

City of Albany

CITIZENS' POLICE REVIEW BOARD

Second Quarterly Report May 1, 2011

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



Second Quarterly Report of the City of Albany
Citizens' Police Review Board

May 1, 2011

Submitted to:

The Mayor of the City of Albany
The Common Council of the City of Albany
The Police Chief of the City of Albany

BACKGROUND

Section 42-340 of Chapter 42, Part 33 of the Albany City Code requires the Government Law Center of Albany Law School to file, on behalf of the Albany Citizens' Police Review Board (CPRB), quarterly reports containing "statistics and summaries of citizen complaints, including a comparison of the CPRB's findings with the final determinations of the [Police] Department." This is the Second Quarterly Report so submitted in the year 2011.

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.

CPRB or BOARD – The Citizens' Police Review Board.

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

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

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

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

OFFICE OF PROFESSIONAL STANDARDS – The Professional Standards Unit of the City of Albany Police Department.

INTRODUCTION

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

ORGANIZATION OF THE BOARD

The following members constituted the Board during the second quarter of 2011:

Jason Allen
James Frezzell
Marilyn Hammond
Lilian Kelly

Andrew Phelan, Jr.
Anthony Potenza
Eugene Sarfoh
Rev. Edward Smart

Akosua Yeboah

During the second quarter, the Board's elected officers were:

Chair	Reverend Edward Smart
Vice-Chair	Anthony Potenza
Secretary	Andrew Phelan, Jr.

Nominations and Elections for Board Officers

During the Board's 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. In the second quarter of 2011, 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 elected as Secretary.

Nominations and Elections for Committee/Task Force Chairs

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.

Committees and Task Force

The following committees and task force were operational in the second quarter of 2011:

<i>By-Laws and Rules</i>	Reverend Edward Smart (Chair) Anthony Potenza Akosua Yeboah
<i>Community Outreach</i>	James Frezzell (Chair) Lilian Kelly Eugene Sarfoh Akosua Yeboah Reverend Edward Smart (<i>ex-officio</i>)
<i>Complaint Review</i>	Andrew Phelan, Jr. (Chair) Jason Allen James Frezzell Marilyn Hammond Lilian Kelly Anthony Potenza Eugene Sarfoh Reverend Edward Smart Akosua Yeboah
<i>Mediation</i>	Jason Allen (Chair) Anthony Potenza Reverend Edward Smart (<i>ex-officio</i>)
<i>Police Department Liaison- Policy Review/ Recommendations</i>	Andrew Phelan, Jr. (Chair) Anthony Potenza Reverend Edward Smart (<i>ex-officio</i>)
<i>Public Official Liaison</i>	Reverend Edward Smart (Chair) James Frezzell Andrew Phelan, Jr. Anthony Potenza Akosua Yeboah
<i>Task Force on Monitors</i>	Akosua Yeboah (Chair) Marilyn Hammond Lilian Kelly Reverend Edward Smart (<i>ex-officio</i>)

The following occurred during the second quarter of 2011:

BY-LAWS AND RULES

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.

COMMUNITY OUTREACH

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 citizen 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.

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, will be responsible for the presentation of a particular complaint to the Board at its monthly meetings as assigned by the Chair of the Committee. Thirty-four (34) complaints were presented and reviewed in the second quarter of 2011.

The following Board members were appointed to serve on the Committee on Complaint Review:

February 2011*	James Frezzell, Marilyn Hammond, Lilian Kelly, Andrew Phelan, Jr., Anthony Potenza, Reverend Edward Smart, and Akosua Yeboah.
March 2011	James Frezzell, Marilyn Hammond, Lilian Kelly, Andrew Phelan, Jr., Anthony Potenza, and Reverend Edward Smart.
April 2011	James Frezzell, Lilian Kelly, Anthony Potenza, Eugene Sarfoh, Reverend Edward Smart, and Akosua Yeboah.

*The Board did not meet in January; therefore, Board members were not assigned to serve for complaint review for the February meeting. The Board members listed for February 2011 are those who reviewed complaints during that meeting.

COMPLAINT 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."

During the second quarter of 2011, 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.

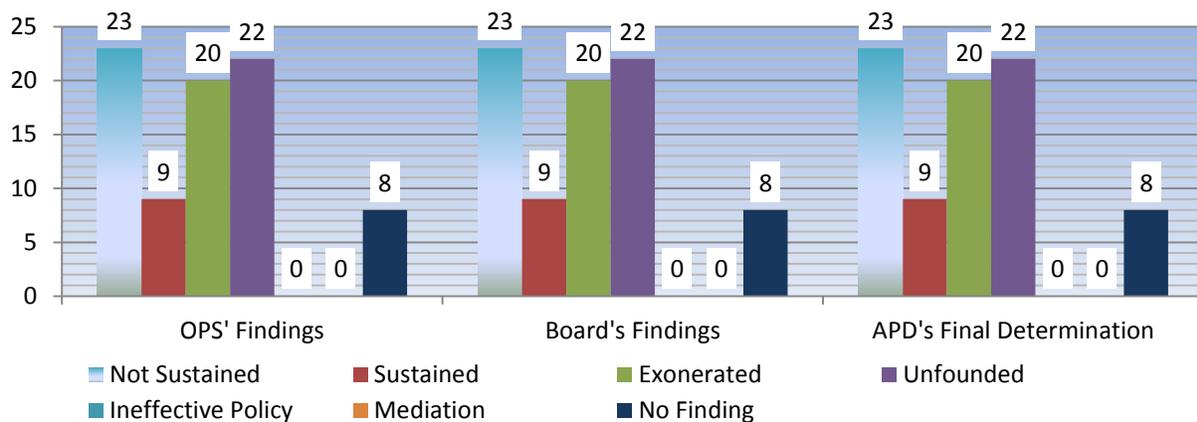


Figure 1: Comparison of findings made by the Board, the OPS, and the Albany Police Department during the Second Quarter of 2011.

