

**Commission on Citizens' Rights and Community Relations
2008 - 2009 Annual Report**

Table of Contents

History	2
Vision & Mission Statement	3
Board of Commissioner's & Staff	4
Organizational Chart	5
Committees	6
Commission Duties & Powers	7
Commission Administration	8-10
Complaints	11-20
Accomplishments 2008 -2009	21-25
Strategic Plans 2009 - Beyond	26-28
Recommendations	29-32
Attachments	33-52
• Attachment A- Commissioner Biographies.....33-34	
• Attachment B-Complaint Form.....35-37	
• Attachment C-Bylaws.....38-46	
• Attachment D-IAOHRA (Buffalo News Article).....47	
• Attachment E-Advisory Committees.....48-49	
• Attachment F-Memphis Model.....50-52	

In 2000, then Mayor Anthony M. Masiello appointed a group of citizens to address race relations in the City of Buffalo. The Commission on Citizens' Rights and Community Relations (CCR&CR) was formed to serve as the foundation of the human relations support system for the City of Buffalo as well as to advocate on behalf of citizens of the City of Buffalo with regard to their Human & Civil rights. The Commission was created as a statutory agency of the City and as such its powers are granted by Section 18:20 of the City Charter.

CCR&CR's goal was to monitor and improve the quality of human relations within the community by interpreting the social inclinations and frustrations of citizens. CCR&CR staff works with the Board of Commissioners which, by Charter, is to be made of 11 citizens appointed by the Mayor. Members are recognized community leaders, selected for diversity and demonstrated commitment to social justice. At least one member is required to have law enforcement experience by charter. Together, Commissioners and staff work to gain insight on Buffalo's continually changing inter-group issues. The leadership of the Commission is vested in the Chairperson who is elected by the Board of Commissioners. Over the years three issue-focused subcommittees were created that address the needs of the Citizens and bring matters before the entire board in order to efficiently support the mission of the CCR&CR. It has been the Commission's goal to provide support of community relations through constructive dialogue, community mediation and training in the areas of diversity and police/citizen interaction.

CCR&CR Commissioners and staff work together to enhance human relations through the core service areas of inter-group relations, police-community relations, diversity and equality. Within these areas, the CCR&CR seek to accomplish the following goals:

- Prevent and eliminate prejudice, intolerance, bigotry & discrimination,
- Encourage equality of treatment,
- To assure respect for the Civil Liberties of all citizens,
- Provide channels of communication among various racial, religious and ethnic groups in the City of Buffalo,
- Recognize and track problems and patterns in areas of human and community relations,
- Improve inter-racial, inter-ethnic and community relations,
- Promote understanding, respect and goodwill among citizens.

Vision & Mission Statement

CCR&CR's Vision

A Buffalo where citizens' differences are acknowledged, understood, appreciated and embraced.

CCR&CR's Mission

It is the mission of the Commission on Citizens Rights and Community Relations of the City of Buffalo to strive to eliminate prejudice, intolerance, bigotry and discrimination to encourage equality of treatment and prevent discrimination against persons based on race, ethnic background, cultural background, language, religion, gender, sexual orientation, gender identity and expression, disability, nationality and age; and to assure respect for the civil liberties of all citizens.

City Charter Section 18:20

The City's Charter states that the Commission shall consist of eleven (11) members appointed by the Mayor and confirmed by the Common Council who are recognized community leaders, selected for diversity and demonstrated commitment to social justice. The City Charter also states that at least one (1) member should have law enforcement experience.

Currently, the Board of Commissioners has six (6) members. The Commission will continue to work with the current Administration to fill the remaining vacancies as quickly as possible. The Board of Commissioners consists of the following volunteers:

Current list of Commissioners

John Calvin Davis, Chairperson
Dana Bobinчек
Sherill Colston
William Covington, Citizens' Right Committee Chair
Kenneth Simmons
Carol Speser, Community Relations Committee Chair

