



Annual Report 2023

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SUMMARY OF 2023 OPERATIONS

The conclusion of 2023 marked yet another active year of oversight for the Syracuse Citizen Review Board. The following information provides a summary of the CRB's operational highlights in 2023. Over the course of the year, the CRB received a total of 101 complaints and effectively handled 30 cases. Out of these, 1 case advanced to a hearing, and 11 cases concluded with a no-hearing vote by the Board. Moreover, 18 cases were determined to be outside the CRB's jurisdiction.

- 101 complaints received.
- 1 hearing held.

HEARINGS & DISCIPLINARY RECOMMENDATIONS

Once the full CRB votes to send a case to a panel hearing, a panel is 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 and witnesses.

1 hearing was held resulting in the following outcomes.

- 1 Sustained finding by the hearing panel for allegations of Excessive Force and Demeanor.

*Complaints have multiple allegations *

- A sustained finding means that the panel found that there was substantial evidence that the alleged misconduct did occur.

SPD DISCIPLINARY ACTION RATE:

- The disciplinary action rate (or rate of agreement) is the rate at which the Chief of Police imposes discipline when the CRB recommends it. Local Law 1 of 2011 requires the CRB to report to the public the number of times that the Chief of Police imposed disciplinary sanctions when the CRB sustained an allegation against an officer and recommended discipline. The CRB received 0 responses from the Chief of Police to the 1 hearing in which the CRB held.

MISSION & OBJECTIVES

The purpose of the Citizen Review Board, all of whose members are volunteers, 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 subject to 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 any 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 Syracuse CRB is composed of a 11-member board, all serving staggered three-year terms as unpaid volunteers. These dedicated individuals are appointed by various entities across the city and undergo confirmation by the Syracuse City Council. Residency within the city is a requirement unless exceptions are granted through legislative action, and individuals holding public office or employed by the City of Syracuse are ineligible for board membership.

Board members devote an average of ten hours per month to CRB matters, encompassing attendance at monthly meetings, preparation for and participation in panel hearings, training sessions, and active involvement in community outreach initiatives. The commitment also includes the attendance of a minimum of three community outreach events annually, as mandated by the 2016 ordinance revision.

For those interested in learning more about the Board members, biographies of each volunteer can be accessed on the CRB website at www.syr.gov.net/crb_Members.aspx.

Members of the Syracuse Citizen Review Board

As of December 31, 2023

Mayoral Appointees
Mr. Joseph Favata- term expires December 31, 2024
Mr. Jose Marrero - term expires December 31, 2023
Ms. Mae Carter - term expires December 31, 2025

District Councilor Appointees
Mr. Richard Levy Board Chair- 1st District - term expires December 31, 2023
Mr. Harry Pratt- 2nd District – term expires December 31, 2024
Ms. Lori Nilsson Vice Chair- 3rd District - term expires December 31, 2024
Vacant, - 4th District - term expires December 31, 2023
Ms. Cynthia Brunson- 5th District - term expires December 31, 2023

At-Large Councilor Appointees
Ms. Bryn Love-joy Grinnell - term expires December 31, 2024
Mr. Jah-Quan Bey-Wright, - term expires December 31, 2024
Ms. Hatisha Holmes– term expires December 31, 2024

Board members shall serve staggered three (3) year terms and maybe reappointed for another three (3) year term, after which, however the member shall not be reappointed for at-least one (1) year. If a person is appointed to complete an unexpired term of a former Board member, the newly appointed Board member shall be eligible to be appointed to serve two (2) successive three (3) year terms.

FILING A COMPLAINT WITH THE CRB

The Syracuse CRB accepts complaints against members of the Syracuse Police Department (SPD) that involve allegations of misconduct potentially violating SPD rules and regulations, as well as state, local, and/or federal laws. The CRB considers complaints regarding active misconduct, such as excessive force, constitutional violations, harassment, racial or gender bias, poor demeanor, search and seizure violations, theft or damage to property, untruthfulness, and false arrest. Additionally, it addresses passive misconduct, including failure to respond, failure to intercede, or refusal to accept a complaint.

The filing process for a complaint with the Syracuse CRB is accessible to any member of the public, regardless of residency in the City of Syracuse or U.S. citizenship. Complaints can be submitted in various ways, including walking into the CRB office at City Hall Commons (201 East Washington Street, Suite 705) to complete a form, contacting the CRB office for the mailing of a complaint form, downloading the form from the CRB website, or requesting a home visit if needed. Completed complaint forms can be hand-delivered or sent by mail to the CRB office. For further information, the CRB website is www.syr.gov.net/CRB.aspx, and the CRB office can be reached by telephone at 315-448-8750 or via email at crb@syr.gov.net.

PUBLIC MEETINGS

The Syracuse CRB conducts its monthly meetings on the first Thursday evening at 5:30 PM in the Common Council chambers at City Hall. The meeting schedule is conveniently accessible at local libraries, on the CRB website, and on the calendar of the City's main webpage. These sessions play a crucial role in shaping and refining CRB policies and procedures, emphasizing transparency, openness, and accountability. The agenda typically includes voting on items requiring Board approval, presentations by the Chairman for the Board's consideration, a comprehensive report on the CRB's monthly activities presented by the Administrator, committee reports, and a dedicated time for public comment. We strongly encourage community members to attend these meetings, participate in the public comment period, and actively contribute to the ongoing initiatives of the CRB.

A quorum consists of at least six (6) board members being present. Following the public comment period, the Board moves into a confidential Executive Session if there is a quorum, to deliberate and vote on whether to advance investigated complaints to a hearing. No action items can occur, and an Executive session cannot be conducted if there are not six(6) board members present. In 2023, there was a quorum present for 8 out of 12 public meetings, in the months of January, March, April, June, July, August, October, and November.



