

**City of Syracuse
Citizen Review Board
Meeting Minutes
Thursday, October 1, 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>
Barber, William	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				
Livingston, Mallory		X						

On Thursday, October 1, 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 Mr. Bullock and adopted, the Board approved the Minutes of the September 3, 2015, Board meeting.
2. Chairman's Items
 - a. Reminder on guidelines for conducting Board meetings – Mr. Barber reminded Board members that they should wait to be recognized by the Chair before speaking and to address comments and concerns to the Chair instead of each other.
 - b. Update on CRB vacancies – Mr. Barber indicated that the 4th District and one Mayoral position need to be filled. Mr. Lipari reported that a Mayoral candidate has been identified and is expected to be filled by the next meeting. Mr. Lipari also indicated that District councilors have 60 days to make their appointments.
 - c. Citizen's Police Academy – Mr. Lipari reported that SPD's Community Relations Division invited the Board to participate in a new "Citizen's Police Academy" training day on Saturday, October 3. He indicated that the training will include classroom lecture and discussions as well as the opportunity to participate in hands-on scenarios involving Use of Force and Stop, Question, and Frisk tactics. He further indicated that the heads of several community organizations and churches will also be participating in the training.

- d. CRB lawsuit against County for 911 records – Mr. Lipari reported that a court date of Wednesday, October 14, at 10:00 AM has been set for the CRB lawsuit against the County for 911 records.
3. Administrator’s Report
- a. Discussion of CRB contract requests for medical consultant and investigators – Mr. Lipari presented a Resolution in support of the medical consultant and investigator contracts. On motion made by Mr. Masella, seconded by Ms. Horan and adopted, the Board approved the resolution that reads:

Resolution in Support of CRB Request for Medical Consultant and Investigator Contracts

Whereas, the Citizen Review Board of the City of Syracuse has been directed by Local Law 1 of 2012 to conduct independent and impartial investigations of civilian complaints against members of the Syracuse Police Department in order to insure public accountability over the powers exercised by members of the Syracuse Police Department while preserving the integrity of that agency,

Whereas, Local Law 1 of 2012 directs the Administrator to conduct investigations of complaints, evaluate the information in each complaint, and determine whether there is reasonable cause to proceed to a Board hearing on the allegations of misconduct in a complaint,

Whereas, based on approximately 300 submitted complaints over the past three years, the Citizen Review Board has determined that in a small number of cases the expertise and experience of a professional medical consultant are crucial for the Administrator to perform a complete investigation of the complaint, to make a competent evaluation of the complaint, and to determine and make a recommendation to the Board as to whether there is reasonable cause to proceed to a Board hearing on the allegations of misconduct in a complaint,

Whereas, Local Law 1 of 2012 directs the Citizen Review Board to reverse or affirm the Administrator’s reasonable cause determination and thus to determine whether or not there is reasonable cause to proceed to a hearing on the allegations of misconduct in a complaint,

Whereas, Local Law 1 of 2012 directs the Citizen Review Board hearing panels to make findings of fact, determine disciplinary and training recommendations, and to assess whether an officer may have engaged in criminal conduct,

Whereas, the Citizen Review Board finds that in a small number of cases the expertise and experience of a professional medical consultant is crucial for the

Board to make a reasonable cause determination as to whether to proceed to a hearing on the allegations of misconduct in a complaint and for Board hearing panels to make findings of fact, determine disciplinary and training recommendations, and to assess whether an officer may have engaged in criminal conduct,

Whereas, the Citizen Review Board has consulted with outside legal counsel who has advised the Board in writing that under New York State law where an administrative agency has been given administrative duties in broad terms, the agency by implication has the power to determine what procedures are necessary to accomplish their goals and that the agency possesses implied powers where such powers are essential to the exercise of power expressly granted, and

Whereas, outside legal counsel has further advised the Board that the retention of a professional medical consultant is an implied power of the Board under Local Law 1 of 2012, and

Whereas, Local Law 1 of 2012 explicitly provides that should the Board deem that the volume or complexity of complaints filed with the Board justifies the need for an investigator, the Board shall direct the CRB Administrator to submit a request to the Common Council to approve the Board's hiring of a qualified investigator on a part time, full time, or contractual basis,

Therefore, Be it Resolved, that the Citizen Review Board of the City of Syracuse respectfully urges the Common Council to approve the Board's request to enter into contracts with Scientific Consulting of Western New York and AG Investigations so that the Board may fulfill its lawful duties under Local Law 1 of 2012.

