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COMMONWEALTH OF MASSACHUSETTS
CITY OF SPRINGFIELD

Public hearing held before the Special
Committee on Police Oversight, held at
John F. Kennedy Middle School, 1385
Berkshire Avenue, Springfield, Massachusetts
on Wednesday, December 15, 2010, commencing
at 6:00 p.m.

COMMITTEE MEMBERS:

(See page two)

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Helga Ragle
Court Reporter

1 MEMBERS OF THE COMMITTEE ON POLICE OVERSIGHT:

2 **Members of the Civil Rights and Race Relations**
3 **Committee:**

4 E. Henry Twiggs, Chair and City Council Vice-President

5 John Lysak, City Council

6 Keith Wright, City Council (Not present)

7 **Members of the Public Health & Safety Committee:**

8 Thomas Ashe, Chair (Not present)

9 Michael Fenton, City Council

10 Kateri Walsh, City Council (Not present)

11 **Non-elected members representing the public:**

12 Donald H. Baker

13 Prof. Nicholas C. Camerota

14 David J. Jarnes

15 Archbishop Timothy Paul

16 Dean Arlene Rodriguez

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1
2 (The meeting was called to order at 6:08 p.m.)
3

4 MR. TWIGGS: Good evening.

5 Again let me just thank you all for coming
6 out here this evening for the fourth of our public
7 hearings in regards to police oversight.

8 It is rather chilly out there tonight and I
9 am even more especially pleased that some of you have
10 braved this weather to get here.

11 I know this is the first time many of you
12 have been to Kennedy Junior High School, but this is
13 Kennedy Junior High School.

14 Our primary reason for this public hearing is
15 to follow up on activities regarding three proposals
16 that are presently before the Springfield City Council
17 regarding police oversight.

18 And those proposals were referred to the
19 committee on civil rights and public safety.

20 Members who are here who will be hearing
21 cases or who will be listening to your testimony here
22 this evening, first of all from the City Council we
23 have Councilman John Lysak.

1 In addition to which I'd like to point out
2 that this is Councilman Lysak's home district where he
3 was elected councillor from this ward.

4 Also City Councillor -- adjacent to Councilman
5 Lysak we have Professor Nicholas Camerota from
6 Springfield Technical Community College, Mr. Don Baker,
7 and then we have Mr. David Jarnes.

8 On the end we have Doctor Arlene Rodriguez
9 also from Springfield Technical Community College.
10 She is a dean at Technical Community College and of
11 course we have we have our very able city attorney,
12 city solicitor, Mr. Ed Pikula.

13 I take this opportunity also to recognize the
14 distinguished councillor from ward two, Councilman
15 Michael Fenton.

16 Thank you very much for coming also.

17 Now, the purpose of these public hearings is
18 to seek public input, citizen input into police
19 misconduct and thereby providing a mechanism by which
20 the community can have a voice or can voice its
21 concerns and suggest recommendations, to listen and
22 to receive public testimony relative to the three
23 proposals, the three proposed police oversight

1 ordinances that are presently before the City Council,
2 and to come up with an overall plan that we can present
3 to the City Council as to what kind of oversight body
4 is necessary.

5 We hope to gather from these hearings
6 specifically what the community would like to see as
7 to what type of body the community would like to see
8 in place.

9 Now, we have had an opportunity to listen to
10 testimony from three specific areas.

11 Tonight should be our final public hearing
12 except that I will go before this body and make
13 recommendations for some additional information I
14 think we should review and I would like to discuss
15 that with you.

16 And so I will call a meeting of this body
17 probably the first week in the new year.

18 So this will probably be our last meeting
19 for the year. And I think there is some work we
20 need to do with respect to the existence of this
21 committee.

22 We may have to reorganize and so I would
23 need to bring this before the president of the City

1 Council and ask him if he would continue us in this
2 role so that we can continue to do this work.

3 I am going to ask Councilman Lysak, in view
4 of the fact that this is your district, I would
5 appreciate if you were to say a few words in terms
6 of please welcoming us to your district.

7 COUNCILMAN LYSAK: I want to thank
8 everybody for coming out here tonight.

9 I see a lot of familiar faces, so I thank
10 you for coming out.

11 Actually some of you are not from my ward
12 here, you have all come out for our other meetings,
13 but I just want to thank everyone for coming out here
14 to the Indian Orchard section of the city.

15 I was hoping for a little better turn-out
16 tonight, but unfortunately we scheduled this meeting
17 at the same time as our community police meeting,
18 which our community police meetings do very very well
19 over here in ward eight, especially Indian Orchard
20 and they are generally packed.

21 So I know where most people are right now.
22 Thank you for coming.

23 MR. TWIGGS: Thank you.

1 So without further ado -- oh, I am sorry.
2 I need to introduce our stenographer. Did I mention
3 that for all of these meetings we do have a
4 stenographer that takes minutes and let me take the
5 opportunity to introduce Ms. Helga Ragle.

6 She has been putting together a stack of
7 review material. And of course we have the City
8 Council chief aid, Mr. Bob Arieti.

9 We thank Bob. Bob has set out all of the
10 different materials that we are talking about and that
11 are on line on the city website.

12 Those materials are available to anybody who
13 would like to receive those at the front table.

14 Lieutenant Larry Brown.

15 OFFICER YOUMANS: Charlie Youmans.

16 MR. TWIGGS: Charlie. I know we all look
17 alike, but I take that back.

18 I am sorry. I don't know why. And what
19 department are you from?

20 OFFICER YOUMANS: Charlie Youmans.

21 I am the community police advocate and aid
22 to Commissioner Fitchet. I am here on his behalf
23 tonight.

1 MR. TWIGGS: I won't make that mistake
2 again.

3 And Mr. Aberdale is also here. He is from
4 the present hearing board. And of course Attorney
5 Kevin Coyle and Mr. Gentile, president of the union.
6 And then we have the able reporter from the Springfield
7 Republican --

8 MR. JOHNSON: Patrick Johnson.

9 MR. TWIGGS: Mr. Patrick Johnson.

10 So we will now open the floor unless any of
11 you members of the committee would like to say
12 anything.

13 Is there anything anybody would like to say,
14 or anything I overlooked?

15 COUNCILMAN FENTON: I think you have covered
16 the introductions.

17 MR. TWIGGS: Okay. Anyone who wishes to
18 testify or give testimony, please just address the
19 microphone.

20 We ask that you please sign in and give us
21 your full name and address as you speak. The floor
22 is now open for anyone who wishes to speak this
23 evening.

1 (No response.)

