

New Rochelle and Police Oversight Options for Consideration

Revised October 2023



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Revised October, 2023

Prepared for:

City of New Rochelle, New York

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Summary

The City of New Rochelle with the Community Police Partnership Board (CPPB) engaged CGR to research and recommend a framework for the potential creation of a Civilian Complaint Review Board (CCRB) to help build trust between the community and the New Rochelle Police Department (NRPD).

The consideration of a civilian review board stems from several events, including a police-involved shooting in New Rochelle in June 2020 as well as a state-level executive order requiring all law enforcement agencies to policies and gather community input.

CGR analyzed data on civilian complaints about police, gathered stakeholder input, and conducted a national and state scan of civilian review models to inform this report.

Key findings include:

- Our analysis of 169 allegations of police misconduct in 149 complaints in 2018-22 found misuse of authority was the most common allegation (55), followed by miscellaneous (44) There were 9 allegations of improper use of force. For the 2 years when complainant demographics were tracked, most complaints came from White and Black individuals, and complaints from Black individuals made up 35% of the total, above their 19% representation in the population. The 2nd tour had the largest share of complaints at more than one-third of the total.
- Looking at the disposition of allegations over the 3 years, 28% were exonerated (officer acted properly), 26% were sustained (officer acted improperly), 25% were unfounded (no basis for complaint) and 21% were unsubstantiated (not enough evidence to find for officer or complainant). Most sustained findings resulted in the officer being counseled and retrained. This discipline was given for more than half of the sustained allegations in these five years. The one Use of Force allegation resulted in a loss of days.
- Stakeholder groups have widely divergent views of police, police-community relations and the wisdom of creating a civilian review board. City officials and police have more positive views of police and of relations with the community than did many of the community members who were interviewed. Most community stakeholders characterized community/police relations as mediocre or needing improvement. While city officials and community members generally saw benefits to establishing a civilian review board, police interviewees did not see the need for a board and preferred that complaints continue to be handled by the department's Internal Affairs unit.

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- Several cities in New York have adopted or strengthened approaches to civilian oversight of police. Our interviews with Ossining, Albany and Schenectady found they use a combination of oversight models, including review-focused (where the board reviews and opines on internal police investigations and findings about complaints) and investigative-focused (where board conduct independent investigations into complaints). New York City also has an auditor-monitor approach focused on the systematic review of data to examine high-level trends regarding police conduct. In addition, there is an effort to establish a countywide independent agency in Westchester County to investigate complaints about police in municipalities that opt into the process.

Based on our analysis of the data, stakeholder input and information from other localities in New York, we see immediate and future options for New Rochelle to consider. The decision of how to move forward should be guided by community needs, socio-political context and readiness to plan, fund and implement a strategy. New Rochelle's decision-making process has to consider the benefits and manage conflicts and tradeoffs that result from the adoption of a specific CCRB model.

CGR recommends the immediate adoption of a review-focused oversight model that responds to community concerns about police actions and provides a way increase transparency and build more trust between residents and police.

In monitoring the implementation and impact of a review board, New Rochelle could track and analyze metrics on police performance including the overall numbers of complaints and/or allegations as well as the findings on allegations by the review board and compared to Police Department findings. The data could shed light on whether police misconduct is rising or falling, whether the public interacting with police is filing complaints, and whether the review board is coming to different conclusions about misconduct complaints than the Police Department. However, the numbers themselves may not tell a full story, and likely the City will want to supplement the numerical data analysis with conversations/interviews with police and police officials, members of the public and members of the review board. Surveys and focus groups could also be used, especially to gauge public sentiment.

Ongoing data collection can inform future options for New Rochelle include moving in the direction of investigative, hybrid, county and auditor-monitor models. These shifts may make sense and happen organically over time as the City gains experience with civilian oversight of police. It is common to make updates to review board legislation over time, as shown in our summary of experience in other cities.

Acknowledgements

We thank members of the CPPB for assisting CGR with all aspects of the project. In particular, we extend appreciation to Deputy Commissioner Neil Reynolds, Dawn Warren, Dr. David Holder, William Sears and Michael Kushner who served as the project's advisory group.

Staff Team

Donna Harris, Ph.D., Alina Santiago, Paul Bishop and Erika Rosenberg served as the project team. Marvin Stepherson provided support regarding law enforcement operations.

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Introduction

The City of New Rochelle with the Community Police Partnership Board (CPPB) engaged CGR to provide research and recommend a framework for the potential creation of a Civilian Complaint Review Board (CCRB) to help build trust between the community and the New Rochelle Police Department (NRPD).

The consideration of a CCRB comes from several events. A New Rochelle police officer-involved shooting of Kamal Flowers, an African American male on June 5, 2020, led the New Rochelle City Council to call for a detailed assessment of police policies and procedures. Soon after this request, Governor Andrew Cuomo issued Executive Order 203, that required all New York law enforcement agencies to conduct a review of policies and practices with the involvement of community stakeholders. Given this mandate, the City convened the Policing Review Committee that included 12 residents, the NRPD Commissioner and Deputy Commissioner, the City Manager, a City Council representative and Mayor Branson. This group addressed a few issues including use of force policy and training, data disclosure and transparency, community engagement and oversight/discipline/complaint. It held several community input sessions. The policy review and community input were used to develop the New York State Police Reform and Collaborative Plan draft. This report was reviewed by City Council and community feedback was gathered before the report and its recommendations were finalized in March 2021.¹

The Community Police Partnership Board (CPPB), the first recommendation of the New York State Police Reform and Collaborative Plan, was implemented to develop trust, understanding and transparency. This group is charged with developing a CCRB blueprint. CGR was selected to study this issue locally and provide recommendations for final consideration.

Advisory Group

Throughout this project, CGR collaborated with several CPPB members, NRPD Deputy Commissioner Neil Reynolds (CPPB Co-Chairman), Corporation Council Dawn Warren, Dr. David Holder (CPPB Co-Chairman), William Sears and Michael Kushner, who served as the project's advisory group. They provided input about all project tasks and this group served as a liaison between CGR and all members of CPPB.

¹ New York State Police Reform and Collaborative Plan (March 2021)
<https://www.newrochelleny.com/DocumentCenter/View/13605/POLICE-REFORM-PLAN-FINAL>

Data Collection

CGR analyzed civilian complaint data, gathered stakeholder input, reviewed New Rochelle Police Department (NRPD) policies and procedures, and conducted a national and state scan of civilian review models.

Civilian Complaints of Police Misconduct Analysis

CGR obtained civilian complaint data from 2018 to 2022 to independently analyze the types of police misconduct reported, complainant background (race/ethnicity and gender) and outcomes upon investigation. Our analysis identifies trends in the number of complaints, their subjects, and how they were resolved over time. This information helped our team to identify a civilian review model that is well-aligned with the City's needs.

Interviews

Initially, CGR planned to conduct interviews with 25 people including leaders from City Hall, City Council and New Rochelle Police Department and community members including representatives from the faith community, non-profit organizations and coalitions. The target number of interviewees was developed in collaboration with the CPPB, and it provided an opportunity to identify a range of participants who represented the city and community. CGR used a purposive sampling approach because there were specific people and key community demographics that we wanted to represent in the study. An initial participant list was presented to the advisory group, shared with every CPPB member and finalized based on suggestions. Their input allowed CGR to identify several community organizations and representatives to solicit participation. During interviews we also asked for additional suggestions for interviewees with a focus on Black and Latinx individuals who live(d) in public housing and live(d) in high crime rates.

The advisory group provided contact information for our interviewees and CGR sent invitation letters by email. Follow up emails were sent several times to nonrespondents and CGR made calls when phone numbers were available. CPPB members made outreach to community members to make them aware of the study in order to seek their participation. During the study, we also paid attention to the racial/ethnic backgrounds of participants, especially those from the community. Since CGR did not possess demographic information about potential participants, we had to rely on CPPB members to identify community members who represented different backgrounds (Latinx).

CGR staff conducted 24 stakeholder in-person and virtual interviews from March 2023 through May 2023 to gather perceptions about community police relations, the process to address police conduct, the role and powers of a civilian review board and other NRPD changes to improve community interactions. Our participants included

city staff and elected representatives, NRPD leadership and staff, and community stakeholders. Community stakeholder participants represented a racially and ethnically diverse group of residents from various New Rochelle neighborhoods who have served in various local roles.

Several county level, community and city council representatives were invited to participate in this study but were not responsive to our invitation.

Most interviews lasted about an hour to 90 minutes. Detailed notes were taken during each discussion and systematically analyzed for themes. Additional details about data analysis are provided later in this report.

Our aim when determining sample size for this study was to include enough individuals to represent the various perspectives of the community and reflect the local population's demography. If New Rochelle would like to obtain a broader perspective about community-police relations and police oversight in the future, then a survey and community focus groups are recommended.

Research on CCRB Models

CGR conducted research on Civilian Complaint Review Board (CCRB) models in New York State for the CPPB's consideration. Our research included a high-level state and national scan focused on the different civilian complaint models, along with broader trends in police oversight; a review of how four models function in comparable cities within New York State, including variations in structure, scope of authority and staffing; and an exploration of relevant county, state and national regulations. Our research focused in part on racial and ethnic disparities in law enforcement practices and how a civilian oversight model could best contribute to addressing these issues and help to create greater equity in law enforcement. We also considered the appropriate scope of authority for a civilian oversight body and whether its role should include development of law enforcement policy, investigation of complaints, discipline, hiring, or some combination of all these functions. Our team considered potential limitations that the Taylor Law may place on an oversight body's authority (e.g., the potential for disciplinary matters to be subject to collective bargaining).

CGR collaborated with the advisory group to select the cities for the CCRB scan. This list and our selection rationale was presented to CPPB before beginning our research in other communities.

