EXECUTIVE SUMMARY

For more than two decades, the Center for Law and Justice (Center) has written and published many research reports that examine issues around race, ethnicity, and the criminal justice system. The first was published in 1998 and titled, To Protect and Serve? A Status Report on the Relationship Between the Community and the Albany Police Department. The current document follows four of the most recent reports by the Center. Three of them document the disparate effects of the criminal justice system on people of color in the Capital Region. Two reports describe how local minorities are arrested, detained, convicted and incarcerated in proportions far greater than their representation in the general population. A third report depicts the impact of the “war on drugs” in Albany, resulting in the sentencing of scores of Albany’s young African American men to more than 600 years in prison for non-violent offenses. The fourth report, titled, Pathway to Change: African Americans and Community Policing in Albany, examines the relationship between the Albany Police Department (APD) and African Americans in Albany in 2012. Those reports can be examined on the Center’s website (www.cflj.org). This current report looks specifically at the relationship between law enforcement and Albany city residents and their perception of and feelings about public safety in the spring of 2019.

Over 300 city residents responded to a questionnaire that solicited their opinions and thoughts on public safety and law enforcement. Some were disqualified for not reporting a zip code. The Center used 256 participant responses in the final data analysis for this report.

Our survey data report four major findings:

1. Many black and brown residents report strong feelings of mistrust of the Albany Police Department.

2. Many of these same residents report strong feelings of mistrust of the Albany County District Attorney’s Office. Most participants strongly disagree that the District Attorney’s Office handles cases in a fair manner.

3. Fewer residents than anticipated know of the Law Enforcement Assisted Diversion (LEAD) program Albany implemented in April 2016. Over 50 percent of survey participants expressed lack of knowledge about the LEAD program. Some doubt the program’s ability to significantly impact mass incarceration and racial disparity in law enforcement.

4. Several themes were also reported on the qualitative part of the survey where respondents were asked to mention any local event that had an influence on how they felt about law enforcement and/or public safety. Three of the major themes mentioned in order of recurrence were police misconduct, racism, and police conduct in both the First Street police abuse case and the police shooting of Ellazar Williams.

The Center cautions readers to not use these findings as a general perception of Albany’s total population, but instead, view it as a sampling of thoughts and feelings. Hopefully, this initial survey will lead to more formal and expanded research efforts which can yield more data and provide greater detail on the issues the Center presents in this preliminary report. But, the findings do suggest that local government officials should be concerned about the reported responses and use them to more closely examine resident feelings and opinions and to work with community residents and groups to find solutions to reported problems. While community dialogues are positive, they are not enough to bring about power-sharing and transformative change.
To begin the process of transformative change, a philosophical and practical process dedicated to revolutionary change, the Center for Law and Justice offers several recommendations. They are based on our belief that structural racism is at the core of our community institutions and our social, economic, and legislative policies, and we must come to understand how it is manifested, acknowledge its presence and destructive force, and commit ourselves to destroying it. We believe the task will be extremely difficult, for we share racism expert, Robin Diangelo’s perspective that racism and white supremacy have become the norm and not an aberration as many suggest.

Our recommendations include the need to find ways for our law enforcement agencies and criminal justice system to examine its internal operations to identify the presence of systemic racism and learn ways to address it. Other recommendations are made on how to begin that process. Some point to the need for immediate changes that would require more transparency and clarification of policies in the Albany County District Attorney’s Office, updating and releasing the Albany Police Department’s racial profiling policy, state investigations of all police shootings and change in civil service law Section 50-A to allow the public to see use of force records of police officers, and the requirement that the heads of our law enforcement agencies prepare and release annual reports of their operations, as done by the chief of police of the University of Albany Police Department.3

Readers should not view this report as a condemnation of any individuals or organizations. The Center conducted a survey to give community members an opportunity to voice their feelings and opinions through civic engagement. Readers should embrace the findings as an opportunity to unite our community in a search for and implementation of transformative changes that will strengthen community/law enforcement relations, improve public safety, promote respect for all our residents, and reduce structural racism. This is our hope.

1 The First Street incident refers to a March 2019 altercation between Albany police and three men at a First Street residence. Police were called by neighbors complaining about loud music. When police were denied entry to the house, a police body camera recorded an officer kicking in the door of the residence. Observers reported the officer then dragging and kicking a man. A bystander outside recorded a cell phone video of another officer beating a man in the street.

2 Ellazar Williams was shot in the back by an Albany police detective in August 2018 while running away. He was being chased by police responding to a report of a man with a gun at a convenience store. Williams was not found with a gun, although police reported finding a knife nearby. Although Williams was initially charged with menacing an officer and criminal possession of a weapon, those charges were later dropped. A video recording of the event and community outrage led to a grand jury considering charges against the officer who shot Williams. Charges were not filed, and the officer retired. The detective’s bullet lodged in Mr. Williams’ spine, leaving Mr. Williams paralyzed from the chest down.