

City of Albany Citizen's Police Review Board

Minutes of Meeting 1/11/2001  
Albany Public Library

Present: Rev. Kenneth Cox, Morris Eson, Marilyn Hammond, Judith Mazza, Eleanor Thompson, Paul Weafer, Michael Whiteman and Manuel Alguero.

Absent: Herman Thomas

The meeting was called to order at 7:05 p.m. by Chair Kenneth Cox.

Michael Whiteman reviewed the minutes of the December 14 meeting. Judith Mazza moved to approve the minutes. The motion was seconded by Paul Weafer. Morris Eson commented that he thought the minutes were well prepared. A vote was taken and all approved.

Michael Whiteman was asked to review the status of the draft by-laws. He noted that Paul Weafer was the principal drafter, and that the by-laws committee consisted of Marilyn Hammond, Paul Weafer, and himself. Paul Weafer then reported that the draft document, distributed to the Board members at the meeting, consists of 34 pages. He noted that the Board members need an opportunity to comment on the draft.

Paul Weafer briefly explained the general themes contained in the by-laws. The draft mission statement stresses the independence of the Board, its outreach program, encouragement to citizens to submit forms, and the fact that the Board will assume claims before the previous community-police relations board. Article II provides the official mailing address for the Board, which is the Government Law Center of Albany Law School. Article III stresses the importance of attendance at Board meetings, especially important since the local law sets a high quorum threshold for the Board. It contains procedure for recommending removal of Board members, requesting that vacancies be filled, and notifying the media. Article IV details the election of officers. Article V discusses the Board meetings, providing for a minimum of ten monthly meetings, although the Chair could call meetings at other times when necessary. Article VI addresses the agenda format, and Article VII proposes to establish five permanent committees, giving the Chair authority to establish others.

Michael Whiteman thanked Paul for his work, and suggested that the Board discuss a schedule for further review and adoption of the by-laws. He reminded the Board that the local law provides that the by-laws must also be approved by the Common Council. Board members need an opportunity to get their comments on the draft distributed at the meeting to the by-laws committee.

Ennio Corsi, Deputy Corporation Counsel for the City of Albany, was asked to explain the

timetable for Common Council approval. He replied that the Council would likely refer the matter to committee, hold a public hearing, and then move the document to the Council for approval. The process would take approximately one month. If the Board wanted to send it to the Common Council on February 7, 2001, Ennio Corsi said that it would preclude public comment. Michael Whiteman asked whether the Board could receive public comment at the same time as the Council. Morris Eson suggested that it might be useful to have combined public meetings, especially if the document does not need radical changes. A question was raised about public comment. Paul Weafer suggested that when the Board has a document ready for public comment, the newspaper could announce its availability. Manuel Alguero inquired about the protocol for a joint hearing of the Board and the Council. Judith Mazza suggested that one public hearing might be enough. Ennio Corsi reminded the Board that the by-laws need approval by the CPRB first to move it up to the Council for approval. A discussion then ensued about whether the CPRB should hold its own hearing on the by-laws first before it adopts by-laws to forward to the Council. Ennio Corsi suggested to the Board that if the Board wants public comment, it should solicit such comment before the Board adopts the by-laws, otherwise there will be a public perception that the Board is acting without input. He added that it might be a good idea to take a slow and deliberate route in the by-laws process.

Marilyn Hammond moved that CPRB members be deliberate in their process, and forward their comments on the draft by-laws to the Government Law Center by January 23, 2001. The by-laws committee would then meet and integrate the comments into a draft for discussion at the January 31, 2001 CPRB meeting, which would be instead of the scheduled citizen police academy training (which would be moved to February 1, 2001). The motion was seconded by Paul Weafer. All approved. It was suggested that at the January 31, 2001 meeting, the Board should decide on the procedure for public comment and by-laws adoption. Chair Ken Cox thanked the by-laws committee for their work.

Morris Eson reported that the complaint form committee, consisting of Manuel Alguero, Eleanor Thompson and himself, met with Commander Paula Breen and Detective Brendan Cox on January 4, 2001. Patty Salkin and Karleen Karlson from the Government Law Center attended the meeting as well. Almost all of the Committee's suggestions were accepted.

Morris Eson asked Eleanor Thompson to review the meeting. She reported that the Committee requested that the title of the Complaint form be changed to the "Civilian Police Review Board & Police Department Complaint Form." The Committee discussed making complaint forms available at a number of locations around the City, including the YMCA, the Council of Churches, and elsewhere. Furthermore, some agencies, such as legal aid and the NAACP should be asked to aid complainants by allowing forms to be lodged at their facilities. A request was made to make some changes to the wording of the complaint form, and that items needed to be added such as date, time of incident, and name of the attending police officer. Other items, such as demographics, would be optional. The complaint forms should be available in English and in Spanish, and be in the following three parts: a cover letter, the complaint form, and a booklet explaining the

procedures for filing a complaint.