2 Don't all of you do it at once!

3 MS. DOUGLAS: I go first.

4 MR. TWIGGS: Good evening. And you are
5 again?

6 MS. DOUGLAS: Brenda Douglas.

7 MR. TWIGGS: All right, Ms. Douglas.

8 MS. DOUGLAS: Okay. I spoke before.

9 My name is Brenda Douglas and I have come out because
10 on October 10th, 2008 my son Lenny Brown was arrested
11 by the Springfield police and within two hours he was
12 dead.

13 So my reason for being here and I am here,
14 although I spoke before, I am using every opportunity
15 that I can to actually, you know, speak with everyone I
16 can and actually explain the need that I feel there
17 should be changes in the current policy.

18 I reviewed the drafts the best that I could
19 because I felt none of them met my needs. I was not
20 quite what I would like to see.

21 I think it is obvious that with no one here
22 that people do not come out because they don't feel
23 that anything is working for them.

1 So I stand before you and say I take the
2 initiative and speak for my community because nobody
3 is here.

4 And basically what I want to explain is that
5 in the issues that I explained before why some of the
6 things are not working.

7 I am taking this last opportunity as I
8 stated to appeal to whoever can make any type of
9 changes.

10 I want to stress that something that, as I
11 said before, not only did I feel like I didn't have
12 the support of the department, I did not even get the
13 support of my community.

14 I went to several community leaders because I
15 felt that there had been an injustice done because I
16 did not know exactly what happened.

17 I did not feel that I should be accusing
18 anyone of anything, and actually what I was attempting
19 to do was to get the support of the fact finding
20 person.

21 There was not anyone in the community that
22 was supporting me or really stand by me.

23 Everyone referred me to someone else. And if

1 I did not have the support of the community because
2 maybe they felt it was not their problem, then you
3 still need to have the laws and things that support you
4 within the department.

5 As I stated before, my initial reason for
6 seeking support from the community and the department
7 because what my initial contact was from an officer in
8 the department, that was totally inappropriate, and I
9 don't -- I did not even, I was completely excluded from
10 the process.

11 I did not even have any type of opportunity
12 to know if that officer was reprimanded or anything.
13 When a person has a complaint, you may not be able to
14 know what has been done, but you should have some type
15 of follow-up.

16 There was the fact that a complaint was made
17 that was not followed up on.

18 I was told to go to see different places,
19 which was one was the citizen review board, and as we
20 stated why most people here, well, were here, does not
21 feel comfortable to have even that type of process
22 because that felt like that was selected appointments,
23 and that there was not going to be any follow-up in

1 that case.

2 I also did not feel comfortable going to
3 internal affairs because you feel like it is the same
4 process, and I just want to stress that, you know,
5 some of the feelings from the people from the last
6 meeting could and should be understood because,
7 although it was high emotions, when you sit there and
8 you have things that are going on and you feel there
9 is no follow-up and no one is doing anything, then you
10 think that it is being swept under the rug.

11 So what I like to have saw was that the
12 commissioner and anyone else that is able to speak
13 from his department, no one is coming up and denounce
14 any inappropriate behavior.

15 That has not been done.

16 We want to see this commissioner denounce
17 those types of behaviors the same way he spoke for
18 the officers that were killed and he stated he didn't
19 want that man to get out of jail.

20 Rightfully so, he should have done that.
21 He is also our public servant. We would like for him
22 to speak for us when things are not done right.

23 That did not happen.

1 So again, I appeal to anybody that can
2 possibly make any changes because people don't feel
3 like they are being heard.

4 And people need to be heard and, you know, my
5 own experience, I want to explain, not being heard and
6 not being recognized that a tragedy happened was the
7 most hurtful, more hurtful than my son's death.

8 I mean for whatever reason it happened, we
9 can't change that. Nothing is going to bring him
10 back, but when you actually are part of a process and
11 you need to know answers what happened and people
12 ignore you, well, I was very angry.

13 I felt like I really wanted to do something
14 to somebody, and when things happen and people, you
15 know, sit around and say unthinkable things happen,
16 well, why did that happen?

17 You know, I was very angry and I wanted to
18 really do something to somebody in the department,
19 like there was the officer that was inappropriate to
20 me or going there and shoot up the place, and of
21 course I know I couldn't do that, but it is possible,
22 people have guns.

23 And the reason I didn't do it because I know

1 that it is not every person in there and that, you
2 know, there is things that should happen, but everyone
3 doesn't have that balance.

4 I had the support of my family. What about
5 people that don't have that?

6 You know, those are things that are realities
7 and everyone sits around and wonders and says, well,
8 what made that person do that, what made this person do
9 that?

10 Well, those are the things that make people do
11 that.

12 And I really feel this body here, because
13 when my incident happened with my son I did not go to
14 the public and try to incite everybody or something.
15 I could easily have got everyone going because most
16 times people react to a situation instead of proactive
17 and trying to continue a process.

18 And that is an example why no one is here, no
19 one comes out, you know, when we need to.

20 It's always when something happens that
21 people come out and it could be very easily to incite a
22 lot of people and people acting very inappropriate.

23 And when I tried not to do that and follow the

1 rules and what is supposed to happen, even though with
2 my situation I would have been very within my rights to
3 do so.

4 I tried to follow the law and do what is
5 supposed to happen and none of that was responded to.
6 So I want people to know that.

7 And the last thing I wanted to say about the
8 drafts, I stated this last week, I don't feel that, you
9 know, everyone brought up different situations about
10 who should be eliminated and this and that.

11 But we still have to take the legal process
12 and I don't know if everyone is knowledgeable and
13 experienced enough to eliminate what is there.

14 But there is a need to have an additional
15 process that basically is going to have some teeth and
16 be heard and also just force.

17 When I say force, I mean the ability to make
18 responsible changes or discipline action within the,
19 you know, communicating with the current body and
20 things.

21 I just want my information to be stressed as
22 many times as I can and I tell them what my situation
23 has been, what the responses have been which has been

1 totally inappropriate and why people do things and
2 maybe if there is someone to hear somebody like me who
3 really understands that, you know, people, that's why
4 you don't get participation, you know.

5 People feel nothing is going to be done
6 anyways. So they come out and say a few angry words
7 and then they go away, and that is not enough and it is
8 not enough to just sit back and just allow what is
9 happening to continue because it is not right.

10 So that is all I am saying,

11 MR. TWIGGS: Well, Ms. Douglas, I thank
12 you for your testimony. I know that you have taken
13 the opportunity to come out to, I would say, pretty
14 near all of the hearings, and I think your point has
15 been well made.

16 I just have one question: You said that when
17 your son was -- when they found your son dead in
18 October of 2008, you said that nothing was done about
19 it.