OUTREACH

The CRB legislation requires the agency to conduct at least five outreach events annually, one in each Council District.

Name & Time	Host	CC District	Date
Job Fair	OnPoint for College	Onondaga Community College	
Community Engagement Session	CRB	Westmoreland Community Center	5th District
Community Engagement Session	CRB	Magnarelli Community Center	1st District
Probation Unit Presentation	Probation Department (Damian Pratt)	Civic Center	4th District
Community Takeback	Lekia Hill	Tucker Missionary Church	4th District
Community Engagement Session	CRB	Seals Community Center	4th District
Community Engagement Session	CRB	Wilson Community Center	4th District
Valentines Day HIV Testing (Community Outreach)	FACES	Southwest Community Center	4th District
Know Your Status	FACES	Southwest Community Center	4th District
Community Takeback Series	Takia Hill	Southwest Community Center	4th District
SPD Recruit Presentation	SPD	Syracuse Police Department	
HIV Black History/Healing Together Forum	FACES	Southwest Community Center	4th District
HIV Sexual Health Outreach	FACES/Jewels	Southwest Community Center	4th District
Speak a Difference Outreach	Syracuse Community Connections	Southwest Community Center	4th District
Speak a Difference Outreach	Hillside	Southwest Community Center	4th District
Stop the Bleed Training	Salt City Market	SFD	4th District
CRB Week Proclamation Acknowledgment	Hopps Memorial Church	CRB	4th District
CRB Week Community March	Dunbar-City Hall	CRB	4th District
CRB Week Silent Tour & Reception	Nancy Cantor Warehouse	CRB	4th District
Community Engagement Presentation (Building Men)	CRB	Intrepid Lane, 13205	3rd District
Senior Fun Fair (Community Outreach)	InterFaith Works	Syracuse Housing Farmers Market	4th District
Let Me Be Great Basketball Tournament	LMBG44	Barry Park	5th District
Senior Fun Fair (Community Outreach)	InterFaith Works	Toomy Abbott towers	4th District

Juneteenth R&B and Soul	Kevin Henry	Clinton Square	4th District
Juneteenth Victory Parade	Kevin Henry	Dunbar/Clinton Square	4th District
Jazz in the City- Sonido Isleno	Steve Becker	Skiddy Park	2nd District
National HIV Testing	Black Health	White Branch Library	1st District
Morish American Training	CRB	City Hall Commons/Atrium	4th District
College Intern Presentation	MercyWorks	MercyWorks	4th District
Jazz in the City	Steve Becker	JMA Wireless Lot (930 S. Salina)	4th District
Senior Fun Fair (Community Outreach)	InterFaith Works	James Geddes Apartments	2nd District
McKinney Mannor Annual Membership Picnic	SHA	Latimer Terr.	4th District
Jazz in the City- Slavic Soul Party	Steve Becker	Schiller Park	1st District
10K Basketball Tournament	SHA	Wilson Park	4th District
10K Basketball Tournament	SHA	Wilson Park/ITC	4th District
10K Basketball Tournament	SHA	Wilson Park	4th District
Jazz in the City-the Blacklites	Steve Becker	2610 S. Salina St	4th District
Intern Reception	OnPoint for College	One Park Place	4th District
Turning Point Transitions Community Day	Nyatwa Bullock	Nottingham High School	5th District
Rise Education Project	Project Rise	514 Turtle St	2nd District
Jazz in the City	Steve Becker	Thordan Park	5th District
Fight for the 15th Ward Rally	NYCLU	City Hall	4th District
PEACE Re-Entry Fair	PEACE	Belgrove Church	4th District
Neighborhood Health and Wellness Fair	SHA/Brady Market	Brady Market Lot	2nd District
Senior Fun Fair (Community Outreach)	InterFaith Works	Bishop Ludden Christopher Comm.	
Block Blitz	Ongovhealth	Dunk & Bright	4th District
Community Violence Town Hall Meeting	Academy for Transformational Change	Well of Hope Church	
Senior Fun Fair (Community Outreach)	InterFaith Works	825 E. Willow St	1st District
HIV/AIDS Awareness Day	FACES/J.E.W.E.L.S	401 South Ave	4th District
Westcott Street Cultural Fair	WACC	Westcott Community Center	4th District
Brighton Towers Senior Fun Fair	InterFaith Works	Brighton Towers	3rd District
Neighborhood Power Walk	NBD	Transfiguration Church	1st District
Senior Fun Fair	InterFaith Works	Toomy Abbott towers	4th District
Helping Children Heal Open Forum	FOCUS	Virtual	3rd District
Community Block Blitz	Nicole Watts	Hope Print	1st District
Trunk-Or-Treat	Hatisha Holmes	1199 SEIU	3rd District

OPERATIONS

Throughout the calendar year of 2023, from January 1 to December 31, the Syracuse CRB actively conducted 12 monthly business meetings, all of which were open to the public. These meetings served as crucial platforms for addressing community concerns, developing policies, and enhancing transparency in the oversight process. Over the course of the year, the CRB received a total of 101 complaints from community members, indicating significant public engagement. Notably, the board dedicated substantial efforts to thoroughly processing these cases, successfully reviewing, and resolving 30 cases during the same period. This commitment underscores the CRB's dedication to addressing community grievances and promoting accountability within the Syracuse Police Department.

BOARD TRAINING AND DEVELOPMENT

The Syracuse CRB acknowledges the vital importance of well-trained board members in facilitating effective oversight and building community trust. Our extensive training program is crafted to provide board members with the knowledge, skills, and ethical principles essential for their critical responsibilities. Covering a variety of topics, the training curriculum includes online Board Development sessions. Additionally, throughout the 2023-year, board members participated in the NACOLE Police Oversight webinars.

