

# City of Albany

## Annual Report 2014

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**

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

**Submitted to:**

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

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## **BACKGROUND**

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

## **DEFINITIONS**

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

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

**CPRB or BOARD** – The Citizens' Police Review Board.

**GOVERNMENT LAW CENTER (GLC)** – 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 (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 Fourteenth Annual Report so submitted, covering the Board's operations from November 1, 2013 to October 31, 2014.

## 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 fourteenth year of operation:

Mickey Bradley  
Appointed: 02/07/2012:  
Date Original Term Expired: 10/26/2014  
Reappointment for 2<sup>nd</sup> Term Pending

Marilyn Hammond  
Appointed: 12/03/2008  
Date Original Term Expired: 10/26/2011  
Reappointed: 11/03/2011  
2nd Term Expired: 10/26/2014

Maritza Martinez  
Appointed: 02/07/2012  
Date Original Term Expired: 10/26/2012  
Reappointed: 02/07/2013  
1st Term Expires: 10/26/2015

William McCarthy  
Appointed: 05/29/2013  
Date Original Term Expires: 10/26/2016

Anthony Potenza  
Appointed: 10/05/2006  
Date Original Term Expired: 10/26/2008  
Reappointed: 03/23/2010  
2nd Term Expired: 10/26/2014

David Rozen  
Appointed: 10/16/2012  
Date Original Term Expired: 10/26/2013  
Reappointed: 2013  
1st Full Term Expires: 10/26/2016

Eugene Sarfoh  
Appointed: 01/03/2011  
Date Original Term Expired: 10/26/2014

Reverend Edward Smart  
Appointed: 3/20/2008  
Date Original Term Expired: 10/26/2009  
Reappointed: 3/23/2010  
1st Full Term Expired: 10/26/2012  
Reappointed: 6/25/2013  
2nd Term Expires: 10/26/2015

Akosua Yeboah  
Appointed: 12/21/2009  
Date Original Term Expired: 10/26/2012  
Reappointed: 06/25/2013  
2nd Term Expires: 10/26/2015

### *Appointments and Reappointments*

#### First Quarter

During the first quarter of 2014, David A. Rozen, Esq. was reappointed by the Albany Common Council's Public Safety Committee to a term expiring on October 26, 2016.

## Second Quarter

During the second quarter of 2014, Board member William McCarthy tendered his resignation to the GLC. The GLC notified City of Albany Mayor Kathy Sheehan and Albany Common Council President Carolyn McLaughlin to inform them of the new mayoral vacancy on the Board. The Board also awaited a Common Council appointment as a replacement for one (1) member (Anthony Potenza) who was not eligible for reappointment due to term limit restrictions.

## Third Quarter

During the third quarter of 2014, the Board had one (1) mayoral vacancy created by former member William McCarthy. A Common Council vacancy existed pending a Board member's (Anthony Potenza) replacement.

## Fourth Quarter

During the fourth quarter of 2014, the Board awaited a letter of reappointment for Mickey Bradley and Eugene Sarfoh. The Board had two (2) vacancies created by former Board members William McCarthy and Anthony Potenza.

### *Vacancies*

The Board had one (1) mayoral vacancy during the second quarter of 2014; Board member William McCarthy tendered his resignation to the GLC. The GLC notified City of Albany Mayor Kathy Sheehan and Albany Common Council President Carolyn McLaughlin to inform them of the new mayoral vacancy on the Board. The Board had one (1) Common Council vacancy to fill during the fourth quarter of 2014 when Board member Anthony Potenza reached the term limit.

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

Attendance at the Academy is a part of the Board's training requirement. The Citizens' Police Academy consists of fifteen (15) three-hour training sessions. These sessions include an overview of the Albany Police Department, including its command structure; patrol unit; and the Office of Professional Standards.

