to mail to Board members meeting materials for monthly meetings. All complaint forms and related reports will be scanned upon receipt for mass printing by Amy Gunnells, the GLC administrative assistant. The GLC will further research and share with Board members additional options for disseminating Board meeting materials in an environmentally friendly and cost efficient manner.

Ms. Obie reported that a 2015 NACOLE Conference debriefing meeting previously planned for Wednesday, November 18<sup>th</sup>, will be rescheduled to accommodate a meeting requested by Chief Cox for discussion with Board members for discussion related to the Dontay Ivy tasing incident and subsequent grand jury decision.

Vice Chair David Rozen was recently appointed to the NACOLE Website and Digital Committee, and Board member Mike Grady was appointed to the NACOLE Training, Education, and Standards Committee.

In August, Ms. Obie attended the 2015 Symposium on Evidence-Based Crime Policy at George Mason University in Washington, D.C. Examples of panel topics included New Research on Body Worn Cameras, Policing and Communities of Color, Research on Investigations and Early Warning Systems, Crime Patterns at Places and Communities, and a special plenary delivered by select members of the President's Task Force on 21<sup>st</sup> Century Policing. Ms. Obie was appointed as a member of the NACOLE Training, Education, and Standards Committee.

The next CPRB monthly meeting is scheduled for Thursday, December 10<sup>th</sup>, 2015, at 6:00 p.m.

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

Commander Michael Hicks reported there are no updates at this time.

**F. Report from the Chair**

No report at this time.

**V. Public Comment**

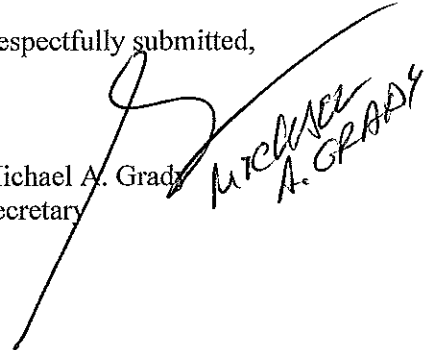
Albany Common Council Member and Public Safety Committee Chair Leah Golby thanked the CPRB, Maureen Obie, Pat Jordan, and OPS staff. Ms. Golby noted satisfaction with the mediation program's progress. Councilwoman Golby suggested that exterior building entrance doors for Board meetings should be unlocked consistently to provide easy access to the building, due to the fact they are open meetings.

**VI. Adjournment**

Vice Chair David Rozen moved to adjourn the meeting. The motion was seconded by Board member Larry Becker. The meeting was adjourned at 7:36 p.m.

Respectfully submitted,

Michael A. Grady  
Secretary



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

CPRB / OPS NO.	SUMMARY	ALLEGATIONS	OPS FINDING	CPRB FINDING / ACTION
#30-14 / CC2014-087	Co. alleges their child was mistreated by APD officers and told they didn't belong in that neighborhood.	1. Conduct Standards	1. Not Sustained	Action: Case returned to OPS with request for revised investigative report with conducted interview facts integrated, and possibly different preliminary finding; request made to listen to interview between OPS and individual involved in incident.

<b>CPRB / OPS NO.</b>	<b>SUMMARY</b>	<b>ALLEGATIONS</b>	<b>OPS FINDING</b>	<b>CPRB FINDING / ACTION</b>
#32-14 / CC2014-074	Co. alleged APD officers treated the reporter of stolen property like a perpetrator; alleged an individual involved was arrested and pepper-sprayed without cause; Complaint withdrawn.	1. Call Handling 2. Use of Force	1. No Finding 2. No Finding	1. No Finding 2. No Finding
#03-15 / CC2015-006	Co. alleged APD officers arrived to the scene and failed to properly investigate and make an arrest.	1. Call Handling 2. Conduct Standards	1. Exonerated 2. Not Sustained	1. Exonerated 2. Not Sustained
#06-15 / CC2015-014	Co. alleged APD officers stopped complainant for failed signal and questioned them for being in the area, dragged Co. from vehicle, performed a search and handcuffed Co.; Co. further alleged their vehicle was searched without consent.	1. Arrest Authority & Procedures 2. Use of Force 3. Conduct Standards	1. Not Sustained 2. Not Sustained 3. Not Sustained	1. Not Sustained 2. Not Sustained 3. Not Sustained
#15-15 / CC2015-006	Co. alleged APD officers detained them without cause; Use of unnecessary force.	1. Arrest Authority & Procedures 2. Use of Force	1. Exonerated 2. Exonerated	Action: As per complainant's request, the Board's review is postponed until the next meeting.