The Center for Law and Justice sincerely appreciates the many hours of volunteer service dedicated to the production of recommendations related to police department functions in transforming policing in the City of Albany. The Center supports all of the Police Department Functions working group’s recommendations.

The Center particularly appreciates the suggestion that a “Civilian Public Safety Commission” be created. Governor Cuomo’s Executive Order 203 calls for transformative change in policing. EO 203 mandates that the Police Reform Collaborative “perform a comprehensive review of current police force deployment, strategies, policies, procedures, and practices,” and that the ultimate product of the Collaborative process must be “a plan to improve such deployments, strategies, policies, procedures, and practices, for the purposes of addressing the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color.”

The Police Department Functions working group’s recommendation for the creation of a Civilian Public Safety Commission is compatible with the Civilian Oversight working group’s recommendation that a strengthened civilian oversight infrastructure be implemented. To produce a truly transformative change in Albany policing, the Center suggests that the final plan submitted for consideration by the Collaborative to the Common Council --- complete with goals, strategies, implementation dates, resources, and a proposed tentative budget --- would best reflect transformative change by recommending the establishment of a City of Albany bifurcated “Department of Public Safety” to replace the Albany Police Department. This Department should house two equal-status components, the “Division of Law Enforcement” (performing the law enforcement functions currently provided by the APD) and the “Division of Citizen Safety and Oversight.”

The Division of Citizen Safety and Oversight would oversee the non-law-enforcement functions currently provided by the APD (e.g., calls that require a social work response); diversion programs; and citizen oversight efforts, including the Community Police Review Board. The Center believes the following recommendations of the Police Department Functions working group fall within the purview of the Division of Citizen Safety and Oversight:

- Goal #5, Police Interactions with City Youth: Mandate the Know Your Rights curriculum for high school students;
- Goal #6, Police Interactions with City Youth: Expand the curriculum in the middle school and high school on drug and alcohol use;
- Goal #7, Police Interactions with City Youth: Encourage and expand the positive interactions between the police and the children and young adults in the community;
- Goal #8, Police Interactions with City Youth: Prevent truancy and ensure all children are attending school;
- Goal #10, Police Interactions with City Youth: Encourage positive police interaction with youth in the community;
- Goal #1, Police Interaction with Community Members Suffering from Mental Illness: Develop alternative crisis response capability within the City of Albany in order to reduce the frequency of police first response;
• Goal #2, Police Interaction with Community Members Suffering from Mental Illness: Create an enhanced Mobile Crisis Response (Medical/Behavioral Health);
• Goal #3, Police Interaction with Community Members Suffering from Mental Illness: Develop specialty units within the Albany Police Department dedicated to responding to mental health related calls;
• Goal #4, Police Interaction with Community Members Suffering from Mental Illness: Assist young people with mental health or substance abuse issues outside of the criminal justice system;
• Goal #5, Police Interaction with Community Members Suffering from Mental Illness: Decrease and decriminalize opioid use, addiction and overdoses;
• Goal #1, Language Access and Cultural Competence: Educate the refugee communities about the role of the APD, and create ongoing trusting relationships between the refugee communities and the APD;
• Goal #3, Language Access and Cultural Competence: Improve access and use of appropriate, professional interpretation;
• Goal #3, Police Interactions with Community Members Experiencing Homelessness: Increase rate of emergency service interactions resulting in positive outcomes, connections to established services and supports;
• Goal #4, Police Interactions with Community Members Experiencing Homelessness: Reduce the rate of police interactions resulting in use of force and arrest and/or prosecution;
• Goal #3, Police Interaction with Victims of Domestic Violence: Provide non-police follow up in all cases of domestic violence; and
• Goal #4, Police Interaction with Victims of Domestic Violence: Assure all Domestic Violence victims are able to make a complaint even when the perpetrator is an officer.

The Center would like to offer one caveat regarding Police Interactions with Community Members Experiencing Homelessness, Goal #4: Reduce the rate of police interactions resulting in use of force and arrest and/or prosecution. One of the strategies offered to meet this goal is “Expand the LEAD diversion program and develop alternatives to conviction and incarceration.” While diversion is certainly a desirable objective, the Center cautions against expanding the LEAD program until the City produces quantitative analyses demonstrating that the program does not exacerbate the disproportionate representation of minorities among arrests. The Center is concerned with the possibility that, all else being equal, white people may be more likely to be diverted than minorities.

Once again, the Center expresses its appreciation to all of the volunteers who so generously contributed their time and effort in the production of these recommendations. We look forward to seeing the final plan --- complete with goals, strategies, implementation dates, resources, and a proposed tentative budget --- that the Collaborative submits to the Common Council.