

City of Albany

CITIZENS' POLICE REVIEW BOARD

Third Quarterly Report August 1, 2009

Submitted by:
The Government Law Center of Albany Law School
on behalf of the City of Albany Citizens' Police Review Board



Third Quarterly Report of the City of Albany
Citizens' Police Review Board

August 1, 2009

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

Section 42-340 of Chapter 42, Part 33 of the Albany City Code requires the Government Law Center of Albany Law School to file, on behalf of the Albany Citizens' Police Review Board (CPRB), quarterly reports containing "statistics and summaries of citizen complaints, including a comparison of the CPRB's findings with the final determinations of the [Police] Department." This is the Third Quarterly Report so submitted in the year 2009.

DEFINITIONS

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

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

CPRB or BOARD – The Citizens' Police Review Board.

GOVERNMENT LAW CENTER – The Government Law Center of Albany Law School.

MEDIATION – A structured dispute resolution process in which a neutral third party assists the disputants to reach a negotiated settlement of their differences.

OFFICER – Any sworn police officer of the City of Albany Police Department affected by a citizen complaint.

OFFICE OF PROFESSIONAL STANDARDS – The Professional Standards Unit of the City of Albany Police Department.

INTRODUCTION

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. Many of these services are discussed, as appropriate, below.

ORGANIZATION OF THE BOARD

The following members constituted the Board during the third quarter of 2009:

Jason Allen	Jean Gannon	Andrew Phelan, Jr.
Daniel Fitzgerald*	Marilyn Hammond	Anthony Potenza
Ronald Flagg	John Paneto	Rev. Edward Smart

**Resigned in June 2009*

During the third quarter, the Board's elected officers were:

Chair	Jason Allen
Vice-Chair	Ronald Flagg
Secretary	Andrew Phelan, Jr.

Appointments, Re-appointments, and Resignations

In correspondence dated June 9, 2009 to the CPRB, Board member Daniel Fitzgerald announced his resignation from the Board effective immediately.

Committees and Task Force

The following committees and task force were operational in the third quarter of 2009:

<i>By-Laws and Rules</i>	Jason Allen (Chair)
<i>Community Outreach</i>	Reverend Edward Smart (Chair) Jason Allen (<i>ex-officio</i>)
<i>Complaint Review</i>	Andrew Phelan, Jr. (Chair) Jason Allen Daniel Fitzgerald *until June 9, 2009 Ronald Flagg Jean Gannon Marilyn Hammond John Paneto Anthony Potenza Reverend Edward Smart
<i>Mediation</i>	Jason Allen (Chair)
<i>Police Department Liaison- Policy Review/ Recommendations</i>	Andrew Phelan, Jr. (Chair) Jason Allen (<i>ex-officio</i>) Anthony Potenza
<i>Public Official Liaison</i>	Ronald Flagg (Chair) Jason Allen (Co-Chair) Marilyn Hammond Andrew Phelan, Jr. Anthony Potenza
<i>Task Force on Monitors</i>	Jason Allen (<i>ex-officio</i>)

The following occurred during the third quarter of 2009:

BY-LAWS AND RULES/MEDIATION

During the third quarter of 2009, the Board discussed its concern about the status of the mediation program and ideas on how to move it forward. The Board agreed to address its concern with Chief of Police James Tuffey and Mayor Gerald Jennings to get the program moving forward.

COMMUNITY OUTREACH

During the third quarter of 2009, Board member Anthony Potenza conducted an outreach presentation for the Center Square Neighborhood Association. It was a positive meeting with an audience of seven (7) people from the neighborhood association present. Mr. Potenza explained the operations of the CPRB and what CPRB does. One (1) member of the neighborhood association was very surprised that the names of the target officers were not given to the Board when reviewing complaints. At that meeting, there was one (1) person who was familiar with the CPRB because that person attended a few of the CPRB meetings as an observer.

Chairman Jason Allen and Board member Jean Gannon conducted an outreach presentation for the Hudson Neighborhood Association.

The committee scheduled a meeting with a special visitor from Trinidad and Tobago, Senior Superintendent Margaret Gwynette Sampson-Browne, to discuss the CPRB. This meeting was arranged by the International Center of the Capital Region and the U.S. Department of State's International Visitor Leadership Program.