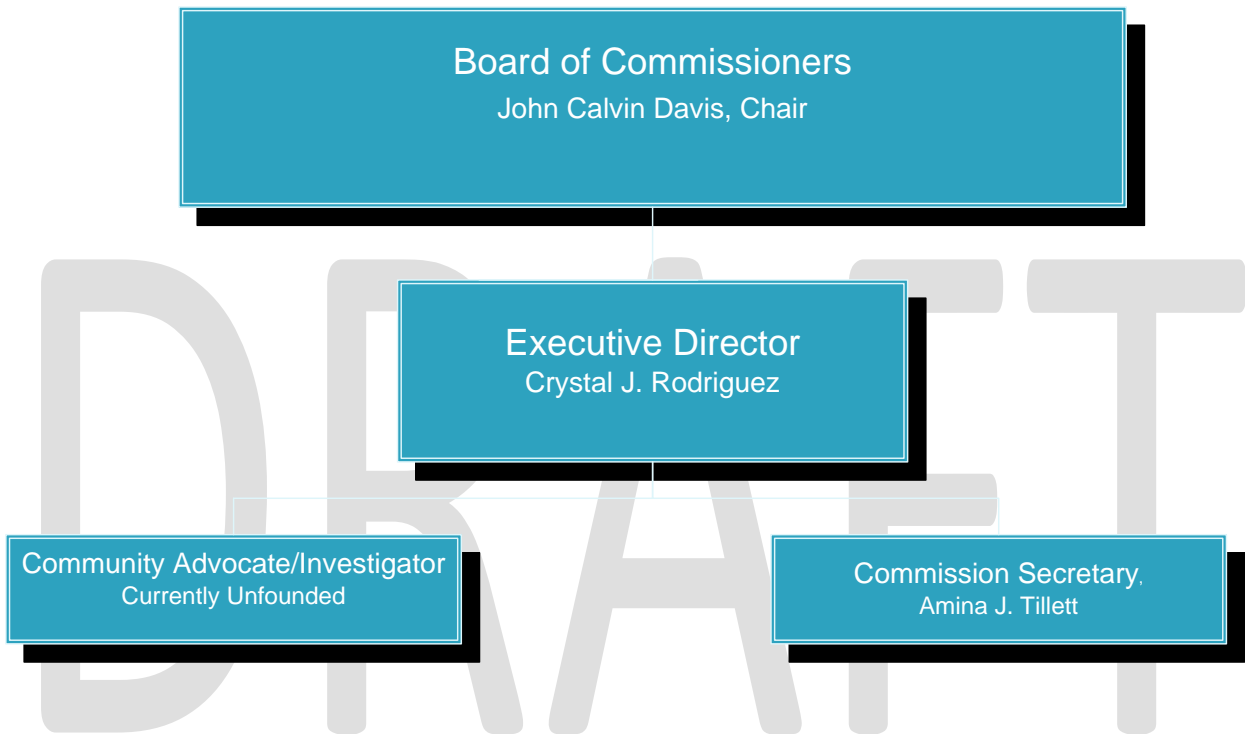
The Commission has the power to appoint an **Executive Director, Community Advocate and Secretary**. These positions are currently held by:

Crystal J. Rodríguez, J.D., LL.M.
Executive Director

Amina J. Tillett,
Secretary

*** Please see **Attachment A** for Commissioner Biographies.

Organizational Chart



Committees

The Commission operates through a Committee Structure. Currently there are three major committees in place that are charged with review and/or set the course of the work of the Commission. The Committees are as follows:

- **Citizens' Rights Committee:** Chairperson, Commissioner William Covington
 - Meets monthly to review complaints
 - Discusses current trends and patterns with regard to discrimination and other complaints
 - Develops strategies and solutions to address discrimination within the City of Buffalo

- **Community Relations Committee:** Chairperson, Commissioner Carol Speser
 - Provides direction that focuses on diversity, inclusion and equity, public awareness, program/activity planning and community organizational collaboration
 - Develops topics and structure of annual Race & Reconciliation Conferences.
 - Discusses current trends and patterns with respect to Community Relations in the City of Buffalo.

- **Police Oversight Committee:**
 - Meet with the Commissioner of the Buffalo Police Department and key staff on a consistent basis to discuss training, patterns and trends of complaints, various police activities and programs, community relations initiatives and policy.
 - Review complaints alleging police misconduct and reviewing with key staff from the Professional Standards Division of the Buffalo Police Department.
 - Currently, the Executive Director is performing the above duties and advising the Commission accordingly.