2023 ANNUAL POLICY & TRAINING RECOMMENDATIONS

The Annual Report from the CRB includes recommendations addressing police policy, training, and procedures, fostering constructive dialogue. These recommendations are transmitted to the mayor's office, the Common Council, and the Chief of Police, initiating discussions aimed at improving specific aspects of the Syracuse Police Department. We are confident that adopting these recommendations would not only serve the public interest but also enhance the well-being of the City's police officers. The CRB asserts these recommendations under the authority granted by Section Three, Paragraph (6) of the CRB legislation.

2023 POLICY RECOMMENDATIONS

Enhancements to Body Worn Camera Policy (BWC):

Building upon our commitment to accountability and transparency, the CRB recommends further improvements to the Body Worn Camera (BWC) policy and its application:

1. **Real-time Reporting:** Advocate for the integration of real-time reporting features in BWC technology, enabling officers to submit reports concurrently with video footage. This ensures immediate documentation without influencing the independent evidentiary value of their accounts.
2. **Standardized Activation Procedures:** Propose the establishment of standardized activation procedures for BWCs, ensuring consistent and clear guidelines for officers in various scenarios. This includes specific activation protocols during traffic stops, public interactions, and emergency responses.
3. **Community Input Sessions:** Strengthen community engagement by conducting regular input sessions to gather public opinions on BWC policies. This inclusive approach ensures that the community's concerns and expectations are considered in the development and revision of BWC policies.
4. **Consistent discipline for violations of the Body Worn Camera Policy to be given across members of the Syracuse Police Department.**

Civil Rights Principles on Body Worn Cameras:

5. **Community Oversight Board:** Advocate for the creation of a Community Oversight Board to actively participate in the review and development of BWC policies, fostering a collaborative approach between law enforcement and the community.
6. **Comprehensive Training:** Emphasize comprehensive training for officers on the ethical and respectful use of BWCs, with a focus on de-escalation techniques and cultural sensitivity to maintain positive community interactions.

Integration of Advanced Technologies: Explore and recommend the integration of advanced technologies, such as artificial intelligence and machine learning, into BWC systems. These technologies can assist in automating the analysis of footage, ensuring timely and accurate reviews while upholding privacy standards.

Expanding Mental Health Response Policies:

In line with our commitment to improving interactions with individuals affected by mental illness, the CRB recommends:

7. **Crisis Intervention Team (CIT) Expansion:** Advocate for the expansion of Crisis Intervention Team (CIT) training for all officers to enhance their ability to handle situations involving individuals experiencing a mental health crisis.

8. Community Mental Health Partnerships: Strengthen partnerships with local mental health organizations to ensure officers have access to resources and support when responding to mental health-related incidents.
9. Reevaluation of School Resource Officer (SRO) Policies:

Building upon previous recommendations, the CRB suggests further measures for School Resource Officer (SRO) policies:

10. Annual Training Requirements: Recommend the establishment of annual training requirements for SROs, covering topics such as adolescent development, conflict resolution, and cultural competence.
11. Community Involvement in Selection: Reinforce the involvement of the Syracuse City School District in the selection process of SROs, ensuring officers placed in educational settings possess the necessary interpersonal skills and training.

These recommendations aim to continually improve policies, promote community engagement, and uphold the values of transparency and accountability within the Syracuse Police Department.

PREVIOUS POLICY RECOMMENDATIONS FROM 2012 THROUGH 2017 ARE RE-AFFIRMED IN PART OR WHOLE WITH SHORT SUMMARY

Comprehensive Use of Force Policy:

Reaffirming the importance of a modern Use of Force Policy, the CRB suggests an update based on national best practices and DOJ guidelines. The policy should include:

- Clear delineation of all force options, including lethal and less-lethal weapons.
- Precise definitions of terms like imminent threat, de-escalation, reportable force, and levels of subject resistance.
- Emphasis on limitations of impact weapons and respiratory restraints.
- Incorporation of a "Duty to Intervene" and "Duty to Report" policy.
- Prohibition on firing at or from a moving vehicle when it constitutes the only threat.

12. Non-Retaliation Clause in Complaint Procedures: Recommendation for the inclusion of a non-retaliation clause in SPD's Complaint Procedures, ensuring protection for individuals filing or cooperating with complaints against SPD members.
13. High-Risk Traffic Stops Training: Advocacy for in-service training on procedures for high-risk traffic stops, enhancing officers' skills in conducting felony stops and identifying conditions requiring these procedures.
14. Policy on Reducing Charges for Cooperation: Reiteration of the importance of adherence to SPD procedures regarding the reduction of criminal charges in exchange for cooperation, emphasizing the need for involvement and approval from the District Attorney's office.
15. Use of Police Vehicles in Foot or Bicycle Pursuits: Proposal for the development of a policy outlining the use of police vehicles during foot or bicycle pursuits to prevent allegations of inappropriate vehicle use in these situations.
16. Disciplinary Matrix Implementation: Recommendation for the creation and implementation of a disciplinary matrix to bring consistency and predictability to the department's disciplinary process, categorizing violations into severity levels.
17. Immediate Retrieval of Video from COPS Platform: Advocacy for a policy to immediately retrieve and secure video from the COPS Platform or nearby private surveillance cameras in use-of-force incidents or upon receiving complaints against an officer.