### *CPRB Officers*

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

Chairman	Reverend Edward B. Smart
Vice-Chairman	Anthony Potenza <i>*ended in January 2014</i> David Rozen <i>*began in January 2014</i>
Secretary	Akosua Yeboah

During the second quarter of 2014, nominations were held for the positions of Chairman, Vice-Chairman, and Secretary pursuant to the Board's Bylaws (Art. IV, Section 1). Reverend Edward Smart was nominated for the Chairman position, David Rozen was nominated for the Vice-Chairman position, and Akosua Yeboah was nominated for the position of Secretary. The slate was presented, voted on and approved unanimously at the Board's January 16, 2014, meeting. Reverend Edward Smart was re-elected as Chairman; David Rozen was elected as Vice-Chairman; and Akosua Yeboah was re-elected as Secretary.

## **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, the Board received seven (7) new complaints in addition to its fifty-four (54) active complaints and nine (9) suspended complaints. Monitors were appointed to investigate two (2) of the seven (7) new complaints. Of the sixty-one (61) complaints before the Board, the Board presented ten (10) complaints for review and rendered findings for the allegation(s) contained in nine (9) complaints. These nine (9) complaints were closed and contained nineteen (19) allegations of misconduct. As to the nine (9) complaints that were reviewed and closed, the Board made findings consistent with the preliminary findings of the Office of Professional Standards in nine (9) cases.

Board action was taken on four (4) complaints, which were filed in the first quarter of 2014. The action taken on two (2) of those complaints was due to both complaints being filed after the timeframe allotted for filing complaints. The Board voted unanimously not to accept and review these two (2) complaints. The action taken on the other two (2) complaints was letters sent to the Chief of Police regarding proposed changes to the Standard Operating Procedure (SOP) on training. In the first quarter of 2014, no complaints were reviewed and sent back to OPS for further investigation.

### Second Quarter

During the second quarter, the Board received twelve (12) new complaints in addition to its fifty (50) active complaints and nine (9) suspended complaints. Monitors were appointed to investigate four (4) of the twelve (12) new complaints. Of the sixty-two (62) complaints before the Board, the Board presented eleven (11) complaints for review and rendered findings for the allegation(s) contained in all eleven (11) complaints. These eleven (11) complaints were closed and contained twenty (20) allegations of misconduct. As to the eleven (11) complaints that were reviewed and closed, the Board made findings consistent with the preliminary findings of the Office of Professional Standards in all eleven (11) cases.

Board action was taken on one (1) complaint. The action taken was the Board voting unanimously not to accept and review CPRB No. 3-14/OPS No. CC2014-015 because the complaint was filed six (6) months after the date of the alleged incident.

### Third Quarter

During the third quarter, the Board received fourteen (14) new complaints in addition to its fifty (50) active complaints and nine (9) suspended complaints. Monitors were appointed to investigate six (6) of the fourteen (14) new complaints. Of the sixty-four (64) complaints before the Board, the Board presented twenty (20) complaints for review and rendered findings for the allegation(s) contained in nineteen (19) complaints. These nineteen (19) complaints were closed and contained a total of twenty-four (24) allegations of misconduct. As to the nineteen (19) complaints that were reviewed and closed, the Board made findings consistent with the preliminary findings of the Office of Professional Standards in nineteen (19) cases.

Two (2) complaints were reviewed and sent back to OPS for further investigation. The Board took action on CPRB No. 10-14/OPS No. CC2014-034 because the complaint pertained to various attorneys, members of the District Attorney's office, judges and various inmates. The Board does not have jurisdiction to review allegations about these individuals; thus, the case was closed.