Commission Duties & Powers

The Charter for the City of Buffalo (Section 18:20-22) outlines the mission of the Commission including its duties and powers which are as follows:

18-22: Duties and Powers

The duties and powers of the commission shall be to:

- a) Develop programs in cooperation with civic, community and civil rights organizations and state and federal agencies, to improve relations among the city's racial, religious, ethnic, and other communities and build an inclusive sense of community throughout the city;
- b) Investigate and recommend action in response to incidents, patterns and causes of discrimination on grounds of race, ethnic background, cultural background, language, religion, gender, sexual orientation, gender identity and expression, disability, nationality and age;
- c) Examine, assess and recommend action on issues of equal opportunity and respect for cultural diversity within city government and its services and programs;
- d) Assist citizens with filing and pursuing complaints of police misconduct;
- e) Review, monitor, report on, and recommend to the appropriate city officials action concerning the police departments (i) initial and continuing training program in community relations and respect for citizens' rights; and (ii) standards and procedures for investigating, acting upon, and resolving complaints of police misconduct. Upon completion of the police department's investigation of a complaint of police misconduct, the commission may review the police department's file to the investigation;
- f) Submit at least once each year, and as requested by the mayor or common council, a report on: (i) its activities (ii) the state of community relations in the city (iii) the state of equal opportunity and respect for cultural diversity within city government and in its services and programs; (iv) the state of the police department's initial and ongoing training programs in community relations and respect for citizens' rights and standards and procedures for investigating and acting upon complaints of police misconduct; and (v) significant issues that have arisen concerning any of the foregoing matters;
- g) Hold public and private hearings and take testimony under oath, and to issue subpoenas requiring the attendance of person and the production of books, papers and other things;
- h) Request the cooperation of other agencies of city government; and
- i) Within the amounts appropriated by the common council or otherwise made available by grants, expend, contract for, or direct the expenditure of such sums, and accordingly provide, as permitted by ordinance or grant, the necessary facilities and personnel.

The quality of the staff of the Commission on Citizens' Rights and Community Relations directly impacts the quality and quantity of work executed on a daily basis. Below are the duties and job descriptions of the staff positions in the Commission on Citizens' Rights and Community. As mentioned previously, the Community Relations Advocate position is currently unfunded so the Executive Director and Secretary have taken on stated duties in order to ensure the Commission runs as smoothly as possible and that Citizens' complaints are addressed in a timely manner.

Executive Director

Responsibilities:

Administration and program development, awareness of and sensitivity to various diverse constituencies of the City and to seek social justice where needed and to eliminate prejudice, intolerance, bigotry and discrimination within the City.

Duties:

- Day to day operation of an independent public body which is responsive to the general public;
- Day to day supervision of Community Relations Advocate and Commission Secretary;
- Develop programs, sometimes in conjunction with civic, community and civil rights organizations as well as state and federal agencies;
- Conduct confidential investigations of incidents, patterns and causes of discrimination based upon protected classes as enumerated in City's Charter;
- Provide assistance to citizens with filing and pursuing complaints of alleged police misconduct;
- Administer Commission's monitoring of police department (i) training program in community relations and respect for citizens' rights; and (ii) standards and procedures for the investigation and resolution of complaints of alleged police misconduct;
- Locate Grant Assistance where available for programming;
- Fiscal oversight responsibilities for the Commission on Citizens' Rights and Community Relations

Community Relations Advocate

Responsibilities:

Training, research and investigation. Awareness and sensitivity to various diverse constituencies of the Buffalo Community. Demonstrated commitment to seeking social justice where needed and to eliminate prejudice, intolerance, bigotry and discrimination within the City.

Duties:

- Confidential field investigations of incidents, patterns and causes of discrimination based upon protected classes as enumerated in City's Charter;
- Assist with supervision of staff and volunteers;
- Day to day fieldwork, research, and reporting of issues pertaining to confidential investigations pursued by Commission;
- Complaint file/database maintenance;
- Assist Executive Director in development of programming and training for community and City Government that helps to foster greater tolerance, understanding, inclusion and appreciation for multiculturalism;
- Assistance in writing, research and grant writing

Secretary to Commission

Responsibilities:

Perform clerical and administrative support duties along with daily office management. Ensure material is available for all programming and meetings and that each Commissioner is notified of such meetings and programs.

Duties:

- Typing, clerical and administrative tasks;
- Processing of daily mail to be date stamped and distributed accordingly;
- Assistance in drafting, proof reading, transcribing and/or forwarding correspondence, minutes reports, schedules, handouts, press releases, budgets, newsletters, and other documents for printing;
- Arrangement of Commission meetings, taking minutes for meetings, arranging hearings/forums and transcribing minutes from such meetings;
- Making all announcements and minutes accessible on Commission website after approval;
- Development and maintenance of databases for mailing lists; including faith based community, civil rights groups, media, community groups and block clubs;
- Collecting, recording and preparation for statistical reports;
- Answering telephones, providing information to callers and routing calls;

