

# City of Albany

## Annual Report

2016

Submitted by

The Government Law Center of Albany Law School

on behalf of the

City of Albany Citizens' Police Review Board



**CITIZENS' POLICE REVIEW BOARD**

Sixteenth 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



# TABLE OF CONTENTS

<b>BACKGROUND</b> .....	1
<b>DEFINITIONS</b> .....	1
<b>INTRODUCTION</b> .....	1
<b>ORGANIZATION OF THE BOARD</b> .....	2
<i>Appointments, Reappointments and Vacancies</i> .....	3
<i>New Member Orientation Program</i> .....	3
<i>New Member Citizens' Police Academy Training</i> .....	3
<i>Officers</i> .....	4
<b>COMPLAINT REVIEW: SUMMARIES AND STATISTICS</b> .....	4
<i>Number of Complaints Filed</i> .....	5
<i>Appointment of Monitors</i> .....	6
<i>Race/Ethnicity and Gender of the Complainant(s)</i> .....	6
<i>Allegations Contained in the Complaints</i> .....	7
<i>Suspension of Review</i> .....	8
<i>Board and Police Department Findings</i> .....	9
<i>Further Investigation/Board Action</i> .....	10
<i>Mediation</i> .....	10
<i>Complaints Reviewed and Closed</i> .....	10
<b>GRIEVANCE FORM REVIEW: SUMMARIES AND STATISTICS</b> .....	10
<b>MEETINGS OF THE BOARD</b> .....	11
<b>CONCLUSION</b> .....	11

## **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 sixteenth Annual Report so submitted, covering the Board's operations from November 1, 2015 to October 31, 2016.

## 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 sixteenth year of operation:

### **Larry Becker**

Appointed: 03/27/2015  
Original Term Expired: 10/26/2016  
Reappointed: 01/15/2017  
1<sup>st</sup> Full Term Expires: 10/26/2019

### **Mickey Bradley**

Appointed: 02/07/2012  
1st Term Expired: 10/26/2014  
Reappointed: 02/19/2015  
2nd Term Expires: 10/31/2017

### **Reverend Dr. Victor L. Collier**

Appointed: 03/22/2016  
Original Term Expires: 10/26/2017

### **Zachary J. Garafalo**

Appointed: 06/6/2016  
Original Term Expired: 10/26/2016  
Reappointment: Pending

### **Charles Goodbee, Sr.**

Appointed: 02/19/2015  
Original Term Expires: 10/26/2017

### **Michael A. Grady**

Appointed: 09/01/2015  
Original Term Expires: 10/31/2017

### **Maritza Martinez**

Appointed: 02/07/2012  
Original Term Expired: 10/26/2012  
Reappointed: 02/07/2013  
1<sup>st</sup> Full Term Expired: 10/26/2015  
Reappointed: 03/07/2016  
2<sup>nd</sup> Term Expires: 10/26/2018

### **Ivy S. Morris**

Appointed: 04/06/2015  
Original Term Expired: 10/26/2016  
Reappointed: 01/15/2017  
1<sup>st</sup> Full Term Expires: 10/26/2019

### **Kerry Mulligan**

Appointed: 08/17/2015  
Original Term Expired: 10/26/2015  
Reappointed: 03/07/2016  
1<sup>st</sup> Full Term Expires: 10/26/2018

### **David A. Rozen**

Appointed: 10/15/2012  
Original Term Expired: 10/26/2013  
Reappointed: 11/2013  
1<sup>st</sup> Full Term Expired: 10/26/2016

### **Reverend Edward B. Smart**

Appointed: 03/20/2008  
Original Term Expired: 10/26/2009  
Reappointed: 03/23/2010  
1<sup>st</sup> Full Term Expired: 10/26/2012  
Reappointed: 06/25/2013  
2<sup>nd</sup> Term Expired: 10/26/2015

## *Appointments, Reappointments and Vacancies*

### First Quarter

Maritza Martinez's first term ended on October 26, 2015, and her reappointment was pending during the first quarter of 2016. Kerry Mulligan's first term ended on October 26, 2015, and her reappointment was pending during the first quarter of 2016. Reverend Edward B. Smart's second term expired on October 26, 2015, resulting in one mayoral Board vacancy. The GLC notified City of Albany Mayor Kathy Sheehan and Common Council President Carolyn McLaughlin regarding the pending reappointments.