20 I mean how did he die? Do you know that?

21 MS. DOUGLAS: My son died in the cell.

22 MR. TWIGGS: How? The question is how did
23 he die? Was he hung?

1 MS. DOUGLAS: No. I was told that he had
2 a seizure.

3 MR. TWIGGS: He had a seizure. Did you
4 have an autopsy done?

5 MS. DOUGLAS: I did.

6 MR. TWIGGS: And what were the results of
7 that?

8 MS. DOUGLAS: They said he had a seizure.

9 I don't have much faith in that autopsy
10 either, and I don't have much faith how he came to that
11 seizure.

12 So that is what my concern was.

13 MR. TWIGGS: Had he had one before?

14 MS. DOUGLAS: Never in life.

15 MR. TWIGGS: Thank you. Do any committee
16 members have anything they would like to ask Ms.
17 Douglas?

18 MR. CAMEROTA: Well, when we first met
19 to -- I guess can everybody hear me now?

20 I remember the initial meeting that we had
21 when we were essentially trying to explain to the
22 public what these hearings were going to be about.
23 And one of the comments that I made at the time was

1 wondering whether or not people would actually feel
2 that things could change.

3 And I heard you saying before that, you
4 know, people don't come out, and at first I thought
5 maybe it was a matter of people not really caring
6 about this.

7 But what I gather from your statement is that,
8 sort of the worst case scenario, you think that people
9 believe things won't change. Is that what you are
10 saying?

11 MS. DOUGLAS: I think that is the case,
12 but someone like me, even if you just get one person,
13 if you keep going at it and go back and tell one more
14 person, things can change because I believe that they
15 can change.

16 But I think people just don't have much faith
17 until they start seeing something, some type of
18 movement.

19 And again I feel like they react because they
20 see the situation.

21 If they see something will actually change,
22 they want to be part of it.

23 MR. CAMEROTA: Thank you for your

1 testimony again.

2 Somebody else wants to ask you a question.

3 MR. JARNES: You know, we talked after
4 the meeting and previous meetings, and I gather what
5 we -- what this group is charged to do is look at the
6 process rather than the specifics.

7 MS. DOUGLAS: Right.

8 MR. JARNES: And I think what you, if I
9 extrapolate what you just said, that you would like to
10 see a process that, whatever ordinance is formed and
11 put into effect, that somebody like you that has a,
12 you know, a legitimate issue, that you know that you
13 can go with confidence to the board that hears it and
14 it will be heard and be given due process rather than
15 just not even being given any response?

16 MS. DOUGLAS: Right.

17 MR. JARNES: Am I correct in saying that?

18 MS. DOUGLAS: Yes.

19 ARCHBISHOP PAUL: Last week over the
20 course of a couple hearings we heard from, I believe
21 it was IIU, that the investigations that are conducted
22 can only commence with the commissioner beginning that
23 process.

1 And in your case you had no investigation,
2 and you had to request to meet with the commissioner.
3 And in these ordinances that we are trying to get some
4 feedback on, when you say that the process should
5 begin with some kind of board versus it be handed down
6 from the commissioner to, or the chief or however it
7 would go, to IIU, but it would be getting from the
8 actual initial problem following a complaint. Is that
9 what you are saying?

10 MS. DOUGLAS: I believe, yes, that is
11 what I am getting at, that the board that will consist
12 of partly -- I mean there was a suggestion that there
13 may be like three councilmen, the mayor, maybe the
14 commissioner and some public people there.

15 And I am not opposed to any public official
16 being there, but I think it needs to be represented
17 by some public people.

18 ARCHBISHOP PAUL: The current review
19 board does not have the power to initiate an
20 investigation without it being handed to them by way
21 of the commissioner.

22 Are you saying that anything that we propose
23 would be reversed?

1 In other words that the power would rest
2 within that board to initiate an investigation?

3 MS. DOUGLAS: I don't know about --

4 ARCHBISHOP PAUL: And not wait for it to
5 come down from the commissioner because it took him
6 months to even see you?

7 MS. DOUGLAS: I am not really sure at
8 this point what I think. But I think it should be
9 there to allow some checks and balances.

10 Because at least if the process was
11 initiated by the board, in addition -- I mean by the
12 commissioner for example, the board would also have
13 knowledge of what is going on, even if they had to
14 wait.

15 And if they didn't act as they should, as
16 they in my case did, then there is someone there to
17 do to the checks and balances and somehow apply some
18 accountability to the people that should be acted on
19 and that didn't happen.

20 ARCHBISHOP PAUL: Thank you.

21 MR. TWIGGS: Thank you very much for
22 coming forward and I thank you for your testimony.

23 Let me also just take a moment to introduce

1 Archbishop Timothy Paul.

2 Thank you for coming. The next speaker
3 please.

4 MR. WOJCIK: Good evening. My name is
5 John Wojcik. I live on Green Lawn Street in the City
6 of Springfield.

7 I am here with my wife.

8 I have just a few notes as a closing note I'd
9 like to give you tonight.

10 Tonight is the third public meeting my wife
11 and I have attended on this subject and my comments
12 were such noted at previous meetings. So I won't go
13 into those.

14 Tonight my wife and I would like to extend our
15 thanks and appreciation to the committee for their
16 energy, commitment and effort in reaching out to our
17 community and presenting draft proposals and
18 soliciting input from the public on this subject.

19 You have heard from many of us as to
20 perception and both negative and positive thoughts on
21 this subject.

22 It must be noted that our input is only one
23 of many factors that you as a committee must consider

1 in your final recommendation and proposal on charter
2 and duties empowered to review board.

3 Collectively your recommendation will be
4 based on analysis of all pertinent data and community
5 input, and I trust that your proposal will best serve
6 both our police department and citizens of Springfield
7 in making positive change for all.

8 MR. TWIGGS: Thank you, John.

9 It is not often that folks thank you for
10 doing this kind of work. So I appreciate your
11 comments.

12 I know you have attended at least three of
13 these public hearings, and we appreciate you coming
14 here, you and your wife.

15 Thank you very much. Next speaker please.

16 Councilman FENTON: Just, you know,
17 before we do have another speaker I just would like to
18 briefly address something.

19 Jack, thank you for your kind words and your
20 recent civic activism and participation on that, the
21 subcommittee on taxation.

22 And to Ms. Douglas, thank you as well for your
23 remarks.

1 I think that your testimony, regardless of
2 the details and specifics as to the incident with your
3 son, are really the reason that we are here today, you
4 know.

5 We are hearing from a woman who has
6 experienced a process that she believes is broken.
7 And regardless of what action this committee decides
8 on, really, you know, our charge, as has been said,
9 ought to be to make no one feel the way that you feel
10 and have felt for the past two years.

11 So you said you reviewed the ordinances and
12 that none of them are entirely agreeable to you in and
13 of themselves.