Figure 1 depicts a 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. The following is a summary of those complaints:

CPRB No. 21-09/OPS No. CC2009-037 [no monitor appointed]

- Nature of the Allegation(s):
- 1) Conduct Standards - an officer came into the store with a very loud tone and attitude yelling, “whose driving the white BMW out front?” and the complainant replied, “that’s my car” and the officer yelled at him to get out to his car and sit in it;
 - 2) Conduct Standards - an officer yelled at the complainant “who the f**k do you think you are parking here?” When the complainant informed the officer that he did not realize the handicapped sign, the officer said “I don’t give a f**ck, give me your license and registration”;

3) Conduct Standards - an officer humiliated, embarrassed, and harassed the complainant in front of his customers;

4) Call Handling - an officer came back to the complainant's car and dropped two (2) tickets, his license and registration on the complainant's lap;

5) Conduct Standards - the officer continued saying rude and disrespectful things to the complainant, and told him to "bring his mommy's car home and go back to his own f**king country"; *and*

6) Conduct Standards - the officers used vulgar language and made an obscene gesture towards the complainant.

OPS Preliminary Finding(s): 1) **Exonerated** as to the first conduct standards allegation;

2) **Not Sustained** as to the second conduct standards allegation;

3) **Not Sustained** as to the third conduct standards allegation;

4) **Sustained** as to the call handling allegation;

5) **Not Sustained** as to the fourth conduct standards allegation; *and*

6) **Sustained** as to the fifth conduct standards allegation.

CPRB Action(s)

At its October 28, 2010 meeting, the Board voted unanimously pursuant to its authority under § 42-343(F)(4) of the City Code to send four (4) of the complaint's six (6) allegations to mediation within sixty (60) days. If the officer failed to agree to the mediation, the officer's conduct and record will be re-investigated by the OPS.

At its March 10, 2011 meeting, the Board stated that a letter was sent to the OPS by former Chairman Jason Allen, requesting a response from OPS regarding scheduling an informal mediation. However, since there is no mediation program or process in place, the need for a response from the OPS was made unnecessary and the Board decided to move forward with its review of the case. The case was reviewed, deliberated, voted on, and closed accordingly.

CPRB Finding(s):

1) **Exonerated** as to the first conduct standards allegation;

2) **Not Sustained** as to the second conduct standards allegation;

- 3) **Not Sustained** as to the third conduct standards allegation;
- 4) **Sustained** as to the call handling allegation;
- 5) **Not Sustained** as to the fourth conduct standards allegation; *and*
- 6) **Sustained** as to the fifth conduct standards allegation.

APD Final Determination(s): 1) **Exonerated** as to the first conduct standards allegation;

- 2) **Not Sustained** as to the second conduct standards allegation;
- 3) **Not Sustained** as to the third conduct standards allegation;
- 4) **Sustained** as to the call handling allegation;
- 5) **Not Sustained** as to the fourth conduct standards allegation; *and*
- 6) **Sustained** as to the fifth conduct standards allegation.

CPRB No. 23-09/OPS No. CC2009-041 [no monitor appointed]

Nature of the Allegation(s): 1) Conduct Standards - the complainant was still on the phone with 911 when the officers approached his car and were not interested in what the complainant had to say;

2) Call Handling - the officers detained the complainant while both girls got away; *and*

3) Conduct Standards - the officers never questioned the complainant about the fight or stabbing.

OPS Preliminary Finding(s): 1) **Unfounded** as to the first conduct standards allegation;

2) **Not Sustained** as to the call handling allegation; *and*

3) **Unfounded** as to the second conduct standards allegation.

CPRB Action(s) At its February 18, 2010 meeting, pursuant to its authority under Section 42-343 (F)(2) of the City Code, the Board requested that the OPS conduct a more thorough and complete investigation of the allegations in the complaint.

On January 3, 2011, the CPRB received correspondence from the APD addressing the CPRB's questions. The case was placed on the

CPRB's February 9, 2011 meeting agenda where it was reviewed, deliberated, voted on, and closed accordingly.

CPRB Finding(s): 1) **Unfounded** as to the first conduct standards allegation;
2) **Not Sustained** as to the call handling allegation; *and*
3) **Unfounded** as to the second conduct standards allegation.

APD Final Determination(s): 1) **Unfounded** as to the first conduct standards allegation;
2) **Not Sustained** as to the call handling allegation; *and*
3) **Unfounded** as to the second conduct standards allegation.

CPRB No. 31-09/OPS No. CC2009-058 [monitor appointed]

Nature of the Allegation(s): Use of Force - the complainant was strip searched and a taser was put to his head.