COMPLAINT REVIEW

Pursuant to Section II, Subsection I of the Board's Operating Procedures, each of the four (4) appointed members of the Committee on Complaint Review, in addition to the Chair of the Committee, will be responsible for the presentation of a particular complaint to the Board at its monthly meetings as assigned by the Chair of the Committee. Twelve (12) complaints were presented and reviewed in the third quarter of 2009.

The following Board members were appointed to serve on the Committee on Complaint Review:

May 2009	Jason Allen, Daniel Fitzgerald, Marilyn Hammond, John Paneto, Andrew Phelan Jr., and Anthony Potenza.
June 2009	Jason Allen, Jean Gannon, Marilyn Hammond, John Paneto and Andrew Phelan Jr.

COMPLAINT SUMMARIES AND STATISTICS

Section 42-340C of Chapter 42, Part 33 of the Albany City Code charges the Board with providing “statistics and summaries of citizen complaints, including a comparison of [its] findings with the final determinations of the [Police] Department.”

During the third quarter of 2009, the Board received fifteen (15) new complaints in addition to its forty-seven (47) active complaints and six (6) suspended complaints. All six (6) of the suspended complaints were carried over from previous quarters. Monitors were appointed to investigate seven (7) of the fifteen (15) new complaints. Of the sixty-two (62) complaints before the Board, the Board presented twelve (12) complaints for review and rendered findings for the allegation(s) contained in all twelve (12) complaints. These twelve (12) complaints contained a total of thirty-six (36) allegations of misconduct.

As to the twelve (12) complaints reviewed, the Board made findings consistent with the preliminary findings of the Office of Professional Standards in all twelve (12) cases. The findings of the Albany Police Department for these twelve (12) complaints were consistent with the Board’s findings in all cases.

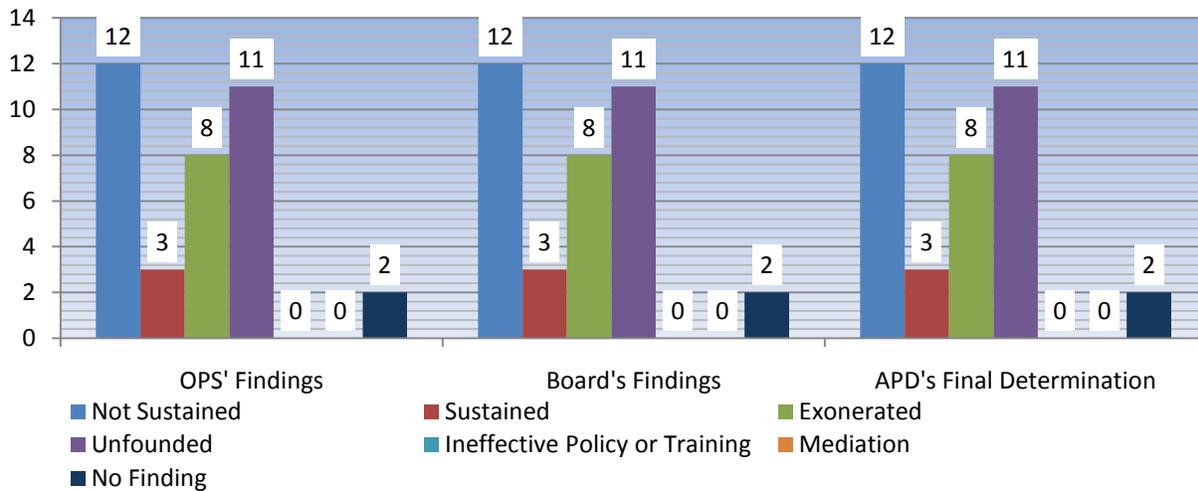


Figure 1: Comparison of Findings Made by the Board, the OPS, and the Albany Police Department during the Third Quarter of 2009.

Figure 1 depicts a comparison of the findings made by the Board and the findings made by the Police Department, including the preliminary findings of the Office of Professional Standards and the Albany Police Department’s final determinations. The following is a summary of those complaints:

CPRB No. 4-05/OPS No. C05-63 [no monitor appointed]

Nature of the Allegation(s): Call Handling (Improper Stop, Detention, & Questioning) - while walking back to her house, after meeting “her significant other,” the complainant was improperly stopped, detained, and questioned by Albany police officers.

