



**CITY OF ALBANY
COMMUNITY POLICE REVIEW BOARD
CPRB STANDING COMMITTEE
ON DISCIPLINARY MATRIX
MEETING MINUTES**

*February 22, 2023, at 6:15p.m.
Albany Law School, Room W212*

I. CALL TO ORDER AND ROLL CALL (N. Vives)

Chair Vives called the meeting to order at 6:25 PM.

COMMITTEE MEMBERS PRESENT: CPRB Chair Nairobi Vives, CPRB Vice Chair Venelya Harden, CPRB Secretary Paul Collins-Hackett, OPS Commander Joshua Laiacona, Sergeant Ben Peterson, Melanie Trimble, and Mark Mishler

OTHERS PRESENT: CPRB Program Manager Michele Andre, Assistant Corporation Counsel Matthew Toporowski, Board Member Antionette Santos, Board Member Victor Person, and Board Member John Levendosky

II. AGENDA (N. Vives)

Chair Nairobi Vives called the meeting to order and reported that the meeting will focus discusses the previously distributed memo that discusses disciplinary matrices across municipalities and select a model to create the disciplinary matrix for Albany.

Discussion Regarding Discipline Matrices from Other Jurisdictions

The members agree that most of the discipline matrices reviewed were simple and easy to read. Assistant Corporation Counsel Matt Toporowski offered the matrix from Salisbury, MD and complemented its simplicity and range of disciplinary measures. Chair Vives thought Baltimore Police Department has a helpful Matrix as it is very organized and reads clearly. Chair Vives also likes NYC's hybrid model that allows for egregious instances of misconduct to have very clear repercussions.

Committee Member Mark Mishler next addressed that it is important to narrow down the format of the type of matrix while addressing different disciplinary measures. Mr. Mishler also found the Baltimore matrix to be very helpful. He liked that it takes into consideration multiple factors, such as repeat violations while providing different offenses and looking into the officer's history so that different mitigating circumstances can be taken into consideration. He noted that it's important to look at other matrices and take what their best attributes are, but also remember that at the end of the day, the CPRB will be designing their own matrix. As a structure, Mr. Mishler liked Baltimore the best.

Board Member John Levendosky agreed that Baltimore's matrix is one of the more transparent and precise matrices. It is simple enough that everyone reading it would not have different interpretations of the material. It is a very purposeful instrument.

The next member appreciated New Paltz because it is flexible when discussing discipline but he was swayed to Baltimore.

Commander Laiacona said that he does not have a favorite at this time; he is waiting to see what the public and the board recommends. He said that if Baltimore is what the body is leaning towards, then that is probably where they will start.

Mark Mishler mentions that he disagrees with some of Baltimore's matrix structures; he doesn't understand why multiple violations count within 2 years rather than just listing off first offense, second offense, third offense etc. Under Baltimore's model, an officer could commit misconduct, wait two years, and his record would essentially be clean.

Chair Vives comments that NYC's matrix, regarding to discipline, is more descriptive and has aspects that should be highlighted because they similar to the needs of the Albany community. Chair Vives agreed with most of NYC's measures, so it would be helpful to reference their matrix as well. Chair Vives reiterates that the members are all on board with using Baltimore's structure for the matrix, however will need to mark up and adjust the substance in the matrix.

Commander Laiacona was asked if the department will be working with the committee during the editing process or if they would wait until the committee had a rough draft to offer their comments. Commander Laiacona responded that they are going to wait to give their input. He says that NYC is very specific and does not give any room for mitigating circumstances. They don't want to be restricted on the level of discipline that can be given, even if it is higher or lower than the matrix recommends. For example, Commander Laiacona would rather see the matrix give a range of days for discipline rather than a specific number. The Chief needs some room to increase discipline as he sees fit. He comments that he prefers the community and the CPRB to offer recommendations first so that he knows what their opinions are.

Board Member Collins-Hackett reaffirmed that the CPRB is working with the APD in a collaborative process, and the CPRB gives the APD a chance to work in tandem with the public and the board.

Board Member Levendosky asked Commander Laiacona about including educational or remedial instruction in the matrix. Commander Laiacona agrees with Mr. Levendosky that remedial training is a great way to fix lower-level instances, and he would support the committee and work on that.

The board recommends reaching out to any Baltimore CPRB entity connections to see how their structure works and is applied.

Chair Vives agreed that reaching out to any counterpart in Baltimore would help further some discussion on if Baltimore is the right choice to model the Albany matrix after. Chair Vives looks forward to the next meeting, where they can discuss the Baltimore Matrix in depth.

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:55 pm.

Respectfully Submitted,

Michele Andre
Program Manager