

Syracuse Citizen Review Board
By-Laws

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SYRACUSE CITIZEN REVIEW BOARD BY-LAWS

Adopted by the CRB – July2012

Section 1. Purpose

The purpose of these bylaws is to facilitate the operation of the Syracuse Citizen Review Board, as authorized by local law 11 of 1993, as amended. The Citizen Review Board, hereafter referred to as the CRB, shall be independent of the Syracuse Police Department and shall hear, investigate and review complaints and recommend action regarding police misconduct. Jurisdiction shall include misconduct that violates state, local and/or federal law and for Syracuse Police Department rules and regulations, including but not limited to complaints of:

- (1) Active misconduct - behavior which is alleged by any individual to be inappropriately aggressive and intrusive to persons, ranging from excessive physical force to harassment and slurs or insults;
- (2) Passive misconduct - failure to intervene appropriately, including untimely response and refusal to take complaints;
- (3) Damage to property, including residences, whether owned or rented;
- (4) Denial or violation of individual constitutional rights
- (5) Disputes regarding the truthfulness of police reports with regard to misconduct in any of the foregoing categories

The Board may also make recommendations to the Chief of Police with respect to changes in police policies and procedures.

These bylaws are to provide for the fair, impartial, independent and prompt resolution of citizen complaints.

Section 2. Definitions

- (1) The term "Board" means the Citizen Review Board (CRB), and such Board is a public agency within the meaning of New York Civil Rights Law Section 50-a.
- (2) The term "complaint" shall mean a written report, regarding police misconduct, made by any individual.
- (3) The term "police misconduct" is defined in Section Three of local law 11 of 1993, as amended.
- (4) The term "public notice" means published in a conspicuous manner so as to attract citizen attention and interest in the various media outlets, including but not limited to newspapers, television, radio, or online.
- (5) The term "sanction" shall mean disciplinary action and/or retraining recommended in response to a substantiated complaint, or a recommendation that restitution be made by the City of Syracuse.
- (6) The term "immediate family" shall mean spouse, sibling, parent, child, and domestic partner.

- (7) The term "conciliation" shall mean a voluntary mediated meeting between the complainant(s) and the police officer(s) in question which shall not result in the imposition of any sanctions as described in Section Two, Paragraph 5 above.
- (8) A "quorum" of the Board shall consist of six (6) members.

Section 3. Organization

- (1) The Board shall consist of eleven (11) members, minimum age will be eighteen (18) years old at the time of their appointment.
- (2) Members of the Board shall be residents of the City of Syracuse and should aspire to reflect the City's diverse community with respect to age, disability, ethnicity, gender, geography, language, race, religion and sexual orientation. The Board's composition shall aspire to gender balance.
- (3) At least one member of the Board shall be appointed from each Common Council district.
- (4) The provisions of Article 23-A of New York State Correction Law shall apply to an appointment to the Board.
- (5) The provisions of Article 2, Section 5 and Article 3, Section 30 of the Public Officers Law of the State of New York, regarding vacancies, shall apply to all members of the Board.
- (6) Appointment to the Board shall be made as follows:
 - a) Three (3) members shall be appointed by the Mayor.
 - b) Eight (8) members shall be appointed by the Common Council, with each district Councilor nominating one member and the at-large Councilors jointly nominating a total of three (3) members.
 - c) Vacancies shall be filled in accordance with amended local law 11 of 1993, Section 5 (1).
- (7) Board members shall serve staggered three year terms and may be reappointed for another three (3) year term, after which, however, the member shall not be reappointed for at least one year.
- (8) A term shall start on January 1st of the first year of that term and shall end on December 31st of the last year of that term.

Section 4. Officers & Committees

- (1) The Board shall elect its Chair, by majority vote for a one year term, at the first meeting of the calendar year. No individual shall serve more than two consecutive terms as Chair. The Chair will:
 - a) Facilitate meetings of the Board;
 - b) Establish committees of Board members as needed;
 - c) Work with the CRB Administrator to create agendas for Board meetings; and
 - d) Establish a rotation of Board Members to serve on hearing panels.
- (2) The board shall elect a vice-Chair by a majority vote for a one year term. The vice-Chair will operate as the Chair in the absence or incapacitation of the Chair.

