

City of Albany Citizen's Police Review Board

Minutes of Meeting 1/31/2001 Albany Public Library

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

The meeting was called to order at 7:05pm by Chairman Cox.

Chairman Cox reviewed the proposed meeting agenda. Paul Weafer moved to accept the agenda, it was seconded by Herman Thomas. All approved.

Michael Whiteman reviewed the minutes from the previous meeting, and asked that a comma be removed on page 2. He also pointed out that the discussion on page 2 regarding the complaint form, while perhaps a correct reporting of the meeting, does not reflect the actual name of the Board on the complaint form. The minutes refer to the Citizens Complaint Form of the Civilian Police Review Board and the Albany Police Department. Whereas in actuality, the form as currently drafted will be the Civilian Complaint Form of the Citizens' Police Review Board and the Albany Police Department. Since Board members did not have a chance to review the minutes in advance of the meeting, Michael Whiteman suggested that they be deferred for later consideration.

Judith Mazza reported on community outreach activities. She acknowledged her co-committee members Kenneth Cox and Herman Thomas. The Committee met the night before and discussed putting together an information packet with the following: a copy of the new complaint form; a brochure about the Board; notice of future meetings that would have permanent days and times; and a questionnaire to solicit community concerns and issues. In addition, the committee discussed developing some public education initiatives jointly with the Government Law Center, a web-site and a training update. Judith Mazza also reported that the Committee would like to develop an outline of what Board members should cover when they meet with various community groups. It was suggested that CPRB members make themselves available to community groups as an outreach effort after the by-laws have been adopted.

Chairman Cox reiterated that it is important to let the community know what the Board is about. He then moved to accept the Committee report. The motion was seconded by Paul Weafer, all approved.

Morris Eson reported for the complaint form committee. He distributed a revised complaint form along with a draft cover letter for the Board to review. He reported that the actual form, when printed, will be 11x14, not 8½ x 11. Discussion followed about whether complainants would be able to have someone present with them at a hearing. Commander Breen explained that at administrative hearings for officers, no one other than the officer and his/her attorney was present. Michael Whiteman clarified that complainants,

who are not part of the internal administrative hearing, would be able to bring someone with them when they are filing a complaint and/or when they are being questioned as a follow-up to their complaint. Commander Breen agreed with this. Morris Eson pointed out that the section in the Police Department's Standard Operating Procedures dealing with the complaint forms will have to be revised. Commander Breen agreed and said she would make sure it is done.

Morris Eson then went through a list of community organizations to be contacted for purposes of determining their interest in making blank complaint forms available for members of the public, and whether they might be interested in providing staff to assist the public, as requested, in completing the complaint form. In addition to approximately one dozen organizations, Board members suggested sending the letter of inquiry to area colleges and universities, as well as to the high schools. At the Board's request, Patty Salkin agreed to sent the letters out as soon as possible.

Discussion went back to a review of the complaint form. Judith Mazza inquired about the need for a notary. Commander Breen said the form does need to be notarized, and that if it cannot be done in advance, it can be done at the police station. Judith Mazza suggested that under the section for "gender", a "T" be added to "M" and "F." Paul Weafer moved to accept the complaint form. Manuel Alguero seconded the motion and all approved.

Chairman Cox called upon the by-laws committee for a report. Michael Whiteman reported that the by-laws had been circulated to Board members, but that not all of the comments have been received in writing by the Committee. Paul Weafer spoke with Chairman Cox and Judith Mazza about their comments, and Morris Eson submitted written comments to the Government Law Center. Paul Weafer suggested that the by-laws committee meet next week and that the Board meet shortly thereafter to adopt draft by-laws for public comment.

Chairman Cox then moved to discuss future meeting dates. It was agreed that the next meeting of the CPRB would take place on February 14, 2001 at 7:00pm. At that meeting, the Board would review proposed by-laws with a view to approving a text for public notice and comment. March 5, 2001 the CPRB will meet to hear public comment on the by-laws. The Board may or may not finalize the by-laws at this meeting, depending upon the comments received. March 14, 2001 will be the next CPRB meeting after the public hearing. Judith Mazza moved that the by-laws be made available on the Internet. Paul Weafer seconded. All approved. The Board discussed making the draft by-laws available asap on February 15, 2001. It was suggested they be mailed to organizations and the media in addition to being posted on the Web.

Commander Breen reminded Board members of the training class tomorrow night.

Chairman Cox reminded Board members to schedule their ride-alongs.

Chairman Cox called upon Patty Salkin to report on the status of mediators and

investigators. She reported that there was nothing to add to the mediator report from last meeting, as this appears to be ready. She interviewed two more potential investigators since the last meeting. She reported that she is still actively trying to recruit more minority investigators and investigators who speak Spanish.