OPS Preliminary Finding(s): **Unfounded**

CPRB Finding(s): **Unfounded**

APD Final Determination(s): **Unfounded**

CPRB No. 32-09/OPS No. CC2009-057 [monitor appointed]

Nature of the Allegation(s): 1) Conduct Standards - an officer yelled at the complainant and made inappropriate statements to the complainant;
2) Conduct Standards - an officer punched the window to the complainant's car;
3) Use of Force - the officer reached into the complainant's car, unlocked it, removed her seatbelt, pulled her out of the car, and pushed her around;
4) Call Handling - the officer failed to submit a Use of Force report; *and*
5) Conduct Standards - the officer issued a false ticket to the complainant.

OPS Preliminary Finding(s): 1) **Not Sustained** as to the first conducts standards allegation;

- 2) **Not Sustained** as to the second conduct standards allegation;
- 3) **Exonerated** as to the use of force allegation;
- 4) **Sustained** as to the call handling allegation; *and*
- 5) **Not Sustained** as to the third conduct standards allegation.

CPRB Action(s): At its February 4, 2011 meeting, pursuant to its authority under Section 42-343 (F)(2) of the City Code, the Board requested that the OPS conduct a more thorough and complete investigation by making an additional attempt to contact and interview the complainant regarding the allegations in her complaint.

CPRB No. 33-09/OPS No. CC2009-058 [monitor appointed]

Nature of the Allegation(s):

- 1) Use of Force - an officer ordered the complainant to move his vehicle;
- 2) Conduct Standards - an officer struck the complainant's vehicle several times with a baton, causing damage to it; *and*
- 3) Conduct Standards - the officer made a derogatory comment to the complainant.

OPS Preliminary Finding(s):

- 1) **Exonerated** as to the use of force allegation;
- 2) **Not Sustained** as to the first conduct standards allegation; *and*
- 3) **Not Sustained** as to the second conduct standards allegation.

CPRB Finding(s):

- 1) **Exonerated** as to the use of force allegation;
- 2) **Not Sustained** as to the first conduct standards allegation; *and*
- 3) **Not Sustained** as to the second conduct standards allegation.

APD Final Determination(s):

- 1) **Exonerated** as to the use of force allegation;
- 2) **Not Sustained** as to the first conduct standards allegation; *and*
- 3) **Not Sustained** as to the second conduct standards allegation.

CPRB No. 44-09/OPS No. CC2009-086 [monitor appointed]

Nature of the Allegation(s): 1) Conduct Standards - officers entered the complainant's home without her being present;
2) Conduct Standards - officers were staking out the complainant's residence;
3) Conduct Standards - officers handcuffed the complainant's friend for no reason; *and*
4) Conduct Standards - officers questioned the complainant's son without her permission.

OPS Preliminary Finding(s): 1) **Exonerated** as to the first conduct standards allegation;
2) **Unfounded** as to the second conduct standards allegation;
3) **Exonerated** as to the third conduct standards allegation; *and*
4) **Unfounded** as to the fourth conduct standards allegation.

CPRB Finding(s): 1) **Exonerated** as to the first conduct standards allegation;
2) **Unfounded** as to the second conduct standards allegation;
3) **Exonerated** as to the third conduct standards allegation; *and*
4) **Unfounded** as to the fourth conduct standards allegation.

APD Final Determination(s): 1) **Exonerated** as to the first conduct standards allegation;
2) **Unfounded** as to the second conduct standards allegation;
3) **Exonerated** as to the third conduct standards allegation; *and*
4) **Unfounded** as to the fourth conduct standards allegation.

CPRB No. 53-09/OPS No. CC2009-093 [no monitor appointed]

Nature of the Allegation(s): Conduct Standards - an officer discriminated against the complainant, and the complainant has been lied to and misled for over two years.

OPS Preliminary Finding(s): **Unfounded**

CPRB Action(s): At its May 13, 2010 meeting, the CPRB voted unanimously, pursuant to its authority under §42-323(F)(2) of the City Code, to

request that the OPS further investigate the circumstances and provide an explanation of whether a taxi cab medallion had been issued to anyone or any taxi cab company in the City of Albany since September 2009 when the complainant filed for a medallion; whether any person or taxi cab company gets preferential treatment with regards to the medallions; whether a company which is already established in Albany is more likely to get a medallion before another individual or less established cab company; who determines whether the economy/City of Albany has too many taxi cabs on the street; how the City can tell a complainant that the economy cannot handle more taxis when citizens of Albany are often forced to ride-share when taking a taxi from downtown Schenectady to Albany, as well as from the train station and airports to downtown Albany with a fare from the airport to downtown that cost an excess amount of \$30; and what the procedure is to obtain a medallion.

In January 2011, the CPRB received correspondence from the APD addressing the CPRB's questions. The case was placed on the CPRB's April 11, 2011 meeting agenda where it was reviewed, deliberated, voted on, and closed accordingly.

CPRB Finding(s): **Unfounded**

APD Final Determination(s): **Unfounded**

CPRB No. 57-09/OPS No. CC2009-093 [monitor appointed]

- Nature of the Allegation(s):
- 1) Use of Force - officers used force on the complainant after he was handcuffed;
 - 2) Use of Force - officers punched the complainant in the nose and ribs;
 - 3) Use of Force - an officer struck the complainant in the side while another officer held the complainant;
 - 4) Call Handling - the complainant's son was handcuffed in front;
 - 5) Conduct Standards - the son's cell phone was slapped from his hand; *and*
 - 6) Conduct Standards - an officer swung at a witness who was taking photographs.