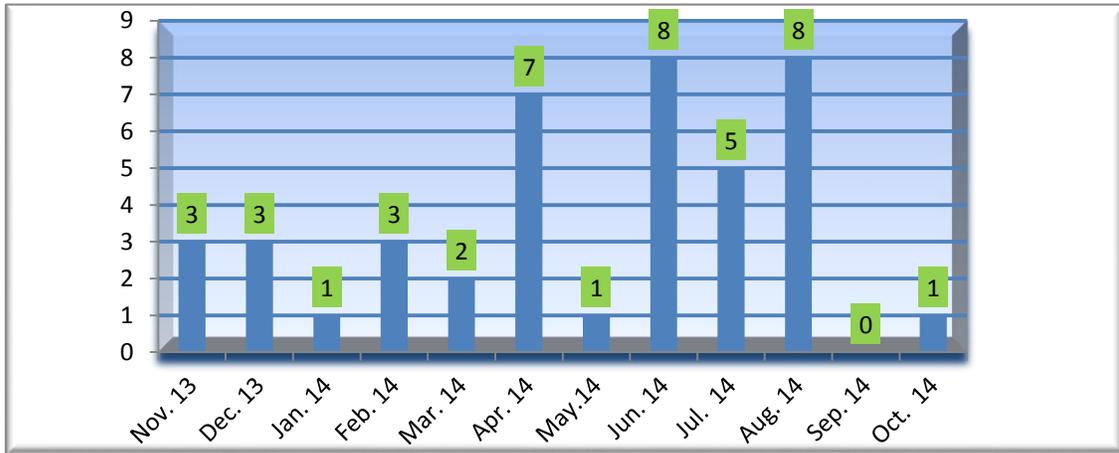
### Fourth Quarter

During the fourth quarter of 2014, the Board received nine (9) new complaints in addition to its forty-four (44) active complaints and nine (9) suspended complaints. Monitors were appointed to investigate seven (7) of the nine (9) new complaints. Of the fifty-three (53) complaints before the Board, the Board presented nine (9) complaints for review and rendered findings for the allegation(s) contained in eight (8) complaints. These eight (8) complaints were closed and contained a total of seventeen (17) allegations of misconduct. As to the eight (8) complaints that were reviewed and closed, the Board made findings consistent with the preliminary findings of the Office of Professional Standards in all eight (8) cases.

In the fourth quarter of 2014, one (1) complaint was reviewed and sent back to OPS for further investigation. The Board took action on CPRB No. 6-14/OPS No. CC2014-025. This complaint contained two conduct standards allegations in which the Board was unable to render a finding by a majority vote. The Board had concern with the first allegation in which the officers followed the complainant for some distance with their lights off in a high crime area. The Board expressed concern for this maneuver. The Board expressed concern with the second allegation in which the officers lacked discretion in their investigative techniques. The Board has recommended that the Albany Police Department further investigate this case regarding the aforementioned concerns.

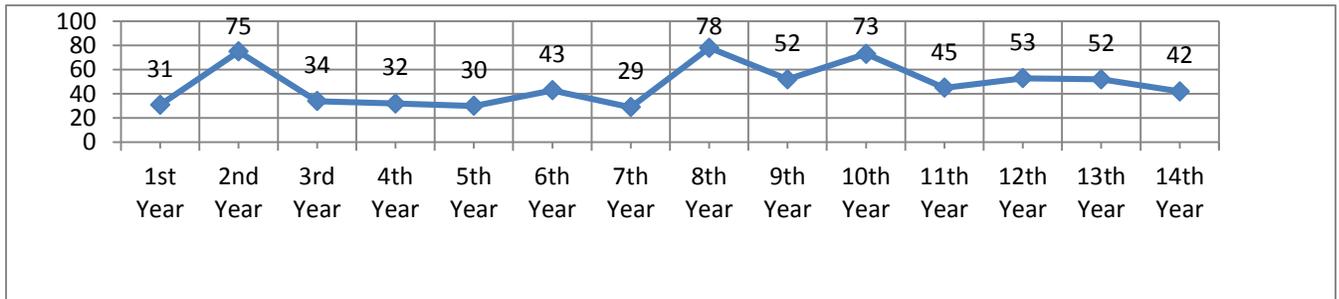
### *Number of Complaints Filed*

During its fourteenth year of operation (November 1, 2013 to October 31, 2014), the Board received forty-two (42) new complaints (See **Figure 1**.) The Board received an average of three point five (3.5) complaints per month from November 2013 to October 2014. These complaints included those filed with the Board directly (filed either in person, by regular U.S. mail, or via facsimile) and those filed with the Board through the Office of Professional Standards (OPS).



