

CITY OF TROY
POLICE OBJECTIVE REVIEW BOARD
2024 ANNUAL REPORT
January 1, 2024-December 31, 2024

SUBMITTED TO:

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MAYOR, CITY OF TROY, NEW YORK

HONORABLE SUSAN STEELE
PRESIDENT, CITY OF TROY CITY COUNCIL

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History

On June 12, 2020, Governor Andrew Cuomo issued Executive Order 203 which required local governments across New York State to undertake a review of community needs provided by their local police department, evaluate the department's current policies and practices, and adopt a policing reform plan by April 1st, 2021.

In response, the City of Troy established a Troy Police Reform & Reinvention Collaborative (PRRC) to assist in the process outlined in the Governor's Executive Order. Fifteen (15) individuals were appointed to serve on the PRRC. The membership consisted of representatives from throughout the community, including Troy police department leadership, City & County officials, faith leaders, representatives from non-profit service agencies, and city residents.

The collaborative Steering Committee held a series of listening sessions and public presentations during the months of February and March to gather suggestions & recommendations from the public. Committee members also engaged in discussions with police leadership on a comprehensive review of police strategies, policies, procedures, and practices.

From that executive ordered and community input, several recommendations were made to assist in **building** transparency, fairness, and accountability- all which are critical to maintain public trust in any police force.

In the Spring of 2020, 8 members, who reside in the City of Troy and serve as a representative for various sectors of the city, were appointed and officially sworn in by the City Clerk to perform the duties and responsibilities lawfully and legally as the Police Objective Review board: without compensation.

Nonvoting members of the Board, City members of the City Department of Law, a police Captain of the Inspectorial Services Unit, and a representative of the Troy Benevolent Association.

The newly appointed members are the fulfillment of the PRRC's recommendation to reconstruct an independent board to work toward improving the levels of transparency and accountability of the police department. The mission of the PORB as given by the City Council is to "promote and enhance a relationship of mutual respect, understanding and trust between the people of the city of troy and members of the Department; to achieve positive interaction of all members of the community irrespective of age, race, ethnicity, religious, philosophical, or political persuasion, gender, sexual, orientation or economic status. This is to be done in accordance with Chapter 79, Article II of the Troy City Code.

II. POLICE OBJECTIVE REVIEW BOARD

The purpose of the City of Troy's Police Objective Review Board (PORB) is to review and make recommendations on completed internal affairs investigations of alleged misconduct by employees of the Troy Police Department. Review completed professional standards investigations conducted by the Troy Police Bureau and make findings and recommendations concerning the Bureau's internal processes and thoroughness of each such investigation and based upon such reviews, study and recommend means through which the Police Bureau may provide greater service to the community.

- A. Review completed professional standards investigations conducted by the Troy Police Bureau and make findings and recommendations concerning the Bureau's internal processes and thoroughness of each such investigation and, based upon such reviews, recommend means through which the Police Bureau may provide greater service to the community;
- B. Recommend, means to improve relations between the city police and the public.

- C. Review existing hiring practices and make recommendations concerning the need for changes (e.g., the need for additional background investigation, psychological tests, different educational requirements etc.).
- D. Review existing training requirements and programs and make recommendations for improvements; and
- E. Examine the administrative review process for completed professional standards investigations, perform further examination of such process and investigations upon such direction of the Board of the Mayor and submit a report of Board findings to the mayor upon completion of each such review.

III. Introduction

The PORB nominating committee was established in 2023, with Starletta Washington, vice chair, to later be joined by Sarah Crockwell, board member, in 2024.

We would like to welcome our newest board member, John Vanalstyne, to the Police Objective Review Board.

Unfortunately, Sarah Crockwell submitted a letter of resignation, as she was continuing other endeavors. The PORB wishes Sarah much success in her endeavors.

The resignation of a PORB member and adding an additional member meant that for the second time, this board would have to engage in seeking out new members. The PORB is still seeking to fill Ms. Crockwell and the additional seat.

MEET THE 2024 POLICE OBJECTIVE REVIEW BOARD:

Marcus Nix- Chair

Starletta Renee- Vice Chair

Elijah Scott- Secretary

Jeff Anderson

Sarah Crockwell

John Vanalstyne

Peter McCorkle

Michael Tuttman

IV. SUMMARY OF MEETINGS

We, the PORB, have agreed that with the submission of future annual reports, we would include agendas, minutes, and any other pertinent information or events that took place throughout the year. Please find the agendas and minutes for this section at the end of this report in chronological order. Please note that we typically do not meet in July and August; however, we held special meetings in June, August and December of 2024, we held special meetings.