CGR interviewed six staff or representatives from New York Civilian Complaint Review Boards in Albany, NYC, Ossining, and Schenectady. These locations were chosen because of civilian review model type and demographic similarity to New Rochelle as well as geographic location. We also spoke with a representative from the Office of the Inspector General for the New York Police Department and two local leaders involved with the implementation of recommendations from Westchester County's Police

Reform Task Force including a proposal to form a county-level civilian review board. We were unable to schedule an interview with the NYPD Inspector General, but CGR was provided an email that described the current state of the Office of the Inspector General

At the end of data collection, CGR had interviewed 30 people. Several members of NRPD leaders were interviewed twice (once by CGR staff and a second time by Marvin Stepherson, CGR's police technical consultant). Mr. Stepherson's conversations focused on better understanding the operation of the New Rochelle Police Department and its relationship with the community and police oversight.

Findings

Civilian Complaints of Police Misconduct

New Rochelle Police Department Complaint Data Analysis

CGR analyzed citizen complaint data collected by the New Rochelle Police Department from 2018-2022². Each complaint may have multiple allegations within it.

Number of Complaints and Allegations from 2018-2022						
	2018	2019	2020	2021	2022	5 Year Total
Total Complaints	25	25	33	29	36	148
Total Allegations	26	25	33	42	43	169

Source: New Rochelle Police Department Civilian Complaint Logs 2018, 2019, [2020](#), [2021](#) & [2022](#).

In 2018, the New Rochelle Police department received 25 complaints consisting of 25 allegations. The next year, they received 25 complaints again with 26 total allegations. In 2020, NRPD received 33 citizen complaints, containing a total of 33 allegations. The following year, 2021, the department received 29 complaints and 42 allegations. In 2022, the department recorded 36 citizen complaints with 43 allegations overall.

² New Rochelle Police Department Civilian Complaint Logs 2018-2022

Demographic Characteristics of Complainants

2021 & 2022 Complaints by Gender and Race/Ethnicity				
	Gender			
Race/Ethnicity	Anonymous	Female	Male	Grand Total
Asian		1	2	3
Black		10	13	23
Hispanic		4	4	8
Indigenous			1	1
White		15	12	27
Anonymous	3			3
Grand Total	3	30	32	65

Source: New Rochelle Police Department Civilian Complaint Logs [2021](#) & [2022](#).

In 2021 and 2022, some demographic characteristics of those who made complaints were recorded but this information was unavailable in 2018, 2019 and 2020.³ In 2021 and 2022, out of the 65 total complaints, the department received complaints from 30 women and 32 men (3 complaints were filed anonymously). This suggests that there is no disparity based on gender for the overall number of complaints, however as discussed in a later section, there are some allegations that skew toward one gender.

Another demographic characteristic recorded by the department was the race/ethnicity of the complainant. Of the categories provided, a vast majority of complaints in 2021 and 2022 came from White and Black individuals with 27 and 23 complaints respectively. That means that 35% of complaints were made by Black complainants, which is higher than the 19% of New Rochelle residents who identify as Black, according to the US Census⁴.

When looking at race and gender together, the identity groups that filed the most complaints were White women and Black men, closely followed by White men and Black women. This is most likely the case because these racial groups make up a large

³ It should be noted that the complaint data did not provide information on whether the complainant was a resident of New Rochelle or a non-resident.

⁴ <https://www.census.gov/quickfacts/newrochellecitynewyork>

portion of New Rochelle's population – a combined 63%. Identity groups with the lowest number of complaints include Asian men and women, Indigenous men, and women. The population of New Rochelle is only 6% Asian and 0.2% Indigenous.

Types of Allegations in Complaints

Allegations made by category in 2018-2022						
Allegation Type	Year					Grand Total
	2018	2019	2020	2021	2022	
Use of Force	1	2	1	3	2	9
Discourtesy	4	7	6	10	14	41
Bias	2	2	5	7	4	20
Miscellaneous	12	7	7	12	6	44
Misuse of Authority	7	7	14	10	15	53
Property					2	2
Total Allegations	26	25	33	42	43	169

Source: New Rochelle Police Department Civilian Complaint Logs 2018, 2019, [2020](#), [2021](#) & [2022](#).

The New Rochelle Police Department places complaints into six different allegation categories: Use of Force, Discourtesy, Bias, Misuse of Authority, Property and Miscellaneous.

The department's Internal Affairs unit records every allegation that occurs within a complaint. From 2018 to 2022, there were a total of 169 allegations recorded. The categories with the largest number of allegations were Misuse of Authority and Miscellaneous with 53 and 44 allegations respectively. The categories with the lowest number of allegations in these five years were Use of Force (9) and Property (2).

Trends in Findings based on Race/Ethnicity and Gender

As mentioned previously, the NRPD started recording demographic characteristics of complainants in 2021. Therefore, this analysis was based on 85 allegations recorded in 2021 and 2022.

2021 & 2022 Allegations by Race/Ethnicity and Category							
Allegation Type	Race/Ethnicity						
	Asian	Black	Hispanic	Indigenous	White	Anon.	Total
Use of Force		4	1				5
Discourtesy	2	5	2		14	1	24
Bias	1	5	1		4		11
Miscellaneous		5	3		9	1	18
Misuse of Authority		11	4	1	8	1	25
Property		1			1		2
Total Allegations	3	31	11	1	36	3	85

Source: [New Rochelle Police Department Civilian Complaint Logs 2021 & 2022](#).

2021 & 2022 Allegations by Gender and Category				
	Gender			
Allegation Type	Anonymous	Female	Male	Total
Use of Force		4	1	5
Discourtesy	1	14	9	24
Bias		4	7	11
Miscellaneous	1	11	6	18
Misuse of Authority	1	10	14	25
Property			2	2
Total Allegations	3	43	39	85

Source: [New Rochelle Police Department Civilian Complaint Logs 2021 & 2022](#).

Misuse of Authority was the allegation category with the largest number of allegations in 2021 and 2022. Out of the 25 allegations made, 14 were made by male complainants and 10 by female complaints (one was anonymous). This does not indicate any substantial trend based on gender for this category. Looking at race/ethnicity of the complainants in this category however, Black complainants made the largest number of allegations with 11. This comprises 44% of the allegations of misuse of authority made in 2021 and 2022.

The next largest allegation category is Discourtesy with 24 allegations. 14 of those allegations were made by women. On a similar vein, 14 of the 24 allegations were made by White complainants, with Black complainants making the second most with only 5.

Between 2021 and 2022, there were only 5 Use of Force allegations. Of these 5, however, 4 of them were made by Black residents. The final allegation was made by a Hispanic resident, meaning that all the allegations were made by people of color in New Rochelle. Only one of these allegations was sustained.

Complaints by Tour and Unit

When the New Rochelle Police Department receives a complaint, it records the unit/and or tour involved in the incident. Shifts for police officers in the department are broken up into three 8-hour Tours. The times of each Tour are listed below:

- 1st Tour: 12am to 8am
- 2nd Tour: 8am to 4pm
- 3rd Tour: 4pm to 12am

Looking at the 148 complaints made in 2018-2022, 44 took place during the 2nd Tour. This means that 30% of complaints in those five years came from incidents that occurred during the 2nd Tour. This is significant when compared to the percentage of complaints made about incidents during the 1st Tour (5%) and the 3rd Tour (24%). It must be noted that some incidents had elements involving multiple tours and/or units and were recorded as having occurred during "Multiple Tours/Units." The definitions for the other units are listed below.

- CIU- Critical Incident Unit
- CSO- Community Service Officers (not police officers)
- PSD- Police Services Division
- PACT- Police and Community Together
- PTU- Property Theft
- SIU- Special Investigations
- GIU- General Investigations
- Traffic- Traffic Unit

2018 – 2022 Complaints by Unit/Tour	
Unit/Tour	Count
1 st Tour	8
2 nd Tour	44
3 rd Tour	36
Multiple Tours/Units	18
CIU	7

2018 – 2022 Complaints by Unit/Tour	
Unit/Tour	Count
CSO	12
SIU	1
GIU	3
PACT	4
PSD	4
PTU	1
Off Duty	2
Traffic	8
Grand Total	148

Source: New Rochelle Police Department Civilian Complaint Logs [2020](#), [2021](#) & [2022](#).

Findings of Complaint Investigations

The result of a complaint investigation is categorized as exonerated, sustained, unfounded or unsubstantiated. The definitions for these findings are listed below.

- Sustained– The investigation has gathered enough evidence to sustain the allegation.
- Unsubstantiated – Insufficient evidence to prove or disprove the allegation.
- Exonerated – Actions taken did occur, but were determined to be in accordance with authority, law, and policy.
- Unfounded – Investigation determined the allegations did not, in fact, occur.

CGR looked at the data collected by the NRPD to identify any possible trends or patterns emerging from the findings at the end of complaint investigations. Note the table and graph show a total of 167 allegations from 2018-2022 because the finding for one Miscellaneous allegation in 2018 was “complaint withdrawn” and the finding for one Misuse of Authority allegation in 2020 was labeled as “open.”