14 I would suggest again to this committee that
15 we take her perspective, you know, quite seriously and
16 that, you know, we need to have a process that is
17 inclusive and that people feel they can get the answer
18 that they need.

19 And the vehicle that we choose to get there
20 is really, you know, it is a discussion that we are
21 having in the future, but thank you again for your
22 testimony and you have been heard tonight.

23 MR. TWIGGS: Thank you very much,

1 councillor.

2 Next speaker please.

3 (No response)

4 MR. PIKULA: Maybe Officer Youmans can
5 make some remarks on behalf of the commissioner.

6 Just talk to us from a community relations
7 standpoint.

8 Maybe you can talk about your experiences, I
9 mean outreach efforts you have made on his behalf.

10 OFFICER YOUMANS: Basically my job is as a
11 community outreach advocate for the department.

12 My contacts with the street from where I came
13 from as a gang officer to going to a community outreach
14 officer, by keeping my hands within what the public
15 really want, listening to the kids.

16 I hear what the adults say and how the
17 adults raise their kids, but what I basically bring
18 back to the commissioner is what the kids are saying
19 on the street.

20 So when I talk to kids about injustice
21 problems, situations that they have, I get to hear
22 from a whole other level, to try to get the police
23 department to understand a little bit more of what we

1 are dealing with as far as our kids are concerned.

2 It is kind of tough because our kids live in a
3 whole technology and whole generation different than
4 what we see, what we understand and what we may try to
5 understand through them.

6 We think we know our children, we think we
7 understand our children, but as parents I find out
8 from being out there, parents do not talk to their
9 children.

10 And in order to get your children to
11 understand you are not being perfect, you need to talk
12 to your children of being perfect.

13 For instance my philosophy of going to
14 parents, when I speak to them, I tell parents you need
15 to talk to your children about things you did wrong.
16 You drank, you smoked, you chased women, you chased
17 men, and you need to tell your children this.

18 If you do this, your children don't look at
19 you being perfect. They now look at you in another
20 light because they understand, you know, that you ran
21 into the same problems they have.

22 Have you ever gotten into any fights? Have
23 you ever had altercations? Have you ever been

1 bullied?

2 Have you ever been in any situation out here
3 and at one time or another we have, but we don't speak
4 on it, and because we do not speak on it, our children
5 look at us at a whole new level.

6 So a lot of times when I come back to the
7 commissioner based on what I got from the street level,
8 the street officers know exactly what is going on, but
9 even they sometimes get lost.

10 Because we get lost in the music, we get lost
11 in trying to adapt, we get lost in trying to be part of
12 something.

13 Kids will not survive without being a part of
14 something.

15 There is no way in any shape or form, even
16 the kid who makes believe out here that I am a part of
17 this group, will stay there and constantly tell
18 everybody I am down with this group, I do this, I
19 went then and if it's too much of a problem
20 situation, they will not run back to the parents
21 because parents can't be trusted.

22 Yes, sir.

23 MR. PIKULA: Charlie, in your role as

1 an outreach person and there is a need to, as you can
2 tell from the testimony we have heard, for any board
3 that is developed to have an outreach role or function,
4 what suggestions would you have in terms of the best
5 way to get that outreach?

6 Is it rather than having everyone on the
7 board come to a meeting, is there a role for some
8 one-on-one outreach by board members?

9 What suggestions would you have to improve
10 an outreach program as a component of this board?

11 OFFICER YOUMANS: I recommend that each
12 one of the schools have one.

13 I would recommend that the board make
14 occasional visits to middle schools and high schools
15 because right now your high schools have already
16 situated themselves.

17 What you are trying to deal with now are
18 elementary and middle schools who are sponges to what
19 is going on.

20 So if we had council members who made
21 periodic visits, if you actually talk to these
22 children, listen to what they have to say, you get a
23 better understanding what is out here.

1 Because a lot of times we can listen to
2 another child better than we can listen to our own
3 children.

4 MR. PIKULA: You think that -- we've got
5 wards and school committees.

6 OFFICER YOUMANS: Right.

7 MR. PIKULA: Should the council be
8 composed maybe from those sort of wards and the
9 schools and those districts be assigned to those?

10 OFFICER YOUMANS: I would. Truly I
11 would. Because you and the ward wouldn't understand
12 what is going on. Because your neighborhoods are vast,
13 they are so huge.

14 You might be hearing a positive thing from
15 this side of your neighborhood, but you have no idea
16 what is going on on this side.

17 But you have no idea that the people who run
18 in the neighborhood that has problems are the same
19 kids that run in the neighborhood that have no
20 problems.

21 They all run together. They just don't tell
22 their parents that they run together.

23 And since you have no idea how it is, you have

1 no way to know how to combat this a lot stronger and a
2 lot harder, unless you get out there and you actually
3 intermix with these kids and you actually understand
4 what is out there.

5 MR. TWIGGS: I would like to just
6 piggy-back on that.

7 Let's assume we had a five or seven man
8 committee on oversight.

9 The chances of a councillor being on that
10 committee I would think would be rarely, but you are
11 suggesting outside of a board that would give oversight
12 to the policemen, that councillors themselves should
13 engage in going into the schools and meeting with
14 young people to ascertain their feelings about
15 different issues rather than for a councillor as a part
16 of a community relations board being the person to go
17 out?

18 OFFICER YOUMANS: Well, the only reason I
19 say that is because to some parents out here who
20 understand that the police are the disciplinarians
21 and they, we too are governed, sometimes they want to
22 hear that outside point of view.

23 So by hearing it from people who have actually

1 been out there listening to the kids and understanding
2 the problems. You already know where the position
3 stands, where the police are, and try to be proactive
4 to do the right thing.

5 But also if you could actually be out to hear
6 where the kids are, with their standpoint, a lot of
7 whom particularly don't want to go through change, but
8 they understand the consequences.

9 MR. TWIGGS: Right.

10 OFFICER YOUMANS: So if you were to
11 understand why the kids think this way, now you could
12 understand it a little bit better where they go or they
13 can see you coming in and taking a little bit of an
14 interest to understand what they are trying to portray
15 out here.

16 Because sometimes a child can reach a person
17 who feels that they are in some type of position.

18 The biggest problem that I think that we have
19 out here is that we have a ton of elected officials,
20 and I think that is wonderful and great, but there is
21 a lot of people who don't know who you are, except in
22 name and face.

23 MR. TWIGGS: You don't know me in my

1 district?

2 OFFICER YOUMANS: Because the majority of
3 these kids can go, well, there is a Henry Twiggs,
4 there is a John Lysak, but I have never talked to him,
5 I have never been anywhere near you.

6 MR. TWIGGS: Right.

7 OFFICER YOUMANS: So if I don't know you,
8 I can't, but if they were to interact with you a little
9 bit more, they get to understand that if I did truly
10 have a problem, and even from a parent's point of view,
11 now there is somebody strong to reach out to.