**Figure 1:** Monthly breakdown of complaints filed November 1, 2013 to October 31, 2014  
Total forty-two (42).

Since the Board’s inception (October 27, 2000 to October 31, 2014), the Board received a total of six hundred and sixty-nine (669) complaints (See **Figure 2.**) The Board received an average of forty-seven point eight (47.8) complaints per year. These complaints included those filed with the Board directly (filed either in person, by regular U.S. mail, or via facsimile) and those filed with the Board through the Office of Professional Standards (OPS).



**Figure 2:** Yearly breakdown of complaints filed October 27, 2000 to October 31, 2014  
Total six hundred and sixty-nine (669).

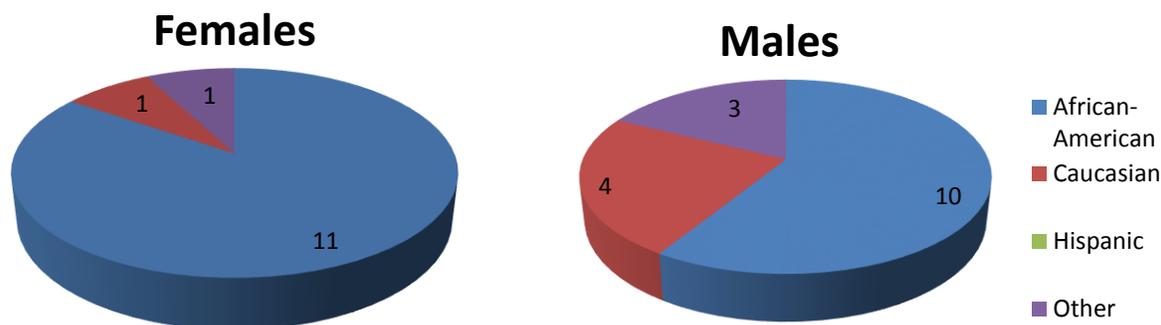
*Appointment of Monitors*

Under § 42-343(B)(1) of the legislation, the Board is required to appoint an individual to observe and monitor the Office of Professional Standards’ investigation of a complaint “in the event the complaint alleges use of force or a violation of civil rights.” Of the forty-two (42) complaints filed in the fourteenth year, the Board appointed a monitor to observe each OPS investigation of nineteen (19) complaints.

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

Complainants who file a Citizen Complaint Form with the Board may, at their option, include information relating to their race/ethnicity and gender. Of the forty-two (42) complaints filed with

the Board in the fourteenth year, thirty (30) contained information from the complainant regarding the complainant’s gender; twenty-six (26) contained information from the complainant regarding the complainant’s race/ethnicity; and twenty-six (26) contained information from the complainant regarding the complainant’s gender and race/ethnicity. The thirty (30) identified complainants out of these forty-two (42) complaints were comprised of: eleven (11) African-American females; ten (10) African-American males; one (1) Caucasian female; four (4) Caucasian males; one (1) Other female; and three (3) Other males (See **Figure 3**).



**Figure 3:** Race/ethnicity and gender of the complainant (This information is optional.)

Of the forty-two (42) complaints filed with the Board in the fourteenth year, forty (40) complaints were submitted on a complaint form. Of those forty (40) complaints, fourteen (14) complainants chose not to submit information regarding their race/ethnicity and/or gender. In one (1) of the forty (40) complaints, the complainants chose not to submit information regarding their race/ethnicity and/or gender and this information could not be determined based on language contained in the reports. In twenty-eight (28) of the forty (40) complaints, the gender of complainant, twenty-five (25) males and three (3) females, was determined by language contained in the complaint form, the Office of Professional Standards’ preliminary report, and/or the report of the monitor, if a monitor was assigned to the complaint.

In addition to the optional section provided for complainants, the Citizen Complaint Form provides a section for the complainant to enter descriptive information about the officer(s) who are the subject of the complaint. In this section, the complainant is asked to provide race/ethnicity and gender information about the officer(s), if known. Forty-eight (48)<sup>1</sup> police officer descriptions, including race/ethnicity and/or gender, were included within the forty-two (42) complaints filed with the Board in the fourteenth year.