### Second Quarter

During the second quarter of 2016, Board member David Rozen tendered his resignation to the GLC and the Common Council, effective March 1, 2016, resulting in a Common Council vacancy on the Board. Also during this quarter, Board members Maritza Martinez and Kerry Mulligan, both Common Council appointees, were reappointed to the Board.

### Third Quarter

During the third quarter of 2016, the Board had one Common Council vacancy following member David Rozen's resignation.

### Fourth Quarter

During the fourth quarter of 2016, there were two Common Council vacancies resulting from Board member Kerry Mulligan's resignation on August 1, 2016, and Board member Maritza Martinez's resignation on August 25, 2016.

### *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."

During the second and third quarters of 2016, Board members Reverend Victor Collier, and Zach Garafalo attended and participated in the Board's orientation program which consisted of two sessions. The first session of the orientation program was coordinated and facilitated by the Government Law Center to educate the new member about the Board's organization and operation 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 violations 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; this session educated the members on the APD's organization and operation.

### *New Member Citizens' Police Academy Training*

During the second quarter of 2015, new Board member Reverend Victor Collier attended the Albany Citizen Police Academy as a part of the training requirement. The Citizen Police Academy consists of 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, Board members are required to participate in a ride-along with an APD officer during the officer's work shift. This provides an opportunity for Board members to observe the interaction between the officers and the community.

## Officers

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

Chairperson	Reverend Edward B. Smart Mickey Bradley	<i>*until the second quarter of 2016</i> <i>*beginning the second quarter of 2016</i>
Vice-Chairperson	David Rozen Ivy S. Morris	<i>*until the end of the second quarter of 2016</i> <i>*beginning the second quarter of 2016</i>
Secretary	Mickey Bradley Michael A. Grady	<i>*until the second quarter of 2016</i> <i>*beginning the second quarter of 2016</i>

During the first quarter of 2016, nominations were held for the positions of Chair, Vice-Chair, and Secretary pursuant to the Board's By-laws (Art. IV, Section 1). Mickey Bradley was nominated and elected for the position of Chair. Ivy Morris was nominated and elected for the position of Vice Chair. Michael Grady was nominated and elected for the position of Secretary. During the second quarter of 2016, the slate was presented, voted on, and approved unanimously at the Board's February 11, 2016, 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

During the first quarter of 2016, the Board received 6 new complaints in addition to its 43 active complaints and 9 suspended complaints. Monitors were appointed to investigate 3 of the 6 new complaints. Of the 49 complaints before the Board, the Board presented 8 complaints for review and rendered findings for the 16 allegation(s) contained in 8 complaints. Eight (8) of these 8 complaints were closed and contained a total of 16 allegations of misconduct. As to the 8 complaints that were reviewed and closed, the Board made findings consistent with the preliminary findings of the Office of Professional Standards in all 8 complaints.

Board action, aside from voting on complaints, was taken in 0 complaints which were filed in the first quarter of 2016.

### Second Quarter

During the second quarter of 2016, the Board received 7 new complaints in addition to its 36 active complaints and 9 suspended complaints. Monitors were appointed to investigate 4 of the 7 new complaints. Of the 43 complaints before the Board, the Board presented 8 complaints for review and rendered findings for the 34 allegation(s) contained in 9 complaints. Eight of these complaints were closed and contained a total of 34 allegations of misconduct. As to the 8 complaints that were reviewed and closed, the Board made findings consistent with the preliminary findings of the Office of Professional Standards in 6 complaints. One complaint, in addition to the 8 reviewed, was closed with no review.

