

# City of Albany

## Annual Report 2001

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**

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

January 2002

Submitted to:  
The Mayor of the City of Albany  
The Common Council of the City of Albany  
The Police Chief of the City of Albany

## BACKGROUND

In July 2000, legislation creating the City of Albany Citizens' Police Review Board (the "Board") was signed into law, adding a new 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; and 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 informed of actual police practices.

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 with respect to the new Board. Among the services to be provided, Section 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 first annual report so submitted.

## INTRODUCTION

Under the legislation, the Board is comprised of nine members, five appointed by the Common Council, and four appointed by the Mayor for three year staggered terms. In creating 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, and have a demonstrated interest in public affairs and services.

On October 27, 2000, the law took effect and nine residents of the City of Albany were sworn in as members of the first Citizens' Police Review Board for the City of Albany. The following members constitute the Board:

Dr. Manuel Alguero  
Term Expires 2001

Herman Thomas  
Term Expires 2002

Rev. Kenneth Cox  
Term Expires 2001

Eleanor Thompson  
Term Expires 2002

Dr. Morris Eson  
Term Expires 2002

Paul Weafer, Esq.  
Term Expires 2003

Marilyn Hammond  
Term Expires 2003

Michael Whiteman, Esq.  
Term Expires 2003

Judith Mazza  
Term Expires 2003

#### ORGANIZATION OF THE BOARD

According to the legislation creating the Board, members were prohibited from taking their seats as voting members until they completed an orientation program designed by the Government Law Center and approved by the Common Council. This orientation program took place on Saturday, November 11, 2000 at Albany Law School. Among the topics addressed at the program were: review of the local law; Open Meetings Law; Civil Rights Law sec. 50-a; and a review of the structure, operation and responsibilities of police review boards from a national perspective. All nine Board members participated in and completed the orientation program.

On November 30, 2000, the Board held its first organizational meeting at the Albany Public Library. During this meeting, the Board elected temporary officers and organized committees, pending the development and adoption of its by-laws. The following temporary officers were elected at this meeting:

Interim Chair	Kenneth Cox
Interim Vice-Chair	Herman Thomas
Interim Secretary	Michael Whiteman

On May 11, 2001, the Common Council of the City of Albany approved the by-laws and the Board elected its "regular officers" at its June 11, 2001 meeting. The Board's "regular officers" are:

Chair	Kenneth Cox
Vice-Chair	Herman Thomas
Secretary	Michael Whiteman

During the Board's first year of operation, the following Committees were established, with each Board member serving on at least one committee:

By-Laws	Marilyn Hammond Paul Weafer Michael Whiteman
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Complaint Form	Manuel Alguero Kenneth Cox Morris Eson Eleanor Thompson Paul Weafer
Complaint Review	Judith Mazza Herman Thomas Eleanor Thompson Paul Weafer Michael Whiteman
Operating Procedures	Marilyn Hammond Judith Mazza Paul Weafer Michael Whiteman
Public/Community Outreach	Kenneth Cox Judith Mazza Herman Thomas

The By-laws, Complaint Form and Outreach Committees were formed and became active during the Board's first quarter of operation. The Operating Procedures Committee was formed and became active in the Board's second quarter of operation and the Complaint Review Committee was formed and became active in the Board's third quarter of operation. At the conclusion of the Board's first year, all committees remained operational, except for the Complaint Form and By-Laws Committees, which were reorganized in the third quarter, and the Complaint Review Committee was formed.

#### BY-LAWS

Under section 42-338 of the legislation, the Board was required to "adopt . . . rules and bylaws for the transaction of [Board] affairs." In its first quarter of operation, the By-laws Committee was formed and became active.

During the second quarter, the By-laws Committee drafted the Board's By-laws and provided a copy to the Board for its review. At its March 14, 2001 meeting, the Board offered its draft By-laws for public comment, which were adopted by the Board. Revisions to the draft By-laws were made in the third quarter and the By-laws were forwarded to the Common Council of the City of Albany for approval as required by Section 42-338 of the legislation. On May 11, 2001, the Common Council of the City of Albany approved the Board's By-laws.

## COMPLAINT FORM

Section 42-342 (A) of the legislation provides that “complaints . . . be lodged in writing using the City of Albany Police Department Citizen Complaint Form as approved by the [Board] for that purpose.” The Complaint Form Committee was formed and became active in the first quarter to review the complaint form used prior to the inception of the Board. Several meetings were held between the Complaint Form Committee and the Police Department in an effort to revise the form.

In the first quarter, the Complaint Form Committee forwarded its comments on the form to the Police Department and a revised form, along with a draft cover letter developed jointly by the Police Department and the Board, was distributed to Board members for comment. At its March 14, 2001 meeting, the Board offered the revised form and draft cover letter to the public for comment.

In the second quarter, the Complaint Form Committee made significant revisions to the existing form, incorporating changes adopted from public comment and working with the Police Department to accomplish this.

The Complaint Form Committee met with a representative of the Corporation Counsel and the Office of Professional Standards (OPS), in the third quarter to discuss further revisions to the complaint form and cover letter. Revisions were made by the committee and the Corporation Counsel and copies of the final draft complaint form and cover letter were forwarded to the Board for approval. At its May 7, 2001 meeting, the Board approved the revised form and cover letter and Chairman Kenneth Cox announced that the work of the Complaint Form Committee was complete.

The complaint form approved by the Board and a cover letter were forwarded to the Police Department, the City Department of Administrative Services, the City Clerk’s Office, several area agencies that agreed to distribute the form and assist complainants in filling out and filing the form, and parties interested in obtaining a copy of the form. The form and cover letter were also posted to the Board’s Web site at [www.als.edu/glc/Board](http://www.als.edu/glc/Board). (See attached).

Section 42-342 (A) of the legislation requires “[c]omplaint forms . . . [to] be printed in English and Spanish.” During the fourth quarter of operation, Board member Dr. Manuel Alguero completed a draft of a Spanish language version of the Citizen Complaint Form and cover letter for Board review and comment. The form was approved by the Board and the Corporation Counsel at the Board’s November 5, 2001 meeting pending approval of the Police Department. The approved form and cover letter were forwarded to OPS for the Police Department’s approval. Approval through OPS was given to the Board via the Government Law Center, and the form and cover letter were edited and finalized for distribution to the Police Department, City Department of Administrative Services, the City Clerk’s Office, community groups and organizations that

had agreed to distribute the forms and/or assist in filling out and filing complaints, and any interested parties who wished to obtain a copy of the Spanish language version of the form and cover letter. A copy will be posted to the Board's web site in January 2002.

#### OPERATING PROCEDURES

In the Board's first year, the Operating Procedures Committee met twice with OPS, Corporation Counsel and the staff of the Government Law Center. At the first meeting, the committee reviewed the proposed procedures and identified issues that should be addressed in the adopted operating procedures. The committee distributed to the Board, the Corporation Counsel and OPS a proposed draft of the operating procedures for their review. At a second meeting, the committee discussed and revised the proposed procedures. At its May 7, 2001, meeting the draft proposed procedures were adopted as a "work in progress" for the review of pending cases.

At the end of the third quarter, the committee met a third time to make enhancements and modifications to the draft Board operating procedures and final operating procedures were adopted by the Board at its monthly meeting on August 20, 2001.

Final operating procedures for the conduct of investigations when a monitor has been appointed, adopted by the Albany City Police Department, were forwarded to the Board and the Board's monitor's on July 6, 2001 by the Corporation Counsel's Office.

#### PUBLIC/COMMUNITY OUTREACH

The Public/Community Outreach Committee was formed and became active in the Board's first quarter of operation. During that quarter, the Board designated media liaisons, established communication protocols and developed a draft plan for community outreach and education.

During the second quarter, The Public/Community Outreach Committee met with the Editorial Board of the Albany Times Union to update the Editorial Board on the progress of the Board and upcoming public comment periods. The committee also participated in an interview with the Gazette newspaper, and prepared for the taping of an interview for local cable television.

The Public/Community Outreach Committee met twice during the third quarter to discuss the Board's ongoing program of public education. At the start of the quarter, the committee met with the staff of the Government Law Center to discuss the content and layout of an informational brochure and Board Web site. Draft copies of the brochure were forwarded by the committee to the Board, Corporation Counsel and OPS for review. A sample Web site was forwarded to the Board members for initial feedback.

On May 7, 2001, Kenneth Cox and Judith Mazza, members of the Board's Public/Community Outreach Committee, appeared on a local cable access show, "Law Matters" to discuss the role of the Citizens' Police Review Board and the complaint review process.

In addition, during the third quarter, the speakers bureau of the outreach committee met with the City of Albany Police Union on two occasions and made a presentation to the New York Civil Liberties Union. At the committee's request, the Government Law Center called a number of constituent organizations to arrange for future presentations by Board members, including: the Capital District Gay and Lesbian Community Council; the Center for Law and Justice; the Council of Albany Neighborhood Associations; the NAACP; and One Hundred Black Men of the Capital Region.

In the fourth quarter, the Public/Community Outreach Committee finalized and printed a brochure about the Board and the complaint review process, and a brochure detailing the Board's mediation program. Copies of the brochures were distributed and will continue to be distributed to the public, community groups and organizations, and any other interested parties who would like copies.

On September 20, 2001, the Board launched its own Web site, which provides information about the Board and its creation, Board members, Board news and events, filing a complaint (including a copy of the complaint form), the Board's mediation program, the meeting schedule, a copy of the legislation creating the Board, the Board's quarterly reports and contact information. The web site can be accessed at <http://www.als.edu/glc/Board>.

The Public/Community Outreach Committee coordinated several public education and outreach meetings with various community groups and organizations during the fourth quarter, including:

- a meeting with the Council of Albany Neighborhood Associations on September 5, 2001;
- a meeting with the Center for Law and Justice on September 13, 2001;
- a meeting with the NAACP on September 18, 2001;
- a meeting with the Capital District Gay and Lesbian Community Council on October 23, 2001;
- a meeting with the Personal Safety and Off Campus Affairs of SUNY Albany on November 14, 2001.

At each meeting, Board members in attendance gave a brief presentation about the Board and the complaint review process, responded to questions from meeting participants and distributed copies of the Citizen Complaint Form, the Board and Mediation Program brochures and a copy of the legislation creating the Board.

Four quarterly reports were submitted as required by Section 42-340 (C) of the legislation detailing the activities of the Board and the Government Law Center during each time period covered.

#### MEETINGS OF THE BOARD

During the first quarter, the Board met as a whole four times for the conduct of business. Three meetings were held at the Albany Public Library on Washington Avenue, and one meeting was held at Albany Law School. Meetings were held on November 30<sup>th</sup> and December 14<sup>th</sup>, 2000, and January 11<sup>th</sup> and 31<sup>st</sup>, 2001.

Additionally, the Board set the first Monday of every month (except July and August) at 7:00pm as the official meeting time for the Board. The Board decided that meetings would be held at the Albany Public Library when space was available, with the Community Room at Henry Johnson Boulevard as the alternate meeting location.

The Board met as a whole three times for the conduct of business during the second quarter. Two meetings were held at the Albany Public Library on Washington Avenue, and one meeting was held in the Community Room at 200 Henry Johnson Boulevard. Meetings were held on February 14, 2001, March 14, 2001 and April 2, 2001. The March 14<sup>th</sup> meeting largely consisted of time for public comment on the proposed by-laws and the revised complaint form with cover letter.

In the third quarter, The Board met as a whole three times for the conduct of business and once for a special meeting. Three meetings were held at the Albany Public Library on Washington Avenue, and one meeting was held in the Community Room at 200 Henry Johnson Boulevard. Meetings were held on May 7, 2001, June 4, 2001, June 11, 2001 and July 16, 2001. There was a public comment period at each meeting. The meetings, except for the June 11<sup>th</sup> special meeting, which was held for the purpose of electing permanent officers, largely consisted of discussion of operating procedures and the review of complaints.

The Board met as a whole three times for the conduct of business during the fourth quarter. Two meetings were held at the Albany Public Library on Washington Avenue, and one meeting was held in the Community Room at 200 Henry Johnson Boulevard. Meetings were held on August 20, 2001, September 10, 2001, and October 15, 2001. The meetings largely consisted of a discussion of committee work and the review of complaints.

A public comment period was held at each meeting.

The first Monday of every month at 7:00pm continued to be the official meeting time for the Board for the fourth quarter, but there was discussion late in the quarter of moving

the meeting date and time so as not to conflict with the meetings of the Common Council and to encourage media attendance and participation.

## TRAINING

The law creating the Board requires, among other things, that Board members graduate from the Police Department's Citizens' Police Academy within six months of the start of the member's term (Section 42-339). During the first two quarters of operation, Board members attended four 4-hour classes as part of this training. These sessions were held on December 11, 2001, January 8, 2001, February 1, 2001 and February 22, 2001. In addition to the time in the classroom, Board members completed the required ride-alongs with members of the Police Department.

Section 42-339 of the law creating the Board also requires the Board to undergo continuing education on issues related to the interaction between civilians and police officers. During the third quarter, the Board participated in training on the use of excessive force and violation of civil rights as well as training with respect to the operating procedures adopted by the Albany City Police Department for the conduct of investigations when a monitor has been appointed. An Open Meetings Law refresher was also provided.

During the fourth quarter, the Board participated in a two-hour training program on the use of excessive force and violation of civil rights. The training program featured an update on the 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, and 8<sup>th</sup> Amendments. The Board's training program on Alternative Dispute Resolution, originally scheduled to take place during this quarter, was rescheduled. Future training programs include: Alternative Dispute Resolution: Mediation and Conflict Management; Conduct of an Investigation; Effective Public Education and Public Relations; Dealing Effectively with the Media; and Police-Community Relations.

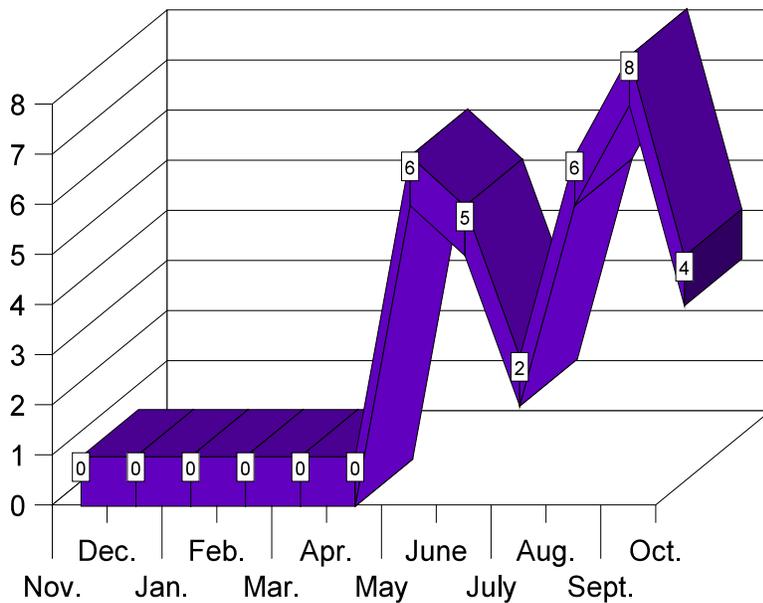
At the close of the quarter, Michael Whiteman and Eleanor Thompson attended the NACOLE (National Association for Civil Oversight of Law Enforcement) Conference in Denver, Colorado from October 9-12, 2001. The Conference program included: panel discussions on biased-based policing, working effectively with police unions and community crisis; a workshop on implementing civilian oversight; and a case study involving the review of civilian complaint investigations.

## COMPLAINT REVIEW: SUMMARIES AND STATISTICS

After creation of the Board and appointment of its members, Board members received an opinion of the City of Albany Corporation Counsel's Office that the Board could not receive, hear or process complaints until after the Board's By-laws and Rules of Procedure had been adopted by the Board and approved, pursuant to the legislation, by the City of Albany Common Council. At the start of the third quarter, the Board met

these requirements, which then enabled the Board to receive, hear and process complaints.

On September 24, 2001 and October 10, 2001 respectively, the Board received correspondence from the Mayor of the City of Albany suspending the Board's review of three complaints pursuant to authority granted to him by Section 42-248 of the legislation creating the Board, which reads, in pertinent part, that "upon the written



recommendation of the Corporation Counsel . . . 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."

*Number of Complaints Filed*

During its first year of operation (October 27, 2000 to October 2001), the Board received a total of thirty-one (31) complaints. (See Chart A). However, a majority of those complaints were not received

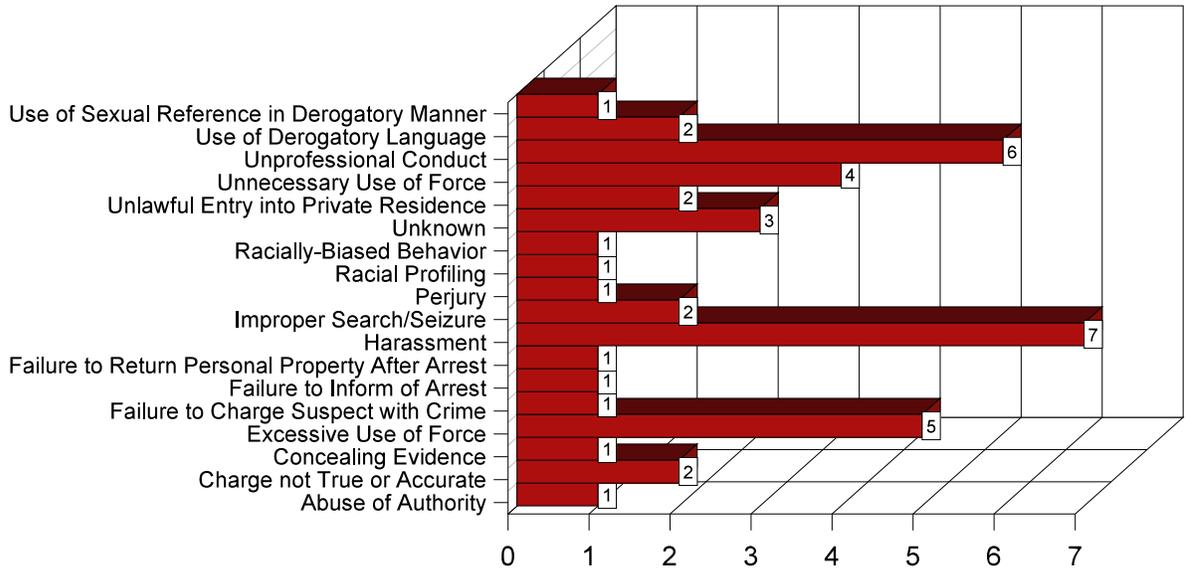
Chart A: Monthly Breakdown of Complaints Filed - Total 31

until the Board's By-laws were approved by the Common Council and it had established the requisite Rules of Procedures for reviewing complaints as required by the legislation (May 2001). On average, the Board received four complaints per month from May 2001 to October 2001. These complaints include those filed with the Board directly (filed either in person or by regular U.S. mail) and those filed with the Board through the Office of Professional Standards.

*Appointment of Monitors*

Under Section 42-343 of the legislation, the Board is required to appoint an independent monitor "in the event the complaint alleges use of force or a violation of civil rights" to observe OPS's investigation of a complaint. There was a great deal of attention given to the issue of appointing monitors and much discussion was had between the Board and the public regarding legislative interpretation, ultimately, it was in the Board's sole discretion to determine whether or not a complaint contained the requisite allegations to warrant a monitor. Of the thirty-one complaints filed, the Board appointed a monitor to observe OPS's investigation of eleven (11) complaints.

Chart B: Types of Allegations Contained in Complaints Filed



### *Allegations Contained in the Complaints*

On average, most complaints filed with the Board contained a single allegation of misconduct against an officer or officers of the Police Department of the City of Albany, but several complaints contained more than one allegation. Chart B illustrates a breakdown of the types of allegations made in the thirty-one (31) complaints filed with the Board. Given that a particular complaint could contain more than one allegation, the total number of allegations received over the course of the year is not equal to the number of complaints filed with the Board.

Forty-three (43) allegations were made in the thirty-one (31) complaints filed with the Board in the first year. Of those forty-three (43), the Board was able to identify seventeen (17) categories of allegations, including an “unknown” classification for the three (3) complaints suspended by the Mayor, taking into account the complainant’s own classification of the allegations contained in his or her complaint.

More than twenty (20) percent of the complaints filed alleged excessive or unnecessary use of force. Force complained of included, but is not limited to: poking and striking the complainant with a nightstick or other object, punching and macing the complainant in the face, and pushing the complainant to the ground causing injury. Complaints with allegations of unprofessional conduct involved many of the other allegations complained of in Chart B, but also included: an officer escalating the encounter with the complainant and an officer contacting the complainant at home for an incident that occurred while off-duty.

Just over sixteen (16) percent of the allegations made were generally classified as harassment. Two complainants identified the harassing behavior as in one case, a form of retaliation for a pending lawsuit and, in the other case, issuance of a ticket for blowing a car horn at the officer(s). Three complaints alleged some form of misconduct in connection with the complainant's race. Two complaints cited racially-biased behavior, while a third contained an allegation of racial profiling. The three complaints with unknown allegations were those in which review was suspended by the Mayor.

Many of the remaining allegations, while they could have fallen under broader categories, were reported as allegations of a specific type of conduct or behavior, which, more often than not, was narrowly tailored to the complaint in which it was contained. Therefore, several of the types of allegations identified were only made by one complainant in a single complaint.

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

In revising the Citizens' Complaint Form, the Board discussed whether it would require a complainant to provide information about his or her race/ethnicity and gender. There was also discussion about whether to include additional identifying information. For purposes of statistical reporting, it was decided that information about a complainant's race/ethnicity and gender would be provided at the option of the complainant.

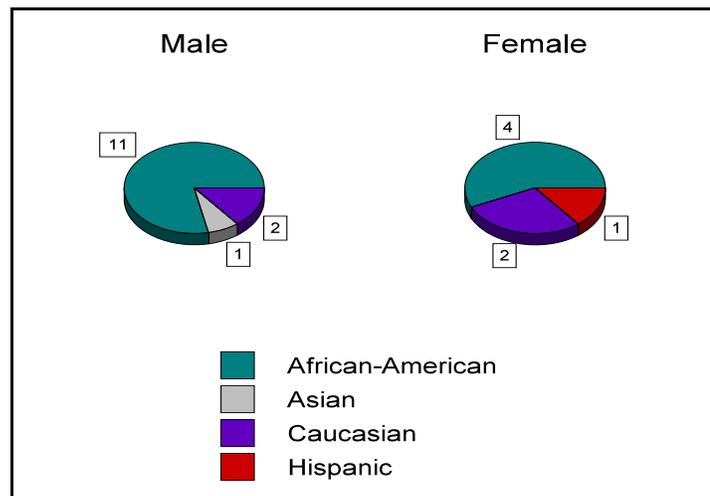


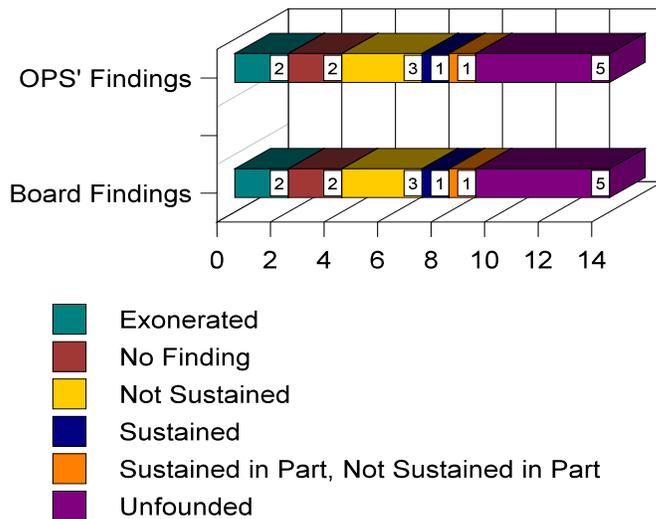
Chart C: Race/Ethnicity and Gender of the Complainant

Of the thirty-one (31) complaints filed in the first year, twenty (20) contained information regarding the complainant's race/ethnicity and gender. Those twenty complaints were comprised of: eleven (11) African-American males, four (4) African-American females, one (1) Asian male, two (2) Caucasian males, two (2) Caucasian females and one (1) Hispanic female. See Chart C. Race/Ethnicity and gender are unknown for the three complainants in those cases for which the Board's review has been suspended by the Mayor. Six complainants chose not to submit this information. One complainant who did report this information filed two additional complaints this year; that complainant's information was only recorded once.

The Citizens' Complaint Form provides a section for a complainant to enter descriptive information about the officer or officers who are the subject of his or her complaint. In this section, the complainant is to provide race/ethnicity and gender information about the officer(s), if known. Although in twenty (20) complaints, the complainant provided information about the officer(s) race/ethnicity and gender, this information was redacted by OPS.

### Board and Police Department Findings

Chart D: Analysis of the Findings Made by the Board and the Police Department (OPS)



Under Section 42-343 (D) of the legislation, after conclusion of the investigation by the OPS, the Police Department is required to make a preliminary report of its findings to the Board. Thereafter, Section 42-344 of the legislation, provides that "the [Board] , after review and deliberation of an investigation, shall by majority vote, make . . . findings on the case."

Of the fourteen (14) complaints reviewed, including in appropriate cases review of monitor reports, presentations made by monitors, questioning of detectives from OPS

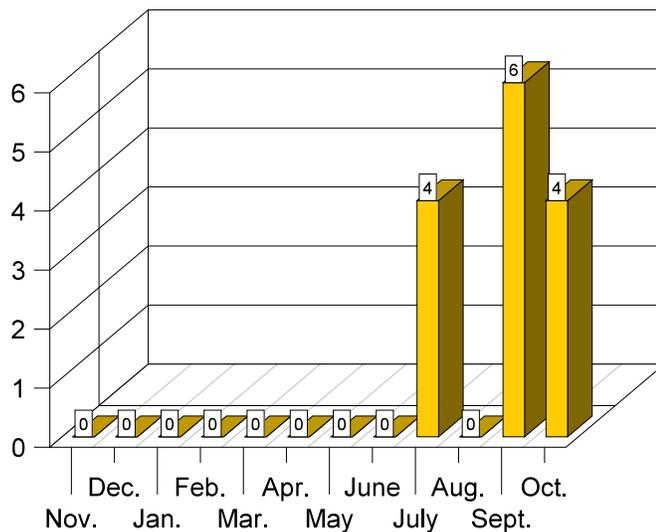
and review of transcripts and other information, the Board made findings for every case as required by the law. Each of those findings was consistent with the findings of the Police Department for each of the fourteen (14) complaints reviewed.

Chart D depicts an analysis of the findings made by the Board and the findings made by the Police Department. For two (2) complaints, both the Board and OPS made a finding of "exonerated," and "no finding" was made for two (2) other complaints. Both the Board and the OPS found three (3) complaints (alleged conduct occurred but was justified in circumstances) not sustained (no sufficient evidence to determine whether conduct alleged in fact occurred) while only (1) complaint was sustained. The Board and OPS found one (1) complaint "sustained in part and not sustained in part," and made five (5) findings of "unfounded" (evidence supported a conclusion that the alleged conduct did not occur.)

### Complaints Reviewed and Closed

At the conclusion of its first year in October 2001, the Board had reviewed, made findings for and closed a total of fourteen (14) cases, averaging five (5) cases per month. Chart E illustrates the monthly comparison of complaints reviewed by the Board and closed between November 2000 and October 2001, with a majority of action being taken from July 2001 through October 2001.

Chart E: Monthly Comparison of Complaints Reviewed and Closed



Section 42-345 of the law requires the Chief of Police to “review the Department’s preliminary report in light of the [Board’s] finding and then make the Department’s final determination known to the [Board], the affected officer and the complainant.” This has not yet occurred for the fourteen (14) cases that were reviewed and closed by the Board in the first year.

### Mediation

Section 42-346 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.” With the assistance of the Government Law Center, the Board’s mediation program was created and became active in the Board’s first year of operation. Three complaints filed with the Board were referred to the Board’s mediation program on August 22, 2001, September 19, 2001 and September 24, 2001 respectively. Two referrals were made by the Board, although it had made findings on the complaint consistent with the Office of Professional Standards, and the third was made by the City of Albany’s Commissioner of Public Safety John C. Nielsen, and agreed to by the parties. At the conclusion of the Board’s first year, however, no complaints had been mediated.

### OTHER BOARD ACTIONS

In response to a complaint filed with the Board in May of 2001, Board members met with the Police Commissioner in the third quarter to discuss its concerns about racial profiling and bias-based policing. Pursuant to authority granted to it under the law, which provides that the Board “may make recommendations to the Common Council and the Mayor regarding police policies and practices...,” the Board adopted Resolution 1 of 2001 recommending that steps be taken to eliminate the potential for bias-based policing in the City of Albany. (A copy is attached).

## GOVERNMENT LAW CENTER

Prior to the enactment of legislation in July 2000, the Government Law Center was retained by the City of Albany to provide a number of support services to the newly created Review Board. In addition to those services required under the law, a team of four attorneys and three support staff (assisted as needed by law students) work collaboratively to organize and facilitate the Board's orientation and training programs, coordinate the Board's public/community outreach campaign, handle all administrative matters relating to the complaint review process as well as assist the Board in its day-to-day operations. These services are discussed in detail below.

### *First Quarter*

During the Board's first quarter of operation, the Government Law Center engaged in the following activities as directed by the local law and pursuant to its contractual obligations with the City of Albany:

- Entered into negotiations on a subcontract for community data regarding the work of the Board as required by the law;
- Developed and implemented the Board's initial orientation program;
- Identified potential mediators;
- Began development of the Board's mediation program;
- Identified and interviewed potential investigators;
- Continued development of ongoing training curriculum for the Board;
- Attended various meetings with community groups to gather input and suggestions;
- Researched various civilian review board issues across the State and country; and
- Designed and printed the Board's letterhead.

### *Second Quarter*

The Government Law Center engaged in the following activities in the second quarter:

- Assisted the Board with work on the by-laws, the revisions to the citizens' complaint form and public education;
- Developed a community outreach list for notice of the Board meetings;
- At the Board's request, developed a community outreach component for making complaint forms available and for providing assistance to citizens with completion of the complaint form;
- Subcontracted with the School of Criminal Justice at the University at Albany for surveying community satisfaction as required by the Board law;
- Submitted to the Mayor and the Common Council for approval a list of proposed mediators;
- Submitted to the Mayor and the Common Council for approval a list of proposed investigators;
- Submitted to the Common Council for approval a proposed ongoing training curriculum for the Board;
- Continued the development of the mediation program; and
- Made a presentation on the Law School's role with the Board to the Albany-Colonie Regional Chamber of Commerce Capital Leadership Class;

### *Third Quarter*

During the third quarter, the Government Law Center engaged in the following activities:

- Continued to assist the Board with work on its by-laws, the complaint form and cover letter, and public education;
- At the Board's request, drafted preliminary operating procedures for the review of complaints;
- At the Board's request, forwarded complaint forms with cover letter to area agencies who have agreed to make complaint forms available and provide assistance to citizens with the completion and filing of a complaint;
- Assisted the Public Outreach Committee in the draft and design of the Board's informational brochure about the complaint review process and creation of the Board's Web site;

- Received update from the School of Criminal Justice (SCJ) at the University at Albany regarding its efforts to survey community satisfaction with the complaint review process as required by the law. The SCJ reported that it has established a research protocol for the survey; that the research protocol is in the process of being reviewed by the University's Institutional Review Board; that the Albany Police Department (APD) is amenable to the research protocol and will cooperate with the SCJ in its efforts to compile information from APD databases; and that active research will commence upon approval of the protocol;
- Coordinated a meeting with the Board, the Board's mediators, Corporation Counsel, OPS, and the staff of the Government Law Center;
- Coordinated meeting with the Board, the Board's investigators, OPS, the Police Commissioner, Corporation Counsel and the staff of the Government Law Center;
- Coordinated and facilitated a mediation training program for approved Board mediators;
- With the assistance of the Board, OPS and the Corporation Counsel, created and maintained a log-in and filing system and procedure for the receipt of complaints; and
- Facilitated the process for Board members to decide whether to appoint a monitor in cases;

#### *Fourth Quarter*

The Government Law Center engaged in the following activities during the fourth quarter:

- At the Board's request, assisted the Board in drafting, reviewing and finalizing the Board's general brochure and Mediation Program brochure. Provided for printing and distributing brochures to complainants, the Police Department, community groups and organizations, and any interested parties;
- At the Board's request, created, finalized and launched the Board's Web site, including drafting, reviewing and finalizing content, web design and maintenance;

- At the Board's request, conducted an inventory of complaints filed with the Board, including a summary of case status, recommendations and pending requests to the Chief of Police;
- At the Board's request, assisted in reviewing and finalizing the Spanish version of the complaint form to be distributed to complainants, the Police Department, community groups and organizations that have agreed to distribute the form and/or assist in filling out and filing a complaint, and any other interested parties;
- Met with representatives from the School of Criminal Justice (SCJ) at the University of Albany regarding its survey of community satisfaction with the complaint review process. SCJ informed the Government Law Center that the research protocol had been approved and that it would commence its research during the start of the quarter. Received updates during the quarter about its progress. Assisted SCJ with research by providing complaint data survey information for closed cases; and
- Updated log-in and filing system and procedure for the receipt of complaints, to ensure a proper accounting of all documents and data in active and closed case.

Over the course of the Board's first year, the Government Law Center provided various administrative functions, including:

- Arranging logistics for and coordinating regular monthly meetings, outreach meetings and training programs, including securing dates, times and locations and providing public notice;
- Attending all regular, committee, and outreach meetings and training programs;
- Preparing and assembling monthly meeting materials for Board members, including photocopying complaints, reports and accompanying documents for review;
- Organizing and preparing materials and accompanying information for committee and public/community outreach meetings;
- Assisting with the preparation of meeting minutes;
- Coordinating training speakers and materials;
- Drafting a letter notifying complainants, affected officers and monitors that their complaints were to be reviewed by the Board;

- Drafting letters to the complainants, affected officers and Police Chief notifying them of the Board's findings;
- Drafting requests for transcripts and recommendations for mediation to the Chief;
- Creating file inventory checklist;
- Conducting daily file accounting and inventory;
- Receiving and logging-in complaints, opened and closed case files;
- Facilitating media inquiries between reporters and Board members;
- Maintaining regular communications with Board members; and
- Answering inquiries from the community about the Board and the complaint review process.

## CONCLUSION

The Board had a very active first year of operation. In the first quarter, the Board devoted much of its time to an organizational agenda, including completing its orientation and training program in order to become voting members, appointing its officers, forming committees and implementing its public/community outreach and education campaign and holding public meetings. The second quarter focused on the creation and approval of the Board's By-laws, the revision of the Citizens' Complaint Form and the creation of the accompanying cover letter, securing and training its monitors and investigators as well as continuing its ongoing training.

The Board began to receive, hear and review complaints early in its third quarter after its by-laws were approved by the Common Council. During that quarter, the Board implemented operating procedures for the review of complaints as well as the appointment of monitors, and the Board actively engaged in its public/outreach campaign by reaching out to community leaders, community organizations and the Union through the Board's Speaker's Bureau and designing an informational brochure and Web site. In addition, the Board maintained its ongoing program of education by being trained on issues such as bias-based policing, the Open Meetings Law, excessive use of force and violation of civil rights, and holding public and committee meetings.

During its final quarter of the first year, the Board drafted and finalized the Spanish version of the complaint form and accompanying cover letter, continued its review of complaints; and participated in ongoing training on issues such as excessive use of force and violation of civil rights. The Board met with several community groups, distributed an informational brochure about the Board and its Mediation Program, launched its new Web site, and held regular public meetings.

At the close of the Board's first year, the Board continues to be a work in progress building upon what it has learned to continue its momentum into the coming year.

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

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