Thirty-one (31) of the forty-two (42) complaints filed with the Board included information about the police officer’s gender provided by the complainants. Of the fifty (50) police officer gender descriptions contained in the thirty-one (31) complaints, thirty-five (35) of those descriptions were redacted by the Office of Professional Standards. Of the thirty-five (35) redacted descriptions, the

<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 forty-eight (48) police officer descriptions are of forty-eight (48) different officers or are of a number of the same officers.

gender of twenty-seven (27) males and three (3) females was assumed from the language contained in the complaint. All ten (10) of the fifty (50) police officers whose gender descriptions were not redacted were male. Of the four (4) police officers whose gender was not provided by the complainant, the gender of three (3) male police officers was assumed from the language contained in the complaint, and the gender of one (1) police officer cannot be determined.

The ethnicity/race of forty-one (41) police officers was provided by the complainants. Thirty-five (35) of the forty-one (41) police officer ethnicity/race descriptions, however, were redacted by the Office of Professional Standards. Therefore, in those thirty-five (35) descriptions, the ethnicity/race of the police officers could not be ascertained from the language contained in the complaints. The six (6) police officer ethnicity/race descriptions that were not redacted identified four (4) police officers as Caucasian and two (2) police officers as African-American.

Of the forty-two (42) complaints filed with the Board in the fourteenth year, descriptions regarding the race/ethnicity and/or gender for police officers in two (2) complaints were either not included or the information was unknown. Forty (40) police officer names were provided by the complainant, but were redacted by the Office of Professional Standards.

*Allegations Contained in the Complaints*

In the fourteenth year of operation, the number of allegations was determined in thirty-seven (37) of the forty-two (42) complaints filed with the Board. Eleven (11) of the thirty-seven (37) complaints contained a single allegation of misconduct against an officer or officers of the Albany Police Department. Twenty-six (26) of the thirty-seven (37) complaints contained multiple allegations, with a majority of these complaints averaging three (3) misconduct allegations. The allegations could not be determined for five (5) of the forty-two (42) complaints filed with the Board, because no complaint form was filed for two (2) of those complaints, four (4) complaints were closed with no review.

Eighty-four (84) allegations were made in the thirty-seven (37) complaints where allegations could be determined. Of the eighty-four (84) allegations, the Board identified five (5) categories of allegations. Twenty-one (21) sub-categories of allegations were also identified, one (1) of which fell under the category of Abuse of Authority, eleven (11) of which fell under the category of Arrest Authority and Procedures, twenty-seven (27) of which fell under the category of Call Handling, two (2) of which fell under the category of Evidence & Property handling, thirty-one (31) of which fell under the category of Unprofessional Conduct Standards, and twelve (12) 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.

**Table I:** Number of allegations contained in complaints filed

<b>Abuse of Authority</b>	<b>1</b>
Evidence Tampering	1

<b>Arrest Authority and Procedures</b>	<b>11</b>
Arrest Authority & Procedure	5
False/Illegal/Improper/Unlawful Arrest	6
<b>Call Handling</b>	<b>27</b>
Call Handling	13
Failure to Complete Report/Investigate Properly/Handle Report	1
Failure/Refusal to Provide Information/Assistance	2
Illegal/Improper/Unlawful Body Search	1
Illegal/Improper/ Unlawful Detention	2
Illegal/Improper/Unlawful Stop/Detention/Questioning/Search/Harassment	5
Illegal/Improper/Unlawful Ticketing/Unlawful Ticketing in Retaliation	1
Refused Medical Treatment	2
<b>Evidence &amp; Property Handling</b>	<b>2</b>
Evidence and Property Handling	2
<b>Unprofessional Conduct Standards</b>	<b>31</b>
Derogatory/Inappropriate/Profane/Offensive/Vulgar/Threatening/Racially-Biased/Unnecessary Language	9
Harassment	1
Illegal/Improper/Unlawful Ticketing/Unlawful Ticketing in Retaliation	2
Intimidation	1
Rude/Disrespectful	2
Unprofessional Conduct	16
<b>Use of Force</b>	<b>12</b>
Excessive Use of Force	6
Improper Use of Force	1

Unnecessary Use of Force	5
TOTAL ALLEGATIONS	84

**Table I** illustrates the allegations made in thirty-seven (37) 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.

One percent (1%) of the allegations identified were classified as Abuse of Authority.

