



**CITIZEN
REVIEW BOARD**
SYRACUSE, NEW YORK

Building Trust Through Accountability

Quarterly Report
January 1 to March 31, 2020

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STATISTICAL SUMMARY OF 2020 1ST QUARTER CRB OPERATIONS
January to March 2020

Number of New Cases Received:	15
Number of Existing Cases Processed:	17
Number of Hearings Held:	2
Number of Hearings with Sustained Findings:	1
Number of Officers with Sustained Findings:	1
Types of Allegations Sustained:	1
CRB Sustain Rate:	1
SPD Imposed Discipline/Retraining:	0
SPD Disciplinary Action Rate:	0%

MISSION & OBJECTIVES

The purpose of the Citizen Review Board is to provide an open, independent, and impartial review of allegations of misconduct by members of the Syracuse Police Department; to assess the validity of those allegations through the investigation and hearing of cases; to recommend disciplinary sanctions where warranted; and to make recommendations on Syracuse police policies, practices and procedures.

In fulfillment of its legislative purpose and mission, the Board is committed to:

- Creating an institution that encourages citizens to feel welcome in filing a complaint when they believe that they have been a victim of police misconduct;
- Making the public aware of the CRB's existence and process through ongoing community outreach events and coverage by local media;
- Completing investigations and reviews of complaints in a thorough, yet timely fashion;
- Remaining unbiased, impartial, objective and fair in the investigation, evaluation, and hearing of complaints;
- Engaging in community dialog that encourages citizen input with the CRB;
- Respecting the rights of complainants and subject officers;
- Upholding the integrity and purpose of the CRB's enabling legislation;
- Reporting to the Mayor, the Common Council, the Chief of Police and the public patterns or practices of police misconduct discovered during the course of investigation and review of complaints; and
- Operating in an open and transparent manner to the extent permitted by applicable municipal and state laws, regulations and ordinances.

BOARD MEMBERS & TERMS

The Board Members serve staggered three-year terms and are all unpaid volunteers. Board members devote an average of ten hours per month to CRB matters, some considerably more. This includes their preparation for and attendance at monthly board meetings, preparation for and participation in panel hearings, training, and community outreach. Biographies of each board member are available on the CRB website at www.syracuse.ny.us/CRB_Members.aspx.

Members of the Syracuse Citizen Review Board

Mayoral Appointees
Ms. Mary Nelson - term expires December 31, 2019
Mr. Peter McCarthy, Board Chairman - term expires December 31, 2020
Ms. Mae Carter - term expires December 31, 2019

District Councilor Appointees
Ms. Dana Natale - 1st District - term expires December 31, 2020
Open- 2nd District
Ms. Lori Nilsson - 3rd District - term expires December 31, 2021
Ms. Ruth Kutz, - 4th District - term expires December 31, 2020
Ms. Cynthia Brunson- 5th District - term expires December 31, 2019

At-Large Councilor Appointees
Mr. Clifford Ryans - term expires December 31, 2019
Mr. R. Daniel Grinnals, - term expires December 31, 2021
Ms. Hatisha Holmes, Vice Chair – term expires December 31, 2021

FILING A COMPLAINT WITH THE CRB

The Syracuse CRB accepts complaints against members of the Syracuse Police Department (SPD) involving allegations of misconduct that may violate SPD rules and regulations, as well as state, local and/or federal law. The CRB accepts complaints on active misconduct – such as excessive force, constitutional violations, harassment, racial or gender bias, poor demeanor, search & seizure violations, theft or damage to property, untruthfulness, and false arrest – as well as passive misconduct such as failure to respond or refusal to take a complaint.

Any member of the public can file a complaint with the Syracuse CRB; a complainant need not be a resident of the City of Syracuse. There are several ways a complaint can be filed. A complainant can come to the CRB office in City Hall Commons at 201 East Washington Street, Suite 705, to fill out a complaint, contact our office to have a complaint form mailed to their address, download the complaint form from the CRB website, or request a home visit if necessary. The form can be hand delivered or mailed to our office. The CRB website is www.syracuse.ny.us/CRB.aspx. The CRB office telephone number is 315-448-8750. The CRB can be reached by e-mail at crb@syr.gov.