V. INVESTIGATIONS:

Of the 20 cases the board has seen through training, the board has taken a more active look at sixteen (16) cases that have been categorized as levels 3 and 4, which are the most serious categories. Below is an outline of the cases called to be reviewed by the board.

The PORB review process is designed to ensure that each investigation is fair to both citizens and police officers. The standard used by the PORB board is to ensure fairness is the preponderance of evidence to reach their findings on the individual allegations. Meaning, if it is

less than the standard in a criminal case, which is guilt beyond a reasonable doubt, which is needed for a board member to conclude a sustained, exonerated, or unfounded finding. The definitions of each finding are listed below.

- Exonerated – The investigation determines, by a preponderance of the evidence, that the alleged conduct did occur but did not violate TPD policies, procedures, or training.
- Sustained –The investigation determines, by a preponderance of the evidence, that the alleged misconduct did occur.
- Unfounded – The investigation determines, by a preponderance of the evidence, that the alleged misconduct did not occur or did not involve the subject officer.

The city legislation currently in effect authorizes the findings and recommendations of the Police Objective Review Board to be forwarded to the Chief of Police for review. The Chief of Police then issues a final decision on all allegations.

Please find below the case files in order of date viewed.

1. Case # OPS 23-14

Date Viewed: 01/08/2024

Case Classification: IV

Note: PORB reviewed a citizen generated complaint. The complainant stated that the officers violated civil rights, used excessive force, and were unprofessional.

PORB Disposition: Exonerated. Via body camera footage and review of policy that the officer properly followed policy and procedure.

2. Case # OPS 23-17

Date Viewed: 02/05/2024

Case Classification: III

Note: PORB reviewed a citizen generated complaint. The person stated officers used excessive force and violated their civil rights.

PORB Disposition: Exonerated. Via body camera footage and review of policy that the officer properly followed policy and procedure.

3. Case # OPS 23-31

Date Viewed: 03/04/2024

Case Classification:

Note:

PORB Disposition: Exonerated. Via body camera footage and review of policy that the officer properly followed policy and procedure, also made every effort to save the suspect's life.

4. Case # OPS 23-18

Date Viewed: 04/01/2024

Case Classification: III

Note: PORB reviewed a citizen generated complaint. The person stated officers were acting with bias and dishonestly due to race.

PORB Disposition: Unfounded, via body camera footage.

5. Case # OPS 23-19

Date Viewed: 04/01/2024

Case Classification: III

Note: PORB reviewed a citizen generated complaint. The person stated officers were acting with bias and dishonestly.

PORB Disposition: Unfounded, via body camera footage and review of policy that the officer properly followed policy and procedure.

6. Case # OPS 23-21

Date Viewed: 05/06/2024

Case Classification: IV

Note: PORB reviewed a citizen generated complaint. The person stated that officers violated civil rights and used excessive force during a traffic stop/investigation and during the arrest of the complainant.

PORB Disposition: Unfounded, via body camera footage and review of policy that the officer properly followed policy and procedure.

7. Case # OPS 23-22

Date Viewed: 05/06/2024

Case Classification: IV

Note: PORB reviewed a citizen generated complaint that a minor was unlawfully detained by police, violating her civil rights, and subjected them to excessive force.

Findings: Not Sustained, via body camera footage and review of policy that the officer properly followed policy and procedure.

8. Case # OPS 23-24

Date Viewed: 05/06/2024

Case Classification: III

Note: PORB reviewed a citizen generated complaint. Complaint of excessive force and misconduct while being taken into custody.

Findings: Exonerated, via body camera footage.

9. Case # OPS 24-01

Date Viewed: 06/03/2024

Case Classification: III

Note: PORB reviewed a citizen generated complaint. The person stated that police used excessive force and harassment during a traffic stop.

Findings: Exonerated, via body camera footage and review of policy that the officers properly followed policy and procedure.

10. Case # OPS 24-05

Date Viewed: 06/03/2024

Case Classification: III

Note: PORB reviewed a citizen generated complaint. The person stated that officers used excessive force and violated their rights during a search.

Findings: Exonerated, via body camera footage and review of policy that the officers properly followed policy and procedure.

11. Case # OPS 24-11

Date Viewed: 09-09-2024

Case Classification: III

Note: PORB reviewed a citizen generated complaint. The person stated that Troy Police violated their civil rights, used excessive force and falsely arrested them during a traffic stop.