Board action, aside from voting on complaints, was taken in 0 complaints which were filed in the second quarter of 2016.

### Third Quarter

During the third quarter of 2016, the Board received 1 new complaint in addition to its 30 active complaints and 9 suspended complaints. A monitor was appointed to investigate the 1 new complaint. Of the 30 complaints before the Board, the Board presented 11 complaints for review and rendered findings for the 30 allegations contained in 11 complaints. Eleven of these 11 complaints were closed and contained a total of 30 allegations of misconduct. As to the 11 complaints that were reviewed and closed, the Board made findings consistent with the preliminary findings of the Office of Professional Standards in 8 complaints. One complaint, in addition to the 11 reviewed, was closed with no review.

Board action, aside from voting on complaints, was taken in 0 complaints which were filed in the third quarter of 2016.

Fourth Quarter

During the fourth quarter of 2016, the Board received 3 new complaints in addition to its 28 active complaints and 5 suspended complaints. Monitors were appointed to investigate 1 of the 3 new complaints. Of the twenty-eight complaints before the Board, the Board presented 12 complaints for review and rendered findings for the 31 allegation(s) contained in 12 complaints. Twelve of these 12 complaints were closed and contained a total of 31 allegations of misconduct. As to the 12 complaints that were reviewed and closed, the Board made findings consistent with the preliminary findings of the Office of Professional Standards in 6 complaints. One complaint, in addition to the 8 complaints reviewed, was closed with no review.

Board action, aside from voting on complaints, was taken in 0 complaints which were filed in the fourth quarter of 2016.

*Number of Complaints Filed*

During its sixteenth year of operation (November 1, 2015 to October 31, 2016), the Board received 17 new complaints (See Figure 1). The Board received between 0 and 2 complaints per month, except for receiving 5 complaints in January and 4 complaints in February, during the period of this report. These complaints included those filed with the Board directly (either in person, by regular U.S. mail, or via facsimile) and those filed with the Board through the Office of Professional Standards (OPS).

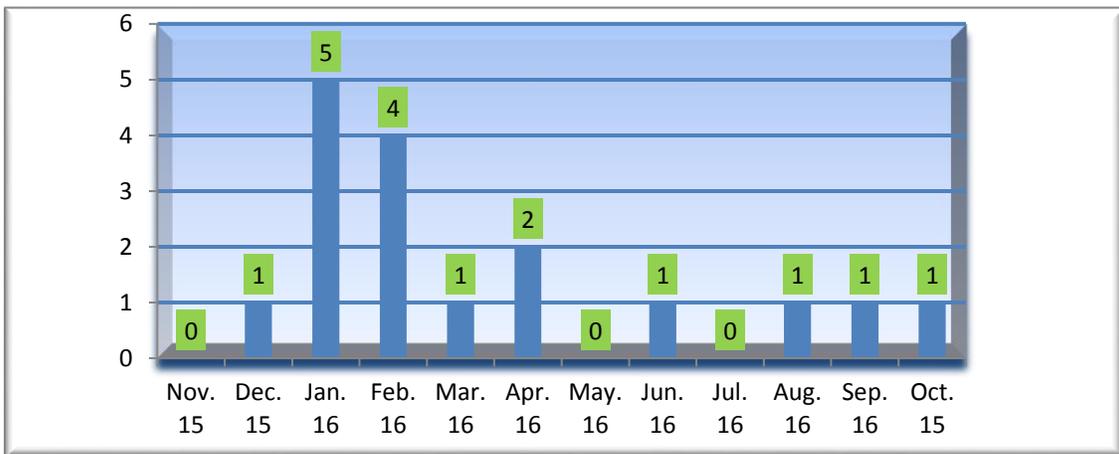


Figure 1: Monthly breakdown of the 17 complaints filed from November 1, 2015, to October 31, 2016.