OPS Preliminary Finding(s): 1) **Not Sustained** as to the first use of force allegation;

- 2) **Exonerated** as to the second use of force allegation;
- 3) **Unfounded** as to the third use of force allegation;
- 4) **Not Sustained** as to the call handling allegation;
- 5) **Exonerated** as to the first conduct standards allegation; *and*
- 6) **Exonerated** as to the second conduct standards allegation.

CPRB Action(s):

At its November 19, 2010 meeting, the Board voted unanimously pursuant to its authority under Section 42-343(F)(2) of the City Code to request that the OPS conduct a more thorough and complete investigation of the complaint by reviewing the witness video of the incident.

At its February 9, 2011 meeting, after review and deliberation of the OPS' investigation, the CPRB was unable to render a finding by a majority vote, pursuant to Section 42-344(A) of the law, with respect to this complaint. Three (3) Board members abstained from voting on the OPS findings because they were not present when this complaint was initially reviewed by the Board on November 19, 2010.

The case was placed on the CPRB's April 11, 2011 meeting agenda where it was reviewed, deliberated, voted on, and closed accordingly.

CPRB Finding(s):

- 1) **Not Sustained** as to the first use of force allegation;
- 2) **Exonerated** as to the second use of force allegation;
- 3) **Unfounded** as to the third use of force allegation;
- 4) **Not Sustained** as to the call handling allegation;
- 5) **Exonerated** as to the first conduct standards allegation; *and*
- 6) **Exonerated** as to the second conduct standards allegation.

APD Final Determination(s): 1) **Not Sustained** as to the first use of force allegation;

2) **Exonerated** as to the second use of force allegation;

3) **Unfounded** as to the third use of force allegation;

- 4) **Not Sustained** as to the call handling allegation;
- 5) **Exonerated** as to the first conduct standards allegation; *and*
- 6) **Exonerated** as to the second conduct standards allegation.

CPRB No. 64-09/OPS No. CC2009-130 [no monitor appointed]

- Nature of the Allegation(s):
- 1) Call Handling - detectives did not investigate the incident properly and were biased in their investigation;
 - 2) Conduct Standards - detectives forcibly coerced, compelled, maliciously, and falsely arrested the complainant; *and*
 - 3) Conduct Standards - detectives handcuffed the complainant to a hospital bed and refused to let him have visitors.

- OPS Preliminary Finding(s):
- 1) **Unfounded** as to the call handling allegation;
 - 2) **Unfounded** as to the first conduct standards allegation; *and*
 - 3) **Exonerated** as to the second conduct standards allegation.

- CPRB Finding(s):
- 1) **Unfounded** as to the call handling allegation;
 - 2) **Unfounded** as to the first conduct standards allegation; *and*
 - 3) **Exonerated** as to the second conduct standards allegation.

- APD Final Determination(s):
- 1) **Unfounded** as to the call handling allegation;
 - 2) **Unfounded** as to the first conduct standards allegation; *and*
 - 3) **Exonerated** as to the second conduct standards allegation.

CPRB No. 1-10/OPS No. CC2010-135 [no monitor appointed]

- Nature of the Allegation(s):
- 1) Use of Force - officers tased the complainant in the forehead, chest, and back;
 - 2) Use of Force - officers threw the complainant to the ground; *and*
 - 3) Use of Force - officers pushed the complainant's face into the ground.

OPS Preliminary Finding(s): 1) **Unfounded** as to the first use of force allegation;
2) **Not Sustained** as to the second use of force allegation; *and*
3) **Not Sustained** as to the third use of force allegation.

CPRB Finding(s): 1) **Unfounded** as to the first use of force allegation;
2) **Not Sustained** as to the second use of force allegation; *and*
3) **Not Sustained** as to the third use of force allegation.

APD Final Determination(s): 1) **Unfounded** as to the first use of force allegation;
2) **Not Sustained** as to the second use of force allegation; *and*
3) **Not Sustained** as to the third use of force allegation.

CPRB No. 2-10/OPS No. CC2010-001 [no monitor appointed]

Nature of the Allegation(s): 1) Conduct Standards - an officer called the complainant a crack head whore;
2) Call Handling - an officer stopped the complainant for no reason;
3) Conduct Standards - an officer told the complainant that she did not know how to count; *and*
4) Call Handling - police are continuously stopping and harassing the complainant.

OPS Preliminary Finding(s): 1) **Not Sustained** as to the first conduct standards allegation;
2) **Exonerated** as to the first call handling allegation;
3) **Not Sustained** as to the second conduct standards allegation;
and
4) **Unfounded** as to the second call handling allegation.

CPRB Finding(s): 1) **Not Sustained** as to the first conduct standards allegation;
2) **Exonerated** as to the first call handling allegation;

3) **Not Sustained** as to the second conduct standards allegation;
and

4) **Unfounded** as to the second call handling allegation.

APD Final Determination(s): 1) **Not Sustained** as to the first conduct standards allegation;

2) **Exonerated** as to the first call handling allegation;

3) **Not Sustained** as to the second conduct standards allegation;
and

4) **Unfounded** as to the second call handling allegation.

CPRB No. 4-10/OPS No. CC2010-002 [monitor appointed]

Nature of the Allegation(s): 1) Use of Force - an officer tased the complainant for no reason;

2) Use of Force - officers hit the complainant with a baton and punched him; *and*

3) Use of Force - an officer put his baton up against the complainant's girlfriend's neck.

