

**City of Syracuse  
Citizen Review Board  
Meeting Minutes  
Date: Thursday, April 4, 2013  
6:00 PM- 8:00 PM  
Common Council Chambers  
Public Comment - 20 minutes at 7:00 PM**

<u>Name</u>	<u>P</u>	<u>A</u>	<u>E</u>	<u>Name</u>	<u>P</u>	<u>A</u>	<u>E</u>	<u>Name</u>	<u>P</u>	<u>A</u>	<u>E</u>
Gammage, Demetria	X			Masella, Joseph	X			Pearson, Betty L.	X		
Horan, Carole J.	X			Oppedisano, Donna			X				
Jennings-Bey, Timothy		X		Stuart-McIlvain, Sarah	X			<b>Common Councilor</b>			
Levine, Louis	X			Timmons, Tafara Blake	X			Barrett, Jake	X		
Livingston, Mallory	X			Turner, V. Diane		X					
Mack, Raheem	X			Lipari, Joseph L.	X						

On Thursday, April 4, 2013, the City of Syracuse Citizen Review Board (CRB) held an open, stated meeting at 304 City Hall in the Common Council Chambers.

Mr. Masella, Board Chair, called the meeting to order and announced that the meeting was being held pursuant to notice and that a quorum was present.

1. On motion duly made by Ms. McIlvain, seconded by Ms. Livingston and adopted, the Board approved the Minutes of the March 7, 2013 Board meeting.
2. Chairman's Items
  - a. Chief Frank L. Fowler's response to CRB disciplinary recommendations  
Mr. Masella explained the reason for the Chief's response as written in the ordinance, "**Section Seven (3) (g) Response from the Chief of Police** - Within thirty (30) days of the receipt of a recommendation from a hearing panel, the Chief of Police shall advise the Board in writing as to what type of actions or sanctions were imposed, and the reasons if none were imposed." Mr. Masella expressed optimism that the matter will be remedied in the near future as all involved are working toward that goal.
  - b. Corporation Counsel's conflict of interest policy/Acquiring outside legal counsel  
There may be situations in the future that will not allow the Corporation Counsel to represent the CRB and will require the use of outside counsel. This would include when someone sues the City of Syracuse because of the actions of a police officer as the Corporation Counsel would represent the officer or when a subpoena is used to compel the cooperation of a witness or officer. For these reasons, the CRB is seeking outside legal counsel with the possibility of receiving pro-bono assistance. Ms. McIlvain feels that the process should be transparent.

### 3. Administrator's Report

#### a. Annual Report Highlights

1. CRB is fully operational and received 69 complaints in 2012 75% were fully processed by the close of 2012 and 98% as of the week of this meeting. Fifteen hearings were held in 2012 with eight resulting in sustained finding/disciplinary recommendation - a 17% sustain rate.
2. Policy Recommendations based on 2012 cases: Improving SPD policy on securing residence after a forced entry; requiring provision of property receipts at point of seizure when money is seized (to protect officers and public) and inclusion of a non-retaliation clause in SPD's complaint procedures.
3. Coordination with other city and county agencies is expanding.
4. Training regimen at CNY Police Academy at OCC in constitutional law, observation and patrol, traffic stops, arrest techniques, interview and interrogation methods, standards of proof, laws of arrest, physical evidence, use of force, police discretion, search and seizure, stop-question-and-frisk, and community oriented policing.
5. Increased Efficiency through the implementation of SharePoint & IA Pro
6. Commitment to Transparency to inform and empower citizens and keep complainants and officers informed.
7. Procedural Justice: complainants by and large report that the CRB process is fair and professional
8. Relationship with SPD: strong working relationship, meet with Chief about once a month; communicate frankly; currently working through a few issues to ensure appropriate level of coordination and full compliance with the CRB ordinance.

#### b. Arrangement for hearings for Justice Center inmates

Mr. Lipari initially sought to hold panel hearings at the Justice Center for incarcerated complainants. Instead, the inmates will be brought to City Hall Commons and their hearings will be conducted in the same manner as all others. Ms. Timmons asked about the time of day for inmate hearings and the answer is that they will typically be in the evening, at or after 5:30, as are most of the other hearings.

#### c. Gaining access to 911 recordings

A judicial order is needed to receive 911 recordings.

- d. “Economic Defense of the CRB” talking points, i.e. what can be said if someone says the CRB is “nice, but not essential...”
    - With disciplinary & policy recommendations, the CRB can change officer behavior and departmental policy which can reduce the City and the taxpayer’s liability
    - By investigating meritless complaints before they become lawsuits, the CRB’s un-sustained findings reduce the City’s exposure to liability
    - The CRB’s small budget does not reflect the amount of hours that are being worked by the all-volunteer Board members as the external oversight process would cost the City considerably more if it did not rely on unpaid volunteers
    - The CRB can operate as a “safety-valve” for high profile complaints or allegations of misconduct that become public.
  - e. Rescheduling of July Board meeting  
The first Thursday is Independence Day. The July Board meeting will be Thursday, July 11.
  - f. March 2013 case statistics  
Three new cases were received in March. The total received in 2013 is 32. Fourteen cases will be reviewed during Executive Session.
  - g. Budget Hearing  
The CRB hearing for the 2013-14 budget with the Common Council is Tuesday, April 16 at 3:00 in Council chambers. All Board members who are able to should attend.
4. On motion made and seconded the meeting recessed for Public Comment.
  5. On motion made and seconded the meeting adjourned to Executive Session.

On motion duly made, seconded and unanimously adopted, the Board adjourned its meeting.

Respectfully submitted,

Betty L. Pearson  
Typist II, Citizen Review Board