

**City of Syracuse  
Citizen Review Board  
Meeting Minutes  
Thursday, January 7, 2016  
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>
Barber, William	X		Livingston, Mallory	X				
Barrette, David	X		Masella, Joseph	X				
Bullock, Douglas	X		Moser, Leah	X				
Christiana, Peter	X		Turner, V. Diane	X				
Horan, Carole J.	X		Lipari, Joseph L.	X				
Levine, Louis	X		Pearson, Betty L.	X				

On Thursday, January 7, 2016, 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. Introduction of new CRB member David Barrette – Mr. Barber introduced and welcomed David Barrette as the newest incoming CRB member, replacing Carol Milliken as a Mayoral appointee. Mr. Barrette shared his background as a police officer with over 40 years’ experience. He stated that all police tend to be painted with the same brush, but the public needs to understand that training for police varies by jurisdiction. He further stated that he feels civilian oversight builds trust and he looks forward to serving on the CRB. Mr. Lipari reported that City Clerk John Copanas swore Mr. Barrette in prior to the meeting.
2. On motion duly made by Mr. Masella, seconded by Ms. Livingston and adopted, the Board approved the Minutes of the December 3, 2015.
3. Board Action Items
  - a. Election of 2016 Board Chair and Vice Chair – On motion duly made by Mr. Masella, seconded by Ms. Horan and adopted, the Board voted to elect Mr. Barber as Chair and Mr. Christiana as Vice Chair for 2016.
4. Chairman’s Items
  - a. 2015 Fourth Quarter and Full Year Board Member Attendance – Mr. Barber reviewed the board member meeting attendance rate for the fourth quarter and the year. He reported that the attendance rate for the fourth quarter was 85% and that the attendance rate for the year was 85%. He reminded the board that the goal is at least 90%.

5. Administrator's Report

- a. Reappointment of five existing Board members – Mr. Lipari reported that District appointees Ms. Horan and Mr. Barber, At-Large appointees Mr. Bullock and Ms. Livingston and Mayoral appointee Mr. Masella were all reappointed for three-year terms. Ms. Horan inquired as to whether Councilor Khalid Bey has been reminded that he needs to make an appointment. She noted that the 60 days he has to make the appointment have passed and the Common Council as a whole may make the appointment.
- b. Citizen's Police Academy, Saturday, February 27, 2016 – Mr. Lipari reported that the SPD's Community Relations Division invited the Board to participate in the next Citizen's Police Academy training day on Saturday, February 27, from 9:00 AM to 4:00 PM.
- c. Proposed Budget Fiscal Year 2016-17 – Mr. Lipari shared the detailed analysis of the proposed budget for the 2016-17 fiscal year. On motion duly made by Ms. Horan, seconded by Mr. Masella and adopted, the Board voted to accept the proposed budget.
- d. Monthly Financial Report – Mr. Lipari shared the detailed breakdown of expenditures for the year to date.
- e. December-2015 year-end case and hearing statistics – Mr. Lipari reported that six new cases were received in December. He stated the total received in 2015 was 74 and that nine cases will be reviewed during Executive Session. Mr. Lipari noted that overall excessive force complaints were down 25% in 2015.
- f. Policy Recommendations for 2015 Annual Report – Mr. Lipari shared potential Policy Recommendations for the 2015 Annual Report:
  - Adopt a comprehensive Use of Force policy
  - Adopt a policy prohibiting officers from firing into a moving vehicle:
    - o "Officers will not discharge a firearm from or at a moving vehicle, unless use of lethal force is justified by something other than the threat from the moving vehicle; officers will not intentionally place themselves in the path of a moving vehicle; and, where possible, officers will attempt to move out of the path of a moving vehicle." -DOJ consent decree with Cleveland, 2014
  - Install seatbelts and recording cameras in the rear compartment of police transport vans
  - Install dashboard cameras and audio mics in all SPD patrol vehicles
  - Continue effort to secure funding for body cameras
    - o Develop a proposed policy on use of body cameras, seeking input from public and police officers

On motion made by Mr. Masella, seconded by Ms. Turner and adopted, the Board voted to authorize Mr. Lipari to form an ad-hoc committee to assist in developing a comprehensive use-of-force policy. The board selected Messrs. Barber, Barrette and Christiana to serve on this committee.