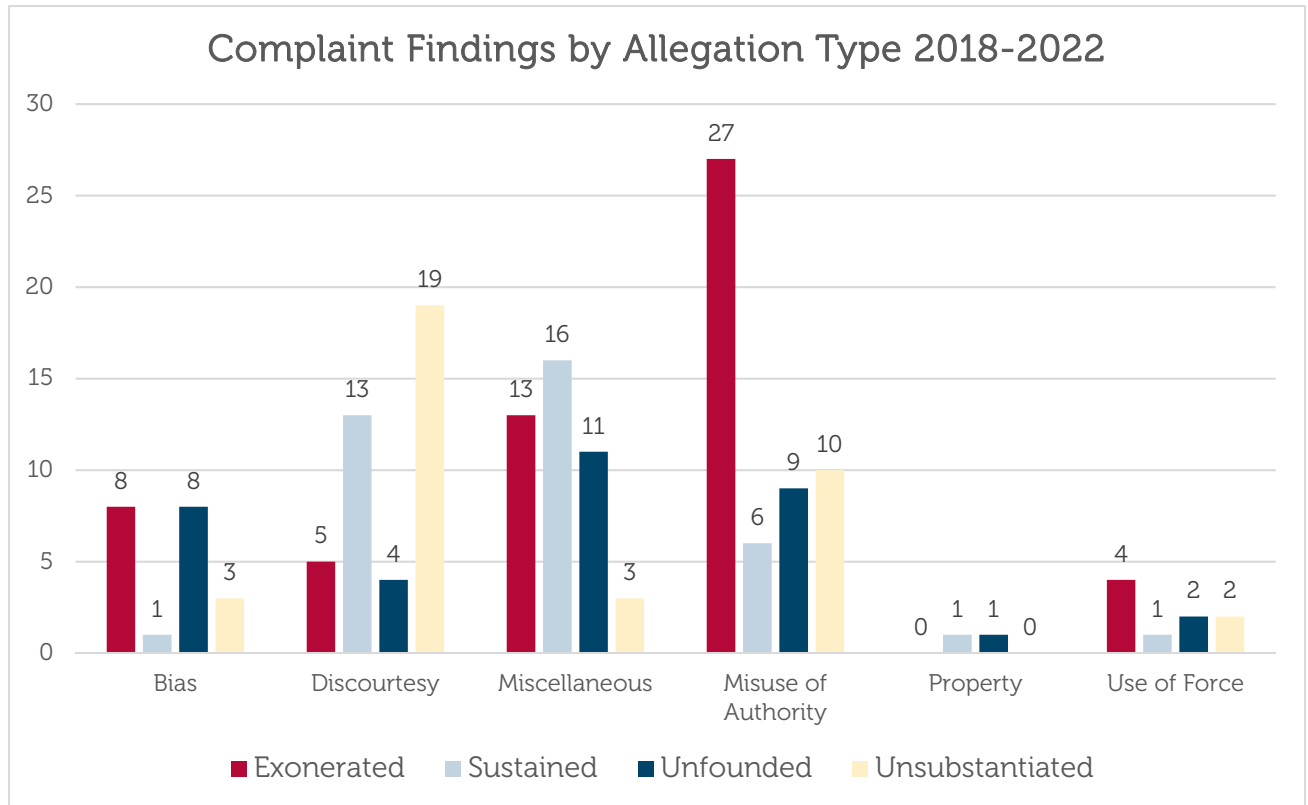
Complaint Findings by Allegation Type 2018-2022					
Allegation Type	Findings				
	Exonerated	Sustained	Unfounded	Unsubstantiated	Total
Bias	8	1	8	3	20
Discourtesy	5	13	4	19	41
Miscellaneous	13	16	11	3	43
Misuse of Authority	27	6	9	10	52
Property		1	1		2
Use of Force	4	1	2	2	9
Total	57	38	35	37	167

Source: New Rochelle Police Department Civilian Complaint Logs 2018, 2019, [2020](#), [2021](#) & [2022](#).

From 2018-2022, the NRPD had a sustain rate of 23% across all allegation categories. Looking at Misuse of Authority, the category with the most allegations, 6 of the 52 allegations from 2018-2022 were sustained. That means it had a sustain rate of 12%. The most common result for a Misuse of Authority allegation was exoneration which occurred 27 times or 52% of the time.

The next largest category, Miscellaneous, had a sustain rate more than three times that of Misuse of Authority at 37%. The most common finding at the end of a Discourtesy investigation, however, was that the complaint was unsubstantiated. This was the result of 46% of Discourtesy allegations.

The allegation with the lowest sustain rate from 2018-2022 was Bias at only 5%. Of the 20 allegations of Bias, only one was sustained while nearly half were determined to be unfounded. Similarly, only one of the 9 Use of Force allegations was sustained.



Source: New Rochelle Police Department Civilian Complaint Logs 2018, 2019, [2020](#), [2021](#) & [2022](#).

Discipline for Sustained Findings

The discipline given for sustained allegations from 2018 to 2022 was recorded by the New Rochelle Police Department and can be seen in the tables below. The discipline actions were Counseled/Retraining, Letter of Reprimand, Verbal Reprimand, and Loss of Days. Loss of Days means that officers lose between 1 and 5 paid leave days. The number of days lost when an officer received this discipline was not specified in the data.

Discipline of Sustained Allegations by Year, 2018-2022					
Year	Counseled/Retraining	Letter of Reprimand	Verbal Reprimand	Loss of Days	Total Sustained Allegations
2018	5				5
2019	3	1			4
2020	3	3		1	7

2021	4	4		2	9
2022	6	2	1	3	12
Total	21	10	1	6	38

Source: New Rochelle Police Department Civilian Complaint Logs 2018, 2019, [2020](#), [2021](#) & [2022](#).

Discipline of Sustained Allegations by Allegation Type, 2018-2022					
Allegation Type	Counseled/ Retraining	Letter of Reprimand	Verbal Reprimand	Loss of Days	Total Sustained Allegations
Bias			1		1
Discourtesy	7	4		2	13
Miscellaneous	11	2		3	16
Misuse of Authority	3	3			6
Property		1			1
Use of Force				1	1
Total	21	10	1	6	38

Source: New Rochelle Police Department Civilian Complaint Logs 2018, 2019, [2020](#), [2021](#) & [2022](#).

Most sustained findings resulted in the officer being counseled and retrained. This discipline was given for more than half of the sustained allegations in these five years. The one Use of Force allegation resulted in a loss of days – again the number of days lost was not disclosed.

External Case Review

In 2021, NRPD referred a case involving an off-duty detective to the Westchester County District Attorney's Office for an external investigation. The NRPD detective was charged with attempted assault stemming from his involvement with the apprehension of Malik Fogg. The off-duty detective had filmed Fogg's car chase and was pursued by

Fogg as a result. As Fogg was taken into custody by on-duty officers, the off-duty detective struck the defendant several times. The detective was acquitted of these charges but was fired by NRPD after an administrative review that recommended termination.⁵

Stakeholder Interviews

A word about how we analyzed the data: CGR staff read notes for each interview and then coded them into themes regarding perceptions about community/police relations, police misconduct and the city's existing process to address NRPD misconduct, recommendations regarding a new process for addressing civilian complaints of police and ideas about the structure and powers of a civilian review board. Our analysis provides a broad overview of participant responses to show areas where there was cohesiveness among interviewee responses as well as views that diverged from the majority. Where we indicate that "most" interviewees responded in a particular way, it reflects over half or more of responses, "some" reflects about a third of responses and "a few" is two to three responses.

Perceptions about community-police relations in New Rochelle are influenced by national occurrences (George Floyd) and local events, residence and demographic background (race/ethnicity, immigration status, gender, etc.). The Kamal Flowers shooting death in 2020 by a NRPD officer was a defining moment for New Rochelle and created mistrust about local law enforcement especially for Black and other residents of color who live in the Horton and Lincoln Avenue neighborhoods. Some within the Black community were disappointed that the officer was not indicted by a Westchester County Grand Jury in November 2020. The Flowers investigation was conducted by four law enforcement agencies: The Westchester County District Attorney's Office, The New York State Police, the Westchester County Department of Public Safety, and the New Rochelle Police Department.⁶ On July 3, 2023, New Rochelle experienced a police officer involved shooting of Jarrell Garris, a Black man, who died several days later.⁷ This case occurred after interviews were conducted and it is still under investigation by NY State Attorney General, Letitia James.⁸

City Staff and Elected Officials

Seven city staff and elected officials participated in the interviews. Most were New Rochelle residents for at least 12 years. Most interviewees were female.

⁵ <https://www.cbsnews.com/newyork/news/new-rochelle-police-detective-michael-vaccaro-fired-2021-gas-station-encounter-malik-fogg/>

⁶ <https://www.westchesterda.net/november-2020/6603-da-scarpino-announced-outcome-of-grand-jury-investigation-into-the-death-of-kamal-flowers-of-new-rochelle-no-true-bill-no-indictment>

⁷ <https://www.cbsnews.com/newyork/news/following-fatal-shooting-new-rochelle-residents-gather-to-express-frustration-about-policing/>

⁸ <https://ag.ny.gov/osi/footage/jarrell-garris>

Community-Police Relationships

At the time of our data collection, the majority of City Staff and elected official interviewees reported that community/police relations have improved given NRPD's outreach efforts via the PACT (Police and Community Together) unit, involvement with the Community Police Partnership Board, officer engagement with neighborhood associations, coffee with cops sessions and discussions with local youth including Monroe College students who had questions about New Rochelle's law enforcement policies. A clergy response team works with NRPD and serves as a liaison to community. It is called in during shootings to provide comfort to victim's families. One interviewee indicated that NRPD has been more intentional about engagement.

The City has hosted community events for residents and city officials. NRPD staff and other city officials attend these events in plain clothes to create common bonds. For example, weekly community events held in Ruby Dee Park starting in May with vendors and live music include NRPD, city staff and community and have been well received. Recruitment efforts have resulted in the hiring of younger and more diverse officers. New recruits are introduced to the community. Community engagement is a focus throughout the City and all agencies. A non NRPD City leader described other meetings held with local churches and organizations to hear community needs. This interviewee found that when the topic of NRPD came it was mostly positive and there was a desire for increased police presence. During our visit to New Rochelle, a city employee indicated that an engagement manager would be hired.

Support for Civilian Complaint Review Board

When asked about the need for a CCRB, most city staff and elected officials supported the creation of a CCRB and thought it would help build community trust. Others viewed the CCRB as a vehicle to hold police accountable for misconduct. One interviewee thought that the CCRB could also be used to clear police of wrongdoing. One city official expressed concern about this choice.

CCRB Composition, Responsibilities & Powers

Interviewees shared various ideas about CCRB membership and powers. Some suggested that the CCRB be independent of NRPD and include city residents. This group would review police investigations of citizen complaints including all evidence including audio and video. Others envisioned that CCRB members would collaborate with NRPD and engage in learning about decision-making related to investigations and final determinations about each allegation. One participant reported that some residents wanted the CCRB to have subpoena power and another interviewee was against providing disciplinary power to the group since it violated state law and the NRPD union contract.