18. Extended Availability of COPS Platform Videos: Suggestion to extend the timeframe that COPS Platform camera videos are available, increasing the likelihood of their availability for complaint investigations.
19. Recorded Interviews and Police Radio Transmissions: Encouragement for the routine recording of interviews with subject officers and the acquisition of police radio transmissions as part of internal affairs investigations.
20. Seatbelts and Cameras in Police Transport Vans: Request for the installation of seatbelts and audio-video recording capabilities in the rear compartment of police transport vans to enhance safety and accountability.
21. Dashboard Cameras and Audio Mics in Patrol Vehicles: Advocacy for the purchase and installation of dashboard cameras and audio mics in all SPD patrol vehicles, integrating them with the body camera system for comprehensive coverage.
22. Eyewitness Identifications Policy: Inclusion of a policy outlining proper procedures for conducting eyewitness identifications, covering photo lineups, live lineups, show-up identifications, and field view identifications.
23. Securing Entryways following Forced Entry: Recommendation for SPD to adopt a policy, similar to DPW board-up crews, to ensure security following a forced entry.
24. Provision of Property Receipts for Seized Currency: Proposal to make the provision of property receipts for seized currency mandatory at the point of seizure, ensuring transparency and accountability.

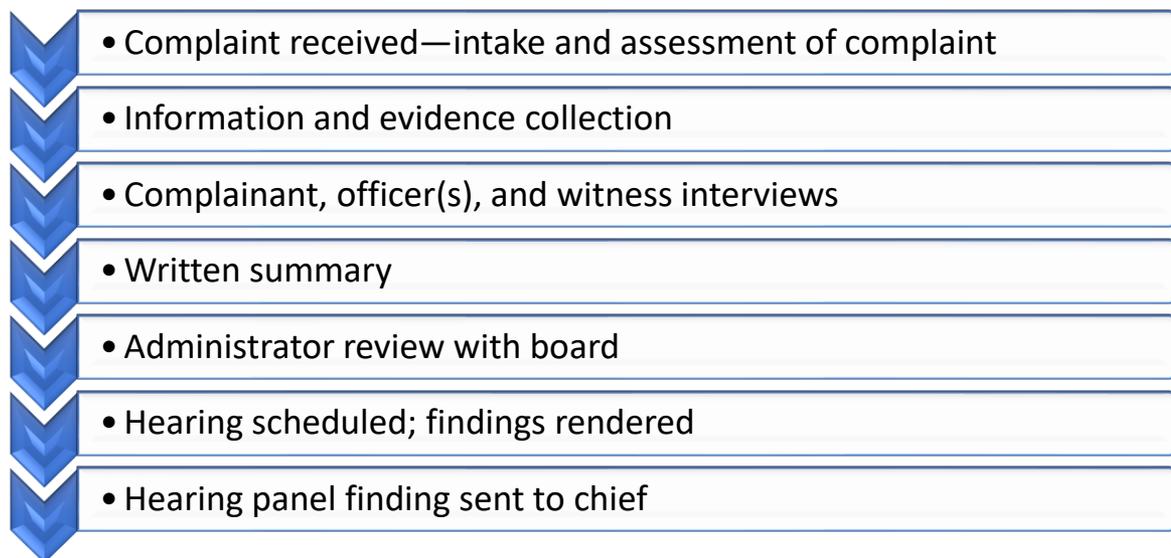
These recommendations are presented under the authority granted by Section Three, Paragraph (6) of the CRB legislation, with the aim of fostering constructive dialogue and contributing to the continuous improvement of the Syracuse Police Department.

BOARD HEARINGS AND ADJUDICATION

- Upon completion of an investigation, CRB Administrator or Private Investigator prepares a detailed investigative report containing recommended adjudications for each allegation and recommended discipline. Once the Administrator approves the investigation, the board reviews the investigative findings in an executive session. Complainants and subject officers are notified of the date of the meeting regarding their complaint, and both complainant and officer(s) involved may be present during the executive session. During the board’s meetings, each scheduled case is reviewed and openly discussed between board members and investigative staff. The board can vote to accept staff recommendations or to assign a different finding to a complaint.

Figure 1 provides a graphical summary of the investigation and adjudication process.

Figure 1. Summary of the Citizen Review Board Investigation and Adjudication Process



BUDGET

Citizens Review Board 01.10500

	FY22 Actual	FY23 Adopted	FY23 Projected	FY24 Adopted
Personal Services				
510100 Salaries	81,359	205,673	155,364	218,971
510300 Temporary Services-P/T	0	0	12,800	0
Total Personal Services	81,359	205,673	168,164	218,971
Contractual & Other Expenses				
540300 Office Supplies	2,179	2,650	2,865	3,450
540500 Operating Supplies & Expenses	2,899	5,100	4,694	5,100
541500 Professional Services	28,676	47,450	29,667	112,450
541600 Travel, Training & Development	969	4,065	6,150	7,165
Total Contractual & Other Expenses	34,723	59,265	43,376	128,165
TOTAL:	116,082	264,938	211,540	347,136

2023 Proposed Positions:

Administrator-Citizen Review Board
 Data Analyst
 Community Engagement Specialist
 Legal Secretary I
 Policy Analyst
 Special Investigator

2023 Approved Positions:

Administrator-Citizen Review Board
 Data Analyst
 Community Engagement Specialist
 Legal Secretary I

SUMMARY OF CASES 2023

2023 Totals

Total Complaints Received during 2023: _101_

The number of cases processed and closed by the Board during 2023: _30_

The number of complaints processed and not sent to a panel hearing during 2023: _11_