- b. Contract selection for Spanish-English translations/interpreters – Mr. Lipari presented three agencies for consideration to provide Spanish to English translation and interpreting services for the CRB – Susan Blanca, La Liga and MAMI. Mr. Barber inquired about providing assistance for the hearing impaired. Mr. Levine asked if any of the service providers are certified. Mr. Lipari indicated that he would check with each provider to get answers to those questions.
- c. CRB Special Report: Force after Fleeing, preliminary data – Mr. Lipari shared preliminary data from an analysis that he is conducting as part of a special report on allegations of excessive force after a subject flees from police. Mr. Lipari reported that in 2013, 23 excessive force cases involved force after fleeing. He reported that in 2014, 11 excessive force complaints involved use of force after fleeing. He further reported that as of September 1, 2015, only three excessive force cases involving force after fleeing were reported to the CRB. Ms. Horan

expressed her appreciation for the report stating that it is an indication that the CRB is making a difference.

- d. NACOLE Conference, October 4 to 8, Riverside, CA - Mr. Lipari indicated that he will be attending the 21st Annual NACOLE conference and will be participating in a panel on International Perspectives on Civilian Oversight during which he will give a presentation on his trip to Russia.
 - e. New Syracuse.com regular beat coverage of CRB – Mr. Lipari introduced Mr. Patrick Lohmann, a new reporter covering city government at the Post-Standard and Syracuse.com. Mr. Lipari indicated that Mr. Lohmann will be covering the CRB on a regular basis.
 - f. Public awareness Centro bus cards – Mr. Lipari reported that the public awareness bus cards have been placed on the inside of 55 CENTRO busses and will be on them until mid-December.
 - g. Report on Fall CRB outreach events – Mr. Lipari reported on the outreach events he conducted during September at the Southwest Community Center, September 17; 620 AM Power Perspectives radio program, Saturday, September 19; NAACP Youth Chapter meeting, September 19; Boys and Girls Club, East Fayette Street, September 23; and interviews with WSYR and Time-Warner Cable regarding body cameras. Mr. Lipari stated that upcoming events include Betts Branch Library, October 14; White Branch Library, October 15; and Mundy Branch Library, October 28.
 - h. Monthly Financial Report – Mr. Lipari shared the detailed breakdown of expenditures for the year to date.
 - i. September case statistics – Mr. Lipari reported that nine new cases were received in September. He stated the total received in 2015 is 55 and that ten cases will be reviewed during Executive Session.
4. Committees
- a. Police Liaison Committee meeting – Mr. Lipari reported that no date has been set for the next meeting due to the Office of Professional Standards being short-staffed. On motion made by Mr. Masella, seconded by Ms. Horan and adopted, the Board directed Mr. Lipari to work to establish set dates for future meetings.
 - b. Committee assignments for new CRB members – Mr. Lipari explained the Committees to the newest Board members and asked them to consider on which Committee they would like to serve. Mr. Christiana volunteered to serve on the Operations Committee, Mr. Bullock volunteered to serve on the Community Outreach and Public Education Committee, Ms. Moser volunteered to serve on

the Board Development and Training Committee, and Ms. Horan requested that she be shifted from the Board Development and Training Committee to the Government Relations Committee.

5. New Business

There was no new business.

6. Public Comment (6:30 pm)

Mr. Mustafa Robinson expressed his disappointment in the delay by the Common Council to approve the medical consultant and investigator contracts.

Mr. Mikiel Anderson asked questions about community outreach events, Board vacancies, the third quarterly report, use of force policy, police training, subpoena power, Syracuse University's Public Safety Department and the difference between LULAC and La Liga.

Mr. Yusuf Abdul-Qadir, new interim director of the Central New York Chapter of the New York Civil Liberties Union, introduced himself and spoke on the need for community engagement with refugee organizations and Muslim groups.

7. 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:

15-030	Hearing
15-043	No Hearing
15-044	No Hearing
15-045	Hearing
15-046	No Hearing
15-047	No Hearing
15-048	No Hearing

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

Respectfully submitted,

Betty L. Pearson
Typist II, Citizen Review Board