Since the Board’s inception (October 27, 2000 to October 31, 2016), the Board received a total of 727 complaints (See Figure 2). The Board received an average of 45 complaints per year. These complaints included those filed with the Board directly (either in person, by regular U.S. mail, or via facsimile) and those filed with the Board through the Office of Professional Standards (OPS).

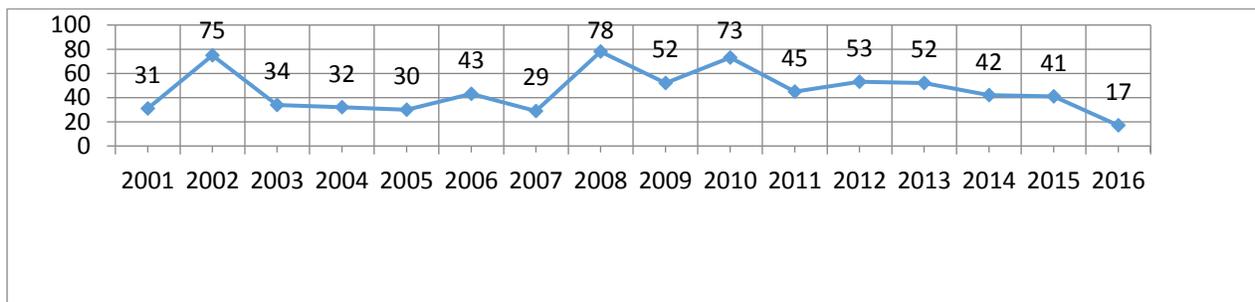


Figure 2: Yearly breakdown of the 727 complaints filed from October 27, 2000 to October 31, 2016  
*Appointment of Monitors*

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 17 complaints filed in the sixteenth year, the Board appointed a monitor to observe each OPS investigation of 9 complaints.

*Race/Ethnicity and Gender of the Complainant(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 seventeen complaints filed with the Board in the sixteenth year, 12 contained information from the complainant regarding the complainant’s gender; 12 contained information from the complainant regarding the complainant’s race/ethnicity; and 12 contained information from the complainant regarding the complainant’s gender and race/ethnicity. The 12 identified complainants out of these 17 complaints were comprised of: 1 African-American female; 5 African-American males; 2 Caucasian females; 3 Caucasian males; and 1 Hispanic male (See Figure 3).

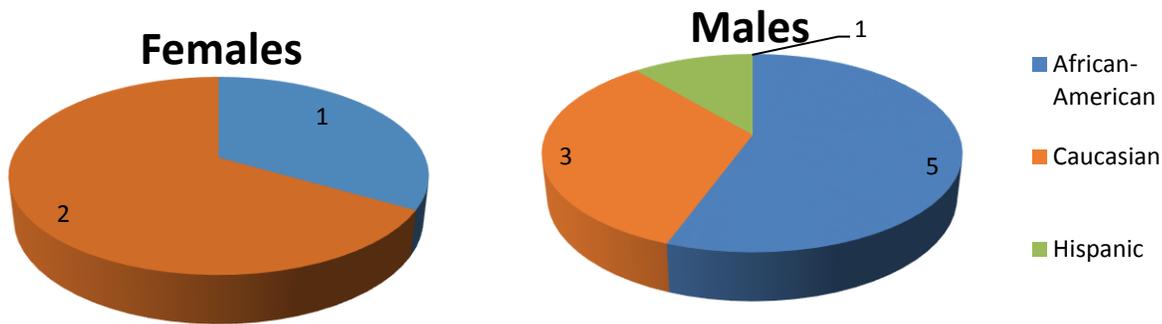


Figure 3: Race/Ethnicity and Gender of the Complainant

Of the 17 complaints filed with the Board in the sixteenth year, 15 complaints were submitted on a complaint form. Of those 15 complaints, 3 complainants chose not to submit information regarding their race/ethnicity and 3 complaints chose not to submit information regarding their gender. In 3 of the 15 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. The gender of the complainant in any of the 17 complaints filed was not 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.