Community Stakeholders

CGR interviewed nine community stakeholders including members of the CPPB, faith communities, advocacy groups (New Rochelle Against Racism-New RoAR, African American Advisory Committee) and non-profit organizations (Boys and Girls Club, Mujeres en New Rochelle). The majority identified as Black or Latino and are long-time New Rochelle residents. Some grew up in local public housing and predominantly Black and Latino neighborhoods. This group included five males and four females.

Most community stakeholders characterized community/police relations as mediocre or needing improvement. They indicated that the community had a good relationship with NRPD prior to the Kamal Flowers shooting, but this tragedy eroded community trust. Several interviewees indicated that NRPD is making efforts to improve community connections. However, one community representative desired to know what NRPD is doing to improve relationships with residents. A few interviews indicated that the Latino community had positive experiences with NRPD. More visibility by NRPD was desired with outreach to organizations or neighborhoods where there is limited to no connection. One interviewee, a youth service provider, indicated not knowing 90% of NRPD officers and believed that youth had limited interaction with them as well. This person recalled knowing NRPD officers in their youth. A concern was raised about the racial makeup of NRPD officers. A few interviewees discussed the need for additional multilingual officers available to connect with the non-English speakers in the Latino community. Although New Rochelle has implemented efforts to increase law enforcement diversity, one interviewee thought the 60 college credit requirement was a barrier. There was also concern that NRPD did not respond to the local Jewish community's request for police presence at local synagogues after mass shootings across the nation. However, NRPD leadership indicated that they were responsive regarding the security needs of local synagogues.

Most of the community stakeholders said that perceptions of NRPD vary based upon where a person lives, as well as race, ethnicity and gender. Some reported experiencing positive or no interaction with local law enforcement, but some also said that Black residents have less trust regarding police. Interviewees acknowledged the need for law enforcement in New Rochelle, but they were also concerned that residents in low income and Black neighborhoods are often over policed while affluent and predominantly white neighborhoods are under policed. Interviewees suggest that the city's most disenfranchised residents may desire to call the police, but they see law enforcement as a threat. Several interview participants described past and current harassment of Black males by NRPD. Our interviews also revealed that in general Latino residents want police in their neighborhoods.

Despite the challenges encountered with NRPD, most recognized engagement activities implemented such as ice cream socials, community service senior activities and outreach to neighborhood associations.

Support for Civilian Complaint Review Board

Most community stakeholders were in favor of a CCRB and felt that an independent and unbiased group should be available to address police complaints. Some community stakeholders, similar to city staff and elected officials, believed that a CCRB would help build trust between residents and NRPD. Others shared that a CCRB could also limit police officer bias when investigating a fellow officer. One interview participant was ambivalent about whether a CCRB is necessary given the low number of complaints submitted each year and NRPD's expansion of community policing. Another interview participant suggested the CCRB as an independent entity could help clear NRPD officers of wrongdoing if they are falsely accused.

CCRB Composition, Responsibilities & Powers

Community stakeholders shared many ideas to inform the implementation of a CCRB.

Several community stakeholders recommended that 1) community members should help select CCRB members and 2) the CCRB appointment process should prioritize the selection of New Rochelle residents who have lived in the city for a bit of time and represent neighborhoods that are most impacted by negative police relations.

Interviewees asserted that they wanted CCRB members to have real authority and official capacity to influence change. One person stated that the CCRB should be more than just a group that makes recommendations that are ignored. Without a genuine role, they believed that a CCRB is unnecessary.

Several interviewees shared that CCRB members could take police complaints and follow up about them. Some recommended a liaison role dedicated to community outreach and supporting investigations. A few interview participants suggested that a local CCRB have investigative or subpoena power. One community group representative suggested that the CCRB be an independent agency composed of civilians with broad powers including investigative, subpoena and disciplinary powers. The oversight board should review minor and major police complaints and be adequately funded to support its operations and staff. Other interviewees had different thoughts about whether CCRB should have disciplinary authority. A few did not think CCRB should have disciplinary power and others thought the group should be able to inform the police commissioner's decisions.

Many community stakeholders indicated that CCRB members should be involved in final decisions about police misconduct outcomes or discipline. Some did not want to give sole power about complaints to CCRB but envisioned a collaborative decision-making process. CCRB members would make recommendations about how issues should be resolved but not make final decisions. Interviewees also want feedback about how complaints are resolved and a rationale about discipline.

New Rochelle Police Department

Based on the 2022 Annual Report, the New Rochelle Police Department consists of 234 employees, including 177 sworn officers. Most of the sworn officers, 105, are White men at 59%, followed by Hispanic men at 19%, Black men at 10%, White women at 8%, Hispanic women at 4% and Black women at 2%. The average age of officers is 38 years old and the average amount of time in the department is 11 years.

The CGR team interviewed eight NRPD officers including the department's leadership from the PACT unit, internal affairs, training and police patrol as well as the Commissioner and Deputy Commissioner. The majority of interviewees were male, 50% white and remaining 50% were either Black or Latino.

Community/Police Relations

NRPD interview participants described their relationship with city residents as good to great. Most disciplinary issues are internal rather than external. One interviewee graded community police relations at 90%. Another believed that the average citizen embraces them and is content. Officers noted that oftentimes community members may become discontent with NRPD based on an outcome of a fight or incident where the police respond. Interviewees also recognize that the officer-involved shooting and death of Kamal Flowers death in 2020 had a negative impact on community perceptions of NRPD.

NRPD is a full service department with a mobile crisis response team and mental health professionals. The Mobile Crisis Response Team (MCRT) is comprised of mental health professionals from the Guidance Center of New Rochelle, who respond along with, and in some case in lieu of police officers to calls of people in mental crisis.⁹ The PACT (Police and Community Together) Unit plays a key role in fostering positive community police relations. Unit officers usually work 8 a.m.- 4 p.m. but hours are flexible to attend community events and meetings. PACT youth programs include Mentors in Blue and Police Explorers. PACT officers are selected based on their level of community engagement and alignment with unit mission/culture. Interviewees recognized that the sentiments of the PACT Unit need to be integrated throughout the entire department and should be progressive, continuous and consistent. They also identify that NRPD officers need to become more involved in the community. One NRPD interviewee believed that some officers (especially younger ones) often stay in the patrol car, instead, ideal practice suggests that they should get out into the community and make connections. To increase engagement, interviews indicate that officers are now required to make community contacts where they engage residents.

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<https://www.newrochelleny.com/CivicAlerts.aspx?AID=3116#:~:text=The%20New%20Rochelle%20Police%20Department,of%20people%20in%20mental%20crisis.>

NRPD runs a citizen's police academy¹⁰ to strengthen police community relations. Participants learn about NRPD policies and practices and realities of modern law enforcement. The academy is designed to foster community-police partnerships to combat crime. The department has also increased their social media to distribute resource information to city residents.

Our interviews indicate that NRPD is aware that it needs to rebuild trust with the community through community engagement and transparency. NRPD interviewees believe that the agency has been ahead of the curve since 2020 but needs to continue to make changes and reach further into the community. Youth and those experiencing poverty are targets of ongoing efforts. An interviewee shared change in police and community relations occurs by "treating people with empathy and understanding people are human – don't need to use the power of the badge. Take the time to really talk to someone and put yourself in their shoes – not about numbers, respond not react." Expansion of the PACT Unit will provide additional resources to accomplish goals.

Civilian Complaints

NRPD leader interviews describe the various way New Rochelle residents can submit a complaint. New Rochelle residents are able to submit a complaint in-person or online about police misconduct by completing a form available on the City's website¹¹ or calling the NRPD. Residents may also make a complaint with the desk sergeant or request NRPD to mail a complaint form to them. Interpreters are available to assist non-English speakers with their submission. CPPB members are also available to take complaints and forward them to Internal Affairs (IA). The IA unit is not located in the police department, but in a private location behind city hall. In this space, there is no need for complainants to enter the police station or interact with NRPD uniformed officers.

When an in-person complaint occurs at the NRPD stations, an NRPD interviewee reported that a desk supervisor (a sergeant or lieutenant) will come out and explain the process to a make complaint. The supervisor will find out whether the concern is an actual complaint or a misunderstanding about the law or policy and procedure. For example, disputes about ticket for motor vehicle violations (not coming to a complete stop) are addressed by the local court. An NRPD interviewee stated an initial investigation will take place for a walk up complaint and then it can go down to IA sometimes. These initial in-person complaint investigations may include a review of body cameras. Another interviewee noted that sometimes a supervisor will look at body cam and then do a preliminary write it up that gets forwarded to internal affairs. A supervisor could also write up an officer and forward it to IA. If a complaint is about

¹⁰ <https://www.newrochelleny.com/764/Citizen-Police-Academy>

¹¹ <https://www.newrochelleny.com/FormCenter/Police-3/Civilian-Complaint-Form-85>

a racial epithet, then NRPD staff will call a supervisor who conducts an initial review and a complaint is filed with IA.

Our NRPD interviews indicate that IA investigates each complaint and associated allegations within a case by reviewing available evidence including videos or audios, speaking with the complainant, interviewing witness(es) and any officers that were on scene, and interviewing the target officer. IA will conduct additional follow ups with complainants as needed to move cases forward. A written report is delivered to the Police Commissioner. If there is a violation or rule and regulation break, then IA might handle it with the officer's supervisor. The Commissioner determines discipline for sustained allegations based on based on the officer's records and history. When offending officers are informed of their discipline, they may have a union representative with them as outlined by NYS Civil Service Law Section 75 that governs disciplinary action. IA keeps track of all cases via a paper-based system but will be moving to a computer-based system such as IA Pro. All criminal charges are referred to the District Attorney's office and investigated by this agency. If an officer receives more than 5 complaints within two years, then they are referred to the NY State Attorney General's office. The Attorney General's office reviews these cases to determine whether there is a pattern of police officer "misconduct, excessive force or dishonesty."¹²

Some interviewees were troubled about the option to file anonymous online complaints. One interviewee stated that if there is no evidence, then there would be no disciplinary consequences. Weaknesses of the current complaint review process are that people don't think minor offenses should be a complaint and IA lacks a digitized system for investigation material and data.