OPS Preliminary Finding(s): **Exonerated**

CPRB Finding(s): **Exonerated**

APD Final Determination(s): **Exonerated**

CPRB No. 2-07/OPS No. C07-112 [monitor appointed]

Nature of the Allegation(s):

- 1) Arrest Authority & Procedures - during an incident involving the complainant’s daughter and other children, the complainant was falsely arrested;
- 2) Use of Force - the officer grabbed the complainant’s arm and would not let go;
- 3) Conduct Standards - the officer was rude and disrespectful to the complainant;
- 4) Conduct Standards - the complainant was racially discriminated against by the officer; *and*
- 5) Use of Force - the officer used force causing the complainant’s daughter and the officer to fall to the ground.

OPS Preliminary Finding(s):

- 1) **Unfounded** as to the arrest authority and procedures allegation;
- 2) **Unfounded** as to the first use of force allegation;
- 3) **Not Sustained** as to the first conduct allegation;
- 4) **Unfounded** as to the second conduct allegation; *and*
- 5) **Unfounded** as to the second use of force allegation.

CPRB Finding(s):

- 1) **Unfounded** as to the arrest authority and procedures allegation;
- 2) **Unfounded** as to the first use of force allegation;

- 3) **Not Sustained** as to the first conduct allegation;
- 4) **Unfounded** as to the second conduct allegation; *and*
- 5) **Unfounded** as to the second use of force allegation.

APD Final Determination(s): 1) **Unfounded** as to the arrest authority and procedures allegation;

- 2) **Unfounded** as to the first use of force allegation;
- 3) **Not Sustained** as to the first conduct allegation;
- 4) **Unfounded** as to the second conduct allegation; *and*
- 5) **Unfounded** as to the second use of force allegation.

CPRB No. 2-08/OPS No. C08-160 [monitor appointed]

Nature of the Allegation(s):

- 1) Conduct Standards - an officer asked the complainant, “what you getting into tonight”, and “where’s the crack man?” Three to four back-up officers started mocking, laughing, and calling the complainant a crack head and drug dealer;
- 2) Conduct Standards - the back-up officers told the complainant’s friend to get in the back of the vehicle;
- 3) Conduct Standards - an officer took the complainant’s crutch from him and kept it for at least a half hour;
- 4) Conduct Standards - an officer searched the complainant without a search warrant or the complainant’s permission;
- 5) Use of Force - an officer grabbed both of the complainant’s arms and squeezed them tight; *and*
- 6) Conduct Standards - an officer told the complainant that they received a call that some black guy wearing a black jacket with silver dollars on them is selling drugs and bothering people.

OPS Preliminary Finding(s): 1) **Not Sustained** as to the first conduct standards allegation;

- 2) **No Finding** as to the second conduct standards allegation;
- 3) **Exonerated** as to the third conduct standards allegation;

- 4) **Exonerated** as to the fourth conduct standards allegation;
- 5) **Not Sustained** as to the use of force allegation; *and*
- 6) **Not Sustained** as to the fifth conduct standards allegation.

CPRB Finding(s):

- 1) **Not Sustained** as to the first conduct standards allegation;
- 2) **No Finding** as to the second conduct standards allegation;
- 3) **Exonerated** as to the third conduct standards allegation;
- 4) **Exonerated** as to the fourth conduct standards allegation;
- 5) **Not Sustained** as to the use of force allegation; *and*
- 6) **Not Sustained** as to the fifth conduct standards allegation.

APD Final Determination(s): 1) **Not Sustained** as to the first conduct standards allegation;

- 2) **No Finding** as to the second conduct standards allegation;
- 3) **Exonerated** as to the third conduct standards allegation;
- 4) **Exonerated** as to the fourth conduct standards allegation;
- 5) **Not Sustained** as to the use of force allegation; *and*
- 6) **Not Sustained** as to the fifth conduct standards allegation.

CPRB No. 13-08/OPS No. C08-164 [monitor appointed]

Nature of the Allegation(s):

- 1) Conduct Standards - an officer pulled up and instructed the complainant to “go home” and then drove off; *and*
- 2) Conduct Standards - the sergeant was agitated and began to yell at the complainant when the complainant asked the officer for his name and badge number.

OPS Preliminary Finding(s): 1) **Unfounded** as to the first conduct standards allegation; *and*

- 2) **Not Sustained** as to the second conduct standards allegation.

CPRB Finding(s):

- 1) **Unfounded** as to the first conduct standards allegation; *and*

2) **Not Sustained** as to the second conduct standards allegation.