Thirteen percent (13%) of the allegations identified were classified as Arrest Authorities and Procedures.

Thirty-two percent (32%) of the allegations of misconduct were classified as Call Handling. This category included a wide range of complainant descriptions listed in Table I.

Two percent (2%) of the allegations identified were classified as Evidence & Property Handling.

Thirty-seven percent (37%) of the allegations identified in the complaints were classified as Unprofessional Conduct Standards. This category included a wide range of complainant descriptions listed in Table I.

Fourteen percent (14%) of the allegations were classified as 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 fourteenth year of operation, the Board had nine (9) suspended complaints, which were carried over from previous years of operation. (November 1, 2012 – October 31, 2013). One (1) of the nine (9) suspended complaints was filed in the Board’s eleventh year of operation (November 1, 2010 – October 31, 2011). Seven (7) of the nine (9) suspended complaints were filed in the Board’s twelfth year of operation (November 1, 2011 – October 31, 2012). One (1) of the nine (9) suspended complaints was filed in the Board’s thirteenth year of operation (November 1, 2012 – October 31, 2013). Three (3) complaints had their suspension lifted in the Board’s fourteenth year. The Board ended its fourteenth year of operation with nine (9) 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).

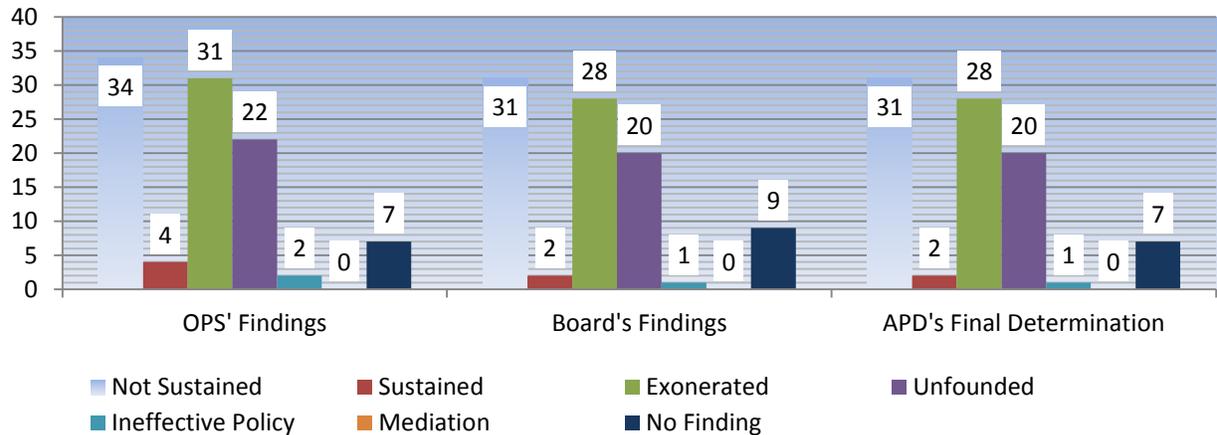
### 2012-2013

In the Board's thirteenth year of operation, fifty-two (52) complaints were filed with the Board. In addition, twenty-nine (29) active complaints were carried forward from the Board's twelfth year of operation. The Board reviewed thirty-three (33) complaints and rendered findings for thirty-one (31) complaints. Twenty-nine (29) of the thirty-three (33) complaints reviewed were previously not reviewed and were, therefore, carried forward into the Board's thirteenth year of operation. One (1) complaint had previously been suspended. Three (3) complaints were complaints received during the fourteenth year of operation. Out of the thirty-three (33) complaints reviewed in the Board's thirteenth year of operation, the Board reviewed and rendered findings for thirty-one (31) of those complaints. One (1) complaint was filed in the sixth year, three (3) complaints were filed in the eighth year, one (1) complaint was filed in the ninth year, twenty-two (22) complaints were filed in the twelfth year, and four (4) complaints were filed in the thirteenth year of the Board's operation.