Commander Paula Breen noted that the form should be kept as simple as possible so as not to deter people from completing and filing it. Therefore, she suggested a separate cover letter from the CPRB, and a set of instructions on where to go for assistance. She stated that the Police Department and the Board need to seek approval from community organizations for their involvement in making forms available and in providing assistance in completing the forms. She noted that under the local law, the forms can only be filed with the Police Department or with the CPRB, not any other place. She noted that demographic information would be optional so as not to deter people from completing the form, and noted that she would make the suggested language changes requested by the Committee. Manuel Alguero offered to assist in the translation of the form to Spanish. Commander Breen hopes to have a draft form to the Committee on January 22, 2001, and to the Board on January 31, 2001.

Morris Eson reiterated that the Committee is seeking two types of agency assistance-agencies where the forms would be available and agencies that would give advice to complainants (such as Legal Aid, NAACP and the Gay & Lesbian Community Center). He stressed that filing could only be with the Police Department and with the Government Law Center for the Board.

Manuel Alguero suggested that Centro Civico be added as a place to make forms available.

Paul Weafer asked whether there could be pre-paid postage on the envelopes that accompany the complaint forms. Morris Eson said it was possible. Manuel Alguero asked whether the forms could be available on the Internet. Morris Eson replied yes. Judith Mazza asked whether the forms could be filed electronically. Manuel Alguero said protocols would need to be put in place for this. Paul Weafer asked why the form is still being called a "civilian complaint form" instead of a "citizen's complaint form". Commander Breen replied that it was because it was referred as such in other documents including the Standard Operating Procedures.

Manuel Alguero reported that the draft preamble will be revised in compliance with the local law. Paul Weafer asked how long it would take to have the booklet prepared. Morris Eson replied not long, and that the Committee would try to have it done by January 31, 2001.

Chairman Ken Cox moved to accept the Committee report. Michael Whiteman seconded the motion. All approved.

Chairman Cox called upon Patty Salkin to provide an update on mediators and investigators. Patty Salkin asked Karleen Karlson to report on the status of mediators. Karleen Karlson reported that sixteen mediators have expressed interest. There are seven women and nine men, and six of the sixteen are individuals of color. Three have bachelor's degrees, nine have master's degrees, one has a PhD and three have JDs. The average

length of experience is 7.6 years (the least is 2 years, the most is 13 years). Patty Salkin reminded the Board that the mediators, as well as the investigators, need to be approved by the Mayor and the Common Council. She reported that approximately twelve people had indicated an interest in serving as investigators/monitors for the Board, and the GLC was still in the process of interviewing these individuals. She reported that to date, there is a need for more investigators of color, and for investigators who are bilingual. The Government Law Center issued a press release, resulting in an article in the Times Union, requesting applications for the investigator positions.

Michael Whiteman asked whether there was any thought to mediators serving as investigators/monitors. Patty Salkin responded that different skill sets were necessary. Manuel Alguero offered to help with diversity in the investigator pool. Chairman Cox thanked the Government Law Center for all of the work they have done and continue to do for the CPRB.

Chairman Cox raised the issue of effectively communicating with the media. He suggested the following protocol: media inquiries will be accepted by the Albany Law School Communications Office. The Government Law Center will then get in contact with Judith Mazza or Chairman Cox. There was no objection to following this routine.

Chairman Cox reported that CPRB members have completed 8 hours of training, and that they have 8 more to go with the citizen police training academy. He asked Judith Mazza to report on her recent ride-along. She indicated that the experience was beneficial as both she and the officer listened to each other's concerns. Paul Weafer stated that every city requires ride-alongs for review board members and that the by-laws committee is suggesting that this Board participate in three.

Chairman Cox asked whether any members of the public wanted to comment.

Louise Roback from the New York Civil Liberties Union stated that she would be interested in reviewing the by-laws before they are adopted by the Board and sent to the Common Council. Paul Weafer and Chairman Cox both commented that this would occur. She asked whether there would be an opportunity to public comment on the complaint form. Morris Eson replied that the Committee had not considered this, and that there would be no harm in soliciting comments on the form. Manuel Alguero responded that the form is an internal administrative document, and that the Board and the public needs to be aware of the collective bargaining agreement between the City and the Police Officer's Union. Judith Mazza indicated that while it was important to listen to all comments, all need not be taken. Morris Eson suggested that the three committee members are acting as a "public advocate" on the form.

Chairman Cox moved to adjourn the meeting and Paul Weafer seconded. The meeting was adjourned at approximately 8:30pm.

Respectfully Submitted,

Michael Whiteman  
Interim Secretary