

**City of Syracuse
Citizen Review Board
Meeting Minutes
Date: Thursday, August 8, 2013
5:30 PM - 7:30 PM
Common Council Chambers
Public Comment - 20 minutes at 6:30 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			Common Councilor			
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, August 8, 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. Horan and adopted, the Board approved the Minutes of the July 11, 2013 Board meeting, following a discussion on the meeting time permanently changing to 5:30. On motion duly made by Mr. Mack, seconded by Ms. Oppedisano, future meetings will begin at 5:30. Regarding use of the term “recess for public comment,” Mr. Lipari shared information received from Joe Barry, Senior Assistant Corporation Counsel: “Recess” is not the best term as it implies the Board is not in session and the result is technically just an informal gathering of the Board and public. If public comment is routinely an item on the agenda, then it should just be another action item for the Board as part of its regular business. Since it is part of the official agenda, the minutes should reflect the public comments, but they do not have to be taken down verbatim but rather can be a summary of the individual’s statement. You can also permit the public to submit written statements to the Board by handing them to the Board Secretary during the public comment period. If there is a very controversial item for public comment a stenographer may be needed to take it all down for the record. A recess does allow Board members to leave as the Board is technically not in session but this is not recommended.
2. Chairman’s Items
 - a. CRB Advisory Group composition and skill set – The third person on the Advisory Group would be a Board member who could/would become Chair, first by moving up to the Vice Chair position. The skill set would include

commitment and time. Any Board member interested can talk to Mr. Lipari. Outside counsel would be used as needed.

- b. Renewed search for additional outside counsel – After an explanation of the situation leading to the need to reopen the search, Mr. Masella suggested having a stable of available attorneys. Mr. Mack suggested getting someone who is starting out. Ms. McIlvain proposed a law professor or students. Ms. Oppedisano added that they should be community-minded and knowledgeable.
3. Administrator's Report
- a. The 2013 2nd Quarter Report will be released as soon as Chief Frank Fowler's disciplinary decisions and written responses are received.
 - b. Meeting with Chief Fowler – Mr. Lipari plans to meet with Chief Fowler in the near future to discuss various matters and to establish a regular meeting time.
 - c. IA Pro Installation & Training – The software has been received and installed and Mr. Lipari and Ms. Pearson will receive training Monday and Tuesday, August 11 and 12 in the IT training room on the 7th floor of City Hall Commons.
 - d. New policy from Corporation Counsel on CRB access to records when a Notice of Claim is filed – The Corporation Counsel's Office represents the SPD and its employees in civil litigation that includes Claims and lawsuits against same. Once a CRB-complainant chooses to exercise her or his right to the alternatives to the CRB process and initiates civil litigation against the City/SPD or its employees via Notice of Claim or lawsuit, a conflict of interest will arise immediately and the Corporation Counsel will be obligated to preserve attorney-client privilege regarding any and all information related to that litigation. Accordingly, when a CRB-complainant initiates civil litigation against the SPD/City, the SPD will cease to provide the CRB any additional documents related to the matter, regardless of whether such information was requested by the CRB previous to the complainant's initiation of litigation, but that might not yet have been obtained by the SPD. The City will meet its obligations regarding lawful and proper FOIL requests or judicial subpoenas.
 - e. Response from Corporation Counsel on Public Comment period – "Recess" is not the best term as it implies the Board is not in session and the result is technically just an informal gathering of the Board and public. If public comment is routinely placed as an item on the agenda, it should just be another action item for the Board as part of its regular business. Since it is part of the official agenda, the minutes should reflect the public comments, but they do not have to be taken down verbatim, but rather can be a summary of the individual's statement. The public can also be permitted to

submit written statements to the Board by handing them to the Board Secretary during the public comment period. If there is a very controversial item for public comment, a stenographer can be hired to take it all down for the record. A recess does allow Board members to leave as the Board is technically not in session but this is not recommended. Board members can be excused during the meeting as long as a quorum remains to conduct business.

- f. Website updates – Mr. Lipari met with Joel Rinne, the City’s webmaster and Mr. Rinne will look into having the CRB webpage translated into different languages and to include a visitor counter, the CRB in the news, photos, NACOLE – The National Association of Civilian Oversight of Law Enforcement and SPD Rules and Regulations.
 - g. Office security measures fully installed – The clear glass and buzzer for the front door have been installed.
 - h. Report on August 1 Outreach effort at Near West Side Initiative event – Mr. Lipari was able to interact with other agencies in the community and will do presentations for them in the future.
 - i. Demetria Gammage – It seems that Ms. Gammage has relocated creating a vacancy for the Third District appointee. Ms. McIlvain motioned and Ms. Horan seconded that Ms. Gammage be replaced.
 - j. NACOLE Conference, September 22-26, Salt Lake City, Utah – Mr. Lipari is unable to attend and would like a Board member to attend the conference, but because none are City employees, they are not covered by the City’s insurance should something happen to them.
 - k. July 2013 Case Statistics
Eleven new cases were received in July. The total received in 2013 is 78. Eleven cases will be reviewed during Executive Session.
4. Committee Reports
- a. Outreach: Fall Outreach Event- SU or other venue – Messrs. Lipari and Mack are continuing to work with personnel at Syracuse University on an outreach event. We will also look into participating in the Westcott Street Cultural Fair, Sunday, September 15. With that, we will have meet in all five Council Districts.
 - b. Training: Presentation by medical expert on injuries and intoxication – The Common Council has physicians on retainer. We may be able to get one to speak on the subject.

5. Public Comment Period
6. Meeting Adjourned to Executive Session.
7. On motion duly made, seconded and unanimously adopted, the Board adjourned its meeting.

Respectfully submitted,

Betty L. Pearson
Typist II, Citizen Review Board