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

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. Fourteen<sup>1</sup> police officer descriptions, including race/ethnicity and/or gender, were included within the 17 complaints filed with the Board in the sixteenth year.

Nine of the 17 complaints filed with the Board included information about the police officer’s gender provided by the complainants. Of the 9 police officer gender descriptions contained in the 17 complaints, 8 of those descriptions were redacted by the Office of Professional Standards. Of the 8 redacted descriptions, the gender of 4 males and 1 female was assumed from the language contained in the complaint. Of the 1 police officer gender description that was not redacted, 5

<sup>1</sup>It 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 14 police officer descriptions are of 14 different officers or are of a number of the same officers.

were males and 1 was female. Of the 1 police officer description whose gender was not provided by the complainant, the gender of the police officers could not be assumed from the language contained in the complaint.

The ethnicity/race of 12 police officers was provided by the complainants. Eight of the 12 police officer ethnicity/race descriptions, however, were redacted by the Office of Professional Standards. Therefore, in those 8 descriptions, the ethnicity/race of the police officers could not be ascertained from the language contained in the complaints. The 4 police officer ethnicity/race descriptions that were not redacted identified 3 police officers as Caucasian.

Of the 17 complaints filed with the Board in the sixteenth year, descriptions regarding the race/ethnicity and/or gender for police officers in 1 complaint was either not included or the information was unknown. Ten police officer names were provided by the complainant, but were redacted by the Office of Professional Standards.

*Allegations Contained in the Complaints*

In the sixteenth year of operation, the number of allegations was determined in 12 of the 17 complaints filed with the Board. Zero of the 12 complaints contained a single allegation of misconduct against an officer or officers of the Albany Police Department. All 12 complaints where allegations could be determined contained multiple allegations, with a majority of these complaints averaging 3.7 misconduct allegations. The allegations could not be determined for 5 of the 17 complaints filed with the Board.

Forty-four allegations were made in the 12 complaints where allegations could be determined. Of the 44 allegations, the Board identified 6 categories of allegations. Sixteen sub-categories of allegations were also identified, 2 of which fell under the category of Arrest Authority and Procedures, 4 of which fell under the category of Call Handling, 1 of which fell under the category of Evidence & Property handling, 1 of which fell under the category of Abuse of Authority, 5 of which fell under the category of Unprofessional Conduct Standards, and 15 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.

<b>Arrest Authority and Procedures</b>	<b>10</b>
Arrest Authority & Procedure	1
False/Illegal/Improper/Unlawful Arrest	9
<b>Call Handling</b>	<b>12</b>
Call Handling	1
Failure to Complete Report/Investigate Properly/Handle Report	6
Failure/Refusal to Provide Information/Assistance	2
Illegal/Improper/Unlawful Stop/Detention/Questioning/Search/Harassment	2
Illegal/Improper/Unlawful Search	1
<b>Evidence &amp; Property Handling</b>	<b>3</b>
Evidence and Property Handling	3
<b>Abuse of Authority</b>	<b>1</b>
Threatened Arrest	1
<b>Unprofessional Conduct Standards</b>	<b>10</b>

Derogatory/Inappropriate/Profane/Offensive/ Vulgar/Threatening/Racially-Biased/Unnecessary Language	6
Illegal/Improper/Unlawful Ticketing/Unlawful Ticketing in Retaliation	1
Racial Profiling	1
Racial Bias	1
Unprofessional Conduct	1
<b>Use of Force</b>	<b>8</b>
Excessive Use of Force	1
Improper Use of Force	2
Unnecessary Use of Force	5

Figure 4: Allegations Contained in the 44 Complaints Filed from November 1, 2015 to October 31, 2016.

Figure 4 illustrates the allegations made in 12 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.

Twenty-three percent (23%) of the allegations identified were classified as Arrest Authority and Procedures. Arrest Authority and Procedures allegations included: arrest authority & procedure and false/illegal/improper/unlawful arrest.