- (3) The CRB shall maintain five (5) standing committees and can add or eliminate standing committees at the discretion of the chair. The five standing committees shall be:
 - a) Committee on Community Outreach & Public Education
 - b) Committee on Board Development & Training
 - c) Committee on Government Relations
 - d) Committee on Police Relations
 - e) Committee on Operations (to conduct an annual review of staff)
- (4) The Board Secretary shall be chosen by the Board for a one year term and the Secretary's primary responsibility shall be to ensure that meeting minutes are accurately recorded and distributed in a timely fashion.
- (5) The Board shall appoint the CRB Administrator.
- (6) The CRB Administrator shall be responsible, on a full-time basis, for the daily administrative work of the Board.
- (7) At each monthly Board meeting the Administrator shall report to the Board any use of funds from the CRB budget and will provide an accurate accounting of the CRB's finances. The Board shall have the power to make budgetary rules and provide fiduciary guidelines to the Administrator.
- (8) The CRB Administrator will be responsible to the Board and may be called to report to the Common Council. The CRB Administrator shall serve at the discretion of the Board
- (9) The CRB Administrator shall be supervised by the Board and the committee of five people, as defined in the CRB statute, shall have the primary responsibility of oversight and review of the Administrator's performance.

Section 5. Meetings

- (1) The Board shall convene regular monthly business meetings that include review of complaints.
- (2) A quorum must be present to conduct business. When a quorum is present, action shall be taken by a vote of the majority of the Board members present. A quorum consists of six (6) Board members.
- (3) The agenda for each meeting will be posted, distributed, and otherwise made public in advance of the meeting.
- (4) CRB meetings shall adhere to the state of New York's Open Meetings Law.
- (5) In all procedures not provided for by these by-laws, or local law 11 of 1993, as amended, the Board shall be governed by Robert's Rules of Order, Newly Revised.
- (6) The Board shall keep written minutes of all meetings and make them available to the public on the CRB website.
- (7) Special meetings may be held at the call of the Chair. Upon petition of four (4) members of the Board, or at the request of the CRB Administrator, the Chair shall call a meeting of the Board within one (1) week. Board members will be given at least twenty-four-(24) hours notice prior to any special meeting. No business other than that specified in the special meeting agenda shall be considered.
- (8) The Board shall hold public outreach meetings in each Council District a minimum of once each year, for the purpose of inviting public input or comment, and education about

the Board process. District Board members shall attend the public meeting in their district, but all Board members are not required to attend every outreach meeting.

- (9) The Board shall interact with and solicit input from youth, present educational programs designed to promote public awareness of the CRB process, give the public information about their rights and responsibilities regarding encounters with law enforcement officers and publicize the procedure for filing complaints with the Board.

Section 6. Confidentiality of Records

- (1) Professional standards of confidentiality with regard to written releases of information and informed consent will apply to all complaints filed. The Board shall comply with the Civil Rights Law §50-a by maintaining the confidentiality of any and all personnel records received by the Board in the course of their duties.
- (2) Anytime the Board discusses a specific case, the Board shall enter into an Executive Session in accordance with the state's Open Meetings Law.

Section 7. Cooperation, Coordination and Compliance

- (1) The CRB Administrator and the Chief of Police shall endeavor to establish a cooperative relationship between the Board, its staff and the Police Department and its officers and members to ensure the orderly and efficient flow of information between these two agencies of the City.

Section 8. General Reports

- (1) The CRB Administrator on behalf of the Board shall publish monthly data on the receipt and disposition of complaints.
- (2) The CRB Administrator on behalf of the Board shall publish quarterly and annual reports that shall document the following:
 - a) the total number and type of complaints in each city area during that quarter
 - b) the categories of complaints as defined in Section Three of the local law
 - c) the number of cases involving recommendation for sanctions
 - d) the number of cases where sanctions were imposed
 - e) the number of cases reviewed by the full Board
 - f) the number of complaints dismissed during the quarter
 - g) the number of cases that successfully were routed to conciliation
 - h) the number of complainants contacting the Board but not following through with a formal signed complaint
 - i) the length of time each case was pending before the Board
 - j) the number of complaints in which the Board recommended that the City provide restitution to the complainant and the type of restitution that was recommended
 - k) the number of complainants who filed a notice of claim against the City of Syracuse while their complaint was being considered by the Board.

- (3) The annual report shall also include recommendations related to changes in police policies, procedures, training and other systemic improvements. Copies of these reports shall be provided to the Chief of Police and Chair of the Council Public Safety Committee by March 31 of each year covering the prior calendar year. Quarterly and annual reports shall be posted in an appropriate location on the City's website.

Section 9. Amendments to Bylaws

These Bylaws are subject to adoption by the Board. Once approved, these bylaws may be amended by a simple majority vote of the Board sitting in a quorum.