OPS Preliminary Finding(s): 1) **Exonerated** as to the first use of force allegation;

2) **Not Sustained** as to the second use of force allegation; *and*

3) **Unfounded** as to the third use of force allegation.

CPRB Finding(s): 1) **Exonerated** as to the first use of force allegation;

2) **Not Sustained** as to the second use of force allegation; *and*

3) **Unfounded** as to the third use of force allegation.

APD Final Determination(s): 1) **Exonerated** as to the first use of force allegation;

2) **Not Sustained** as to the second use of force allegation; *and*

3) **Unfounded** as to the third use of force allegation.

CPRB No. 5-10/OPS No. CC2010-007 [monitor appointed]

Nature of the Allegation(s): 1) Conduct Standards - an officer insinuated that the complainant was in a gang, was drunk or high, and stated that “all you n****ers are the same”; *and*
2) Call Handling - a State trooper told the complainant that if he didn’t stop talking, the charges against him would be upgraded.

OPS Preliminary Finding(s): 1) **Unfounded** as to the conduct standards allegation; *and*
2) **No Finding** as to the call handling allegation.

CPRB Finding(s): 1) **Unfounded** as to the conduct standards allegation; *and*
2) **No Finding** as to the call handling allegation.

APD Final Determination(s): 1) **Unfounded** as to the conduct standards allegation; *and*
2) **No Finding** as to the call handling allegation.

CPRB No. 7-10/OPS No. CC2010-008 [monitor appointed]

Nature of the Allegation(s): 1) Call Handling - officers wrongfully arrested the complainant;
2) Call Handling - an officer failed to take a report from the complainant; *and*
3) Conduct Standards - an unknown supervisor told an officer. “We have to take care of our own.”

OPS Preliminary Finding(s): 1) **Exonerated** as to the first call handling allegation;
2) **Exonerated** as to the second call handling allegation; *and*
3) **Not Sustained** as to the conduct standards allegation.

CPRB Finding(s): 1) **Exonerated** as to the first call handling allegation;
2) **Exonerated** as to the second call handling allegation; *and*
3) **Not Sustained** as to the conduct standards allegation.

APD Final Determination(s): 1) **Exonerated** as to the first call handling allegation;
2) **Exonerated** as to the second call handling allegation; *and*
3) **Not Sustained** as to the conduct standards allegation.

CPRB No. 11-10/OPS No. CC2010-014 [monitor appointed]

Nature of the Allegation(s): 1) Use of Force - detectives pulled the complainant from his vehicle, threw him onto the ground, and strip-searched him while he was at the police station; *and*
2) Call Handling- detectives did not pull the complainant over for a routine traffic stop.

OPS Preliminary Finding(s): 1) **Exonerated** as to the use of force allegation; *and*
2) **Exonerated** as to the call handling allegation.

CPRB Finding(s) 1) **Exonerated** as to the use of force allegation; *and*
2) **Exonerated** as to the call handling allegation.

APD Final Determination(s): 1) **Exonerated** as to the use of force allegation; *and*
2) **Exonerated** as to the call handling allegation.

CPRB No. 16-10/OPS No. CC2010-021 [monitor appointed]

Nature of the Allegation(s): 1) Call Handling - an officer told the complainant that she could not wait in the tow truck; *and*
2) Call Handling - the officer towed the complainant's vehicle which is not proper protocol.

OPS Preliminary Finding(s): 1) **Exonerated** as to the first call handling allegation; *and*
2) **Exonerated** as to the second call handling allegation.

CPRB Action(s): At its April 11, 2011 meeting, the Board tabled its review of the complaint and voted that due to the allegations in the complaint, a monitor should be assigned to oversee the investigation of the complaint.

CPRB No. 18-10/OPS No. CC2010-029 [monitor appointed]

Nature of the Allegation(s): 1) Conduct Standards - an officer used profanity when talking to the complainant;

- 2) Conduct Standards - the officer called the complainant a “spider”;
- 3) Conduct Standards - the officer pushed the complainant hard against the police car and slid her back and forth;
- 4) Conduct Standards - an officer pulled the complainant’s hood over her face;
- 5) Conduct Standards - an officer grabbed the complainant’s arm, while the other officer searched her by patting on her chest; *and*
- 6) Conduct Standards - a female officer inappropriately touched the complainant.

- OPS Preliminary Finding(s):
- 1) **Unfounded** as to the first conduct standards allegation;
 - 2) **Unfounded** as to the second conduct standards allegation;
 - 3) **Unfounded** as to the third conduct standards allegation;
 - 4) **Unfounded** as to the fourth conduct standards allegation;
 - 5) **Unfounded** as to the fifth conduct standards allegation; *and*
 - 6) **Unfounded** as to the sixth conduct standards allegation.

- CPRB Finding(s):
- 1) **Unfounded** as to the first conduct standards allegation;
 - 2) **Unfounded** as to the second conduct standards allegation;
 - 3) **Unfounded** as to the third conduct standards allegation;
 - 4) **Unfounded** as to the fourth conduct standards allegation;
 - 5) **Unfounded** as to the fifth conduct standards allegation; *and*
 - 6) **Unfounded** as to the sixth conduct standards allegation.