Twenty-seven percent (27%) of the misconduct alleged were classified as Call Handling. Call Handling allegations included: call handling; failure to complete report/investigate properly/handle report; failure/refusal to provide information; illegal/improper/unlawful stop/detention/questioning/search/harassment; and illegal/improper/unlawful search.

Six percent (6%) of the allegations identified were classified as Evidence & Property Handling.

Two percent (2%) of the allegations identified were classified as Abuse of Authority. Abuse of authority allegations included: threatened arrest.

Twenty-three percent (23%) of the allegations identified in the complaints were classified as Unprofessional Conduct Standards. Unprofessional Conduct Standards allegations included: allegations of racial bias; racial profiling; illegal/improper/unlawful ticketing; derogatory/inappropriate/threatening/profane/offensive/vulgar/racial-biased language; and unprofessional conduct.

Eighteen percent (18%) of the allegations were classified as Use of Force. Use of Force allegations included: excessive use of force; improper use of force; and unnecessary use of force.

#### *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 sixteenth year of operation, the Board had 1 suspended complaint, which was carried over from the previous year of operation (November 1, 2014 - October 31, 2015). Four (4) complaints were suspended in the Board’s sixteenth year. No complaints had their suspension lifted in the Board’s sixteenth year. The Board ended its sixteenth year of operation with 5 suspended complaints.

## 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).

### 2014-2015

In the Board's fifteenth year of operation, 41 complaints were filed with the Board. In addition, 54 active complaints were carried over from the Board's fourteenth year of operation. The Board reviewed 41 complaints and rendered findings for all 41 of those complaints. Thirty-six of the 41 complaints reviewed were previously not reviewed and were, therefore, carried forward in the Board's fifteenth year of operation. Nine complaints had previously been suspended. One complaint was filed in the fifth year, 11 were filed in the thirteenth year, and 24 were filed in the fourteenth year.

Out of the 41 complaints that were filed in the Board's fifteenth year, the Board reviewed 5 and rendered findings for the allegations contained in 5 complaints.

### 2015-2016

In the Board's sixteenth year of operation, 17 complaints were filed with the Board. In addition, 48 active complaints were carried over from the Board's fifteenth year of operation. The Board reviewed 40 complaints and rendered findings for 39 of those complaints. Thirty-four of the 40 complaints reviewed were previously not reviewed and were, therefore, carried forward in the Board's fifteenth year of operation. One complaint had previously been suspended. Five complaints were filed in the fourteenth year and 29 were filed in the fifteenth year.

Out of the 17 complaints that were filed in the Board's sixteenth year, the Board reviewed 6 and rendered findings for the allegations contained in 5 complaints.