12 MR. TWIGGS: So Charlie, you think we
13 should go out to junior high and high schools.

14 OFFICER YOUMANS: I would say definitely
15 middle schools.

16 That is now our new up and coming completely
17 problem that you need to see and you need to look, take
18 a good close look at.

19 MR. TWIGGS: Thank you. Next speaker
20 please.

21 Mr. city solicitor, is there some elected
22 person --

23 MR. PIKULA: If I may, I brought with me

1 tonight, and I have extra copies of what I am calling a
2 preliminary status report.

3 The current board has been functioning since
4 February.

5 MR. TWIGGS: Under the community police.

6 MR. PIKULA: Hearing board, yes.

7 It started in February of 2010 and during that time
8 they have been carrying out their function by reviewing
9 complaints and submitting recommendations to the
10 commissioner on each complaint.

11 The commissioner has reviewed those
12 complaints, has issued disciplinary charge letters.
13 Where there has been a hearing board, that has a
14 hearing officer under civil service law, has issued
15 decisions, whether to sustain the charges or exonerate
16 the officer, and has submitted to the commissioner
17 recommendations and then the commissioner has relied
18 on those hearing reports and recommendations to
19 carry out discipline.

20 That is the process that has been going on
21 from a police disciplinary process, and I wanted to
22 tell you that we are currently producing an annual
23 report, and towards that end we are gathering the data

1 and we'll put it all into a data base using Access,
2 Microsoft Access and Excel spread sheets.

3 And so we are going to be able to put that
4 data on line so people can see it and analyze it.

5 The annual report is going to organize it,
6 make a presentation with charts and graph as to what
7 is happening.

8 And I wanted to just report to you what
9 preliminarily statistics we have gathered, and that
10 includes a total of a hundred and thirty-seven
11 complaints that have been reviewed since February.

12 Now, the overwhelming majority of the reviews
13 found the officer involved should be exonerated or that
14 the complaints were unfounded.

15 But of those complaints that have gone to a
16 hearing, I actually printed that out. I didn't
17 print out the review data yet because there is still
18 some blanks in the field.

19 If you look at it, if you try to figure out,
20 okay, who reviewed this and it says Jane Morales and
21 you can't read the other name, we've got to do some
22 more work to figure out who was that other person,
23 what does that say?

1 If there is nothing in that we can read to
2 say okay, what did the commissioner do with this one,
3 that is data that we are following up on.

4 So that we are working to get that data so it
5 will be accurate and we will present it.

6 But we do have accurate data as to the
7 hearings and I have attached that here.

8 It shows that there have been a total of
9 twelve hearings on disciplinary charges involving
10 eleven different officers.

11 The reason that there is eleven is that there
12 is one incident against an officer where there were two
13 different complaints for the same incident.

14 Now, of those twelve hearings, four of the
15 officers were exonerated after a hearing and the
16 remaining eight hearings, which were sustained, the
17 police commissioner followed the hearing board's
18 recommendation as to seven.

19 On the eighth one the commissioner exceeded
20 the board's recommendation.

21 So you have that data here which lists the
22 date of the hearing, the dates, who was reviewing it at
23 the hearing level, when the incident date was, the sort

1 of identifying information as far as the order cut by
2 the commissioner, the race of the complainant, the
3 gender of the complainant, the location of the
4 incident, a very brief summary of sort of what the
5 complaint was about, the board discipline, what their
6 findings were and what their recommendation was, and
7 then what the actual disposition was by the
8 commissioner.

9 So this is to give some transparency into the
10 process which has been going on to date, which is
11 essentially the mayor's executive order, plus some
12 modifications that were recommended I think by the
13 City Council, which have not officially been adopted,
14 but what has been the process the commissioner has put
15 in place.

16 And so this is presented to you to provide
17 some factual information of what has been going on,
18 and I think it shows that the existing board has
19 played an important role in the disciplinary process.

20 And the board has worked with the commissioner
21 and the commissioner has respected and relied on the
22 board, which is composed of a cross section of people
23 from all over the city for those decisions.

1 That being said, I want to address another
2 component of this board which I think has not really
3 been fully implemented and I think may need some
4 revision.

5 And this has been touched on by some of the
6 speakers we have heard throughout, including Ms.
7 Douglas, and I think it has been touched on by the
8 department, particularly Mr. Youmans.

9 That is the outreach component.

10 The sense that people have of belonging, they
11 need to be brought into this process.

12 That is a role separate and distinct from the
13 disciplinary process.

14 The disciplinary process by its nature must
15 be quasi judicial. It is a fact-finding determination
16 and recommendation that involves people's jobs.

17 But the other component that I think needs
18 to be implemented and probably revised is this
19 outreach.

20 From that component members of this board who
21 are making this decision, will have a chance to better
22 understand the community.

23 The community will better understand them, so

1 there is an educational aspect to this. But there is
2 also the missing connection or link that doesn't seem
3 to be there that I think needs to be worked on.

4 So the disciplinary process is one component,
5 a brief summary how that is working.

6 Outreach component needs to be I think
7 improved, and I think that should be the focus maybe
8 of some ideas.

9 MR. TWIGGS: Thank you very much.

10 MR. PIKULA: I would like to make this an
11 exhibit in the record.

12
13 (Exhibit No. 12 introduced into the record.)

14
15 MR. TWIGGS: Let me take a moment to
16 address you with respect to my feelings about where we
17 should go.

18 We have the documents that have been compiled
19 over the first three hearings. I suspect we will have
20 the fourth by the time we meet again, and I am going to
21 call for a meeting on January 12th of just the
22 committee at six p.m. for us to review the data that
23 we have and how we are going to use the data that we

1 have.

2 MR. JARNES: Is that where we met
3 before?

4 MR. TWIGGS: We will make that
5 determination.

6 We have got the time to determine where,
7 what room we'll meet in at city hall, but the meeting
8 will be at city hall.

9 And I will discuss with Bob where we should
10 meet.

11 I will also ask, do you see the need -- of
12 course I do -- that we sit down and have a meeting and
13 or a discussion with the training officer who came to
14 our meeting last week and we didn't have a chance to
15 discuss?

16 I think there are some things that we need to
17 know how policemen are trained. I mean what are they
18 trained specifically to do?

19 As you would recall several persons said,
20 have testified that, about what policemen should do
21 and what they shouldn't do.

22 Well, we should talk to the training officers
23 for the department and find out specifically what they

1 can and cannot do.

2 And I think we had said that we wanted to talk
3 to public relations, what role they play within the
4 police department.