- APD Final Determination(s):
- 1) **Unfounded** as to the first conduct standards allegation;
 - 2) **Unfounded** as to the second conduct standards allegation;
 - 3) **Unfounded** as to the third conduct standards allegation;
 - 4) **Unfounded** as to the fourth conduct standards allegation;

5) **Unfounded** as to the fifth conduct standards allegation; *and*

6) **Unfounded** as to the sixth conduct standards allegation.

CPRB No. 20-10/OPS No. CC2010-025 [monitor appointed]

- Nature of the Allegation(s):
- 1) Use of Force - an officer pushed a female into Pearl Street;
 - 2) Conduct Standards - the officer used profanity;
 - 3) Use of Force - an officer sprayed pepper spray at the complainant and her friends;
 - 4) Use of Force - the officer gave one warning before deploying the pepper spray;
 - 5) Use of Force - an officer grabbed the complainant's friend by the face and pushed him into the street;
 - 6) Use of Force - the complainant's friend was contaminated by the pepper spray and was not offered medical attention or assistance;
 - 7) Call Handling - the officer failed to assist the complainant in making a complaint;
 - 8) Call Handling - the officer failed to notify his supervisor after he deployed the pepper spray; *and*
 - 9) Call Handling - an officer deactivated his mobile video moments after arriving on the scene.

- OPS Preliminary Finding(s):
- 1) **Not Sustained** as to the first use of force allegation;
 - 2) **Sustained** as to the conduct standards allegation;
 - 3) **Exonerated** as to the second use of force allegation;
 - 4) **Not Sustained** as to the third use of force allegation;
 - 5) **Not Sustained** as to the fourth use of force allegation;
 - 6) **Not Sustained** as to the fifth use of force allegation;

- 7) **Not Sustained** as to the first call handling allegation;
- 8) **Sustained** as to the second call handling allegation; *and*
- 9) **Sustained** as to the third call handling allegation.

CPRB Finding(s):

- 1) **Not Sustained** as to the first use of force allegation;
- 2) **Sustained** as to the conduct standards allegation;
- 3) **Exonerated** as to the second use of force allegation;
- 4) **Not Sustained** as to the third use of force allegation;
- 5) **Not Sustained** as to the fourth use of force allegation;
- 6) **Not Sustained** as to the fifth use of force allegation;
- 7) **Not Sustained** as to the first call handling allegation;
- 8) **Sustained** as to the second call handling allegation; *and*
- 9) **Sustained** as to the third call handling allegation.

APD Final Determination(s): 1) **Not Sustained** as to the first use of force allegation;

- 2) **Sustained** as to the conduct standards allegation;
- 3) **Exonerated** as to the second use of force allegation;
- 4) **Not Sustained** as to the third use of force allegation;
- 5) **Not Sustained** as to the fourth use of force allegation;
- 6) **Not Sustained** as to the fifth use of force allegation;
- 7) **Not Sustained** as to the first call handling allegation;
- 8) **Sustained** as to the second call handling allegation; *and*
- 9) **Sustained** as to the third call handling allegation.

CPRB No. 25-10/OPS No. C2010-042 [monitor appointed]

Nature of the Allegation(s): 1) Use of Force - off-duty officers shoved the complainant; *and*

2) Use of Force - the officer smashed the complainant's head into the ground.

OPS Preliminary Finding(s): 1) **Not Sustained** as to the first use of force allegation; *and*

2) **Exonerated** as to the second use of force allegation.

CPRB Action(s):

At its February 4, 2011 meeting, during its review and deliberation of the OPS' investigation, the CPRB tabled its review of the complaint pending notification by the Board's Counsel regarding if there was a pending notice of claim filed by the complainant.

After its February 4, 2011 meeting, the Board's Counsel notified the CPRB that there was no notice of claim filed. The case was placed on the CPRB's April 11, 2011 meeting agenda where it was reviewed, deliberated, voted on, and closed accordingly.

CPRB Finding(s):

1) **Not Sustained** as to the first use of force allegation; *and*

2) **Exonerated** as to the second use of force allegation.

APD Final Determination(s): 1) **Not Sustained** as to the first use of force allegation; *and*

2) **Exonerated** as to the second use of force allegation.

CPRB No. 26-10/OPS No. CC2010-045 [no monitor appointed]

Nature of the Allegation(s): 1) Conduct Standards - an officer used profanity towards the complainant;

2) Call Handling - the officer failed to assist the complainant when the complainant told him that people had weapons; *and*

3) Call Handling - the complainant allegedly spoke with a supervisor regarding the incident.

OPS Preliminary Finding(s): 1) **Sustained** as to the conduct standards allegation;

2) **Not Sustained** as to the first call handling allegation; *and*

3) **Sustained** as to the second call handling allegation.

CPRB Finding(s):

1) **Sustained** as to the conduct standards allegation;

2) **Not Sustained** as to the first call handling allegation; *and*

3) **Sustained** as to the second call handling allegation.

APD Final Determination(s): 1) **Sustained** as to the conduct standards allegation;

2) **Not Sustained** as to the first call handling allegation; *and*

3) **Sustained** as to the second call handling allegation.

CPRB No. 28-10/OPS No. CC2010-057 [no monitor appointed]

Nature of the Allegation(s): 1) Use of Force - the complainant was involved in an incident that occurred in the City of Cohoes; *and*

2) Conduct Standards - Cohoes officers failed to read the complainant his rights.

OPS Preliminary Finding(s): 1) **No Finding** as to the use of force allegation; *and*

2) **No Finding** as to the conduct standards allegation.