### 2013-2014

In the Board's fourteenth year of operation, forty-two (42) complaints were filed with the Board. In addition, sixty-three (63) active complaints were carried over from the Board's thirteenth year of operation. The Board reviewed forty-three (43) complaints and rendered findings for forty-one (41) of those complaints. Forty-one (41) of the forty-three (43) complaints reviewed were previously not reviewed and were, therefore, carried forward in the Board's fourteenth year of operation. Three (3) complaints had previously been suspended. One (1) complaint was filed in the seventh year, two (2) were filed in the ninth year, three (3) were filed in the tenth year, three (3) were filed in the twelfth year, and thirty-two (32) were filed in the fourteenth year.

Out of the forty-two (42) complaints that were filed in the Board's fourteenth year, the Board reviewed seven (7) and rendered findings for the allegations contained in six (6) complaints.



**Figure 4:** 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, 2013 - October 31, 2014).

In its fourteenth year of operation, since twenty-two (22) of the forty-six (46) 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 forty-six (46) complaints that were reviewed and closed contained a total of eighty-nine (89) 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 fourteenth year of operation, of the fifty (50) 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 fourteenth year and closed.

CPRB No. 8-14/OPS No. CC2014-030 was initially not appointed a monitor by the Board, but the Board voted to assign a monitor on May 8, 2014.

CPRB No. 30-14/OPS No. CC2014-075 was initially not appointed a monitor by the Board, but the Board voted to assign a monitor on September 11, 2014.

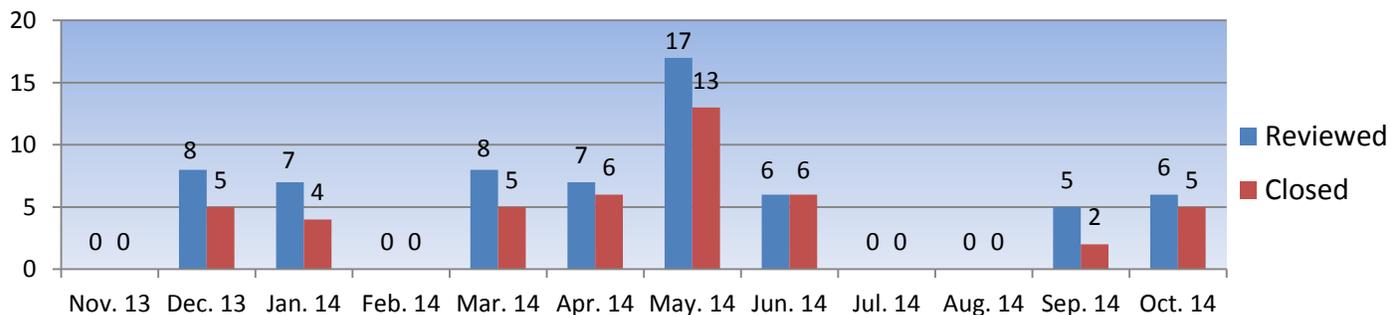
Four (4) complaints were closed without review during the Board’s fourteenth year. These actions included the Board voting not to accept and review these complaints due to the complaint being filed outside of the statute of limitations, being defective, or being filed without proper standing. These complaints were made against entities where the Board does not have the power to review.

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

## Complaints Reviewed and Closed

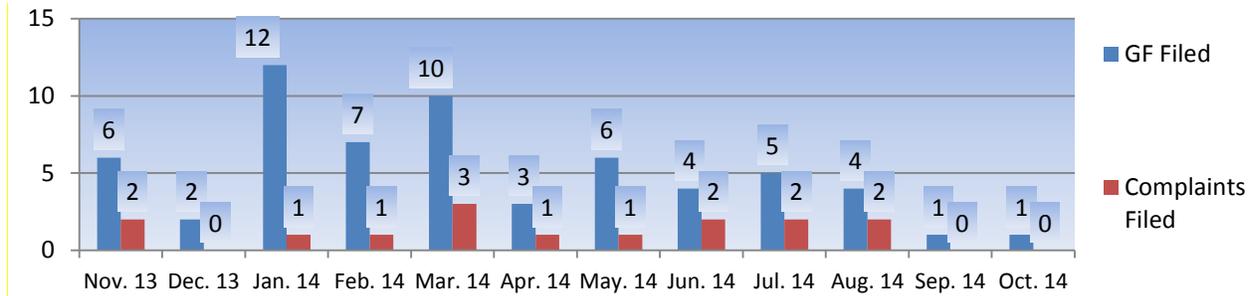
At the conclusion of the fourteenth year of operation, the Board had not yet made findings with respect to fifty-five (55) complaints, forty-six (46) of which are open and active complaints and nine (9) of which are complaints that have been suspended from the Board’s review. None of these fifty-five (55) complaints will be reported in the Board’s Fourteenth Annual Report and, therefore, they all will be carried forward into the fifteenth year.