5 And so I would ask that we give that some
6 consideration. And maybe we need to talk with IIU
7 again based on some of the testimony that we have
8 heard, particularly as we give some consideration to
9 what Ms. Douglas has said.

10 What happened there? How did we drop the ball
11 on this woman? What did IIU do? Maybe it didn't even
12 go there.

13 But we need to come up with something to
14 insure that that kind of thing doesn't happen again.
15 If a person is in custody, I mean what happens when a
16 person is in custody? I am in charge of that person I
17 would think.

18 But we need to have some conversations on
19 that, and so I would think that we still need to have
20 additional meetings, and as I stated earlier with
21 respect to the existence of the committee on civil
22 rights and public relations, we are appointed chairs
23 and members are appointed to those individual

1 committees by the chair, the president of the
2 council.

3 And so come December 31st, come January 1st
4 we'll have a new president.

5 We think we know who it is going to be, but
6 that person has to reappoint us to serve in this
7 capacity, and I'll be making those contacts to insure
8 that he does.

9 So again I call for a meeting on January 12th
10 for the purpose to further discuss it.

11 I would suggest also, members, that those of
12 you that have received hard copies of the report that
13 you go through the report and make outlines, specific
14 requests, specific testimony that has been given so
15 that we can review those testimony to see how they can
16 fill out a complete report.

17 We should very definitely take into
18 consideration everything that has been recommended to
19 us.

20 ARCHBISHOP PAUL: Mr. Chair, while you are
21 stating that.

22 MR. TWIGGS: Yes.

23 ARCHBISHOP PAUL: It is quite interesting

1 that we've got to hear some more additional, but have
2 we received anything in writing from the patrolmen
3 side, because within the department itself there are
4 two different ideas of what kind of committee oversight
5 there should be.

6 The patrolmen want to revert back to the
7 civil, to the police commission.

8 MR. TWIGGS: That is the union.

9 ARCHBISHOP PAUL: Yes, the union, but
10 the patrolmen -- the union represents the patrolmen I
11 think, is that right?

12 MR. TWIGGS: Several unions. That is a
13 separate union from the supervisors.

14 (Several people speaking at the same time.
15 Unintelligible.)

16 ARCHBISHOP PAUL: The supervisors' side
17 and the commissioner's side, obviously we know that he
18 is in favor of the current --

19 MR. TWIGGS: The commissioner?

20 ARCHBISHOP PAUL: Yes. He spoke to that
21 at Forest Park.

22 So when we hear the public talking about
23 oversight, we are also hearing the union crying for the

1 same thing.

2 It looks like the public and the union are on
3 the same side. It appears as though the commissioner
4 and others have their, and the mayor, their proposal is
5 different.

6 So in other words what I am asking you is that
7 some kind of, maybe recommendation as to which proposal
8 in writing from the union who represents the patrolmen
9 themselves and then the commissioner as to -- we know
10 where he stands already -- as to why they are on two
11 different sides?

12 It is one department, one police department,
13 but they are on two different sides of the issue.

14 I'd like to see why the patrolmen -- the
15 patrolmen are actually, the union is actually on the
16 side of the public and the commissioner is on the side
17 of the --

18 MR. TWIGGS: I appreciate that, but I
19 think we can request that. I mean they are here
20 tonight, representatives from the union.

21 I would ask if they would like to comment on
22 that tonight, maybe they can give some --

23 MR. COYLE: Maybe we can submit something

1 in writing for your January meeting.

2 MR. TWIGGS: Or even prior to.

3 Any -- I think from the present hearing board
4 I would like to get a recommendation for how they think
5 it can be, this whole process can be improved.

6 Terry, you might want to just consider that.
7 We can make that request through the chair person, but
8 I think having had the opportunity to have hearings, I
9 mean there is always room for improvement, and I am
10 sure that you have considered that.

11 So I would ask that even the present hearing
12 board, if they would give us something in writing with
13 respect to how we can improve on the process.

14 Does any member have anything they would like
15 to add to our meeting of the 12th?

16 (No response.)

17 MR. TWIGGS: So with respect to where we
18 go from here, we should be able to make those kinds of
19 decisions on the 12th in addition to what I already
20 suggested that I think I know we need to do regarding
21 meeting with the training officers.

22 Mr. City solicitor.

23 MR. PIKULA: Yes, sir.

1 MR. TWIGGS: Anything you would like to
2 add to that meeting coming up on the 12th? I know you
3 are stretched.

4 MR. PIKULA: I will be there. I will
5 address any questions I can.

6 I will try to liaison with the chair person
7 of the hearing board to get some input. She did come
8 and testify.

9 MR. TWIGGS: Yes, she did.

10 MR. PIKULA: But perhaps we can get
11 something from her in writing.

12 And I will bring maybe some further input
13 from the police department, from the commissioner in
14 terms of any changes he would like to see.

15 MR. TWIGGS: That will be helpful too.
16 Thank you.

17 MR. PIKULA: Particularly like I said, I
18 think there are two different components that go hand
19 in hand, and I know, I mean for me from what I have
20 heard from these hearings there is a need for them to
21 work together.

22 I think what the union and the people have in
23 common is this need for a connection to the process and

1 an outreach for better understanding.

2 And I think that if we can figure out how to
3 do that, then that is not only going to put more
4 confidence in the police department, but that increased
5 confidence in the department is likely to translate
6 into more cooperation with the police and a decrease
7 in crime.

8 And that is sort of what I got from the
9 connection between the union, the people and Officer
10 Youmans' comments.

11 MR. TWIGGS: Well, Terry, you wanted to
12 say something.

13 MR. ABERDALE: Yes, Mr. Chair and
14 committee.

15 There is also two important documents, if you
16 will, that are publicly available.

17 One is a booklet that is put together and
18 the training commences every fall and every spring,
19 and it is called the citizens police academy.

20 And most recently they just graduated a class
21 last week after ten weeks. They meet one evening a
22 week on a Wednesday for four hours.

23 MR. TWIGGS: Who puts it together?

1 MR. ABERDALE: That is put together by
2 the training department and by Kathy Brown, who also
3 is --

4 MR. TWIGGS: Works for the police
5 department.

6 MR. ABERDALE: She works for the
7 department. And Kathy is part of the department, but
8 she handles the educational components.

9 MR. TWIGGS: Okay.

10 MR. ABERDALE: That booklet should, all
11 of you gentleman and ladies should have a copy of that
12 to review that.

13 MR. TWIGGS: So maybe we should get Kathy
14 Brown to come to speak to us also.

15 MR. ABERDALE: There is a pamphlet that
16 would also go along very well with what Officer
17 Youmans has indicated that would be excellent, not
18 only for adults, but particularly for the youth, and
19 that is a pamphlet that the department disseminates,
20 what to do when you are stopped by a police officer,
21 and it gives the reasons why an officer may stop
22 somebody relative to any number of reasons, legitimate
23 reasons and so forth.