APD Final Determination(s): 1) **Unfounded** as to the first conduct standards allegation; *and*

2) **Not Sustained** as to the second conduct standards allegation.

CPRB No. 16-08/OPS No. C05-327 [monitor appointed]

Nature of the Allegation(s): 1) Conduct Standards - an off-duty officer pulled along the left side of the complainant's vehicle, laid on the horn, and then cut the complainant off to pass her;

2) Conduct Standards - the off-duty officer applied his brakes while the complainant was directly behind him;

3) Conduct Standards - the off-duty officer was driving erratically, refusing to let the complainant pass him;

4) Conduct Standards - the off-duty officer flashed a metallic object and then swore at the complainant to "Pull the f* over!";

5) Call Handling - the off-duty officer told the complainant that she was lucky that he wasted his day off, or he would have to have her car towed, and she would be going to police court; *and*

6) Conduct Standards - the officer referred to the complainant as "Mario Andretti."

OPS Preliminary Finding(s): 1) **Unfounded** as to the first conduct standards allegation;

2) **Not Sustained** as to the second conduct standards allegation;

3) **Not Sustained** as to the third conduct standards allegation;

4) **Not Sustained** as to the fourth conduct standards allegation;

5) **Sustained** as to the call handling allegation; *and*

6) **Sustained** as to the last conduct standards allegation.

CPRB Finding(s): 1) **Unfounded** as to the first conduct standards allegation;

2) **Not Sustained** as to the second conduct standards allegation;

- 3) **Not Sustained** as to the third conduct standards allegation;
- 4) **Not Sustained** as to the fourth conduct standards allegation;
- 5) **Sustained** as to the call handling allegation; *and*
- 6) **Sustained** as to the last conduct standards allegation.

APD Final Determination(s): 1) **Unfounded** as to the first conduct standards allegation;

- 2) **Not Sustained** as to the second conduct standards allegation;
- 3) **Not Sustained** as to the third conduct standards allegation;
- 4) **Not Sustained** as to the fourth conduct standards allegation;
- 5) **Sustained** as to the call handling allegation; *and*
- 6) **Sustained** as to the last conduct standards allegation.

CPRB No. 39-08/OPS No. C08-346 [monitor appointed]

Nature of the Allegation(s): Use of Force - officers hit the complainant's daughter, beat her, tossed her around, and tried to throw her into the patrol car while handcuffed.

OPS Preliminary Finding(s): **Unfounded**

CPRB Finding(s): **Unfounded**

APD Final Determination(s): **Unfounded**

CPRB No. 43-08/OPS No. C08-391 [monitor appointed]

Nature of the Allegation(s): 1) Call Handling - after identifying a female suspect who allegedly caused mischief to the complainant's car, the officers did not arrest the female suspect; *and*

2) Conduct Standards - when the complainant informed an officer of the damage to his vehicle, the officer said "chalk up the damage to a lesson learned."

OPS Preliminary Finding(s): 1) **Unfounded** as to the call handling allegation; *and*

2) **Not Sustained** as to the conduct standards allegation.

CPRB Finding(s): 1) **Unfounded** as to the call handling allegation; *and*
2) **Not Sustained** as to the conduct standards allegation.

APD Final Determination(s): 1) **Unfounded** as to the call handling allegation; *and*
2) **Not Sustained** as to the conduct standards allegation.

CPRB No. 63-08/OPS No. C08-550 [monitor appointed]

Nature of the Allegation(s): 1) Conduct Standards – the complainant was searched and put in the back of a police car without knowing what he did;
2) Conduct Standards – when the complainant asked the officers to loosen the cuffs on his ankle, they did not;
3) Conduct Standards – the complainant was denied a phone call home and to the district attorney;
4) Conduct Standards – the complainant was detained when he asked to leave until he agreed to take a DNA test;
5) Conduct Standards – the officer gave the complainant back his ID but not his \$50; *and*
6) Call Handling – the Sergeant told the complainant’s father that he should not have his kids walking around Albany at night.

OPS Preliminary Finding(s): 1) **Exonerated** as to the first conduct standards allegation;
2) **Not Sustained** as to the second conduct standards allegation;
3) **Exonerated** as to the third conduct standards allegation;
4) **Not Sustained** as to the fourth conduct standards allegation;
5) **Not Sustained** as to the fifth conduct standards allegation; *and*
6) **Sustained** as to the call handling allegation.