PUBLIC MEETINGS & OUTREACH

The CRB typically meets on the first Thursday evening each month from 5:30 to 7:30 PM in Common Council chambers in City Hall. The meeting schedule is posted at area libraries, on the CRB website, and on the calendar on the City's main webpage. These meetings are open to the public and there is a public comment period that begins no later than 6:30 PM. The purpose of the public meeting is to develop and refine CRB policies and procedures in an open, transparent and accountable fashion and to conduct the ongoing business of the CRB. The Board meetings typically include a vote on items that require Board approval, a series of items presented by the Chairman for the Board's consideration, a report on the CRB's monthly activities by the Administrator, a variety of committee reports and an opportunity for public comment. After the conclusion of the public comment period, the Board continues its meeting in a confidential Executive Session to deliberate and vote on whether or not to send investigated complaints to a hearing. During the Executive Sessions, the Board processes on average five to fifteen complaints per month depending on current case load.

CRB 2020 Outreach Completion				
Name&Time	Host	Location	CC District	Date
CRB Eastwood Presentation 7pm-8pm	TNT	Eastwood- Huntington School	5TH	1/27/20
Kids Reading		Van Duyn Elementary School	3rd	2/10/20
National Read across America		Van Duyn Elementary School	3rd	3/2/20

OPERATIONS

Between January 1 and March 31, 2020, the CRB membership held three monthly business meetings that were open to the public. Quorum was met for each meeting, and all regular operating business was able to be conducted.

During this quarter, the CRB received a total of 15 new complaints and fully processed 17 existing cases.

HEARINGS & RECOMMENDATIONS

Once the full CRB votes to send a case to a panel hearing, a panel is appointed composed of three members of the CRB (one mayoral appointee, one district councilor appointee, and one at-large councilors' appointee), and the hearing is typically held within two to three weeks based on the availability of the complainant.

During the first quarter of 2020, the CRB held two (2) hearings to determine whether the complaint should be sustained and made recommendations to the Chief of Police. In the two (2) hearings that were held this quarter, the CRB panel.

CASE SUMMARIES OF SUSTAINED FINDINGS

Out of the two panel hearings held during the third quarter of 2020 one resulted in a sustained finding against one officer. The CRB offers a summary of the sustained case below in an effort to provide the public with an accurate understanding of the cases sustained by CRB panels.

- **Excessive Force**

The complainant's friends requested SPD assistance based upon a verbal dispute between the parties that began in an apartment on the city's North side. One of the victims alleged they had been staying at a friend's house and they woke up to the camera flashing and knew it was the complainant behind the camera. A verbal argument ensued and an attempt was made to delete the pictures that were taken. They discovered they were unable to delete the pictures and the complainant and the boyfriend began to wrestle. The male victim told the other party to call 911 on the complainant. The female party mentions they are aware that the complainant has some cognitive issues but they try to be his friend. They had some concerns that he was doing things but they couldn't prove it but they were awoken today with the flash from the camera. They requested that an Officer come over so they don't have any more physical problems and they are trying to delete the pictures. The female party was locked in the bathroom while calling 911 and the complainant had a knife trying to unlock the bathroom as she was in there trying to delete the pictures. She does not want boyfriend to hit him, boyfriend is holding him while trying not to hit him, and she states she remains locked in the bathroom. The parties separated and the female and male left the apartment and while leaving on foot they noticed the complainant was following them. The Police had already come to the apartment and suggested that the parties separate. After leaving the apartment it was discovered that the complainant continued to follow the parties on foot and he was advised he would be arrested for stalking if he continued to follow them. After the complainant continued to follow them they requested the complainant be arrested. They continued to call 911 every

time they noticed the complainant was following them. The parties made a total of 5 telephone calls to 911. The Police arrive on the scene at the last location and advised the complainant he is under arrest and the complainant was noncompliant and force used to effectuate an arrest.