The number of complaints processed and closed for lacking jurisdiction: _18_

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: _45_

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: _6_

Hearing outcomes

Panel hearings scheduled: _3_

Panel hearings held: _1_

Panel hearings resulting in disciplinary recommendations from CRB: _1_

Panel hearings resulting in no disciplinary recommendations from CRB: _0_

***2023 Hearing impacted by lack of quorum some months, Move to One Park Place, cloud storage upgrades related sharing of case information to Board members for review and the change in legal representation of SPD members as it relates to CRB hearings.**

CATEGORIES OF COMPLAINTS RECEIVED BY THE CRB DURING 2023

**Categories of Complaints Received by the CRB during 2023*
Number & Percent of Annual Intake**

Demeanor	Violation of Rights	Illegal Eviction	False Ticketing	Failure to Act
8			1	27

False Search	Failure to Provide Medical Attention	Unlawful Search	Drug Use	Property Damage
1	1	1		1

False Statements	Harassment	Conduct	Unnecessary Force	Excessive Force	Racial Slur
1	10	17	2	17	

Unsatisfactory Performance	False Arrest	Customer Service	Improper Investigation	False Statements	False Accusation
	9		1	1	

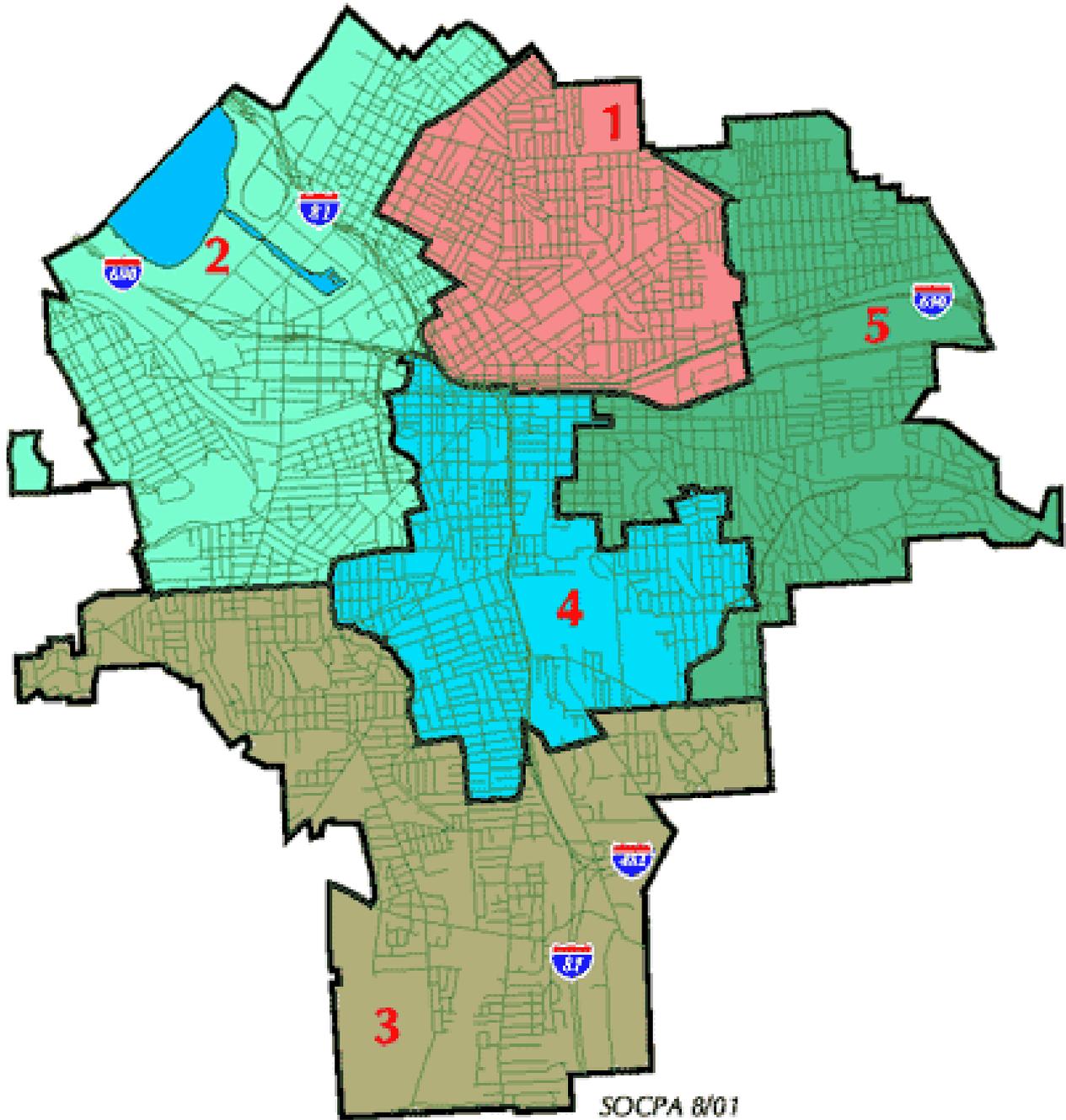
*Some individual complaints include multiple allegations

**Typically, not discovered until after a complaint is filed and police reports have been acquired.

Complaints Received per Common Council District for 2023

*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 2023

Ethnicity	#	% of city population*
*Black	43	52%
*White	15	18%
*Latino	4	5%
Asian	0	0%
Other	6	7%
Biracial	0	0%
Unknown	15	18%
Total	83	100%

*Based on 2010 census

Sex	#	% of city population*
Male	37	45%
Female	35	42%
Other	1	1%
Unknown	10	12%
Total	83	100%

Age	#	% of city population *
18	1	1%
19-35	27	33%
36-50	29	35%
51+	18	22%
Unknown	8	10%
Total	83	100%

*Disability information and languages other than English were not indicated by the complainants.