A few interviewees had concerns about potential police budget reductions if a CCRB is created. They were worried about being able to do their job with a smaller budget. One interviewee speculated that 10% of NRPD's budget would be taken to pay for civilian oversight.

CCRB Implementation

Most NRPD leaders interviewed did not see the need for a CCRB because the number of complaints received is low. They believe the current review process, carried out by IA, is sufficient. They did not believe that residents could be a fair judge of allegations without knowledge of police procedures. Some officers thought the resident members of a CCRB would be driven by emotion and public perception and over-discipline when misconduct allegations are substantiated.

¹² <https://ag.ny.gov/sites/default/files/reports/LEMIO-2022.pdf>

Overview of Oversight Models

Civilian oversight of police is not done in a standard way but instead takes many different forms in communities across the country. The National Association for Civilian Oversight of Law Enforcement (NACOLE) provides a brief overview of the history of the field and a framing of current models in a 2021 report.¹³

The pursuit of police accountability aligns with national civil rights concerns about police misconduct disproportionately targeted toward communities of color. Early police oversight that occurred between 1920 and 1960 had limited success given inadequate resources and insufficient expertise regarding police procedures. As civilian oversight has grown as a field, so has the availability of the human capital (e.g., expertise) and financial resources necessary to sustain its existence. The NACOLE report finds that as of late 2019, researchers identified 166 civilian oversight agencies operating in 140 jurisdictions. Current civilian oversight boards benefit from the professionalization of their activities through association with organizations such as NACOLE.

The first civilian oversight models formed in the 1920s to the 1960s were focused on civilian review of police investigations of complaints. In the 1970s and '80s, some communities moved to an independent investigation model that took the responsibility for investigating complaints out of police hands. Since the 1990s, new models have emerged that focus not just on individual complaints but on holding police accountable through broad oversight of policy and practice and use of data and policy analysis to examine police outcomes and recommend improvements.

Civilian oversight activity focus has shifted over time and reflects several approaches including review, investigative, auditor/monitor, and hybrid. Each method is described below in more detail.

Review Approach

In this approach, members of the civilian oversight body examine investigation materials from the police investigation unit and may request additional information such as interviews or videos. After the review, the oversight group may offer decisions regarding police complaints or suggest recommendations about police procedure or policy. Since civilian review process is likely to use volunteers, this strategy tends to be the least expensive approach compared to others. Those involved with the review approach have limited power to impose recommendations.

¹³ See report at: <https://portal.cops.usdoj.gov/resourcecenter/RIC/Publications/cops-w0951-pub.pdf>

Strengths of this approach include the community's role in overseeing police and the relative affordability of this model. Weaknesses are the possibility that review boards are less independent than other models, that members may lack expertise in police issues, and that they have limited authority and perhaps fewer resources than other models.

Investigative Approach

Concern about police internal affairs investigations include whether they can be fair and rigorous. An additional issue may arise if an officer has a conflict of interest that may prevent impartiality.¹⁴ In this approach, the civilian oversight body pursues independent inquiry of citizen complaints. The investigation is conducted by civilians with sufficient background about investigation and police procedures. It is common practice that both civilian and police entities conduct concurrent investigations of complaints. Funding to cover costs for an independent investigation is incurred by the oversight organization. As a result, the investigation approach tends to have the highest costs compared to other approaches, given additional personnel and data gathering expenses.

Key strengths of this model are the possibility of reducing bias in investigations and increasing community trust, while weaknesses include the significant expense (due to the need to employ trained investigators), the possibility of resistance and obstructionism by police, and the chance that the public may be disillusioned if change does not occur. A 2016 OJP Iagnosti Center and National Association for Civilian Oversight of Law Enforcement (NACOLE) report suggests that implementation of an investigation model may help to increase a community's faith in the complaint review process especially in settings impacted by police shootings.¹⁵

Auditor/Monitor Approach

The auditor/monitor approach differs from the review and investigation models of civilian oversight since it is focused on the systematic review of data to examine high-level trends regarding outcomes of internal police investigation and civilian reviews of officer complaints. Paid staff, depending on the budget, or volunteers conduct data analysis. The research results are used to inform decisions about police policies, practice, and professional development. Analysts may also monitor the civilian review process over time by tracking the number of complaints or perceptions about civilian oversight quality. The auditor/monitor approach may be the most useful for changing

¹⁴ <https://www.usccr.gov/files/pubs/sac/wv0104/ch4.htm>

¹⁵ De Angelis, J., Rosenthal, R. & Buchner, B. (2016) Civilian Oversight of Law Enforcement: A Review Of The Strengths And Weaknesses Of Various Models. https://d3n8a8pro7vhmx.cloudfront.net/nacole/pages/161/attachments/original/1481727977/NACOLE_short_doc_FINAL.pdf?1481727977

police systems over time. However, it may not provide local communities with immediate resolutions about individual police behavior in specific cases.

Potential strengths include robust public reporting practices, the ability to effect systemic changes, and the cost – which is often less than investigation-focused models though more than review board. However, significant expertise is required to broadly evaluate police policy and auditor/monitors generally recommend but cannot enforce changes.

Hybrid Approach

As civilian oversight organizations have matured and expanded, communities have increasingly adopted approaches that mix elements of review, investigation, and auditor/monitor styles. One approach may serve as the primary strategy while the other plays a secondary role.

The NACOLE report does not recommend best practices for any city – instead it suggests the need for each community to identify “best fit” practices for itself, based on its own social, cultural and political issues, and the organizational history, traditions and culture of its police department. To quote the report:

“While some police agencies may be proficient at holding their officers to account with respect to certain types of conduct, other police agencies may struggle. Some large jurisdictions have ample financial resources to implement highly professionalized, organizationally complex forms of oversight while smaller jurisdictions may have far fewer resources with which to implement and sustain police oversight.”

The weaknesses identified in one civilian review model could occur with the other approaches. For example, police resistance to an investigative approach could also manifest with an auditor-monitor or review approach.

CCRB Options Scan

CGR researched civilian oversight models in five communities to inform New Rochelle’s decision-making about a civilian review board. Below, we discuss each model and identify strengths, challenges and lessons associated with each.

Village of Ossining

Located in Westchester County, the Village of Ossining has a Civilian Police Complaint Review Board (CPCRB). The Ossining process is a review-focused model.

Established in 2000, the Ossining CPCRB was created “to promote public confidence in the ability of the Village of Ossining to provide a governmental structure to fairly

investigate, review and dispose of civilian complaints made against its police officers, giving due regard for the rights and interests of both the civilians and police officers involved.”¹⁶ The CPCRB has no specific budget but there is a line item in the Village’s budget for the staff time required for CPCRB functions.

The CPCRB consists of seven members – five voting members and two alternates selected by the Board of Trustees. The Police Chief also appoints two police personnel (one line officer and one supervisor) to be with the board during the review meetings. The members of the CPCRB are volunteers and must be Village residents. Members are appointed for two-year terms and cannot serve more than four consecutive terms. Training is also a mandatory requirement for CPCRB membership. The core training, provided by members of the Ossining Police Department, includes topics such as use of force, stop and frisk, warrantless arrests, search and seizure, vehicle stops and relevant constitutional issues. On top of core training, the CPCRB charter identifies an additional 14 topic areas for training including Ossining Police Department’s disciplinary process, the recruitment and training process, and human relations training with a particular focus on cultural diversity areas.

The Village of Ossining’s CPCRB is tasked with reviewing the public’s complaints about the police. There are several ways a civilian can report a complaint to the police and people have the capability to submit a form physically or electronically. A copy of the complaint is provided to both the police department and the CPCRB through the corporation council. The detective lieutenant from the Ossining Police Department will investigate the complaint and submit it to the board when the investigation concludes. All the evidence and information used in the investigation will be provided to the CPCRB which will then determine whether the complaint is founded, unfounded, sustained, or unsubstantiated. The CPCRB’s findings then go to the Village Board of Trustees and if discipline is needed, the Chief of Police has the final say on all discipline. While the CPCRB itself only has the power to review investigations, it can bring in an outside investigator to review civilian complaints.

The CPCRB and the Ossining Police Department don’t have a specific way of collecting feedback from citizens about the complaint process. Leaders in Ossining have said, however, that the CPCRB is received positively by those who know about it.

Strengths

A strength of the CPCRB is that it gives citizens an opportunity to participate in the complaint process. This allows for transparency that builds trust and understanding of the complaint and discipline process. Having community members sit on the CPCRB also allows for different perspectives to be considered when reviewing complaints.

¹⁶ Village of Ossining Code, Chapter 8

<https://ecode360.com/6422378?highlight=training&searchId=49141561053957780#6422378>

Through the CPCR, community members can get plugged into the work of the police department and can even build relationships with officers.

Another strength is the CPCR's ability to bring in an outside investigator. Although the CPCR does not have investigative powers, this gives it the opportunity to check the investigation process and eliminate suspicions of bias.

Challenges

A challenge to the CPCR is that it adds another layer of process and bureaucracy to the complaint process. Another challenge is that the powers and scope of the CPCR are limited. Although the CPCR was established as a review-focused model, there are members who would like the review board to have more powers including more involvement in discipline decisions. Some review board members would also like the electronic submission process to be more streamlined with an online complaint form.

Another challenge is buy-in from the police department. Leaders in Ossining have said that although the CPCR and the Ossining Police department have a positive and constructive relationship, some police are concerned that there will be an increase in unsubstantiated complaints. Even if the concerns are found to be unsubstantiated by the review board, a spike in complaints overall may open the department up to criticism.

Lessons

The Village of Ossining's CPCR is a good example of a review-focused model right in Westchester County. New Rochelle could look at how this CPCR is able to build community trust with transparency, even with a limited scope.

Leaders in Ossining stressed the importance of making the scope of a review board very clear. This will allow it to have clear responsibilities and function efficiently.