CRB Findings:

- Determined there was Insufficient Evidence clearly prove or disprove the allegation Excessive Force against One Officer and the Chief agreed with CRB finding of Insufficient Evidence to sustain charge of Excessive Force and noted that OOPS completed their investigation in June 2019 and found the allegations to be unsubstantiated.
- **Excessive Force & Demeanor**

The parties called 911 after being involved in a physical altercation with others. They requested charges be lodged against the other parties and when the Officer One arrived on the scene it was clear that the complainant and him had previous interactions. The complainant and Officer One began to have a verbal back and forth related to a previous interaction and the complainant decides to drive off. They decide after a few minutes to return the scene of the altercation with the other parties at which time the Officer One advises that the complainant has an outstanding warrant for her arrest. It was later discovered that the complainant did not have an active warrant. The complainant and Officer One exchange words and he states he is going to mace the parties and puts the device inside the car window. The complainant is the driver of the vehicle and is refusing to exit the vehicle to be arrested. Once the threat of the mace is considered by the complainant she exits the vehicle and Officer One takes an aggressive tone and mannerism toward the complainant while placing her under arrest. Officer one is pushing the complainant up against the car and he also uses force to assist her out of the vehicle. The complainant is pregnant at this time and the pushing of her against the vehicle is worrisome and causes the other parties at the scene to complain about the Officers handling of the complainant. The parties on the scene state that it was obvious that the complainant was pregnant but the Officer continued to push her belly against the vehicle. The complainant was visibly upset with the Officers behavior and they continued to engage verbally throughout the process and she was being noncompliant based upon the feelings she had about their previous interactions.

CRB Findings: The Board sustained the finding of Demeanor-Conduct Unbecoming against Officer One and exonerated the allegation of Excessive Force. The Chief Disagreed with Sustained finding of Demeanor-Conduct Unbecoming based upon inconsistency, her “veracity” to be “highly in question” and agreed with Exonerated finding for Excessive Force

BUDGET

2018-2019 Adopted
DETAIL ANALYSIS OBJECTS OF EXPENDITURE

PERSONNEL SERVICES		
510100	Salaries	\$ 96,550.00
CONTRACTUAL & OTHER SERVICES		
540300	Office Supplies (Contractual & Other Expenses)	\$ 3,290.00
540500	Operating Supplies & Expenses	\$ 10,175.00
541500	Professional Services	\$ 15,900.00
541600	Travel, Training & Development	\$ <u>2,625.00</u>
	TOTAL:	\$128,540.00

Total Complaints Received during First Quarter of 2019 (January 1 to March 31, 2020): 15

Categories of complaints as defined in CRB Ordinance (totals from all complaints received from January 1 to March 31, 2020):

	Harassment	Improper Search	Failure to Act	Coercion	Property Damage
#	2	3	4	1	2
% of total	13.3	20	26.7	6.7	13.3

	Bias	Improper Towing	Conduct	Failure to Provide Care	Improper Seizure
#	1	1	1	1	1
% of total	6.7	6.7	6.7	6.7	6.7

	Demecanor	Unnecessary Force
#	1	1
% of total	6.7	6.7

*Note that a single complaint can involve multiple allegations

The number of cases fully processed and closed by the Board during first quarter of 2020:
25

The number of cases where a CRB panel recommended disciplinary sanctions be imposed by the Chief of Police during first quarter of 2020: 1

The number of complaints processed and not sent to a panel hearing during the quarter: 5

The number of cases that successfully were routed to conciliation: 0

The number of complainants who initiated extended contact with the CRB but did not follow through with a formal signed complaint: 3

The length of time each case was pending before the Board: 2 months on average (but some occasionally take slightly longer due to unavoidable delays).