* In cases where the complaint was filed by the parent/guardian on behalf of a child the age, gender, and race are counted separately to accurately reflect the information related to each complainant.

APPENDIX I



No. 202.33

EXECUTIVE ORDER

Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to continue;

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I do hereby issue the following directives for the period from the date of this Executive Order through June 21, 2020:

- Executive Order 202.10, as later extended by Executive Order 202.18, Executive Order 202.29 and as extended and amended by Executive Order 202.32, which prohibited all non-essential gatherings of any size for any reason, except for any religious service or ceremony, or for the purposes of any Memorial Day service or commemoration, which allowed ten or fewer individuals to gather, provided that social distancing protocols and cleaning and disinfection protocols required by the Department of Health are adhered to is hereby modified to permit any non-essential gathering of ten or fewer individuals, for any lawful purpose or reason, provided that social distancing protocols and cleaning and disinfection protocols required by the Department of Health are adhered to.



GIVEN under my hand and the Privy Seal of the
State in the City of Albany this
twenty-second day of May in the year
two thousand twenty.

A handwritten signature in black ink, appearing to read "Andrew M. Cuomo".

BY THE GOVERNOR

A handwritten signature in black ink, appearing to read "Mr. C".
Secretary to the Governor

APPENDIX II



OFFICE OF THE MAYOR MAYOR BEN WALSH

EXECUTIVE ORDER SYRACUSE POLICE REFORM EFFECTIVE JUNE 19, 2020

WHEREAS, the killing of George Floyd, and the subsequent outpouring of grief and concern over police conduct nationwide has led to calls from the Syracuse community for immediate police reform; and

WHEREAS, improving police-community relations and updating key policies to reflect best practices in 21st century policing has been a priority of my administration since taking office; and

WHEREAS, under the leadership of Chief Kenton Buckner, Syracuse has already taken important steps in police reform, including but not limited to the expansion of body worn cameras and the implementation of a new body worn camera policy; the issuance of a revised use of force policy in July 2019; the restructuring and relocating of the department's internal affairs function; enhanced focus on diversity recruitment; and the creation of citizen advisory committees; and

WHEREAS, the Syracuse Common Council has indicated its desire for police reform, and will consider legislation that seeks greater police transparency, which will complement the steps to be taken below; and

WHEREAS, I support the police reforms already passed this month by New York State, including the repeal of Civil Rights Law Sec. 50-a; and

WHEREAS, I recognize the dedication of the members of the Syracuse Police Department, and intend the steps outlined below to better equip officers with the training and policies they need to enhance their ability to protect and serve all members of the Syracuse community equally, and to build the community's trust in our officers; and

Office of the Mayor
233 E. Washington St.
201 City Hall
Syracuse, N.Y. 13202

Office 315 448 8005
Fax 315 448 8067
www.syr.gov.net

WHEREAS, in response to the concerns of the Syracuse community, more action on police reform is urgent, necessary and appropriate; and

WHEREAS, I will engage in a robust community dialogue to further explore and consider areas for reform and improvement over the coming months beyond those set forth below, culminating in a plan and report in the spirit of and in compliance with Governor Cuomo's Executive Order No. 203, New York State Police Reform and Reinvention Collaborative;

GROWTH. DIVERSITY. OPPORTUNITY FOR ALL.

NOW, THEREFORE, as Mayor of the City of Syracuse, by the authority vested in me by the City Charter and applicable laws, and in consultation with the Chief of Police, I hereby direct the following actions as soon as practicable:

1. Review, revise and amend the policies and procedures of the Syracuse Police Department (SPD) to ensure the principles embodied in the New York City Right to Know Act are incorporated into the department's policies and procedures, including but not limited to self-identification to citizens, provision of written identification to citizens, obtaining consent to searches, recording consent and making the record of the consent available to the subject of the search. This will be done in conjunction with legislative action by the Syracuse Common Council, which will seek to codify the Right to Know principles related to the reporting of investigative encounters.
2. Revise SPD's 2019 use of force policy to ensure that it is compliant with recent changes in New York State law, and fully consider any policy changes requested by the Syracuse community.
3. Revise SPD's current body worn camera policy to ensure that officers record the entirety of their presence on the scene of a police encounter.
4. Complete the department's efforts to obtain additional body worn cameras so that all uniformed officers assigned to patrol or who otherwise respond to citizen calls will be equipped with cameras.
5. Develop and implement a plan to deploy dashboard cameras on all SPD marked vehicles.
6. Conduct a complete inventory of all equipment acquired through military surplus programs that are in possession of the SPD; establish policies and procedures regarding the use of such equipment; and establish parameters for future procurement of such equipment.
7. Post on the City of Syracuse and/or SPD's website:
 - a. The collection of documents that together comprise the most recent collective bargaining agreement with the Syracuse Police Benevolent Association (PBA); and
 - b. A comprehensive summary of that collection of documents, which my administration prepared and presented to the PBA for review and acceptance in 2019; and
 - c. The Tentative Agreement reached with the PBA in November 2019, which has not been approved, and which is now the subject of the impasse resolution process set forth in the New York State Taylor Law.
8. Make SPD policies publicly available on the SPD website.
9. Develop a process to ensure legal compliance with New York State's repeal of Civil Rights Law Sec. 50-a and related amendments to the Freedom of Information Law, which require the city to disclose copies of certain police personnel records upon request.
10. Continue to actively oppose any legal attempt to dissolve or otherwise eliminate the judicial consent decree which continues to be a critically necessary tool to improve the diversity of our police department.

GROWTH. DIVERSITY. OPPORTUNITY FOR ALL.