- g. Comments on Recent Developments Regarding Chicago Civilian Oversight Agency – Mr. Lipari reported that Chicago's Independent Police Review Authority is a civilian agency that investigates possible police misconduct. He noted that Mayor Rahm Emanuel replaced the agency's leader as well as the chief of police. Mr. Lipari indicated that both agencies are being investigated by the U.S. Department of Justice and that the resulting findings and recommendations will be highly relevant to the work of the CRB.

6. Committees

- a. Board Development & Training: Annual CRB Training Day – Mr. Lipari reported that the committee met to begin preparing the CRB Annual Training and Strategic Planning event. The tentative date is Saturday, April 23 at 250 South Clinton Street.

7. New Business

There was no new business.

8. Public Comment (6:30 pm)

Mr. Mustafa Robinson recommended placing public awareness posters in the CENTRO hub.

Mr. Mikiel Anderson asked questions or made comments about the Police Liaison Committee; Board committees; the administrator's evaluation; community outreach events for the year; the Spanish-speaking community; government consolidation; Councilor Steven Thompson, Public Safety Committee chair; police contract negotiations, the CRB hearings and/or conciliation and the CRB budget.

Ms. Barrie Gewanter asked when the annual report would be available.

9. Meeting continued in Executive Session.

During the Executive Session, the Board voted on the following cases to determine whether to forward the case to a CRB hearing:

- 15-057     **Hearing**
- 15-058     **Hearing**
- 15-060     **No Hearing**
- 15-061     **No Hearing**
- 15-062     **No Hearing**
- 15-064     **No Hearing**
- 15-065     **No Hearing**

15-066     **Hearing**  
15-067     **No Hearing**

The board also discussed and unanimously passed the following resolution:

**Resolution on CRB legal action regarding the failure of the Chief of Police to provide his disciplinary decisions and rationale to the CRB**

**Whereas**, the Chief of Police has recently stated that he will not provide his disciplinary decisions and rationale to the CRB when the CRB sustains an allegation against an officer after the 60 day timeframe for the CRB to complete its process has expired,

**Whereas**, the CRB has received and reviewed a written legal analysis from outside counsel that the language in the CRB ordinance directing the CRB to complete its processing of a complaint within 60 days is directory, not mandatory,

**Whereas**, the CRB ordinance does not contain any language indicating that “time is of the essence” nor any language indicating a negative consequence if the CRB’s 60 day timeframe is not met,

**Whereas**, the right of an individual complainant to access the complete CRB process, including the provision of the Chief’s disciplinary decision and rationale to the CRB, should not be hindered or eliminated when, through no fault of the complainant, the CRB process cannot be concluded within 60 days,

**Whereas**, the intent of the CRB ordinance to ensure accountability of the Syracuse Police Department’s disciplinary process would be substantially undermined if the Chief of Police were allowed to continue to refuse to provide his disciplinary decisions and rationale to the CRB when the CRB concludes a case after the 60 day timeframe has expired,

**Whereas**, CRB legal counsel has shared his legal analysis with Corporation Counsel, and, by means of email, phone calls and meeting requests, has attempted to resolve this issue through mutual agreement with Corporation Counsel,

**Whereas**, Corporation Counsel has stated that no resolution would be reached,

**Therefore, Be it Resolved**, that the CRB directs the Administrator to engage outside counsel to take all necessary legal action, with the approval of the CRB Chairman, to require the Chief of Police to provide his disciplinary decisions and rationale to the CRB when the CRB sustains an allegation against an officer even when the CRB process is concluded after 60 days.

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

Respectfully submitted,

Betty L. Pearson  
Typist II, Citizen Review Board