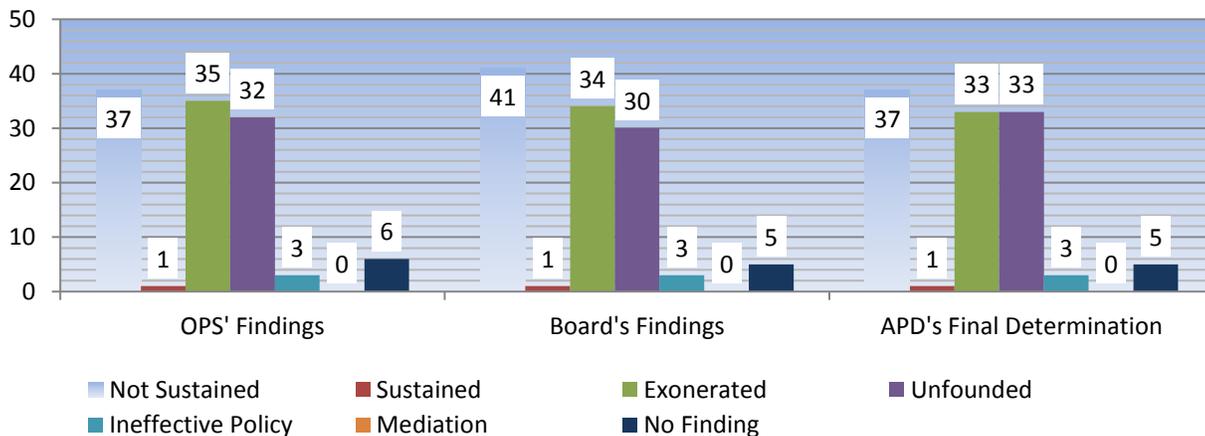


Figure 5: Comparison of the findings made by the Board and the findings made by the Police Department, including the preliminary findings of the Office of Professional Standards and the Albany Police Department's final determinations (November 1, 2015 - October 31, 2016).

In its sixteenth year of operation, since 36 of the 39 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 39 complaints that were reviewed and closed contained a total of 112 allegations of misconduct.

### 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 sixteenth year of operation, of the forty-one (41) complaints reviewed, the Board sent three (3) complaint(s) reviewed back to the Office of Professional Standards for further investigation and/or because the motions made by the Board failed. Zero (0) complaints were reviewed more than once during the sixteenth year and closed.

One (1) complaint was closed without review during the Board’s sixteenth year. This action included the Board voting not to accept and review these complaints due to the complaint being filed outside of the statute of limitations, being defective, or being filed without proper standing.

### 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 sixteenth year of operation, the Board did not forward any complaints to mediation.

### Complaints Reviewed and Closed

At the conclusion of the sixteenth year of operation, the Board had not yet made findings with respect to 24 complaints, 19 of which are open and active complaints and 5 of which are complaints that have been suspended from the Board’s review. None of these 24 complaints will be reported in the Board’s Sixteenth Annual Report and, therefore, they all will be carried forward into the seventeenth year.

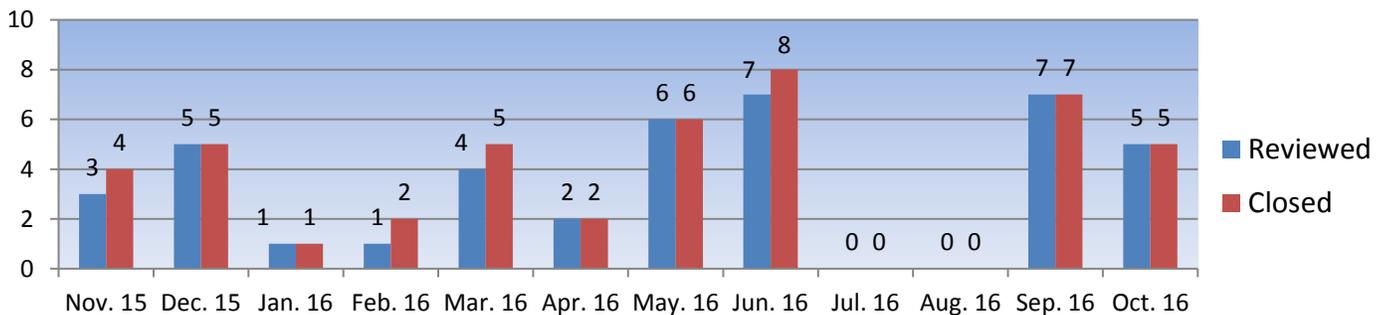


Figure 6: Monthly Comparison of Complaints Reviewed and Closed for the period November 1, 2015 to October 31, 2016.

### GRIEVANCE FORM REVIEW: SUMMARIES AND STATISTICS

In its sixteenth year of operation, the Board received 22 new grievance forms from the OPS, in addition to 66 grievance forms that were filed in its ninth year of operation, 91 grievance forms that were filed in its tenth year of operation, 85 grievance forms that were filed in its eleventh year of operation, 95 grievance forms that were filed in its twelfth year of operation, 98 new grievance forms that were filed in its thirteenth year, 61 grievance forms that were filed in its fourteenth year of operation, and 31 new grievance forms that were filed in its fifteenth year of operation. Out of the 22 new grievance forms received from the OPS, 4 complaint forms were filed. Of the 599 grievance forms received by the Board since the inception of the grievance form process, 158 complaint forms were filed.

