

City of Albany  
Citizens' Police Review Board  
Minutes of 8/12/02 Meeting  
Albany Public Library, HBH Room  
Washington Avenue

Present: Kenneth Cox, Barbara Gaige, Judith Mazza, Herman Thomas, Eleanor Thompson and Michael Whiteman

Absent: Manuel Alguero, Marilyn Hammond and Paul Weafer

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

Chairman Kenneth Cox called the meeting to order at 6:15 p.m.

**II. Old Business**

**CPRB No. 7-02/OPS No. C02-88.** Chairman Cox reported that he had contacted the Mayor's office to schedule a meeting to discuss this complaint and was referred to Commissioner John Nielsen's office. A meeting was set up with the Commissioner for July 15, 2002. Chairman Cox met with Commissioner Nielsen to discuss the complainant's concerns. Commissioner Nielsen agreed to an "informal" meeting, facilitated by the Board's Mediation Coordinator Karleen Karlson, with the complainant to discuss those concerns.

**CPRB No. 8-02/OPS No. C02-84.** Commander Bruno summarized OPS' further investigation of the complaint. He reported that OPS tried to locate the passenger of the vehicle by contacting his girlfriend, who explained that she hadn't seen the passenger in several weeks. His office received information from a person at the YMCA that the passenger had been there, but had been taken to a rehabilitation center. His office contacted the passenger's mother in Louisiana, but the only information that she was able to provide was that the passenger was in a rehabilitation center in Western New York.

**III. Report from the GLC**

Staff Attorney Justina Cintrón gave the report. It was reported that the total cases filed with the Board as of the date of the meeting was 94, which included 39 active complaints, 51 closed complaints and four (4) suspended complaints.

Ms. Cintrón reported that the complaint status inventory was in the process of being revised so that it would track each complaint individually from the point in which the complaint is filed until findings are made and the complaint is closed.

Ms. Cintrón reported that the Board's third quarterly report and the Board's monitor's procedures are being drafted and would be mailed out to the Board for its review.

She reported that the Government Law Center had interviewed four (4) potential monitors/investigators for the Board and had scheduled interviews for two (2) additional candidates for monitor/investigator positions. She noted that these additional interviews were scheduled to take place by August 29<sup>th</sup> and that the GLC would be forwarding its recommendations to the Mayor and Common Council for their approval.

Ms. Cintrón also reported that the "informal" meeting with respect to CPRB No. 7-02/OPS No. C02-88 was scheduled to take place at the law school on August 13, 2002 at 2:00 p.m., and noted that the complainant, the complainant's spouse, Commander Anthony Bruno, Commissioner John Nielsen and Karleen Karlson, Esq. would be in attendance.

October 7, 2002 was selected as the Board's October meeting date, and September 23, 2002 and November 18, 2002 were selected as the Board's fall training dates. A training refresher on the Freedom of Information Law (FOIL) and the Open Meetings Law (OML), and a session on collective bargaining agreements/labor law issues are the tentative training topics.

Efforts to expand the Board's outreach activities were briefly discussed.

#### **IV. Report from OPS**

Commander Anthony Bruno gave the report. He provided the Board with a copy of OPS' proposal for a strip search policy, which is being forwarded to Commander Paula Breen for review. He directed the Board's attention to certain questions to be answered and included in the policy and procedures.

Michael Whiteman suggested that the Board review the strip search policy and forward its comments and suggestions for changes to Commander Bruno.

Mr. Whiteman asked if any consideration has been made with respect to having a medical officer present. Commander Bruno responded that medical personnel will be present for any intrusive cavity searches.

Mr. Whiteman asked whether the department is conducting a revision to its policy or training with respect to pat down searches. Commander Bruno responded that the department is looking to address this issue in the department's annual in-service training.

Commander Bruno provided a summary of the statistics for July 2002, which included:

- 12,403 calls for service city wide, of these:
  - 1,793 police officer initiated calls (14.5%),
  - 628 traffic stops,
  - 579 calls at stations (i.e., walk ins),
  - 364 details where police officers are posted at an establishment (i.e., special event), and
  - 43 persons with weapons.

There were 723 arrests city-wide and four (4) complaints received.

Commander Bruno added that the department is updating its imaging system for booking. He explained that the system was an analog system, but is being upgraded to a digital system, which will increase quality of tapes and reduce maintenance.

#### **V. CPRB Comments**

Michael Whiteman commented that it would be useful for the Board to have an executive session to discuss the monitors' procedures.

Judith Mazza asked if anything has been done about training to revisit the law and how it is being implemented.

Barbara Gaige inquired about whether the Board would be required to extend meetings or have additional meetings to deal with the influx of complaints that have been received. Ms. Cintrón responded that the GLC would conduct a file inventory and report back to the Board with an assessment of the status of complaints that are ready for review or require follow up by the Board.

Ms. Gaige also asked how many terms expire in August. Ms Cintrón responded that she would review the terms and appointments, and furnish the Board with the requested information.

Michael Whiteman inquired about NACOLE. Justina Cintrón agreed to provide the information to the Board in advance of the next meeting.

#### **VII. Public Comment**

A gentleman was recognized. He asked if members of the public had access to the police department's procedures. He was advised that he could obtain non-confidential portions of the procedures by filing a freedom of information law request with the City Clerk.

**VIII. Adjournment**

Chairman Cox moved to adjourn the meeting at approximately 6:46 p.m.

Respectfully Submitted,

Michael Whiteman  
Secretary