CPRB Finding(s): 1) **No Finding** as to the use of force allegation; *and*

2) **No Finding** as to the conduct standards allegation.

APD Final Determination(s): 1) **No Finding** as to the use of force allegation; *and*

2) **No Finding** as to the conduct standards allegation.

CPRB No. 31-10/OPS No. CC2010-067 [monitor appointed]

Nature of the Allegation(s): 1) Call Handling - an officer stopped the complainant while she was driving;

2) Conduct Standards - the officer asked to see the complainant's license and registration;

3) Use of Force - the officer knocked the cell phone out of the complainant's hand;

4) Use of Force - the officer pushed the door closed on the complainant's uncle; *and*

5) Conduct Standards - the officer pulled out his flashlight as if he was going to hit the complainant.

OPS Preliminary Finding(s): 1) **Exonerated** as to the call handling allegation;
2) **Sustained** as to the first conduct standards allegation;
3) **Sustained** as to the first use of force allegation;
4) **Exonerated** as to the second use of force allegation; *and*
5) **Unfounded** as to the second conduct standards allegation.

CPRB Finding(s): 1) **Exonerated** as to the call handling allegation;
2) **Sustained** as to the first conduct standards allegation;
3) **Sustained** as to the first use of force allegation;
4) **Exonerated** as to the second use of force allegation; *and*
5) **Unfounded** as to the second conduct standards allegation.

APD Final Determination(s): 1) **Exonerated** as to the call handling allegation;
2) **Sustained** as to the first conduct standards allegation;
3) **Sustained** as to the first use of force allegation;
4) **Exonerated** as to the second use of force allegation; *and*
5) **Unfounded** as to the second conduct standards allegation.

CPRB No. 33-10/OPS No. CC2010-072 [no monitor appointed]

Nature of the Allegation(s): Call Handling - when the complainant called for assistance no officer responded to the scene.

OPS Preliminary Finding(s): **Unfounded**

CPRB Finding(s): **Unfounded**

APD Final Determination(s): **Unfounded**

CPRB No. 34-10/OPS No. C2010-076 [no monitor appointed]

Nature of the Allegation(s): 1) Use of Force - a Black officer struck the complainant in face and both officers handcuffed the complainant, slammed him to the ground which caused him to break his elbow; *and*

2) Use of Force - a White officer pepper sprayed the complainant.

OPS Preliminary Finding(s): 1) **No Finding** as to the first use of force allegation; *and*

2) **Exonerated** as to the second use of force allegation.

CPRB Action(s): After review and deliberation at its February 9, 2011 meeting, the CPRB tabled its review of the complaint pending notification by the Board's Counsel regarding the appointment of a monitor to cases alleging excessive use of force and civil rights discrimination.

The Board's Counsel advised the CPRB that monitors shall be assigned to cases when the complaint is filed with the CPRB. The case was placed on the CPRB's March 10, 2011 meeting agenda where it was reviewed, deliberated, voted on, and closed accordingly.

CPRB Finding(s): 1) **Not Sustained** as to the first use of force allegation; *and*

2) **Exonerated** as to the second use of force allegation.

APD Final Determination(s): 1) **Not Sustained** as to the first use of force allegation; *and*

2) **Exonerated** as to the second use of force allegation.

CPRB No. 35-10/OPS No. CC2010-066 [no monitor appointed]

Nature of the Allegation(s): Off-Duty Conduct Standards - an officer used his police status to intimidate and make up lies about others.

OPS Preliminary Finding(s): **Not Sustained**

CPRB Finding(s): **Not Sustained**

APD Final Determination(s): **Not Sustained**

CPRB No. 37-10/OPS No. CC2010-075 [monitor appointed]

Nature of the Allegation(s): Use of Force - officers pushed the complainant, yanked on his arm, and punched him in the face.

OPS Preliminary Finding(s): **Exonerated**

CPRB Finding(s): **Exonerated**

APD Final Determination(s): **Exonerated**

CPRB No. 38-10/OPS No. CC2010-126 [no monitor appointed]

Nature of the Allegation(s): 1) Call Handling - officers falsely reported that the complainant was uncooperative; *and*
2) Conduct Standards - officers were rude towards the complainant.

OPS Preliminary Finding(s): 1) **No Finding** as to the call handling allegation; *and*
2) **No Finding** as to the conduct standards allegation.

CPRB Finding(s): 1) **No Finding** as to the call handling allegation; *and*
2) **No Finding** as to the conduct standards allegation.

APD Final Determination(s): 1) **No Finding** as to the call handling allegation; *and*
2) **No Finding** as to the conduct standards allegation.

CPRB No. 40-10/OPS No. CC2010-102 [no monitor appointed]

Nature of the Allegation(s): Arrest Authority and Procedures - the complainant was subjected to an unlawful search and seizure during a traffic stop.

OPS Preliminary Finding(s): **No Finding**

CPRB Finding(s): **No Finding**

APD Final Determination(s): **No Finding**

CPRB No. 51-10/OPS No. CC2010-122 [no monitor appointed]

Nature of the Allegation(s): Call Handling - detectives contacted the complainant's employer regarding a sexually explicit ad and got him fired.

OPS Preliminary Finding(s): **Unfounded**

CPRB Finding(s): **Unfounded**

APD Final Determination(s): **Unfounded**

CPRB No. 52-10/OPS No. CC2010-096 [monitor appointed]

Nature of the Allegation(s): Conduct Standards - officers showed no integrity and failed to show the complainant a search warrant.