Schenectady

The City of Schenectady established the Schenectady Civilian Police Review Board (CPRB) in 2002¹⁷. The board was created to combine the powers of two existing bodies – the Police Objective Review Committee and the Police Community Advisory Board. Similar to the Village of Ossining, the CPRB is a review-focused model that has the ability to hire an independent investigator to review and/or investigate complaints.

The CPRB consists of nine voting members appointed by the Mayor and confirmed by the City Council. Seven members are appointed based on recommendations of seven different community organizations, including the NAACP, Human Rights Commission, Chamber of Commerce and Municipal Housing Authority, and more. One member is

¹⁷ City of Schenectady Code, Chapter 93 <https://ecode360.com/8685908>

appointed based on the City Council's recommendation and one is a member of the general public, representing no particular group. Voting members are appointed for two-year terms. The CPRB also has two ex-officio, non-voting members. One ex-officio member is the Schenectady Public Safety Commissioner, and the other a citizen-at-large appointed by the City Council. All board members participate in training provided by the Schenectady Police Department (SPD), its Office of Professional Standards (OPS), and the City of Schenectady Law Department. Members of the SPD, OPS and the Corporation Council are also available during CPRB meetings to answer questions and provide clarification. Additional training topics include human relations, mediation, and conflict management.

The CPRB has the power to independently review complaints made by citizens about members of the SPD, as well as complaints about the department's policies and procedures. Complaints about policy and procedure can be made directly to the CPRB while complaints about members of SPD should be filed with the OPS. Other locations to submit a complaint to include the Human Rights Commission, the NAACP or City Hall. This allows complaints to be filed away from the department and ensures citizens feel safe and comfortable making a complaint. Once a complaint is received, the OPS will investigate and file a report with the CPRB within 30 days, using a double-blind system, which shields both the identities of the officers and complainants involved. The CPRB can request all records including video and audio recordings, however it does not have subpoena power. As mentioned earlier, the CPRB can hire an independent investigator if it feels warranted. Upon deliberations the CPRB can determine the findings of the investigation to be approved, disapproved, unable to be determined, returned for re-evaluation, or referred to the Mayor and City Council, both of which have subpoena power.

Leaders in Schenectady believe that a majority of the public trusts the complaint review process and is willing to engage in it. They also acknowledged that there is a small population that does not trust the process and would like to see greater oversight.

Strengths

The CPRB's strengths include its member selection process. Having the volunteer members placed based on community organization recommendations creates a diverse board that closely represents the larger community. A good balance on the board allows for different perspectives to be heard, which can foster trust and transparency in the process.

Challenges

One challenge that the CPRB faces is that there is no real budget or available funding for the review board. The CPRB has a line item in the city's annual budget¹⁸ and in 2022, the adopted budget allocated \$1,500. According to the Schenectady Police Chief, this amount of funding was for a training conference members wanted to attend. Members sit on the board as volunteers, which leads to a lack of commitment and often results in the review board missing quorum. This also results in the board taking more time to get through cases. CPRB members are allowed to have designated alternates that can attend meetings, but this causes a consistency issue within the review board.

A lack of funding also limits the ability of the CPRB to call in independent investigators. Although the charter grants the review board the power to do this, it effectively cannot be done because it does not have the funding to pay an independent investigator for their services. Because of this, the review board wants expanded investigatory powers and better access to source materials.

Lessons

Schenectady is a good example for New Rochelle to look at since it is a city of similar size and demographics in New York State. Some distinct aspects of this review-focused model are the member selection process and the double-blind system.

Albany

Albany's Community Police Review Board (CPRB) is a hybrid model with aspects of review, investigative and auditor/monitor models. Although Albany has a larger population than New Rochelle, it is a diverse city with an interesting oversight mechanism.

Established in 2000, Albany's Community Police Review Board (CPRB) (originally established as the Citizen's Police Review Board) is an independent agency that works to increase police accountability and credibility; improve communication between police department and community; and maintain a fair process to review citizen complaints that are investigated by police practice. The board includes 9 appointed members. Five CPRB members are chosen by the Common Council and the mayor appoints the remaining 4. Board members serve three-year staggered terms. The board chair is elected each year and all members have a two-term limit. Review board membership excludes Albany Police Department officers and their immediate families, as well as city employees and their immediate families. All CPRB members go through training conducted by an external consultant. Uniquely, the CPRB receives substantial

¹⁸ Schenectady 2022 Annual Budget

<https://www.cityofscheneectady.com/DocumentCenter/View/3820/2022-Adopted-Master-Budget-PDF>

support and administrative services by the Government Law Center of Albany Law School.¹⁹

The CPRB receives at least 1% of the Albany Police Department (APD) budget and was approved for additional funding in 2023 to provide a budget of \$770,000. The staff includes a program manager who is responsible for overseeing the civilian complaint review process from beginning to end. The CPRB program manager maintains continuous communication with complainants during the review process; serves as a liaison between the board and the police department; and organizes and provides the board with all materials necessary for review. The program manager analyzes program data and writes all review board reports. Additional support for the board is provided by Albany Law School students and interns. Albany Law Center may contract with local researchers to survey complainants to evaluate experiences going through the review process.

Citizens' written complaints can be filed with the CPRB or Albany Police Department by email, phone, online, or in-person. About 50 community agencies (e.g., Albany Housing Authority) have forms available for community members and several even help with filling out the complaint forms.

The CPRB has the power to conduct independent investigations when warranted; otherwise, investigations are done by the APD's Office of Professional Standards. The CPRB also has the option of hiring an independent monitor to overlook the OPS's investigations. Since the passing of Local Law J²⁰ in March of 2021, the CPRB also has the power to issue subpoenas to compel testimony and the production of evidence. The CPRB can request members of the APD with the rank of Captain or higher to serve as a consultant or advisor and answer questions regarding police practices, policies, or general orders. Once the CPRB reviews all evidence from the investigation and reports and deliberates, it votes to make one of the following findings: sustained, not sustained, exonerated, unfounded, ineffective policy or training, no finding. The CPRB's finding is reported to the Chief, who makes the department's final determination. For findings requiring discipline, the Chief uses a discipline matrix created in conjunction with the CPRB. The matrix consists of clearly delineated penalty levels that include ranges of sanctions which progressively increase based on the type of misconduct and the number of prior sustained complaints an officer has. When the findings of the board and the police department do not match, the board can request an explanation from the police chief.

Mediation has been an option available since 2000 for a subset of cases that do not involve excessive force or civil rights violations. However, complainants have rarely

¹⁹ <https://www.albanycprb.org/>

²⁰ Albany Local Law J <https://www.albanyny.gov/AgendaCenter/ViewFile/Item/1143?fileID=4193>

used this option, and APD is reluctant to use this process. A 2014 amendment to the Albany board ordinance specified a mediation protocol²¹.

The CPRB is also involved with outreach by talking to community groups such as neighborhood associations and churches. These events offer an opportunity to share information about the board and hear opinions about police experience.

Strengths

The powers and duties of the CPRB, especially after the passing of Local Law J, are major strengths for the board. This includes the ability to hire an independent investigator and subpoena power. This allows the board access to lots of information and evidence to base their findings on.

The board has also advanced policies for the department to adopt, including the discipline matrix and an early warning system that identifies police officers who demonstrate problematic behaviors and provides them with interventions to address challenges.

Challenges

As in other cities, some community members in Albany remain frustrated that the Police Chief is the sole disciplinary decision-maker. Even with the discipline matrix, the Chief still makes the department's final determination.

After Local Law J passed giving the CPRB subpoena power, the relationship with the police department became constrained. Officers felt that being compelled to testify violated their collective bargaining agreement and went against their right to not incriminate themselves.²²

Lack of understanding about what the board does is another challenge. Some in the community perceive that the board holds hearings where the complainant, witnesses, and police officers provide testimony, and a final judgment is rendered at that time. The misalignment between community expectations and board responsibilities demonstrates insufficient communication with the community. These misunderstandings also foster the perception that the board is in collusion with the police department.

Lessons

A few key lessons New Rochelle could learn from the Albany CPRB include that board members are appointed by elected officials and that a monitor can sit in on of the interviews conducted in investigations of unnecessary use of force or civil-rights

²¹ <http://www.albanylaw.edu/centers/government-law-center/police/Pages/Legislation.aspx>

²² <https://cbs6albany.com/news/local/local-law-j-gives-albany-community-police-review-board-subpoena-power-disciplinary-power>

violations. Albany's hybrid approach is a good example of how a city can use different aspects of the police oversight models to come up with a good system for their community.

Westchester County

The Westchester Police Reform and Reimagining Taskforce has authored a report with police reform recommendations. One of the recommendations is a countywide civilian complaint review board to review and investigate police complaints. Although this board has not been formally established, it is a system that New Rochelle could participate in.

The vision for this independent agency is written in the 2021 final report²³ published by the task force. The report notes that the agency would be fully staffed with paid investigators, an executive director and attorneys or professionals with investigative experience on staff to advise. The task force also envisions having retired law enforcement members as part of the board. The independent agency would have full subpoena power. On top of investigating complaints about the Westchester County Department of Public Safety (WCDPS), municipalities in Westchester could opt for the agency's services and have the CCRB investigate instances of misconduct in their departments. The board would make findings publicly available to serve as a check on WCPDS' and local departments' disciplinary decisions since the independent agency would not have disciplining authority. Ideally, the board would have its own budget funded at the county level and municipalities that choose to opt in would pay based on their size and anticipated level of services needed.

Strengths

The strengths for a countywide independent agency in Westchester County are the that it would be a shared service. Setting up a CCRB that is fully staffed can be costly for individual municipalities. Local cities and towns could rely on volunteers to run the board, but as seen in other cities that can lead to a lack of commitment, inconsistencies, and long wait times for complainants.

Another strength is the subpoena power. For a countywide review board, this is crucial so that there are no limits to sharing information regarding police misconduct from the local level to the county level.