11. Review the department's procedure and approval process regarding the application of search warrants that seeks a "no-knock" provision from a court to ensure compliance with Constitutional standards.
12. Continue to improve collaboration with the Syracuse Citizen Review Board (CRB) to ensure the flow of documents and information as embodied in Local Law No. 11. Further, commit to:
 - a. Reviewing the disciplinary recommendations presented by the CRB prior to making a final determination of discipline of an officer; and
 - b. In cases where the Chief issues no discipline, or discipline that is lesser than is that recommended by the CRB, provide to the CRB a written explanation of the reason for such level of discipline or lack thereof.
13. Develop and deliver training on the history of racism in Syracuse and the United States, both in the police academy and during in-service training, such that 100% of the membership of SPD receives this training. Additionally, deliver department-wide training in cultural competency for law enforcement.
14. Continue to review and upgrade the department's recruitment, screening and hiring practices, with an aim to increase the diversity of the department's membership.
15. Research and consider innovative, community-based strategies for responding to non-criminal calls, with a goal of shifting the paradigm from primary police response, to response by non-police professionals in relevant fields.
16. Develop and implement, in coordination with the Syracuse City School District, a new model for school safety and security.

G I V E N under my hand and the Seal of the City of Syracuse this nineteenth day of June in the year two thousand twenty.

BY THE MAYOR

ATTEST:



Benjamin R. Walsh, Mayor

John P. Copanas, City Clerk

Dated: June 19, 2020

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APPENDIX III



DEPARTMENT OF POLICE CITY OF SYRACUSE, MAYOR BEN WALSH

Kenton T. Buckner
Chief of Police

August 14, 2020

Joseph L. Cecile
First Deputy Chief

Ranette Releford
Administrator

Derek McGork
Deputy Chief

Citizen Review Board
201 E. Washington Street, Suite #705
Syracuse, NY 13202

Richard F. Shoff, Jr.
Deputy Chief

Richard H. Trudell
Deputy Chief

Dear Ms. Releford:

I am writing in response to Mayor Walsh's Executive Order: Syracuse Police Reform effective June 19, 2020 to make you aware of our commitment to fulfill Item #12.

The Syracuse Police Department (SPD) affirms our commitment to ensure the flow of documents and information as embodied in Local Law No. 11.

The SPD further commits to making no final decision on discipline of an officer(s) until the Chief of Police has received the results of both the Office of Professional Standards investigation and the CRB recommendations of the same complaint.

In addition, the Chief of Police will provide the CRB a letter of explanation if the decided discipline falls to a level lower than is recommended by the CRB.

As you are aware, Corporation Counsel and CRB's outside counsel are currently discussing ways in which the timelines in the ordinance could be adjusted to reflect pragmatic operational realities. Those discussions reflect the parties' consensus, based on past experience, that additional time is sometimes required to allow both sides to complete a thorough and effective investigation. The parties also understand, however, that any proposed revisions will not permit delays which prevent discipline from being imposed within the eighteen month deadline provided for in the New York Civil Service Law. Indeed, it is our belief that such revisions will actually serve to speed-up investigations by increasing efficiency. Ultimately, any changes to the ordinance would need to be presented and approved by the Common Council, but I am hopeful that SPD and the CRB will agree on a process that works for all the stakeholders. The SPD commits to being compliant with any revisions going forward.

Regards,

A handwritten signature in black ink, appearing to read "K. Buckner".

Kenton Buckner
Chief of Police

XTB/mb-f

Department of Police
511 S. State Street
Syracuse, NY 13202

O. 315.442.5250

www.syracusepolice.org

APPENDIX IV

Ranette L. Releford
Administrator
RReleford@syr.gov.net



CITIZENS REVIEW BOARD

Benjamin R. Walsh, Mayor

November 13, 2020

Kenton Buckner, Chief
Syracuse Police Department
511 South State Street
Syracuse, New York 13202

Re: Draft Revised Use of Force and Body Worn Camera Policies

Dear Chief Buckner:

The Citizen Review Board ("CRB") submits the following comments to the Syracuse Police Department's ("SPD") draft Revised Use of Force ("UOF") and Body Worn Camera ("BWC") policies, which have been uploaded to the City's portal for a public engagement process.

These documents incorporate many of the recommendations CRB has made over the years. CRB's recommendations reflect its statutory obligation to "identify, analyze, and make recommendations about police policies, procedures, practices or other systemic concerns about police conduct . . ." With reference to that obligation, although CRB is disappointed that it was offered only a *de minimis* role in the drafting process, we are nonetheless pleased that many of our recommendations have been received and incorporated.

Use of Force

As set forth above, the UOF draft incorporates several CRB recommendations. In particular, as recommended in our letter of February 7, 2019, this draft includes precise definitions of key terms; a discussion of "objectively reasonable" force; specific prohibitions on certain force such as chokeholds (although not on carotid restraints as we had recommended); and a duty to intervene and report, among other things.

Generally, CRB continues to recommend a blanket prohibition on firing from or at moving vehicles, in such situations where the vehicle itself presents the only risk. Further, the UOF policy should incorporate the International Association of Chiefs of Police ("IACP") recommendations on responding to persons experiencing a mental health crisis when addressing those issues in the UOF policy. And finally, CRB requests that any documented use of force should be promptly forwarded to CRB for its own review.