**Figure 5:** Monthly comparison of complaints reviewed and closed for the period November 1, 2013 to October 31, 2014.

## GRIEVANCE FORM REVIEW: SUMMARIES AND STATISTICS

In its fourteenth year of operation, the Board received sixty-one (61) new grievance forms from the OPS, in addition to sixty-six (66) grievance forms that were received in its ninth year of operation, ninety-one (91) grievance forms that were filed in its tenth year of operation, eighty-five (85) grievance forms that were filed in its eleventh year of operation, and ninety-five (95) grievance forms that were filed in its twelfth year of operation. In its thirteenth year, the Board received ninety-eight (98) new grievance forms. Out of the sixty-one (61) new grievance forms received from the OPS, fifteen (15) complaint forms were filed. Of the five hundred and forty-six (546) grievance forms received by the Board since the inception of the grievance form process, one hundred and fifty-one (151) complaint forms were filed.



**Figure 6:** Monthly comparison of grievance forms filed and complaints filed for the period November 1, 2013 to October 31, 2014.

## REPORTS

In its fourteenth year of operation, eight (8) quarterly reports and two (2) annual reports were submitted to the Board for approval. Each report detailed the activities of the Board and the Government Law Center during each time period covered. The First Quarterly Report of 2012; Second Quarterly Report of 2012; Third Quarterly Report of 2012; Fourth Quarterly Report of 2012; First Quarterly Report of 2013; Second Quarterly Report of 2013; Third Quarterly Report of 2013; Fourth Quarterly Report of 2013; 2012 Annual Report and 2013 Annual Report were adopted by the Board before the close of the fourteenth 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 nine (9) times for the conduct of business in the fourteenth year. The meetings held in the fourteenth year of operation all took place at GWU the Center, 274 Washington Avenue, Albany, NY, in the Teen Center Conference Room. There was a public comment period held at each of the monthly meetings, and the meetings were devoted primarily to the review of complaints and a discussion of committee activities. Due to conflicting summer vacation schedules, the Board did not meet during the months of July 2014 and August 2014. The Board did not meet as scheduled in November 2013 and February 2014.

The Board met as a whole two (2) times for the conduct of business during the first quarter. These meetings were held on December 12, 2013, and January 16, 2014. The Board met as a whole two (2) times for the conduct of business during the second quarter. These meetings were held on March 13, 2014, and April 10, 2014. The Board met as a whole three (3) times for the conduct of business during the third quarter. These meetings were held on May 8, 2014, May 15, 2014, and June 26, 2014. The Board met as a whole two (2) times for the conduct of business during the fourth quarter. These meetings were held on September 11, 2014, and October 30, 2014.

## CONCLUSION

The Board continued to be active in its fourteenth year of operation. In its fourteenth 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 the mediation program and the Early Warning System; revisited its operating procedures and brochures; served as guest lecturers to community-based organizations; reviewed thirty-three (33) complaints and closed a total of thirty-one (31) of its active complaints; held nine (9) regular monthly meetings; held several committee/task force meetings and trainings; reviewed and approved ten (10) quarterly reports and two (2) annual reports; and participated in meetings with the APD Command Staff, the Office of Professional Standards, the Albany Common Council's Public Safety Committee, and other City of Albany officials.

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

Respectfully submitted,

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

Approved by the CPRB: