

**City of Albany**  
**Citizens' Police Review Board**  
**80 New Scotland Avenue - Albany Law School**  
**Dean Alexander Moot Courtroom**  
**July 11, 2005**  
**6:00 p.m. – 8:00 p.m.**

**Present:** Jason Allen, Beresford Bailey, Barbara Gaige, Judith Mazza, Paul Weafer and Michael Whiteman.

**Absent:** Ronald Flagg, Marilyn Hammond, and Herman Thomas.

**I. Call to Order and Roll Call**

Chairperson Barbara Gaige called the meeting to order at 6:10 p.m.

**II. Approval of the Agenda**

Chairperson Gaige noted that she would like to add items to the agenda. The first item is a Report from the Chair, which will be placed at the beginning of New Business. The second item is an Executive Session, called for the purposed of discussing a couple of items that may involve the identity of a police officer and may involve current and/or future litigation. This will be placed under New Business after the appointment of two new members to the Committee on Complaint Review (B). A motion was made by Paul Weafer to enter into executive session later in the meeting. Jason Allen seconded the motion. The motion carried unanimously. Judith Mazza then moved to approve the amended agenda. The motion was seconded by Paul Weafer. The motion carried unanimously.

**III. Approval of the June 2005 Meeting Minutes**

The June meeting minutes were reviewed. Barbara Gaige asked for any additions or corrections. There were none. Judith Mazza moved to approve the minutes. Paul Weafer seconded the motion. The motion carried unanimously.

**IV. New Business**

**A. *Report from the Chair***

Mediation

1. On June 27-29, 2005, mediation consultant Lauri Stewart, the Mediation Program Director, Independent Police Review (IPR), Portland, Oregon participated in a series of meetings with stakeholders to discuss best practices in citizen oversight mediation and IPR's mediation model. Over the three days, Ms. Stewart attended and participated in 14 meetings, including a public session, and responded to issues, concerns, and questions about citizen oversight mediation, the IPR's program and the Albany mediation program.

2. Ms. Stewart is expected to produce a short report commenting on the Albany mediation model and making suggestions for next steps in retooling a workable mediation program that is “uniquely Albany.”

### Early Warning System

At the Board’s May meeting, the Chief reported that the Department had purchased new software for its Early Warning System. In an attempt to implement the software, there have been some compatibility issues with the current operating and computer systems. However, a compatible software solution has recently been purchased and is being implemented to electronically enhance the Department’s Early Warning System and track a large array of data.

### Monitors

1. The Board will be looking to complete its monitor procedures.
2. The Board would like to expand its pool of monitors. Interested applicants should submit a resume to the Government Law Center. Consult Section 42-343 (H) of the City Code to review the basic requirements.

### *B. New Complaints*

1. New complaints received since the June 2005 Meeting

Chairperson Gaige reported that two (2) new complaints had been received by the Board since its June 13, 2005 meeting. Judith Mazza read a summary of each complaint.

**CPRB No. 23-05**      The complainant alleges that an ice pick has shown up into evidence against him. The complainant claims that the ice pick was put in by [an Albany police officer] to try to set him up.

Barbara Gaige reported that she remembers the Albany police officer recorded what the parole officer gave him. Chairperson Gaige then offered the following. The officer did not gather the property from the complainant, the parole officer did. It was a joint arrest between Parole and Albany’s Operation Impact. The parole officer is the one who entered the house, handcuffed the complainant, searched him, seized the property and then handed it to the Albany officer. The parole officer had somewhere else to go so the Albany officer wrote the report and listed the items.

Chairperson Gaige asked Detective Kathy Hendrick of the OPS what her office intended to do with this second complaint filed by the complainant. Detective Hendrick responded that she had typed a letter for Assistant Chief Stephen Reilly’s signature, recommending that the complaint be closed as already reviewed by the OPS.

Paul Weafer noted that he did not see any real substantive difference between the new complaint and the one that had already been reviewed by the Board; it was basically

verbatim. Mr. Weafer then moved to set aside a review of this complaint, and to stand by the findings that were made on the prior complaint. Judith Mazza questioned that the ice pick was used against him. Ms. Gaige replied that he's claiming it was planted, but there wasn't a charge against him about the ice pick. It was a non-issue. He was not charged with anything as far as that was concerned, but he was just saying it was planted. Beresford Bailey seconded the motion. The motion carried unanimously.

**CPRB No. 24-05** This complaint was submitted and read by the complainants at the Board's June meeting.

2. New complaints for review

Chairperson Gaige reported that five (5) new complaints were on the agenda for review.

**CPRB No. 01-05/OPS No. C05-21** (Presented by Barbara Gaige)

The complainant was recognized as being present. The monitor, Therese Balfe was also recognized. Barbara Gaige gave a brief synopsis of the complaint.

The complainant alleges that during his arrest he was assaulted by officers at the scene of the arrest and also at central booking. The complainant alleges that prior to being arrested, he had injuries to both of his legs as a result of previous operations. When he arrived at the Albany County Correctional Facility (ACCF), he was suffering from injuries he sustained during the arrest process as well as re-injuries to his pre-existing injuries.

Chairperson Gaige reported that she reviewed a domestic violence incident report, the officers IDCs, medical records from the jail, and several other reports. In summary, the Albany Police Department responded to a 911 domestic violence call at 111 Green Street. The victim stated that the complainant became angry and started choking her and punching her in the face. As she attempted to leave, he jumped on her, straddled her, and held her down. The officers noted reddish, bruising on the woman's face and a 1½" laceration on her lip. She requested the arrest of the complainant.

The complainant was interviewed at the ACCF. He stated that when the police officers arrived, he was sitting in a chair and didn't know why they were there, but figured his girlfriend had called because they had a verbal disagreement. He stated he was arrested, cuffed, and brought to the transport vehicle. He stated he could not step up into the wagon due to an old surgical injury to the ankle. He stated the officer put him down and threw him into the back seat of a vehicle. He stated that at central booking, he was the victim of excessive force and he stated that he was punched and kicked by four or more officers while shackled to the bench. The complainant pointed to several healed scars and scratches to the legs, knees, a mark on the right side of his face, and scratches on his wrist as evidence of his injuries. He stated that he did not seek medical attention.

The complainant could not explain how he could walk down the stairs, but then couldn't step up into the van. The officer stated that the complainant was cuffed and walked down the stairs to the transport vehicle. At the wagon, the complainant became verbally and

passively resistant to getting in. He then became a dead weight on the ground. Because of his size and his refusal to cooperate, he was carried to the caged unit approximately 8-10 feet away and placed in the back seat. At South Station, he continued to resist and had to be held down for application of ankle restraints. The Office of Professional Standards (OPS) reviewed videos from central booking. The video shows the caged unit as it pulls into the bay. Four police officers removed him from the car and carried him into the booking office where he was placed on the bench. The video shows that several police officers restrained him while the ankle restraint was applied. The OPS noted that at no time does the video show the complainant being kicked, punched, or being struck in any way. The video does show the arresting officer removing the cuffs and assisting the complainant with removing his shirt and putting on a heavier, warmer one.

The neighborhood was canvassed by the OPS for possible witnesses without success. Chairperson Gaige reviewed the complainant's medical records from Albany County Correctional. On the RN screening, all questions regarding recent injury were answered "no." There is mention of an old fracture of the ankle from August 2004. The physician mentioned hypertension in the old ankle fracture and an old rib fracture. The physician spoke with the complainant's orthopedic surgeon, who stated that the complainant had not followed up with physical therapy after the surgery, and he suggested that a brace be ordered.

The monitor, Therese Balfe, was recognized. She stated that one of the officers does remember the complainant complaining of his wrist hurting while being lifted by the officer. Also, one of the police officers responded that later on he did get out of the wagon with no assistance. The complainant was recognized, but did not have anything to add at that time.

The OPS recommended the investigation be closed as *unfounded* "where the review shows that the act or acts [that were] complained [of] did not occur or were misconstrued." Chairperson Gaige made a motion to accept the OPS's finding of *unfounded* in reference to excessive force. The motion was seconded by Paul Weafer, pending the comments of the complainant.

The complainant asked if the Board was satisfied with the OPS report. Chairperson Gaige responded that the report was thorough; the OPS reviewed the videos, talked with the complainant. The complainant replied that everything in the report is contrary to the pertinent documentation that he has. When asked what documentation, he replied that he could not get into it, because it is going to litigation and he is not at liberty to say. He commented that a lot of what was said is unfounded and totally incorrect.

Chairperson Gaige explained that the OPS had interviewed him, the victim of the domestic situation, and the officers. She added that there were no witnesses provided by the complainant and noted that the OPS detectives reviewed the video that showed the complainant's entrance into the booking station and the video taken while he was sitting in there. The complainant replied that he appreciated what she was saying. He stated, however, that the OPS initially told him that he would be able to obtain a copy of the video tape. According to the complainant, when it came time to get a copy of the tape, he was told that the tapes are destroyed after thirty days, and that he could not obtain a copy.

He noted that this was one incident in which he was lead astray, and added that there are a lot of things that are very, very shaky in this case.

The complainant commented that he understands where the Board stands because they receive the information from the police, and stated that he has documentation from doctors at the jail and from his own doctor, noting that he had major surgery on June 27<sup>th</sup>. Chairperson Gaige responded that he had not given any documentation to the Board or to the OPS. The complainant stated again that the information the Board has is totally contrary to what he has and that it is fine if the Board has accepted it. He added that later the Board is going to find out that its information is totally unfounded.

The complainant then offered the following. He stated that he was not there to battle the Board. He commented that he was there to tell the Board that a lot of the information that was read is totally unfounded. He stated that everyone seems to have a different version of what happened and explained that when the police came into his house, they cuffed him and he was under arrest at that time. The complainant stated that it is easy to hold onto a rail and go down the steps. He explained that he was sitting in a police car waiting for transport for quite a while, which happened to be on December 20th, the coldest day of the year, and his legs, because he has hardware in them, locked. That is why he couldn't move. According to the complainant, the police officer got aggravated. He didn't believe it and he took action. The officer grabbed the complainant by his hoodie, ripped it off, which he has evidence, dragged him on the ground, and threw him in the car.

He added that a lot of what the Board is saying is totally untrue and that they are just covering their rear. He reported that he has been taking notes every day, from the time he was arrested and went to the Albany County Jail up until today. He has taken notes on everything from the information that the OPS gave him and from the guy who told him he could get the tape. He commented that strangely enough has not gotten the tape. He stated that he has been in contact with the Government Law Center, but he just wanted to see what role the CPRB was going to play, and was shown that tonight. He commented that he appreciated what the Board did, and stated, for the record, that he is not satisfied with the report, as being contrary to the facts that actually happened, and does not accept it.

Paul Weafer commented that the only thing before the Board that they can consider as far as the complaint is 9 lines, noting that was the total complaint that was made either to the Government Law Center on behalf of the Board or to the Police Department. He stated that this was the first the Board has heard of other things that the complainant claimed to know.

Chairperson Gaige commented that the job of the Board is to review the investigation done by the OPS and decide from that whether it was thoroughly investigated. According to Chairperson Gaige, in her judgment, based on what she had to review, which did not include anything else from the complainant or anyone else, the investigation was thorough. Chairperson Gaige stated that a motion was made and seconded to accept the OPS's finding of *unfounded*. The motion carried unanimously.

The complainant requested a copy of the minutes from the meeting.

**CPRB No. 08-05/OPS No. C05-93** (Presented by Paul Weafer)

Paul Weafer summarized the complaint.

This complaint originated on January 1, 2005. Therese Balfe was the monitor. The complainant lived at an apartment down in the south end of Albany in a high drug zone area. The regular officer on duty in that area had been on duty in that area for at least 6 or 7 months. The officer is highly familiar with the drug activity that allegedly occurs in that neighborhood. The officer was called to the apartment complex by the manager. The manager was concerned with people coming in and out of the apartment complex who did not belong there. Two people were in the complex with the complainant's key, both to the outside door and to the door of the complainant's apartment. When the officer found the two people in the outer area of the apartment, he went to the complainant's apartment and knocked on the door. The complainant opened the door and was allegedly drunk. The officer asked whether he could come into the apartment and the complainant said "yes." As he stepped into the apartment, there was crack cocaine paraphernalia in plain view, and, upon examination, there was residue of crack cocaine in the paraphernalia. The complainant was arrested for being in possession of drug paraphernalia and also because of the quantity of the crack cocaine residue.

The complainant alleges that he was kicked in the butt twice while attempting to get into the paddy wagon. He claimed to have told the target officer that he had previously cracked a vertebrae in his neck, causing a back problem. The complainant claims he had to sit on a stool in the booking unit for over five hours without water. The central booking tape showed that he arrived at the station at 4:50 and was released at 7:58, so he was only there for 3 hours and 8 minutes. According to the police, the complainant never complained of being kicked or hurt, or about his hurt back, and never requested medical treatment. There is no indication that he ever sought medical treatment from any of the Albany hospitals.

The complainant filed the complaint two months after being evicted from his apartment because of failure to pay rent. The arresting officers denied kicking him in the rear end. He gave the name of one witness who lived at the mission. When Detective Hendricks tried to contact the mission, the person in charge of the mission said that this fellow who was a witness had been there 30 days – 30 day policy – the witness could no longer be found because he had been there 30 days and never came back. The disposition of this charge is that the complainant pleaded guilty to disorderly contact. It appears that the complainant is upset that he has an outstanding fine of \$195 which he evidently can't pay.

Ms. Balfe indicated that she did not get to view the tapes because the OPS was having problems transmitting the tapes. Detective Hendrick was able to show her documentation that indicated how long the tape was. According to Ms. Balfe, the complainant specifically claimed in his complaint that he sat for five hours when it is 44 seconds over three hours. He also admitted that he did not go for medical treatment. Ms. Balfe commented that if the complainant wanted to substantiate the claim of getting kicked in

the buttocks, he would have allowed the Department to take a picture to show some sort of proof. He admitted that the he did not tell any one. He never raised the issue at the booking station.

Mr. Weafer commented that the thing that bothered the complainant - its an unfortunate situation that when you get arrested, you go out of the house with what you have on - was after he was released, he had to walk from the station to his apartment, which is probably three-quarters of a mile, with just a t-shirt and pants and it was January 1<sup>st</sup>.

Mr. Weafer made a motion to uphold the OPS's finding of *exonerated* as to the arrest authority and procedures. Beresford Bailey seconded the motion. The motion carried unanimously.

**CPRB No. 12-05/OPS No. C05-201** (Presented by Judith Mazza)

Judith Mazza summarized the complaint.

The complainant alleges that he had been charged with a warrant that was not about him. He was arrested on September 17th for an incident that happened on September 10th. There was a warrant out for him based on that particular incident, but when the officer was going to arrest him, there was also another warrant out that took place in 1990, but it was issued for someone else with a similar name. For some reason, there was a misfiling of that warrant in this complainant's file. When he actually ended up in court, he was never charged with the 1990 warrant because it wasn't about him. The court realized that the name was spelled similarly, there was a mix up, the warrant was filed incorrectly, and he was never charged. His complaint is around being charged with that, when in fact he really wasn't charged with that incident.

Judith Mazza made a motion to accept the OPS's recommendation that the investigation be closed as *unfounded* "where the review shows the act or acts complained [of] did not occur or were misconstrued." In effect, they did not occur because he was never really charged for the 1990 incident. Ms. Mazza noted that she is not sure he completely understands that there was a misfiling and when the officer showed up at his house, he said it was based on this warrant, but in fact he was never charged based upon that warrant. He was charged based upon the warrant for the September 10th incident that took place. The motion to accept the OPS's finding of *unfounded* was restated. Paul Weafer seconded the motion. The motion carried unanimously.

Justina Perino, Senior Staff Attorney at the Government Law Center, inquired as to how to provide notice to this complainant since the address he listed on his complaint is the Albany County Correctional Facility, and he is no longer at the facility. Chief Turley responded that the Department would forward the contact information to the Board.

Chief offered to provide information for addresses.

**CPRB No. 17-05/OPS No. C05-214**

**CPRB No. 18-05/OPS No. C05-213** (Presented by Barbara Gaige)

Barbara Gaige gave a collective report regarding these two complaints because they stemmed from the same incident.

The incident occurred on May 1, 2005. The complaint was received by the Police Department and by the Board on May 2, 2005. Complainant #1 alleges improper call handling by members of the Albany Police Department. The complainant stated that he was involved in a physical altercation with another person. The complainant stated that when the altercation was over, he was leaving the area when two white males approached him. He stated that one of the white males, who was wearing a white shirt, grabbed him and they wrestled with each other for a few minutes. The complainant stated that he did not know who this person was or why he grabbed him. He stated that within a few minutes an Albany police officer arrived on the scene and ordered him to get on the ground. The complainant stated that he asked the officer the identity of the person who grabbed him and was wrestling with him, but the officer told him to shut up and get on the ground. He stated that the unknown man continued to wrestle with him and that the complainant was pushed on top of the police officer, causing an injury to the officer's leg. The complainant stated that when he was placed in the police car, the unknown white male grabbed him, showed him a wallet with what appeared to be a badge, and then walked away. The complainant stated that his complaint was that he was never told the identity of the unknown white male who grabbed him and the reason as to why this person felt he had the right to grab him.

The officers arrived at 90 North Pearl when they were hailed down and they saw a victim on the street with a facial injury. The Albany Fire Department was already on the scene, having been flagged down by witnesses. A witness approached the police officers and stated that she saw the assailants and gave a description, "taller man who turns out to be the complainant #1 with a tan shirt punched the victim in the back of the head knocking him down, then the shorter man, complainant #2 with a red and white striped shirt kicked the victim twice in the face." The description was dispatched by the police officer. Officers were already in pursuit of the two males fitting the descriptions. The second officer yelled "stop, police," several times but the men continued to flee. This officer transmitted location and other units were around. The suspect was caught and arrested at Pine and Chapel by a police officer and the sergeant. Civilians called down from Pine and Lodge saying the first complainant was hiding around the corner. The police officer responded to that location and encountered complainant #1. He ordered him to the ground several times. Complainant #1 refused and became combative, flailing his arms about. The police officer grabbed his wrist. The complainant attempted to wrench away. The police officer used other methods, but the complainant continued to resist. Several witnesses then assisted the officer to subdue complainant #1. He was cuffed and transported.

One of the civilians was possibly an off-duty police officer from another jurisdiction, since an officer ID was found on the street and returned to that gentleman. The witness from 90 North Pearl stated that the two complainants were involved in a fight on the third floor at the Big House. She and her friends were leaving and on the way out saw the man that the complainants had been fighting with standing outside the Big House. The complainants appeared and went over to the man. The taller man punched him in the back of the head and the shorter man kicked him twice in the face. The witness was

brought to the arrest location and she was able to positively ID the suspects. Complainant #1, his complaint is regarding arrest authority. The complainant and his accomplice committed felonious assault. Witnessed by bystanders, he led officers on a foot pursuit and then resisted arrest. A witness positively identified complainant #1. It was a lawful arrest assisted by civilians with good intentions. The fact that civilians did not identify themselves is irrelevant. A motion was made on 18-05/C-05-213 by Chairperson Gaige that the OPS's finding of **unfounded** be accepted. Paul Weafer seconded the motion. The motion carried unanimously.

With regard to the second complainant, complainant #2, his complaint stated that he was not read his rights and never told why he was being arrested. According to the complainant, he was never even questioned when taken to the station, but yet on his appearance ticket to court, it stated that his statement to the police was that he kicked a gentleman. The complainant alleged that this is totally and completely false being that he never laid a hand on anyone. The complainant claimed that he was later told by some friends that during the whole process of all of this, another gentleman was "getting jumped" across the street from the Big House. The complainant further claimed that from his understanding, he is being accused of kicking this gentleman in the face.

Complainant #2 was the first man arrested at the corner of Pine and Lodge. He was the one the witnesses said had kicked the victim twice in the face. Complainant #2 was also identified by witnesses. The OPS recommended that his complaint be closed as **unfounded**. A motion was made by Chairperson Gaige to accept the OPS's finding of **unfounded**. Jason Allen seconded the motion. The motion carried unanimously.

B. *Appointment of two new members to the Committee on Complaint Review for August 2005*

The following members were appointed to the Committee on Complaint Review for August 2005: Beresford Bailey, Ronald Flagg, Barbara Gaige, Paul Weafer, and Michael Whiteman. Barbara Gaige suggested a survey be taken as to who will be absent in August. She noted that two members of the Board have already indicated that they will not be at the August meeting; there may be more.

C. *Executive Session*

Chairperson Gaige moved to enter into executive session. Chairperson Gaige asked that Assistant Corporation Counsel Patrick Jordan and Ms. Perino be present during the session. Chairperson Gaige restated the reason for entering into the executive session.

Paul Weafer asked if the two gentlemen present were members of the public. The gentleman were recognized and identified themselves as Bill Washburn and Dan Jabonaski, two of the four citizens who filed a complaint at the June 13<sup>th</sup> meeting. Mr. Washburn and Mr. Jabonaski were asked to wait until the board resumes its public session. Mr. Washburn commented that the Board indicated that they would receive some kind of a response tonight.

At the conclusion of the executive session and following return to the public session, Jason Allen reported that the Board is still reviewing the letter received at the last meeting from the four citizens, and commented that the Board is not prepared to respond at this time. Mr. Washburn inquired as to whether each of the four would receive notice when the Board was prepared to respond. Chairperson Gaige replied that as soon as the Board is prepared to respond publicly, the Government Law Center will send a notice to each of the four citizens that this item is on the agenda. Ms. Perino confirmed that the Board does have the name and contact information of each of the four citizens, which was included as part of the letter.

*C. Policy Review/Recommendations*

Jason Allen reported that an item of business for the policy review committee is data mining and reporting that it would like to develop with the Police Department. Suggestions regarding the type of data that the committee would like to access and review were sent to the Department. The Department has offered to send some sample data reports as well as give a test drive of the CAD system on Wednesday, July 13th at 4:00 pm at the OPS. This will allow committee members and the Board to understand the capabilities and what the CAD system is capable of producing in terms of data input so that the Board can get quality outputs.

*D. Report from the Government Law Center (GLC)*

Government Law Center Senior Staff Attorney Justina Perino gave the report.

Training

Ride-alongs for Board members Jason Allen, Beresford Bailey, and Ronald Flagg are expected to be scheduled and completed soon. Each of these members is required to complete three ride-alongs as part of the Citizens Police Academy program. It was reported that Mr. Allen has completed his first of three.

Ms. Perino requested ideas for training. She asked that the Board consider what type of training it would like to receive and how often training sessions should be scheduled.

NACOLE

The Center is expected to have the NACOLE Conference information available for the Board by the August meeting.

Status of Complaints

As of the date of the meeting, it was reported that there were 24 active complaints before the Board for review and one (1) complaint in the process of being closed. Five (5) complaints remain suspended, and 164 have been closed. A total of 196 complaints have been filed with the Board since it began reviewing complaints in 2001.

Outreach

Chairperson Gaige asked if there is a listing of all the outreaches that have been done and how long ago they were done, and requested a copy of the list. Chairperson Gaige suggested that the Board start doing some more outreach and revisit some of the places that it has been to before.

Ms. Perino reported that updating the Board's public education and community outreach campaign is an ongoing effort. It was reported that the Board's complaint review brochure is outdated; a message from the former Chair who is no longer serving on the Board still appears in the brochure. It was reported that the Board's mediation brochure is also in need of revision. The Board's website has several outdated items and requires updating. With respect to the list of outreach locations, there is an initial list and it has been added too, but there are a number of places that haven't been reached, such as schools and youth centers.

Judith Mazza asked about going with the community outreach service officers to the various neighborhood associations. She noted that the neighborhood associations almost all meet monthly and the Board could make rounds once a month to one or two meetings. Ms. Mazza noted that in September they all gear up. Assistant Chief Paula Breen commented that Sergeant Fred Alberti has contact information for all the neighborhood associations. She added that there is also CANA and the community police council, which has recently been revived and it would be great to have a board member at its meetings.

Paul Weafer asked Council 82 Representatives Christian Mesley and Kevin Raducci whether the officers have an open mind about mediation after meeting with the mediation consultant from Portland. Officers Mesley and Raducci responded that they would like to see what the Department wants to do in regard to mediation, but that they would like to talk to the Chief. Mr. Weafer asked if there is a degree of flexibility. They said that there was if the consultant's recommendations are followed. Chairperson Gaige mentioned that if the Board sits down to develop a protocol for mediation, the Board would like the officers involved in the development of that protocol. She added that the protocol would not just come from the Chief or the Board drafting something for approval. It would be input from all of the people that had some interest in it.

Mr. Weafer inquired as to whether Officers Mesley and Raducci get a sense from the rank and file that they were open to it. They responded that it was not favorable. Officer Mesley added that the officers are suspect from the bad experiences in the past and they have a lot of reservations. Mr. Weafer commented that there has been discussion about the possibility of contracting with a mediation company so that the mediators would be highly experienced as opposed to using the Board's own trained mediators. Officer Mesley responded that the consultant, Lauri Stewart, made it very clear that that was a major problem with the current mediation program. Officer Mesley added that Ms. Stewart was pretty forthcoming, and stated that if there could be a couple of cases where the officers could wet their feet and have a couple of positive experiences, then it may turn around the ideology of the rest of the officers on the force.

E. *Report from the OPS*

Detective Sergeant Eric Kuck gave the OPS's 2005 second quarter report, noting that the statistics were compared to the statistics from the second quarter in 2004. It was reported that there were 9 citizen complaints at this time last year. In the second quarter of 2005, there were 13 citizen complaints. This is an increase of 44%. It was reported that there was also an increase in calls in the 2005 second quarter from last year at this time. There were 8 supervisory inquiry reports for the second quarter of 2004 and 3 for the second quarter of this year, which shows a 62% decrease. The total number of calls for service for the second quarter of 2005 was 37,382. The total number of arrests for the second quarter of 2005 was 2488 (this does not include juvenile arrest). Based upon these numbers of citizen and police contacts, the amount of complaints filed is less than .035% of 1% of the police citizen encounters.

**IV. Public Comment**

The floor was opened for public comment. No comment was offered.

**VI. Adjournment**

The meeting was adjourned at 7:40 p.m.

Respectfully Submitted,

Ronald Flagg  
Secretary