1 And also it explains how, when an officer
2 does that, taking their life on the line, not knowing
3 what they will be coming into, it explains the
4 precautions and that the officer is in charge of that
5 motor vehicle stop, stopping someone on the street for
6 questioning or whatever it may be.

7 I'd like to revert back, if I may just one
8 moment, revert back as to this point relative to the
9 community police academy.

10 In last spring's academy I believe an
11 invitation was extended to members of the City Council
12 to take advantage of it.

13 And I do want to say that officer, excuse me,
14 Councilman Michael Fenton took that academy and he had
15 a learning experience through that academy that perhaps
16 he could elaborate on.

17 But if anything would be an eye opening
18 experience, just going through that manual itself and
19 developing further questions, believe me, you are
20 going to find a lot of your answers there, but you
21 are also going to find a lot better understanding of
22 how and why the department does what it does.

23 MR. TWIGGS: So where are those

1 manuals?

2 I mean how can we get copies?

3 MR. ABERDALE: Kathy Brown at the police
4 department.

5 MR. PIKULA: I will track them down and I
6 will bring them so we can mark them as part of the
7 record.

8
9 (Police department manual to be marked and
10 introduced into the record as exhibit number 14.)

11
12 MR. TWIGGS: Okay.

13 MR. ABERDALE: Thank you.

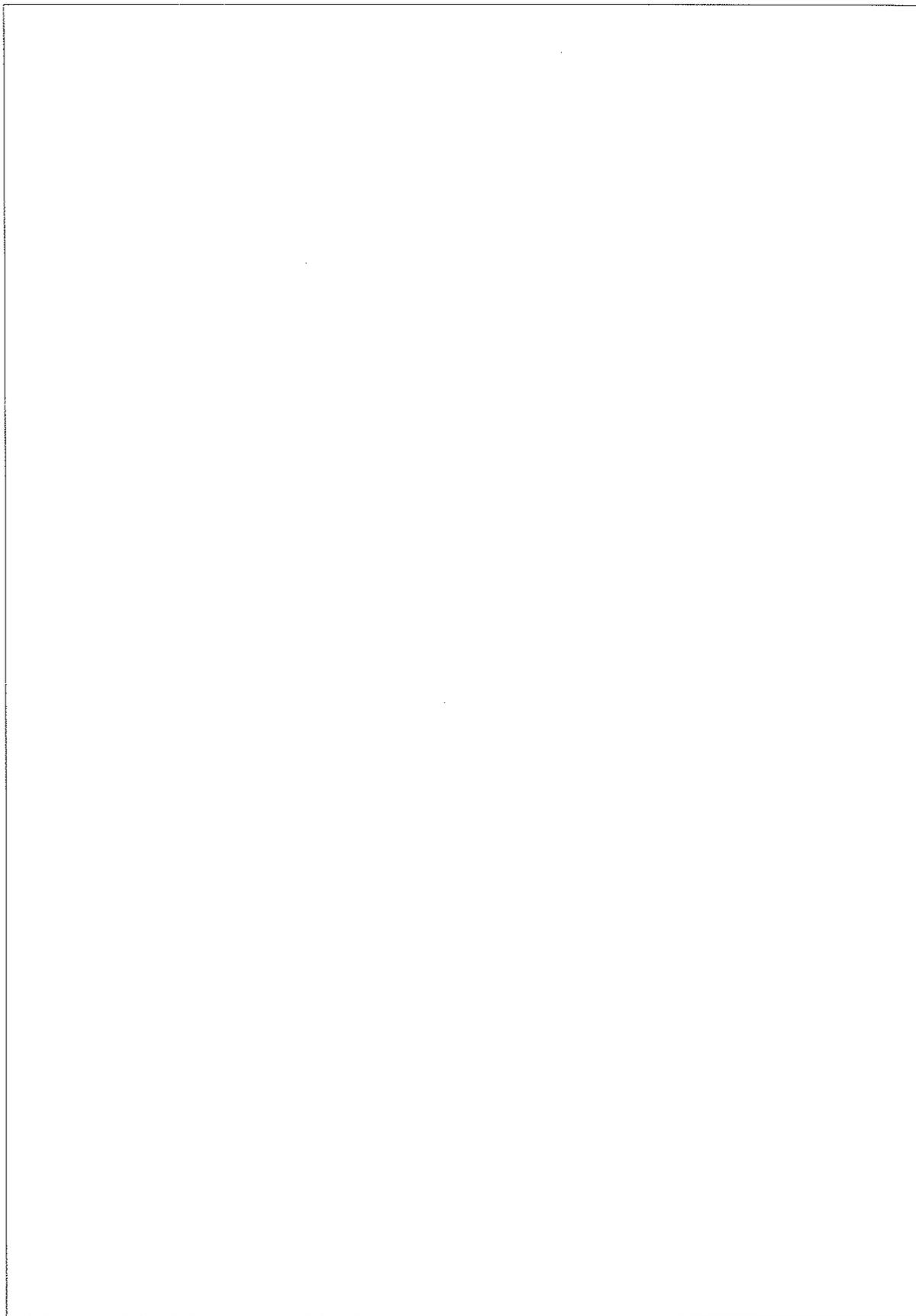
14 MR. TWIGGS: Any other -- Councilman
15 Fenton, you went through the academy. You should have
16 brought some of us along.

17 Would you like to elaborate on this?

18 COUNCILMAN FENTON: I think -- thank you,
19 Mr. Chairman.

20 I think Terry's point is well taken. It
21 was a wonderful experience to be part of that.

22 It was last year that we matriculated
23 through there and it is really an experience that



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1 helps the community understand, as Terry said, more
2 from the perspective of the police officer, and,
3 you know, it was based in academics in terms of
4 training and understanding the protocol, and also
5 there was a more interactive aspect to it where
6 we had an opportunity to come into a situation
7 as if we were a police officer and how would you
8 handle that.

9 It certainly was an eye-opening experience
10 and I'll be happy to bring that knowledge to the
11 board.

12 MR. TWIGGS: That is interesting
13 because that is essentially what I have been
14 seeking, you know, to have a better understanding,
15 you know, put myself in the position of a police
16 officer and better understand what he faces, he or
17 she faces.

18 And I thought I would get that from the
19 training officer, but in addition to which you are
20 telling me that Kathy Brown is part of the
21 educational process from the department and she is
22 the one maybe we should talk to and I look forward
23 to that.