Being at the county level can also help build public trust for the review process. The board being distant from local police departments creates a separation that is critical in helping eliminate the perception of bias amongst communities.

Challenges

²³ <https://www.westchestergov.com/images/stories/pdfs/policerreformreport.pdf>

One of the major challenges to this Westchester County independent agency is that it needs to be legislatively approved at multiple levels. Although the report in which this CCRB is suggested has been passed through the county level, it has been sitting at the state level since 2021. This poses another challenge, that it is uncertain when implementation could realistically occur and begs the question if New Rochelle should wait to participate in a system that has not been solidified.

Lessons

Although a county-wide review board has not been established and is a fairly new model in NYS, it is something that New Rochelle may want to consider if it does not establish its own CCRB. There is an example of a county-wide system to look at as Allegheny County (PA)²⁴ was able to pass legislation to establish an Independent Police Review Board in 2021.

New York City

Although New York City has a much larger population than New Rochelle, its diversity is similar. New York City has both a review board that functions as a hybrid model incorporating independent investigations and some auditor/monitor functions, and a police inspector general that performs auditing and monitoring functions. The agencies are not connected though both are part of the city government.

New York City Civilian Complaint Review Board (CCRB)

The New York City Civilian Complaint Review Board (CCRB) was established in 1993 and is an independent New York City agency with a budget of about \$24.5 Million in FY2022. The CCRB's scope and budget are the largest in the state. The CCRB uses investigative and monitoring oversight approaches. In addition, the CCRB has the power to prosecute cases with findings of the most serious police misconduct. The agency receives police complaints directly from citizens for allegations regarding the use of force, abuse of power, discourtesy, and offensive language. As of 2019, the CCRB also has the power to investigate any false official statements made to the CCRB. As a result of this process, complainants avoid direct police contact. The CCRB independently investigates civilian complaints including interviewing complainants, witnesses, and officers, reviewing evidence, making findings, mediating complaints, and recommending punishment. The CCRB also has subpoena power, which is often used to obtain documents, including video, which is used in investigations.

The CCRB has a staff of 90 with an executive director. It has three organizational units including investigation, policy, and administrative prosecution. The CCRB employs civilian investigators, who are primarily recent college graduates that go through six

²⁴ <https://www.alleghenycounty.us/commissions/independent-police-review-board/index.aspx#:~:text=Current%20board%20members%20are%20Lynn,alleghenycounty.us%20or%20phone%20412.350.>

weeks of training with curricula that teach them about all aspects of the NYPD organization and its functions. New investigators learn about police practices and procedures including the legal principles governing use of force, stops, frisks, and searches. Investigators also complete a two-day training course at the Police Academy, ride-along on a police patrol, and receive instruction on firearms and tactics at the NYPD outdoor firing range.²⁵ They are trained in investigation practices including interviewing and are placed on squads with senior investigators. Investigators are also able to consult with the General Council so that their investigations include legally sound arguments.

The policy unit includes analysts and lawyers that conduct data analysis and produce statistical reports that describe disaggregated trends regarding civilian complaints and board outcomes. Theme-based reports are produced that address issues on topics such as Officer Interference with Civilian Recording of Police²⁶. Data is also available through an online data portal where civilian complaints are mapped by precinct. Online data and reports increase transparency about the civilian review process and the nature of police complaints.

The Administrative Prosecution Unit (APU) is another component of the CCRB. It was established in 2012 and includes a Chief Prosecutor, 2 Deputy Chief Prosecutors, 16 prosecutors, 4 trial preparation assistants, and one administrative assistant. The APU gets involved when the board sustains a finding on the most serious charges. The APU prosecutes the case in front of an administrative law judge, either the Deputy Commissioner of Trials or an Assistant Deputy of Trials. These trials occur at the Police Department. If an officer is found guilty, the APU recommends punishment ranging from a warning and admonishment to dismissal. However, the Police Commissioner has the final say regarding the matter.²⁷

The CCRB also provides mediation to resolve police complaints. Mediation is an option for cases that do not involve physical injury, property damage, or a pending lawsuit. A trained mediator facilitates a discussion between the complainant and police officer in order to resolve the pending conflict. Each party is able to articulate its perception about what transpired. The session ends when the complainant and officer are satisfied with a mutual understanding. The police officer involved in the mediation does not face disciplinary actions after the mediation.²⁸

The board consists of 15 members with a representative from each of the 5 boroughs appointed by City Council, 3 members with law enforcement experience appointed by the Police Commissioner, 5 members appointed by the Mayor, one member appointed by the Public Advocate, and one Board Chair, who is jointly appointed by the mayor

²⁵ <https://www.nyc.gov/site/ccrb/about/frequently-asked-questions-faq.page>

²⁶ https://www.nyc.gov/assets/ccrb/downloads/pdf/20172806_report_recordinginterference.pdf

²⁷ https://www.nyc.gov/assets/ccrb/downloads/pdf/CCRB_APU_announcement.pdf

²⁸ https://www.nyc.gov/assets/ccrb/downloads/pdf/mediation_brochure_for_website.pdf

and city council. They serve 3-year staggered terms. Board members are excluded from holding public office or city employment. Only those who were appointed by the Police Commissioner can have law enforcement experience or be former employees of the New York City Police Department (NYPD).

The board provides oversight to the entire agency process and hires the agency's executive director. The board also develops the procedures that guide complaint investigations, board case deliberations, and the communication of recommendations to various parties including the complainant. The board has the power to compel witness testimony including officers and request documentation as needed from the NYPD or other entities with evidence pertinent to the case.²⁹

All investigated cases are assigned for review to a panel or the full board as designated by the board chair. All panels include at least one appointee from City Council, one from the Police Commissioner, and one from the mayor with panel size determined by the board chair. If the panel is not satisfied with the evidence, it can send the case back for further investigation. Each panel determines findings and makes recommendations based on a preponderance of the evidence in the case files.

Strengths

The CCRB's strengths include independent investigations, subpoena power and the power to prosecute cases with findings of acute police misconduct. All cases are examined through a prism of those who are not part of the police department and by civilians trained in police procedures. The CCRB also has the power to self-initiate complaints meaning that the CCRB can remove the undue burden from the civilian and initiate complaints from things posted to the public on social media and other platforms.

The CCRB's policy unit is an example of how an oversight agency can support transparency via data. It provides various ways to understand statistical trends and offer data stories conveyed via theme-based reports. The data is available in various formats including visualizations of complaints by precinct.

Challenges

It is believed that many in New York City do not know about the CCRB and as a result citizens are being underserved. Although the CCRB has a large degree of independence from the city and police department, some people fear that the CCRB is part of the police department and fear retaliation from the police. CCRB, like other cities, would like to have final say regarding police discipline but changes would have to be made regarding the civil service law. Similarly, the CCRB would also like an

²⁹ https://www.nyc.gov/assets/ccrb/downloads/pdf/about_pdf/nyc_ccrb_charter.pdf

exception to sealing statutes to be able to view sealed records for investigations, but this would also need to be granted through legislation.

Leaders of the New York City CCRB also identified budget constraints as a challenge. In FY2023 the CCRB receives .067% of the police budget, but it would ideally want to receive 1%, with the industry standard being around 5%. Leaders believe that recruitment and retention of CCRB employees could improve with a larger budget since they could allocate more salary for entry level investigators.

Lessons

The agency's theme-based reports, website, and data visualizations are exemplars for New Rochelle to consider as the CRB and Rochester Police Department work toward building greater transparency regarding complaints and police disciplinary dissemination.

New York City leaders also suggested that it is important that review boards have direct access to body camera evidence, rather than having to go through the police department to receive it. They also believe it may be helpful to have the board be full-time so they can devote time to the CCRB and so investigations can be reviewed in a timely manner. Leaders also stressed the importance of transparency in every component so that the board is trusted amongst the community and the police department. Having a board that is representative of the city's demographics can also help build that trust.

Office of the Inspector General of the New York City Police Department

In addition to the CCRB, the Inspector General for the New York City Police Department was established in 2014 via local law 70 to investigate and monitor NYPD operations and practices to ensure effective practices and public safety. This agency is not part of the NYPD but is a unit within the Department of Investigation (DOI). The Inspector General for the NYPD has 22 staff including an outreach director, lawyers, analysts, investigators, and auditors that assist with investigating pertinent issues related to the NYPD. The data analysis and research conducted aims to understand system-wide patterns associated with ineffective NYPD policies and practices (e.g., use of force, overtime reporting) in order to remedy those policies and practices that cause harm or violate civil rights. The NYPD must respond to all recommendations made by this agency within 90 days. Although the Inspector General takes complaints, it can refer cases to the CCRB or the NYPD. The key distinction is that the CCRB looks at complaints against New York City police officers alleging the use of excessive or unnecessary force, abuse of authority, discourtesy, or the use of offensive language, while the Office of the Inspector General, has a primary goal to investigate and examine larger systemic issues, although it does receive complaints about individual

officers. An example of this systems analysis is a recent Inspector General for the NYPD report titled *An Investigation into NYPD's Criminal Group Database*.³⁰

Comparison of Models in NYS

The chart below gives a brief comparison of the different cities looked at in the scan. The countywide model proposed for Westchester County was not included because it has not yet been established. The review boards in the Village of Ossining does not have its own budget and is therefore marked as "N/A." Complaint Data from Schenectady's CPRB was not publicly available.