CPRB Finding(s): 1) **Exonerated** as to the first conduct standards allegation;
2) **Not Sustained** as to the second conduct standards allegation;

- 3) **Exonerated** as to the third conduct standards allegation;
- 4) **Not Sustained** as to the fourth conduct standards allegation;
- 5) **Not Sustained** as to the fifth conduct standards allegation; *and*
- 6) **Sustained** as to the call handling allegation.

APD Final Determination(s): 1) **Exonerated** as to the first conduct standards allegation;

- 2) **Not Sustained** as to the second conduct standards allegation;
- 3) **Exonerated** as to the third conduct standards allegation;
- 4) **Not Sustained** as to the fourth conduct standards allegation;
- 5) **Not Sustained** as to the fifth conduct standards allegation; *and*
- 6) **Sustained** as to the call handling allegation.

CPRB No. 68-08/OPS No. C08-663 [no monitor appointed]

Nature of the Allegation(s): Conduct Standards - an officer made false statements about the complainant's character which resulted in the complainant being denied housing.

OPS Preliminary Finding(s): **No Finding**

CPRB Finding(s): **No Finding**

APD Final Determination(s): **No Finding**

CPRB No. 69-08/OPS No. C08-635 [monitor appointed]

Nature of the Allegation(s): 1) Use of Force - an officer gripped the complainant's left arm so firmly that he suffered a sprained elbow;

- 2) Conduct Standards - the officer asked the complainant to place his hands behind his back, then on top of his head, and to stand with his hands on his head until his car was checked; *and*
- 3) Conduct Standards - the complainant's car was checked and searched for nothing, and then towed.

OPS Preliminary Finding(s): 1) **Exonerated** as to the use of force allegation;

2) **Unfounded** as to the first conduct standards allegation; *and*

3) **Exonerated** as to the second conduct standards allegation.

CPRB Finding(s):

1) **Exonerated** as to the use of force allegation;

2) **Unfounded** as to the first conduct standards allegation; *and*

3) **Exonerated** as to the second conduct standards allegation.

APD Final Determination(s): 1) **Exonerated** as to the use of force allegation;

2) **Unfounded** as to the first conduct standards allegation; *and*

3) **Exonerated** as to the second conduct standards allegation.

CPRB No. 74-08/OPS No. C08-710 [no monitor appointed]

Nature of the Allegation(s): Conduct Standards - two detectives harassed the complainant regarding drugs.

OPS Preliminary Finding(s): **Unfounded**

CPRB Finding(s): **Unfounded**

APD Final Determination(s): **Unfounded**

CPRB No. 11-09/OPS No. CC2009-017 [no monitor appointed]

Nature of the Allegation(s): 1) Call Handling - the complainant's case was intentionally being kept open to hold up his insurance claim; *and*

2) Call Handling - a detective told the complainant that he did not believe him about the incident.

OPS Preliminary Finding(s): 1) **Exonerated** as to the first call handling allegation; *and*

2) **Unfounded** as to the second call handling allegation.

CPRB Finding(s): 1) **Exonerated** as to the first call handling allegation; *and*

2) **Unfounded** as to the second call handling allegation.

APD Final Determination(s): 1) **Exonerated** as to the first call handling allegation; *and*

2) **Unfounded** as to the second call handling allegation.

DEFINITION OF CPRB FINDINGS

Section 42-344A of Chapter 42, Part 33 of the Albany City Code charges the Board with, after review and deliberation of an investigation, shall, by majority vote, make one of the following findings on the case:

(1) *Sustained* – where the review discloses sufficient facts to prove the allegations made in the complaint.

(2) *Not Sustained* – where the review fails to disclose sufficient facts to prove or disprove the allegation made in the complaint.

(3) *Exonerated* – where the acts which provide the basis for the complaint occurred, but the review shows that such acts were proper.

(4) *Unfounded* – where the review shows that the act or acts complained [of] did not occur or were misconstrued.

(5) *Ineffective Policy or Training* – where the matter does not involve guilt or lack thereof, but rather ineffective departmental policy or training to address the situation.

(6) *No Finding* – where, for example, the complaint failed to produce information to further the investigation; or where the investigation revealed that another agency was responsible and the complaint or complainant has been referred to that agency; or where the complainant withdrew the complaint; or where the complainant is unavailable to clarify the complaint; or where the officer is no longer employed by the City.