1 And I would ask the city solicitor if he would
2 follow up on that for us.

3 I think it is an excellent idea.

4 MR. PIKULA: I will.

5 MR. TWIGGS: Thank you, Terry, for
6 bringing that before us.

7 Any other question that should come before
8 us?

9 (No response)

10 MR. ABERDALE: Excuse me.

11 MR. TWIGGS: Yes, Terry.

12 MR. ABERDALE: I hand this over to you.
13 It is Mr. Wojcik's comments that he made.

14 Perhaps you can enter that into the
15 record.

16 MR. TWIGGS: Yes.

17
18 (Exhibit number 15 introduced into the
19 record.)

20
21 MR. TWIGGS: Thank you all for coming
22 here tonight.

23 I hope to see you on the 12th. I trust that

1 all of you will have a very happy New Year.

2

3 (The speaker list was introduced into the record
4 as exhibit number 15.)

5

6 (The hearing concluded at 7:30 p.m.)

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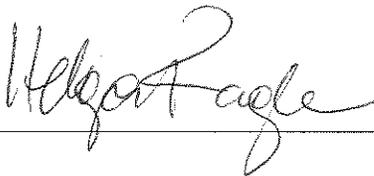
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Hampshire, ss.

I, HELGA RAGLE, Court Reporter-Notary Public,
hereby certify that the foregoing is a true and
accurate transcript of my stenographic notes of the
public hearing held at the John F. Kennedy Middle
School, 1385 Berkshire Avenue, Springfield,
Massachusetts on December 15, 2010 to the best of
my ability.

December 26th, 2010





Community Police Hearing Board Annual Review: Preliminary Status Report

The Community Police Hearing Board (the "CPHB") is currently in the process of preparing an annual report for 2010. To that end, data is being gathered and organized for presentation in the CPHB's annual report.

A summary review of the data from February 2010 through December 5, 2010 shows that the CPHB reviewed a total of 137 complaints. Of these complaints, the overwhelming majority of reviews found that the officers involved should be exonerated, or that the complaints were unfounded.

A review of the hearing data shows that twelve hearings were held on disciplinary charges issued against 11 different officers. One incident involved two complainants against the same officer accounting for the twelve hearings.

Of the twelve hearings, four of the officers were exonerated after a hearing. As to the remaining eight hearings, which were sustained, the Police Commissioner followed the CPHB's recommendation as to seven. In the eighth, the Commissioner exceeded the Board's recommendation. (Please see attached.)

Date of Hearing	Reviewed By	Incident Date	AO Number	Case Numbr	Race	ME	Location of Incident	Summary	Board Discipline	Final Disposition
8/18/2010	Aberdale & Tranghese	3/30/10 & 3/31/10	SO#10-073	n/a	Hispanic	Female	50 State Street & 130 Pearl Street	Officer did not properly dispose of property, was unprofessional with female victim and insubordinate in referring to his female supervisor.	Sustained on insubordination, recommend suspension	10 day suspension
8/18/2010	Aberdale & Tranghese	3/30/10 & 3/31/10	SO#10-073	n/a	White	Female	50 State Street & 130 Pearl Street	Officer did not properly dispose of property, was unprofessional with female victim and insubordinate in referring to his female supervisor. Complainant claimed that the officers were rude and when he objected, he was physically assaulted and arrested.	Sustained on insubordination, recommend suspension	10 day suspension
9/15/2010	Aberdale	4/30/2010	SO#10-112	n/a	Black	Male	Sheraton Hotel	Complainant claimed that the officers were rude and when he objected, he was physically assaulted and arrested.	Rec. retraining	1 day suspension
9/15/2010	Aberdale	4/30/2010	SO#10-112	n/a	Black	Male	Sheraton Hotel		Rec. retraining	1 day suspension
5/26/10 & 6/3/10	Alejandro, Aberdale, Tranghese, Jackson and Bailey	11/19/2009	SO#10-022	10-02	White	Male	75 Saratoga Street	Excessive Force	Exonerated	Exonerated
5/26/10 & 6/3/10	Alejandro, Aberdale, Tranghese, Jackson and Bailey	11/19/2009	SO#10-022	10-02	White	Male	75 Saratoga Street	Excessive Force	Exonerated	Exonerated
5/26/10 & 6/3/10	Alejandro, Aberdale, Tranghese, Jackson and Bailey	11/19/2009	SO#10-022	10-02	White	Male	75 Saratoga Street	Excessive Force	Exonerated	Exonerated
5/26/10 & 6/3/10	Alejandro, Aberdale, Tranghese, Jackson and Bailey	11/19/2009	SO#10-022	10-02	White	Male	75 Saratoga Street	Excessive Force	Exonerated	Exonerated
9/28, 9/30 & 10/6	Tucker, Aberdale, Alejandro, Morales-Harrison, Bailey	11/27/2009	SO#09-250	09-64	Black	Male	Rifle Street	Complainant claimed he was assaulted in the extreme by four (4) City of Springfield Police Officers during a routine stop	Board recommends termination of Officer Sedergren, or in the alternative, an extended suspension without pay and retraining	45 days suspension
9/28, 9/30 & 10/6	Tucker, Aberdale, Alejandro, Morales-Harrison, Bailey	11/27/2009	SO#09-250	09-64	Black	Male	Rifle Street	Complainant claimed he was assaulted in the extreme by four (4) City of Springfield Police Officers during a routine stop	Board recommends a suspension without pay of less than 30 days and retraining	15 days suspension
9/28, 9/30 & 10/6	Tucker, Aberdale, Alejandro, Morales-Harrison, Bailey	11/27/2009	SO#09-250	09-64	Black	Male	Rifle Street	Complainant claimed he was assaulted in the extreme by four (4) City of Springfield Police Officers during a routine stop	Board recommends a suspension for 30-60 days without pay and retraining, (5-0)	45 suspension
9/28, 9/30 & 10/6	Tucker, Aberdale, Alejandro, Morales-Harrison, Bailey	11/27/2009	SO#09-250	09-64	Black	Male	Rifle Street	Complainant claimed he was assaulted in the extreme by four (4) City of Springfield Police Officers during a routine stop	Board recommends termination of Officer	termination

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EXHIBIT
13
12/15/10

Committee on community Police Review Board ordinance proposals

Tonight is the third public meeting my wife and I have attended on this subject and my comments were such noted at previous meetings.

Tonight my wife and I would like to extend our thanks and appreciation to the committee for their energy, commitment, and effort in reaching out to our community and presenting draft proposals and soliciting public input on this subject.

You have heard from many of us as to perception and both negative and positive thoughts on this subject.

It must be noted that our input is only one of many factors that you as a committee must consider in your final recommendation and proposal on charter and duties empowered to review board.

Collectively your recommendation will be based on analysis of all pertinent data and community input and I trust that your proposal will best serve both our police department and citizens of Springfield in making positive change for all.

Thank You.
J. Wojcik
12/15/2010



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