OPS Preliminary Finding(s): **No Finding**

CPRB Finding(s): **No Finding**

APD Final Determination(s): **No Finding**

CPRB No. 53-10/OPS No. CC2010-099 [monitor appointed]

Nature of the Allegation(s): Conduct Standards - an officer used profanity when talking to the complainant and approached the complainant with his hand on the gun.

OPS Preliminary Finding(s): **Not Sustained**

CPRB Finding(s): **Not Sustained**

APD Final Determination(s): **Not Sustained**

DEFINITION OF CPRB FINDINGS

Section 42-344(A) of Chapter 42, Part 33 of the Albany City Code charges the Board with, after review and deliberation of an investigation, shall, by majority vote, make one of the following findings on the case:

(1) *Sustained* – where the review discloses sufficient facts to prove the allegations made in the complaint.

(2) *Not Sustained* – where the review fails to disclose sufficient facts to prove or disprove the allegation made in the complaint.

(3) *Exonerated* – where the acts which provide the basis for the complaint occurred, but the review shows that such acts were proper.

(4) *Unfounded* – where the review shows that the act or acts complained of did not occur or were misconstrued.

(5) *Ineffective Policy or Training* – where the matter does not involve guilt or lack thereof, but rather ineffective departmental policy or training to address the situation.

(6) *No Finding* – where, for example, the complaint failed to produce information to further the investigation; or where the investigation revealed that another agency was responsible and the complaint or complainant has been referred to that agency; or where the complainant withdrew

the complaint; or where the complainant is unavailable to clarify the complaint; or where the officer is no longer employed by the City.

(7) *Mediation* – where the complaint is resolved by mediation.

GRIEVANCE FORM REVIEW

Background

In the second quarter of 2008, former Chief of Police James Tuffey introduced to the Albany Police Department, a new system where complainants who have a grievance with a member of the APD, but opt not to complete a CPRB complaint form should have their contact information provided to the CPRB using grievance forms so that the CPRB can reach out to them. This process ensures that individuals would not lose out on having their complaint reviewed by the Board. The OPS agreed to implement this grievance form process as part of its standard operating procedure. Under this system, every complainant who files a grievance form with the OPS will have a full opportunity to complete a CPRB complaint form.

Summaries and Statistics

During the second quarter of 2011, the Board received twenty (20) new grievance forms from the OPS, in addition to its two hundred and twenty-eight (228) grievance forms that were received since the inception of the grievance form process in 2008. Out of the twenty (20) new grievance forms that were filed in the second quarter of 2011, five (5) citizen complaint forms were filed. Of the two hundred and forty-eight (248) grievance forms received by the Board since 2008, seventy-three (73) complaint forms were filed.

MEDIATION

During the second quarter of 2012, 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.

PUBLIC OFFICIAL LIAISON COMMITTEE

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 video taken during a traffic stop.

MEETINGS

The Board met as a whole four times for the conduct of business during the second quarter. Meetings were held on February 4, 2011, February 9, 2011, March 10, 2011, and April 11, 2011. All four (4) meetings were held at the GWU the Center, 274 Washington Avenue, in the Teen Center Conference Room. There was a public comment period at each meeting.

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

TRAINING

Section 42-339 of Chapter 42, Part 33 of the Albany City Code requires that “the Government Law Center . . . provide, to CPRB members, and the members . . . undergo continuing education . . .”

New Member Orientation

During the second quarter of 2011, new Board member Eugene Sarfoh attended and participated in the Board’s orientation program which consisted of two (2) sessions. The first session of the orientation program was 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 was coordinated and facilitated by the Albany Police Department’s Office of Professional Standards and comprised of training to educate the new Board members on the APD’s organization and operation.

GOVERNMENT LAW CENTER

During the second 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 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 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.

In addition, the Center performed the following administrative tasks:

- Arranged logistics for and coordinated four (4) regular monthly meetings, including: securing dates, times, and locations for each meeting, and providing notice to the affected parties and to the public;
- Attended four (4) regular monthly meetings, and five (5) committee/task force meetings;
- 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 finding 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;
- Notified affected parties of Board findings, recommendations, and requests following each monthly meeting;
- Conducted a monthly accounting and inventory of complaints filed with the Board, including a summary of active, suspended, 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 second quarter meetings;
- Assisted with typing 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;
- Opened and closed complaint files;
- Forwarded complainant related correspondence to Board members;
- Updated and distributed the materials in the orientation binder;
- 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 Police Department, and the Corporation Counsel's Office; *and*
- Answered inquiries from the community and the media about the Board and the complaint review process.

CONCLUSION

The Board had a very active second quarter, which included: elections for Committee/Task Force Chairs; revisiting its operating procedures and brochures; holding four

(4) regular monthly meetings; five (5) committee/task force meetings; and reviewing thirty-one (31) complaints and rendered findings for the allegation(s) contained in twenty-nine (29) complaints. In addition, the Board continued to work collaboratively with the APD on its initiatives, which included mediation, the Early Warning System, and video cameras in police vehicles.

Respectfully submitted,

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

Dated: May 1, 2011

June 12, 2012 (Amended to add: CPRB
Findings and APD Final Determinations for
CPRB No. 57-09/OPS No. CC2009-093)