Besides these general comments, CRB's specific edits / comments are as follows:

1. Section 300.1 Paragraph B, add to the sentence (change in bold): "In granting officers the authority to use **objectively** reasonable force, the Department acknowledges its responsibility to train, monitor and evaluate officers to ensure **adherence to** the use of force authorizations and limitations set forth in this policy . . .";
2. Section 300.1 Paragraph C, add referral to CRB;
3. Section 300.2: Paragraph G-I, and K, provide a citation for these definitions. Also add definitions for:
 - a. Known – be aware of through observation, inquiry or information.
 - b. Verbal warning –
 - c. Pre-assault indicators –
 - d. Kinetic body movements –
 - e. Un-directed over-compliance –
 - f. Defensive or offensive physical posturing –
 - g. Physical non-compliance –
 - h. Target glance –
 - i. Verbal aggression –
 - j. Exigent circumstances –
4. Section 300.3 Paragraph C, change to "Officers are not expected to compromise safety in order to de-escalate a situation if **there is an objectively reasonable likelihood it will** result in harm . . .";
5. Section 300.04 Paragraph A, clarify the standard (here or elsewhere) for determining when an officer is "in possession of all necessary facts";

6. Section 300.04 Paragraph B, add to the end of the sentence that ". . . shall report the force to any supervisor and/or the Office of Professional Standards immediately, **and that person or OOPS shall immediately investigate and forward the results of said investigations to CRB.**";
7. Section 300.5 Paragraph A, add to the sentence ". . . reasonably appears necessary to **accomplish those items set forth at 300.6,** given the objective . . . ";
8. Section 300.5 B, provide a citation for this standard;
9. Section 300.5 Paragraph E add to the sentence ". . . encounter is to avoid **in pursuit of an authorized objective and where de-escalation techniques are impossible based on an objectively reasonable standard** or minimize . . . ";
10. Section 300.6 Paragraph A 6, add to the sentence "overcoming **physical** resistance . . . ";
11. Section 300.7 Paragraph A 9, clarify how a person becomes "visibly pregnant";
12. Section 300.7 Paragraph A 4, define "apparent need";
13. Section 300.7 Paragraph A 17, clarify "prior contact", perhaps by modifying to include "prior contact **resulting in an arrest, detention, or involving domestic violence**";
14. Section 300.8 Paragraph B 1, add to sentence "to **obtain or seek to obtain** a confession . . . ";
15. Section 300.8 Paragraph B 4, add to sentence "coerce, **intentionally harm,** or punish . . . ";
16. Section 300.8 Paragraph B 5, change the word injected to ingested;
 - a. In addition, CRB poses the question as to the acceptable level of force in this situation and notes that, previously, striking the face was commonly applied;
17. Section 300.8 paragraph B 6, define "exigent circumstances";
18. Section 300.8 Paragraph B, add a subparagraph 7 that, "**the use of handcuffs tightly fastened on a subject shall be considered a prohibited use of force and handcuffs should not be used in any way other than to detain or arrest a subject**";

19. Section 300.9 Paragraph A, add to the last sentence " . . . the circumstances **that the officer or someone else is at risk of immediate death or serious bodily harm.**"
20. Section 300.9 Paragraph B 1, add to the first sentence "...the subject has a **deadly** weapon . . . "
21. Section 300.9 Paragraph B 4, remove in its entirety;
22. Section 300.9 Paragraph C, remove "force where safe and feasible" and add "**unless it would be impossible, under the circumstances to do so.**" Also, define the manner in which officers are expected to issue a warning.
23. Section 300.10 Paragraph D, change the sentence ". . . where there is **an objectively** reasonable belief there is a possibility of **serious bodily harm or death** to the officer or others. **Under no circumstances should officers draw or display firearms as a means of de-escalation . . .**";
24. Section 300.10 Paragraph E 2, change the last sentence to say ". . . may cause the vehicle **to lose control.**";
25. Section 300.12 Paragraph D, change to state "Individuals shall not be placed on their stomachs **unless it is necessary to do so.**"
26. Section 300.12 Paragraph H, add a requirement that witnessing officers must document whether they observed a request for or refusal of medical treatment.

Body Worn Camera

This policy similarly incorporates some of the suggestions provided for in CRB's July 2, 2018 letter on this topic. There are substantial considerations for individual privacy, and our recommendation to have random reviews of BWC has also been incorporated.

The draft policy does not address CRB's proposal for "clean reporting". This would provide that incident reports be written before the officer has the benefit of reviewing BWC footage, and that the footage should only be reviewed thereafter. CRB also suggests, generally, that the BWC "user manual" be attached to the policy itself. Finally, CRB proposes additional language (below) that will ensure that the cameras are to be activated during all law enforcement activity, with an exception only for officer safety.

Separately, CRB hereby renews its request for unfettered access to BWC footage.

CRB's specific edits / comments are as follows:

1. Section 424.2 Paragraph A, take out of the last sentence "their duties" and add **law enforcement activities**;
2. Section 424.4 Paragraph A, in the second sentence removed at the end of the sentence "and feasible". In the last sentence after "is not safe" remove "and feasible";
3. Section 424.4 Paragraph B, remove "or until the situation no longer fits the criteria for activation";
4. Section 424.4 Paragraph D, should be moved to definitions of law enforcement;
5. Section 424.6 Paragraphs A and B and Section 424.7 Paragraph E, add a requirement to notify the officer's superior officer in any such instance;
6. Section 424.9 Paragraph B, add a reference to Section 424.2 Paragraph B;
7. Section 424.15, Add a Paragraph B that states "**The coordinator will establish regular interactions with the CRB which shall provide recommendations regarding BWC Policy and Procedures**";

Sincerely,

Ranette L. Releford

Ranette L. Releford, MPS
Administrator

cc: Benjamin R. Walsh, Mayor
Sharon F. Owens, Deputy Mayor
City of Syracuse Common Councilors
Amanda Harrington, Esq. Corporation Counsel
Kristen Smith, Esq. Corporation Counsel
Sgt. Mark Rusin
Media

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