(7) *Mediation* – where the complaint is resolved by mediation.

POLICE DEPARTMENT LIAISON - POLICY REVIEW/RECOMMENDATIONS

On May 27, 2009, Committee Chairman Andrew Phelan, Jr., Chairman Jason Allen and staff of the Government Law Center participated in a conference call with the OPS to discuss how long it will be before all the cameras are installed in police vehicles and the Early Warning System. It will take forty (40) weeks for the contractor to install the cameras in 40 police vehicles. The equipment are in the cars but not the cameras. The Board has not seen the Standard Operating Procedures for the cameras yet. The APD has one (1) wireless access point in place while three (3) others are waiting to be installed. The OPS is looking at best practices regarding its Early Warning System.

PUBLIC OFFICIAL LIAISON

On May 6, 2009, Chairman Jason Allen, members of the committee, and staff of the Government Law Center met with the Common Council's Public Safety Committee. The meeting was an opportunity to update the Public Safety Committee on the Board's four (4) initiatives which included: the grievance form process, the Early Warning System, the status of cameras in APD patrol cars, and the mediation program. The Public Safety Committee would like a demonstration of the Early Warning System as well as a view of the outputs. Public Safety Committee Chairman Joseph Scalzo suggested and agreed to set up a sub-committee with members of the Common Council and CPRB to discuss steps in moving the mediation program forward.

On May 7, 2009, Chairman Jason Allen, members of the committee, and staff of the Government Law Center met with City Corporate Counsel John Reilly because Deputy Mayor Philip Calderone was unavailable. The meeting was to update the City on the status of the Board's four (4) initiatives. At that meeting, Corporation Counsel Reilly agreed to facilitate a meeting with Chief of Police James Tuffey and the APD Union representatives.

TASK FORCE ON MONITORS

At its May 14, 2009 meeting, the Board approved the red-lined changes to its monitors' protocol. These changes were the results of meetings between the monitors, the OPS, and the Board. Also at this meeting, Board member Jean Gannon agreed to chair the Task Force on Monitors Committee.

During the third quarter of 2009, monitor Albert Lawrence requested a four (4) month leave of absence, and Theresa Balfe requested a six (6) month leave of absence from their duties as CPRB monitors. With monitors Theresa Balfe and Albert Lawrence on a leave of absence, the Board has three (3) monitors left in rotation. As a result, the Board requested that the GLC put together a plan for a search for new monitors.

MEETINGS

The Board met as a whole three (3) times for the conduct of business during the third quarter of 2009. Meetings were held on May 14, 2009, June 11, 2009, and July 23, 2009. Two (2) of the three (3) meetings were held at the Albany Public Library, 161 Washington Avenue, in the Large Auditorium. The third meeting was held at Albany Law School, 80 New Scotland Avenue, in the Dean Alexander Moot Courtroom (Room 421). There was a public comment period at each meeting.

At its July 23, 2009 meeting, the Board voted in favor of not meeting in the month of August due to conflicting vacation schedules.

TRAINING

Section 42-339 of Chapter 42, Part 33 of the Albany City Code requires that “the Government Law Center . . . provide, to CPRB members, and the members . . . undergo continuing education . . .”

During the third quarter of 2009, Board members Jean Gannon, Marilyn Hammond and GLC Coordinator of the Board Sharmaine Moseley registered to attend the National Association for Civilian Oversight of Law Enforcement (NACOLE) Conference scheduled for October 31 – November 3, 2009 in Austin, Texas. The CPRB requested that the APD send a representative from the Department.

REPORTS

During the third quarter of 2009, the Board voted unanimously to approve its Third Quarterly Report for 2008, prepared and submitted by the Government Law Center.

GOVERNMENT LAW CENTER

During the third quarter of 2009, 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:

- Coordinated, scheduled, and engaged in meetings and discussions between the Board and City officials regarding Board initiatives.
- Coordinated, scheduled, and engaged in a meeting and discussion with the Albany Common Council’s Public Safety Committee and the Board.
- Arranged logistics for and participated in a conference call between the Board’s Policy Review Committee and OPS regarding cameras in police vehicles and the early warning system.
- Registered two (2) Board members and one (1) staff person from the Government Law Center to attend the 2009 NACOLE Conference in October 2009.
- Drafted and forwarded to the Board its Third Quarterly Report for 2008 for review.
- Worked with Albany Law School’s Human Resources Department in creating a job description and want ad for CPRB monitors.
- Forwarded the want ad to Corporation Counsel’s office for approval.