Patty Salkin reminded the Board that their first quarterly report is due under the law. She provided Board members with a draft report that responded only to the information requested under the law. Since the Board has not reviewed any complaints, there was nothing to report with respect to what was specifically required. Michael Whiteman suggested adding that the Board was engaged in other organizational activities. Judith Mazza suggested stating that the Board is meeting its training requirements. Morris Eson said the Board should give the City only the information requested. Paul Weafer said it is good to show the Board is active.

Chairman Cox opened the floor for public comment.

Carolyn McLaughlin, member of the Common Council and Chair of the Public Safety Committee, said she was happy to see that the members of the CPRB are working so hard. She said that the general public does not know what the Board has been doing, and she thinks therefore that the first quarterly report should be more detailed, explaining how the Board has been busy preparing to do their job. She said this is a good opportunity to show the specifics of the training the Board has been experiencing. With respect to the by-laws, Ms. McLaughlin recommended having paper copies available all over the City. She also said that she, and perhaps others, would like to see the revisions to the complaint form that the Board is working on, and she hoped there would be an opportunity for public comment on the form. While she said she presumes the Board represents the public, there should still be "citizen" reaction to the form. She also commented on the hearing versus administrative process for internal review of complaints by the police department, and said it needs to be clarified and explained to the public. Ms. McLaughlin recommended that complaint forms be available at the Capital Area Council of Churches and with the African American Clergy United for Empowerment. She also suggested that the Board consider moving their meeting location from time to time, including using the public meeting room at 200 Henry Johnson Blvd. Lastly, Ms. McLaughlin commended the Board for their work to date and thanked them.

Harold Rubin suggested that the draft by-laws be made available at all of the public libraries. He said that the Board's quarterly report should be inclusive reporting on everything the Board has been doing.

Paul Weafer asked Morris Eson whether the complaint form committee could solicit public comment on the form as requested by Ms. McLaughlin. Morris Eson said that was okay, but he reminded the Board that the form is actually a police department form that, under the law, needs Board approval. Morris Eson assured the Board and the public that the Committee has been acting as public advocates with respect to many changes already made to the form. Manuel Alguero thanked Carolyn McLaughlin and Harold Rubin for their

comments. He said the Board should make the complaint form available for public comment. Morris Eson said he would incorporate all of the discussion on the complaint form at the meeting into another version of the form, and that it would be ready for the next Board meeting.

Antoinette McCrary reported that she personally did not have a problem with the complaint form. She said it was what happened afterwards that was cause for her concern. Specifically how interviews are conducted, who can be brought, interrogation of officers, etc. She said in her opinion the complaint forms should be made available at Albany High School. She remarked that the Board is doing a wonderful job and that she has been at every meeting.

Morris Eson responded that he too is concerned about what happens after the complaint form is filed. He said he doesn't know yet how it works, but he assured Ms. McCrary that the Board will work within the legal framework to do what they can to make sure there is fairness. Paul Weafer noted that tomorrow night the training will concentrate on the Office of Professional Standards and the investigatory process, and that at that point, the Board will begin to get a better idea of what occurs.

Judith Mazza asked that the quarterly report contain more detail. Paul Weafer suggested more of a chronology of events. Chairman Cox moved that the Board include additional information in the quarterly report. Paul Weafer seconded the motion. Eleanor Thompson pointed out that by following the local law, the draft did have what was requested. All approved the motion.

Manuel Alguero stated that he believes that the existence of the CPRB has already had an effect on the community and the police at large. He referred to the article on bullying that was in today's Times Union, and said he would submit the article for the record. He said that Chief Nielson's comment in the paper showed sensitivity and that it is commendable. Manuel Alguero also pointed out two recent New York Times articles, one reporting on changes in the relationship with the police and the community in New York City, and the other article reporting on a shift in police discipline to the review board in New York City. Patty Salkin said the GLC would circulate the articles to the Board members. Manuel Alguero suggested that the CPRB sponsor an annual conference on police review boards, to join other review boards in discussion. He suggested doing it at the end of the year. Patty Salkin said the Government Law Center would coordinate the program. Robert Heverly reminded the Board members about the National Association for Civilian Oversight of Law Enforcement (NACOLE) and urged them to consider joining. He reported a lot of activity on the organization's list serve about police-community relations across the country.

Chairman Cox moved to adjourn the meeting. It was seconded by Paul Weafer. All approved. The meeting adjourned at approximately 8:25 pm.

Respectfully Submitted,

Michael Whiteman
Interim Secretary