CFLJ Commentary on Government Officials’ Responses

The purpose of today’s commentary is not to endorse or refute the comments submitted by government officials but, rather, to use them to help shape the structure of CFLJ’s fall Symposium, Albany’s “Recommitment to Community Policing.” We are pleased that the Mayor, Police Chief and Common Council President have all indicated their willingness to participate in the symposium. The Center looks forward to this event as a truly collaborative community/government effort to address structural racism and public safety in our city.

First, a little background is in order. The Center recognized the need for the “Recommitment to Community Policing” Symposium after releasing its “Community Survey 2019” report last summer. That survey, conducted in the wake of three high-profile incidents in which police abuse of citizens of color was alleged, revealed extreme distrust of the Albany Police Department and the District Attorney’s Office both within communities of color and among the general public. The Center was extremely disappointed that government officials reacted to the survey with little or no apparent concern.

In response to the government officials’ non-reaction, the Center released “Structural Racism and Public Safety in Albany” earlier this month. That report provides a history of community policing in Albany; a description of recent events that call into question the city’s commitment to community policing; the impact structural racism has had on public safety; and a plan for getting Albany back on the community policing track.

That plan includes a months-long dialogue between the community and government officials concerning structural racism and public safety in Albany. The first step in that dialogue was a set of questions posed by the Center to public officials, whose responses are posted here. The responses submitted thus far by Mayor Kathy Sheehan, Police Chief Eric Hawkins, and Common Council President Corey Ellis have been very informative and, like all constructive conversations, raise follow-up questions. Over the course of the next few months, the Center will continue its correspondence with these officials, posting updates on our website every two weeks. We invite the public to comment at any time; you can email us at cflj@verizon.net.

ISSUES FOR CONSIDERATION AT THE “RECOMMITMENT TO COMMUNITY POLICING” SYMPOSIUM

Issues for consideration raised on the basis of this first round of official responses include definition of the problem; identification of the participants addressing the problem; accountability; transparency; and advocacy.

The Problem

The first step in effectively addressing a problem is accurately defining it. As so cogently explained by Mayor Sheehan in her response, structural racism is a complex phenomenon that “impacts the operations of every institution, including government, healthcare, education,
housing, social services, law enforcement and criminal justice.” At the symposium, we must be careful at the outset to adopt a shared understanding of “structural racism” as it applies to public safety in Albany.

The Participants

An effective community/government approach to addressing structural racism must include those who are affected by Albany public safety policies, and all who have a role in administering public safety policies. The Center appreciates the contributions of Mayor Sheehan, Chief Hawkins, and Common Council President Ellis, and will continue to invite District Attorney Soares to join the collaboration.

Accountability

Responses submitted thus far by government officials raise some questions regarding to whom the Albany Police Department is accountable. For example, the stewardship of the Albany Community Police Advisory Committee (ACPAC) is unclear. Common Council President Ellis’ responses regarding ACPAC appear to suggest that ACPAC is an entity unto itself, not subject to direction from any of its constituent components. The role of ACPAC, the District Attorney’s Office, and others in holding the APD accountable must be explored at the symposium.

Transparency

The symposium must include a discussion of transparency, including APD program data (e.g., LEAD) and police department policies. For example, the APD “Use of Force” policy Chief Hawkins submitted with his response is heavily redacted. Some of the redactions appear to make sense from a security standpoint. Blacking out where the APD stores its weapons when not in use, for example, is probably a good idea. However, many of the policy’s 46 pages are heavily redacted without any discernible reason. What criteria are used in determining what to redact?

Advocacy

The symposium must include a discussion of the extent to which Albany residents can rely on their local officials to effectively advocate for them in matters involving State policies. Some local officials’ responses include a deferral to State policy as a reason for local inaction. This deference is reflected, for example, in responses involving State Civil Rights Law 50-A, portions of which render police misconduct proceedings nearly impossible to litigate.

NEXT STEPS

Next week, the Center will send a second letter to government officials, asking a series of follow-up questions. These letters and the officials’ responses will be posted on this website the following week.