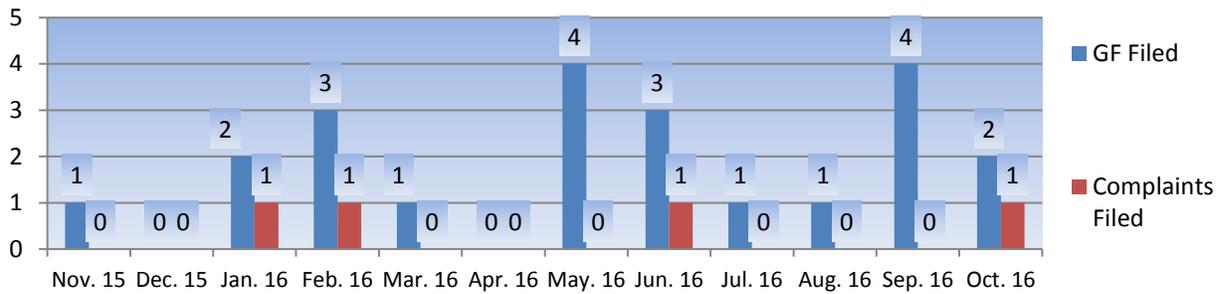


Figure 7: Monthly Comparison of Grievance Forms Filed and Complaints Filed for the Period November 1, 2015 to October 31, 2016.

**REPORTS**

In its sixteenth year of operation, 3 quarterly reports and 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 Second Quarterly Report of 2015; Third Quarterly Report of 2015; Fourth Quarterly Report of 2015; and 2014 Annual Report were adopted by the Board before the close of the sixteenth 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.

**MEETINGS OF THE BOARD**

The Board met as a whole 9 times for the conduct of business in the sixteenth year. The meetings held in the sixteenth year of operation for the months of November, December, February, March, April, May, June, September, and October took place at the University at Albany, Downtown Campus, Milne Hall, 135 Western Avenue, Levitt Room (Rm. M120). The meeting on May 12, 2016, took place at Albany Law School, 1928 Building, 80 New Scotland Avenue, Dean Alexander Moot Courtroom (DAMC). Meetings were devoted primarily to the review of complaints and a discussion of committee activities, and due to conflicting summer vacation schedules, the Board did not meet during the months of July 2016 and August 2016. The Board did not meet as scheduled in January 2016. There was a public comment period held at each of the monthly meetings.

The Board met as a whole 2 times for the conduct of business during the first quarter. These meetings were held on November 10, 2015, and December 8, 2015. The Board met as a whole 3 times for the conduct of business during the second quarter. These meetings were held on February 11, 2016, March 10, 2016, and April 14, 2016. The Board met as a whole 2 times for the conduct of business during the third quarter. These meetings were held on May 12, 2016, and June 9, 2016. The Board met as a whole 2 times for the conduct of business during the fourth quarter. These meetings were held on September 8, 2016, and October 13, 2016.

**CONCLUSION**

The Board continued to be active in its sixteenth year of operation. In its sixteenth year, the Board re-elected and elected Board officers; elected chairs and members for its committees and task force; continued to work collaboratively with the APD towards the enactment of a mediation program; revisited its outreach practices and complaint forms; served as guest lecturers to community-based organizations and tabled at a local event; reviewed 41 complaints and closed a total of 43 of its active complaints; held 9 regular monthly meetings; held several committee/task force meetings and trainings; reviewed and approved 2 quarterly reports and 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 sixteen years of operation, the Albany Citizens' Police Review Board remains dedicated to improving communication between the City of Albany 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

Approved by the CPRB: April 13, 2017