Findings: Exonerated, via body camera footage review of policy that the officers properly followed policy and procedure.

12. Case # OPS 24-12

Date Viewed: 09-09-2024

Case Classification: III

Note: PORB reviewed a citizen generated complaint. The person stated that Troy Police violated their civil rights, used excessive force and falsely arrested them during a domestic incident.

Findings: Exonerated, via body camera footage review of policy that the officers properly followed policy and procedure.

13. Case # OPS 24-14

Date Viewed: 10-7-2024

Case Classification: III

Note: PORB reviewed a third-party citizen generated complaint. The person stated that Troy Police used excessive force.

Findings: Exonerated, via body camera footage review of policy that the officers properly followed policy and procedure.

14. Case # OPS 24-26

Date Viewed: 10-7-2024

Case Classification: III

Note: PORB was given this case by the TPD.

Findings: The PORB unanimously disagrees with the findings. Called a special meeting to discuss the use of force policy and procedures.

15. Case # OPS 24-13

Date Viewed: 11-04-2024

Case Classification: III

Note: PORB reviewed a third-party citizen generated complaint. The person stated that Troy Police used excessive force during response to an active fight and attempted to interfere with an arrest.

Findings: Exonerated, via body camera footage review of policy that the officers properly followed policy and procedure.

16. Case # OPS 24-16

Date Viewed: 11-04-2024

Case Classification: III

Note: PORB reviewed a citizen generated complaint. The person stated that Troy Police violated their civil rights and used excessive force following a traffic stop and arrest.

Findings: Exonerated, via body camera footage review of policy that the officers properly followed policy and procedure.

VI. RECOMMENDATIONS:

PORB recommendations evolve from the boards processing of cases. PORB members are encouraged to make recommendations to address concerns that have arisen during an investigative review. PORB members' concerns are formally noted and result in a formal recommendation(s) during the review process that is submitted to and reviewed by the Mayor, President of City Council, and the Chief of Police, who will determine any actions to be taken. PORB recommendations are classified in one of three categories:

- 1. Policy Recommendation:** Suggested changes to the existing Departmental policy/procedure to improve the policy or service.

2. **Investigative Recommendation:** Suggested investigation changes made to Chief and sergeants for attention to some aspects of the overall case investigation. For example, if potential witnesses were overlooked.

3. **Training; Remedial Counseling/Memo/ Recommendation:** Officer recommended for a refresher course or additional training to deter problems from recurring. Officer recommended for either oral or remedial instruction, or officer recommended for a memorandum of record drawn up and placed in file.

During this report period, the PORB generated eight (8) recommendations*.

They are classified as follows:

POLICY: Seven (7)

TRAINING/ REMEDIAL: One (1)

INVESTIGATIVE: Zero (0)

* If the PORB cannot review any camera footage, we will revisit the case and provide an amendment to our findings.

Recommendation 1:

The PORB recommends that all PORB members engage in the training: Reality-based training and Ride Along.

Recommendation 2:

When the policies for cameras in vehicles are enacted, the PORB should have access to this footage as well.

Recommendation 3:

Keep the PORB updated on all new, revised, and significant policies and procedures.

Recommendation 4:

To ensure transparency, trust, and community engagement, complaints filed/received should be collected by another trusted agency, not the police department.

Recommendation 5:

Increase the number of PORB members from eight (8) to nine (9).

Recommendation 6:

To revise Chapter 79, Article II, sections 79-9, Duties and Functions. All three sections currently use the word “study”, and the PORB wishes to use language that is more accurate and less vague.

Recommendation 7:

Assist in expanding the PORBs knowledge in hiring practices.

Recommendation 8:

To ensure transparency, trust, and community engagement, when FOIL requests are made, the person/agency who is responsible for answering these requests should do the following:

- 1- Respond in a reasonable timeframe
- 2- Send notice of receipt of their request
- 3- Send approval or denial of the information requested accompanied by the reason for denial.

VII. 2024 Statistics

- The Troy police Department currently has 126 officers, which is made up of 117 white, 6 Black, 3 Hispanic; 116 Male and 10 Female
- The City of Troy had one (1) homicide.
- There were 51,386 calls for service which resulted in 1,533 arrests.
- Of those calls, there were 18 compliments
- Police shootings in 2024: 1
- There was a total of 52 complaints:
Level I – 9
Level II – 23
Level III – 20
Level IV – 0

