

**City of Syracuse
Citizen Review Board
Meeting Minutes
Thursday, February 5, 2015
5:30 PM to 7:30 PM
Common Council Chambers
Public Comment - 20 minutes at 6:30 PM**

<u>Name</u>	<u>P</u>	<u>A</u>	<u>Name</u>	<u>P</u>	<u>A</u>	<u>Name</u>	<u>P</u>	<u>A</u>
Adan, Haji A.		X	Masella, Joseph	X				
Barber, William	X		Milliken, Carol	X				
Christiana, Peter	X		Timmons, Tafara Blake	X				
Horan, Carole J.	X		Turner, V. Diane	X				
Levine, Louis	X		Lipari, Joseph L.	X				
Livingston, Mallory	X		Pearson, Betty L.	X				

On Thursday, February 5, 2015, the City of Syracuse Citizen Review Board (CRB) held an open, stated meeting at 304 City Hall in the Common Council Chambers.

Mr. Barber, 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 Mr. Masella, seconded by Ms. Milliken and adopted, the Board approved the Minutes of the January 8, 2015, Board meeting.
2. Chairman's Items
 - a. Formation of the Committee of Five to conduct annual performance evaluation of Administrator – The Chairman reported that the committee will consist of Mayor Stephanie Miner or her appointee; Councilor Pamela Hunter, Public Safety Committee Chairperson; Mr. Barber, Board Chair/District Appointee, Mr. Masella, Mayoral Appointee; and Ms. Livingston, At-Large Appointee. NOTE: During the Executive Session Mr. Lipari and Ms. Pearson were asked to leave Council Chambers while the Board discussed the process. The Board unanimously adopted a resolution to seek a 3% annual pay increase for the Administrator and each of the Board members agreed to send to the CRB members of the Evaluation Committee their individual views on Mr. Lipari's performance during the past year.
3. Administrator's Report
 - a. CRB Policy Recommendations for 2014 Annual Report – the proposed recommendations are:
 1. **Revise the Existing Use of Force Policy** to make it consistent with the city's new Taser policy. The new use of force policy should be based on recommendations provided by the U.S. Department of Justice in consent decrees reached with other cities. The new policy should include:

- a. A delineation of all force options, including all department-approved lethal and less-lethal weapons, and specific guidance on when each force option is appropriate;
 - b. Precise definitions of key terms including but not limited to imminent threat, force transition, de-escalation, reportable force, as well as the definitions and correlation of various levels of subject resistance (passive, active, aggressive and aggravated aggressive) to levels of control (low level, intermediate, and deadly force);
 - c. An discussion of what constitutes “objectively reasonable” force under the U.S. Supreme Court’s *Graham v. Connor* (1989) decision;
 - d. Specific prohibitions on when certain forms of force should not be used;
 - e. The limitation of strikes to the head and neck area to deadly force situations;
 - f. A “Duty to Intervene” policy which indicates that any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another officer use force that exceeds the degree of force permitted by law should be required to promptly report these observations to a supervisor.
2. **Commence Development of a Comprehensive Body Camera Policy** ready to be implemented upon the eventual acquisition of body cameras. This policy should be developed with input from both the public and the officers who will use them.
 - a. In addition to acquiring body cameras, the SPD should increase the number of dashboard cameras installed in police vehicles. Currently, only seven SPD vehicles are equipped with dashboard cameras; these vehicles are typically used for traffic enforcement.
3. **Develop and Implement a Disciplinary Matrix** to bring consistency and predictability to the department’s disciplinary process. A matrix, a common disciplinary tool used by employers both inside and outside of policing, categorizes violations into various levels of severity and provides disciplinary options for each level. A degree of administrative discretion can be built into the matrix by including mitigating and aggravating factors that can increase or decrease the level of discipline.
4. **Adopt a Policy to Immediately Retrieve and Secure Video** from the COPS Platform cameras or nearby private surveillance cameras anytime there is a use of force incident within range or as soon as a complaint has been made against an officer (either through 911, at the scene, or later through OPS).
 - a. Extend the timeframe that COPS Platform camera videos are available from 15 days to 45 days so the videos will more likely be available for complaint investigations.
5. **The Office of Professional Standards should Record Interviews with Subject Officers and Acquire Police Radio Transmissions** as a routine part of their

internal affairs investigations. The recording of interviews with officers who are the subject of a complaint or who are a witness to the incident is a widely accepted best practice for internal affairs investigations. The recording of interviews tends to improve the quality of the interview and preserves the interview for review by outside agencies when necessary. The routine acquisition of police radio transmissions would provide investigators with additional context and the ability to verify critical aspects of an officer's account of a given incident. If adopted, both recommendations would serve to improve the quality and thoroughness of OPS investigations.

- b. Adjustments to Budget for Fiscal Year 2015-16 – Mr. Lipari shared that changes were made to the proposed CBR budget after departments were notified that they would be limited to a two percent increase to their budget over the prior fiscal year. The new proposed budget is just under \$134,000.00.
 - c. LP&M media training for Administrator and Chair – Messrs. Lipari and Barber participated in the media training on January 21, 2015. The material prepared for the training was shared with the Board.
 - d. Judge John Brunetti's request for CRB materials – Mr. Lipari reported that the CRB records for one complainant were turned over to Judge Brunetti via Corporation Counsel. Mr. Lipari stated that the judge requested the CRB's files to address a specific question in the accounts of the police interaction.
 - e. Monthly Financial Report – Mr. Lipari shared the detailed breakdown of expenditures for the year to date.
 - f. January 2015 case statistics – Mr. Lipari reported that six new cases were received in January. He stated that the total received in 2015 is six and that nine cases will be reviewed during Executive Session.
4. Committees
- a. Board Development & Training committee: Ms Horan reported that the CRB Annual Training and Strategic Planning Event, will be held Saturday, February 28, 9:00 am to 5:00 pm – the schedule for the day was provided including a list showing the food, beverage and miscellaneous items everyone signed up to bring. Ms. Horan reminded everyone to bring their member information binder.
 - b. Report on Police Liaison Committee Meeting, January 14, 2015
 - Mr. Lipari, Mr. Barber, and Ms. Livingston reviewed the conversation held with the police liaison committee.
 - At the meeting, the question was raised whether the CRB should create a tiered system of disciplinary options. This would bring consistency and predictability to the disciplinary recommendations given by the hearing panel.

The board will wait to see a draft version of the tiered system before making any decisions on this matter.

5. New Business

Ms. Horan asked about electing a Vice Chair. The Board decided to wait until it has a full Board to elect a Vice Chair. Ms. Horan also pointed out that some Board member's bios are not on the website and asked that they complete them so they can be added. Ms. Timmons asked for progress reports on the policy recommendations and ordinance revisions submitted.

6. Public Comment (6:30 pm)

Rev. L. Micah O. Dexter II, pastor of New Salem Missionary Baptist Church shared that the Southern Christian Leadership Conference meets the second Tuesday of each month.

Mr. Mikiel Anderson asked questions pertaining to: the Vice Chair position, At-Large Board vacancy, police training, body cameras, ordinance revisions, the medical consultant, 911 recordings, part-time investigator, council district events, State of the City address, making complaints public, notice of claim, the budget, the annual and quarterly reports, file sharing, inmate communication, video hearings, the advertising campaign and Board committees.

7. Meeting continued in 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