The number of complaints in which the Board recommended that the City provide restitution to the complainant and type of restitution recommended: 0

The number of complainants who filed a Notice of Claim against the City of Syracuse while their complaint was being considered by the Board: 0

Hearing outcomes

Panel hearings scheduled: 2

Panel hearings held: 2

Panel hearings resulting in disciplinary recommendations from CRB: 1

Panel hearings resulting in no disciplinary recommendations from CRB: 1

Complaints Received per Common Council District during the 1st quarter of 2020*

District 1

False Arrest: 1
Coercion: 1
Improper Towing: 1
Conduct: 1
Unnecessary Force: 1

District 2

Improper Search: 1
Failure to Act: 1
Failure to Provide Medical Care: 1

District 3

Improper Search: 2
Failure to Act: 1

District 4

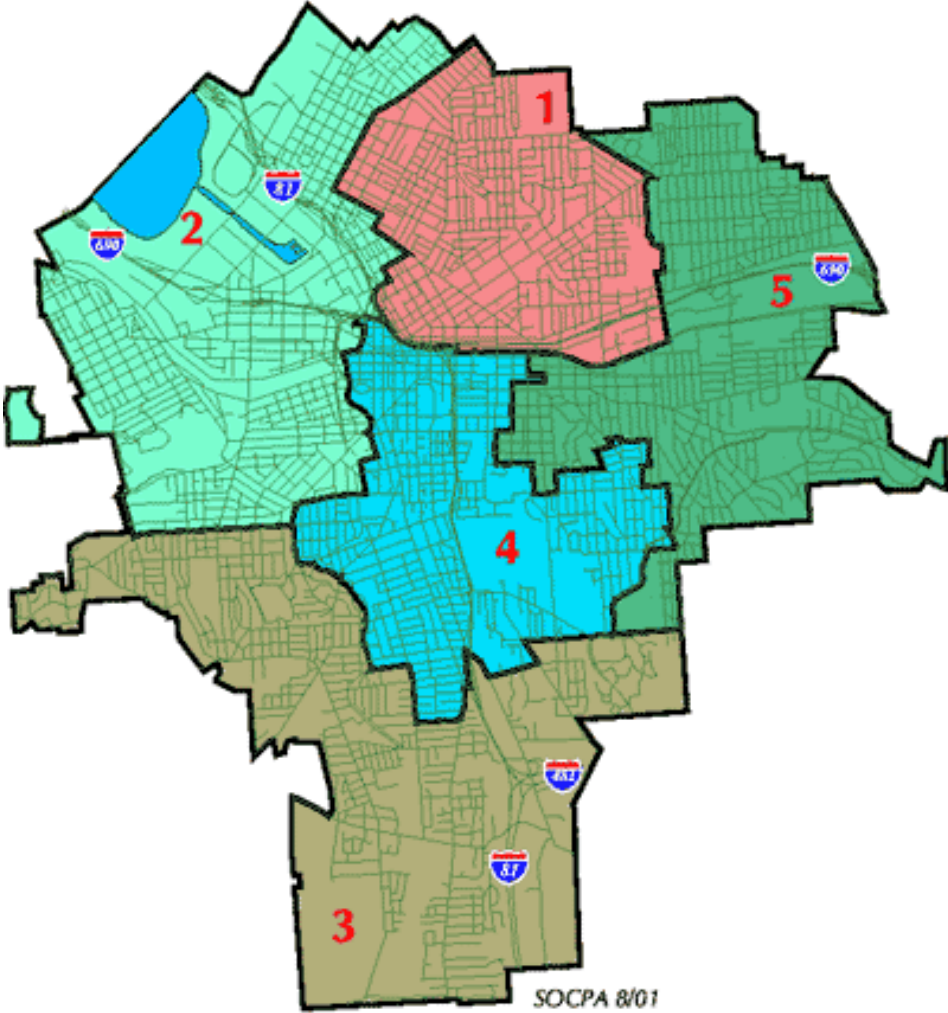
Improper Seizure: 1
Failure to Act: 1

District 5

Failure to Act: 1

*See the following page for a map of the Common Council Districts

CITY OF SYRACUSE COMMON COUNCIL DISTRICTS



Complainant Demographics for All Complaints Received in First Quarter of 2020

Ethnicity	#	% of complaints	% of city population*
Black	9	60	29.7
White	3	20	55.0
Latino	1	6.7	9.3
Unkonwn	1	6.7	-
Other	1	6.7	5.4
Total	15	-	-

*based on 2010 census

Sex	#	% of city population*
Male	7	47.6
Female	7	52.4

Age	
Under 18	1
19-35	9
36-50	5
51+	1