- Drafted and forwarded correspondence to the Mayor and Common Council notifying them of the need to fill the vacancy created by Daniel Fitzgerald's resignation, the vacancies that will be left by John Paneto and Andrew Phelan, Jr. when their terms expire in October 2009, and the re-appointments of Board members Jean Gannon and Reverend Edward Smart.
- Received and forwarded to the Board and the Mayor the resignation letter of Board member Daniel Fitzgerald.
- Received and forwarded to the Board correspondence from the Emmaus Intervention Project with Recent Immigrants and Refugees regarding CPRB No. 15-09.
- Forwarded to the Board from the OPS, statistics from its Early Warning System IAPRO.
- Drafted and forwarded correspondence to Detective Kathy Hendrick regarding CPRB No. 16-08/OPS No. C08-327.
- Drafted and forwarded correspondence to complainant for CPRB No. 39-08 regarding the delay in the Board making a finding in the case.
- Drafted and forwarded correspondence to Chief James Tuffey requesting the APD's final determinations for complaints reviewed by the Board.
- Forwarded correspondence to the Board from Chief Tuffey on the APD's final determinations for complaints reviewed by the Board.
- Forwarded correspondence to the Board from Chief Tuffey regarding the APD's Prisoner Transport Vehicle.
- Forwarded the redlined monitor's protocol to the OPS, Deputy Chief Stephen Reilly, and monitors.
- Ordered CPRB Brochures in English and Spanish.
- Drafted and forwarded to the Board for review its Third Quarterly Report for 2008.
- Forwarded the Board's 2008 Third Quarterly Report to its members, City of Albany public officials, and residents.
- Notified organizations, community groups, and complainants of the Board's public meeting by posting a press release in City Hall, and sending out via mail and e-mail notices and press releases.
- Drafted and forwarded correspondence regarding Freedom of Information Law (FOIL) requests.

- Forwarded the updated database scorecard to the OPS and members of the Board.
- Continued the development of the CPRB electronic database.

In addition, the Center performed the following administrative tasks:

- Arranged logistics for and coordinated three (3) regular monthly meetings; two (2) committee/task force meetings; and two (2) community outreach meetings, including: securing dates, times, and locations for each meeting, and providing notice to the affected parties and to the public;
- Attended three (3) regular monthly meetings; and two (2) committee/task force meetings;
- Prepared and assembled regular monthly meeting packets for Board members, including: photocopying complaints, reports, and accompanying documents for review;
- Prepared a summary of new complaints filed with the Board for presentation by the Chair of the Committee on Complaint Review at each monthly meeting;
- Prepared findings forms for the recording of Board determinations by members of the Committee on Complaint Review at each monthly meeting;
- Reported all activities related to Board business at each monthly meeting;
- Recorded and transcribed the minutes of each monthly meeting;
- Notified affected parties of Board findings, recommendations, and requests following each monthly meeting;
- Conducted a monthly accounting and inventory of complaints filed with the Board, including a summary of active, suspended, and closed complaints, recommendations, and pending requests submitted to the Chief of Police, the Office of Professional Standards, and the Corporation Counsel's Office;
- Reported monthly complaint accounting and inventory to the Board at each of its third quarter meetings;
- Assisted with typing and forwarding the Board's requests and recommendations to the Chief of Police, the Office of Professional Standards, and/or the Corporation Counsel's Office;
- Received and logged in complaints;

- Opened and closed complaint files;
- Forwarded complainant related correspondence to Board members;
- Updated and maintained the Board's website to include new meeting minutes, new Board members and the new meeting schedule;
- Maintained regular communications with Board members, the Police Department, and the Corporation Counsel's Office; *and*
- Answered inquiries from the community and the media about the Board and the complaint review process.

CONCLUSION

The Board had an active third quarter, which included: holding three (3) regular monthly meetings; two (2) committee/task force meetings; two (2) community outreach meetings; one (1) conference call; and reviewing twelve (12) complaints. In addition, the Board continued to work closely with the APD towards the enactment of its four (4) initiatives.

Respectfully submitted,

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

Dated: August 1, 2009