2022 NYS Civilian Review Board Comparisons					
Location	Population	Budget	Complaints	Expenditure per Complaint	Model Type
Village of Ossining ³¹	27,551	N/A	9	(Not available)	Review Focused
Schenectady	67,047	\$1,500	N/A	N/A (Not available)	Review Focused
Albany ³²	99,224	\$770,000	81	\$9,625	Hybrid
NYC ³³	8,804,190	\$24.5 M	3,698	\$6,625	Hybrid

2018 & 2019 Complaint, Allegation and Findings Comparison			
Location	Complaints	Allegations	Sustain Rate
New Rochelle	50	51	11%
Village of Ossining	22	22	4.5%

³⁰ <https://www.nyc.gov/assets/doi/reports/pdf/2023/16CGDRpt.Release04.18.2023.pdf>

³¹ https://www.villageofossining.org/sites/g/files/vyhlif4821/f/uploads/2019_annual_summary_of_civilian_police_complaint_review_board_activity.pdf

³² <https://www.albanycprb.org/wp-content/uploads/2023/02/2022-CPRB-Annual-Report-Approved-by-CPRB.pdf>

³³ https://www.nyc.gov/assets/ccrb/downloads/pdf/policy_pdf/annual_bi-annual/2022_Annual_Report.pdf

2018 & 2019 Complaint, Allegation and Findings Comparison			
Location	Complaints	Allegations	Sustain Rate
Albany	16	27	0%
NYC	11,027	16,562	12%

The number of complaints and allegations and the sustain rate for the other models in NYS in 2018 & 2019 were compared to those of New Rochelle in the same year. Those years were selected for the comparison since most of the other models had available data that year. There was no data available for Schenectady, which is excluded in the above chart. It should be noted that the data for Albany listed above reflects the complaints and allegations reviewed in 2018-2019. The reviewed complaints and allegations were used to get a sustain rate, however, there were a total of 36 new complaints in Albany in 2018-2019.

CCRB Options

As described above, there are various approaches to civilian review, and model selection should be driven by community needs, socio-political context and readiness to plan, fund and implement a strategy. New Rochelle's selection process has to consider the benefits and manage conflicts and tradeoffs that result from the adoption of a specific CCRB model. It may be unlikely that one civilian review model will meet the requirements of every stakeholder group, CGR offers immediate options that reflect choices that are most realistic for New Rochelle based on our assessment and discusses the pros and cons of each. The second set of options reflects those to consider in the future when New Rochelle has made progress regarding civilian oversight.

Immediate Options

Review Model

CGR suggests the prompt adoption of a Review Model as an initial step that balances the community's desire for an independent body to review civilian complaints of

police misconduct with the administration concerns about cost and broad powers. Ossining as well as Cambridge, Massachusetts³⁴ serve as models for this type of board.

NRPD interviews highlighted concerns about whether New Rochelle has enough complaints to warrant a CCRB. However, there are cities such as the Village of Ossining (with a smaller population than New Rochelle) that receive a small number of complaints and implemented a CCRB. The number of complaints received is not the only benchmark to consider. The involvement of residents in the review of complaints and investigations allows for additional perspectives to inform and improve existing processes.³⁵

Pros: This approach allows the community to play a key role in assessing police investigations. The development of an independent body can be expected to create transparency and increase trust between city residents and NRPD. As noted earlier, a review approach is the least expensive police accountability model. CPPB could transform into New Rochelle's CCRB but decisions about board composition would need to be determined.

Cons: The review model may be the best compromise for New Rochelle since it provides community voice, but the CCRB will have limited power to determine police misconduct outcomes. NRPD and its police union might push back against this idea if they perceive that their annual budget is impacted by the CCRB's implementation.

Future Options

The investigative, hybrid, county and auditor-monitor models can be considerations for the future. It is common to make updates to CCRB legislation over time. Prior to 2021, Albany's Community Police Review Board had only reviewed complaints, but it now has the authority to conduct independent investigations.

Investigative

The implementation of this approach would allow for an independent examination of complaints by a CCRB. This adoption of this model addresses New Rochelle community stakeholder concerns about potential police bias that may exist in the review process. The CCRB would need funding to hire a qualified investigator as full time/part-time staff or as a subcontractor.

³⁴https://d3n8a8pro7vhmx.cloudfront.net/nacole/pages/1302/attachments/original/1626179529/e072007956_NACOLE_CaseStudies_02Cambridge_v11_508.pdf?1626179529

³⁵ See Vitoroulis, Michael, Cameron McElhiney, and Liana Perez. 2021. *The Evolution and Growth of Civilian Oversight: Key Principles and Practices for Effectiveness and Sustainability*. Washington, DC: Office of Community Oriented Policing

Pros: Independent investigation will create greater transparency about how information is collected about complaints. If internal affairs and CCRB investigations match, then this will increase the credibility about the process.

Cons: A drawback of this approach is cost. The NRPD may find this approach redundant because staff members believe the existing IA process is effective. Albany's implementation of an investigative approach cost is close to \$800,000.

County Review

Involvement with a Westchester County review process is included as an option in New Rochelle's New York State Police Reform and Collaborative Plan. The plan states

The Policing Review Committee recommended that the City Council join any County level shared services model for both Crisis Responders and the establishment of a Countywide Civilian Complaint Review Board. Should the County implement one or both of these programs, the City Council directs the City Manager and Police Department to review the program and recommend to City Council whether or not the City should participate in such programs. Both programs are considered positive in concept but the City should commit to participation only after reviewing details of the programs.³⁶

CGR interviews with key leaders involved with developing a county CCRB suggest that the county will be ready to move forward as soon as state level legislation is approved. At that time, New Rochelle should consider joining this group because it may meet community and City needs since it would include representatives from the community and law enforcement. This independent body would provide investigations of local civilian complaints and subpoena power.

Pros: Participation in a county-wide CCRB would assist with ensuring a fair examination of civilian complaints by an external group. This may help to validate the investigations conducted by NRPD. This process may also lower costs for local governments by using a shared services model.

Cons: A county-level CCRB may provide New Rochelle residents with less opportunity to participate since there would be board representation throughout the county.

Auditor-monitor

The auditor-monitor CCRB model seems to be least feasible since New Rochelle does not have data capacity (systems and personnel) to examine high-level trends. CGR's analysis of complaint and allegation data shows that data is limited. At the time of CGR's visit, IA's complaint file system was primarily paper-based, but a computer-

³⁶ New York State Police Reform and Collaborative Plan (p.9)
<https://www.newrochelleny.com/DocumentCenter/View/13605/POLICE-REFORM-PLAN-FINAL>

based system is being implemented. The development of data collection and reporting systems is a growth area for the City and NRPD will help New Rochelle increase transparency and community communication.

Pros: A systematic review of various types of NRPD data, beyond civilian complaints, would be useful to identify disparities, improvement areas and successes. The focus on data opens up the opportunity to create a public dashboard that shares up to date information with the public.

Cons: Cities and their police departments must have the infrastructure and personnel to pursue the auditor-monitor model. CCRB members must be able to interpret the data if staff are not available to support them.

Hybrid

The development of a hybrid model may happen organically once a CCRB is established. CGR suggests caution about taking on too many strategies. New Rochelle residents and city staff will ultimately determine the right fit of powers to pursue.

Pros: Communities can determine the civilian review strategies that work best for their context. The adoption of additional powers over time can occur.

Cons: A hybrid CCRB model requires staff, financial resources and organizational infrastructure to sustain each approach. Cost may be a barrier.

Final Considerations

The City of Rochelle staff, elected officials and residents will make the final decision regarding how to move forward regarding implementation of a CCRB. As you deliberate, the following questions³⁷ should guide your decisions.

- Is this practice an appropriate fit for our local context?
CGR's interviews indicate that opinions varied about a CCRB and related authority. Some wanted an investigation focus and others wanted subpoena power. It will be important to understand whether a particular practice fits the New Rochelle context.

- What are the potential unintended consequences of implementing this practice?
The successful implementation of a CCRB is predicated on several conditions:

³⁷ See Vitoroulis, Michael, Cameron McElhiney, and Liana Perez. 2021. *The Evolution and Growth of Civilian Oversight: Key Principles and Practices for Effectiveness and Sustainability*. Washington, DC: Office of Community Oriented Policing

1. The oversight board is independent and is free of external interference that would impact its work.
2. Clear lines of authority are defined and understood by the oversight organization and community stakeholders.
3. Open access to all documents (e.g., police records, video cam footage) is available without obstruction.
4. Access to and full cooperation of law enforcement executives, officers and internal affairs staff is unlimited.
5. Sustained stakeholder support is maintained.
7. Adequate funding and operational resources are allocated.
8. Public reporting and transparency are consistent.
9. Policy patterns in practice analysis are reported and reviewed internally and externally.
10. Community outreach and involvement is maintained.
11. Confidentiality, anonymity, and protection from retaliation are essential.
13. Procedural justice and legitimacy are essential to this work.

Closing Thoughts

As New Rochelle determines a path forward, the implementation of a Civilian Complaint Review Board will not always be a straightforward process. The development of a fully functioning board may take longer than expected by the community. Building a police oversight agency challenges the status quo and resistance will likely result. Obtaining timely investigation information including body cam footage from NRPD could be challenged or delayed making it difficult to conduct reviews of police complaint cases or missteps by a civilian review board or staff could negatively influence the local views about your police oversight organization and decrease public support including city funding. Any challenge that New Rochelle confronts during the development and implementation process provides growth opportunity.

Each of the New York civilian review boards profiled in this report navigated challenges and at the same time many have expanded oversight powers. Lack of understanding about what a civilian review board does is a challenge Albany confronted in 2017. Some in the community perceived that the board held hearings where the complainant, witnesses, and police officers provided testimony and a final judgment was rendered at that time. The misalignment between community expectations and board responsibilities demonstrated insufficient communication with the community. These misunderstandings also fostered the perception that the board was in collusion with the police department. Despite these challenges, Albany's police oversight agency has expanded its powers and is now conducting investigations.

In monitoring the implementation and impact of a review board, New Rochelle could track and analyze metrics including the overall numbers of complaints and/or

allegations as well as the findings on allegations by the review board and compared to Police Department findings. The data could shed light on whether police misconduct is rising or falling, whether the public interacting with police is filing complaints, and whether the review board is coming to different conclusions about misconduct complaints than the Police Department. However, the numbers themselves may not tell a full story, and likely the City will want to supplement the numerical data analysis with conversations/interviews with police and police officials, members of the public and members of the review board. Surveys and focus groups could also be used, especially to gauge public sentiment. Depending on the City's view of these key issues – the level of misconduct and public trust in the police and the review board – the City could look at other models.