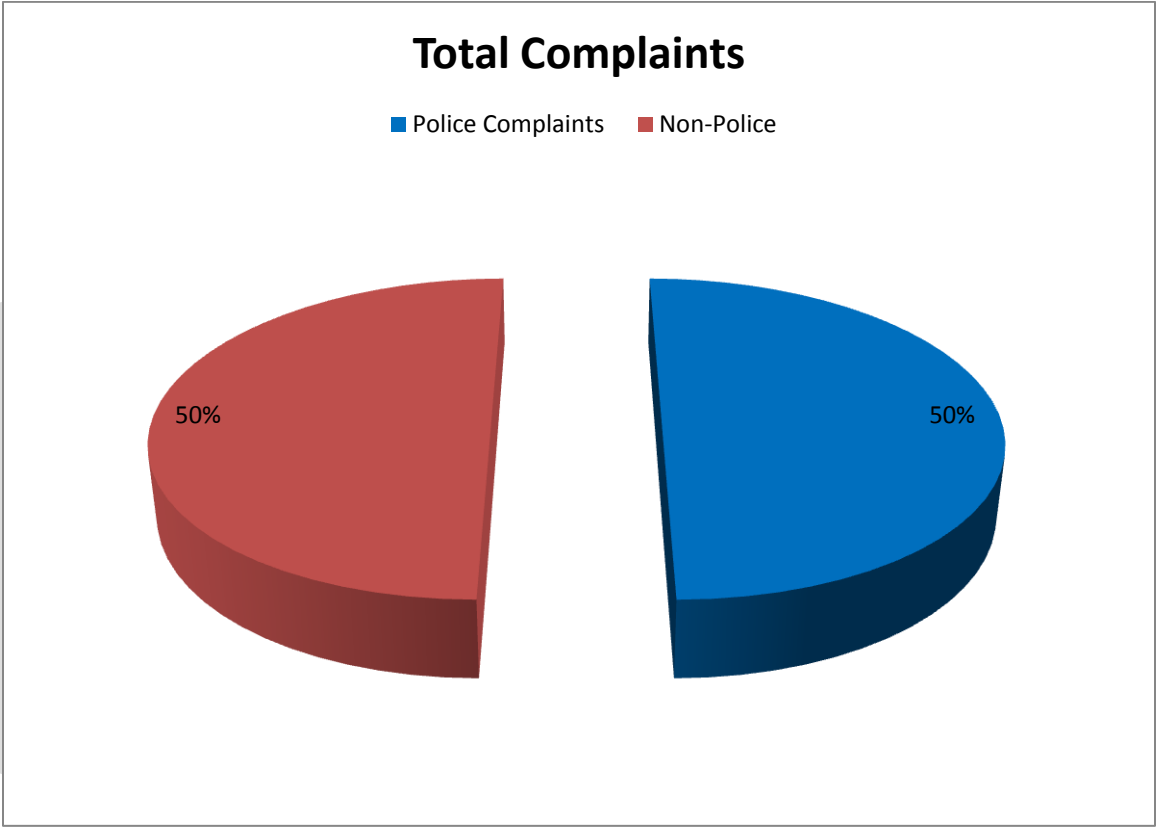
- Creating, filing, ordering and maintenance of supplies and equipment;
- Management of voicemail system.

DRAFT

Complaints

The CCR&CR assists citizens with complaints that can be categorized in two (2) groups:

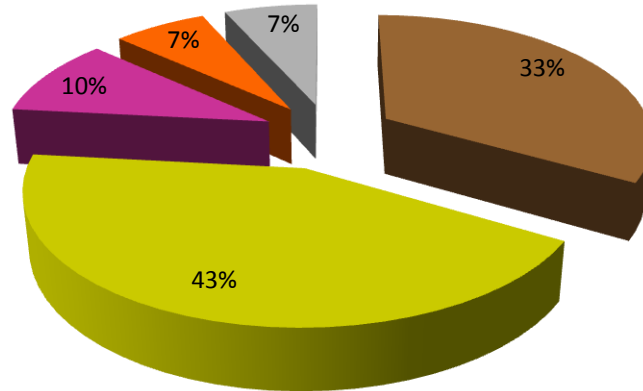
- 1. Police Misconduct/Excessive Force
- 2. Discrimination (non-police)



Police Complaints	30
Non-Police Complaints	30

Police Complaint Files

■ Harassment ■ Race ■ Brutality ■ Sex ■ Disability



Type of Discrimination	Number of Complaints
Harassment	10
Race	13
Brutality	3
Sex Discrimination	2
Disability Discrimination	2

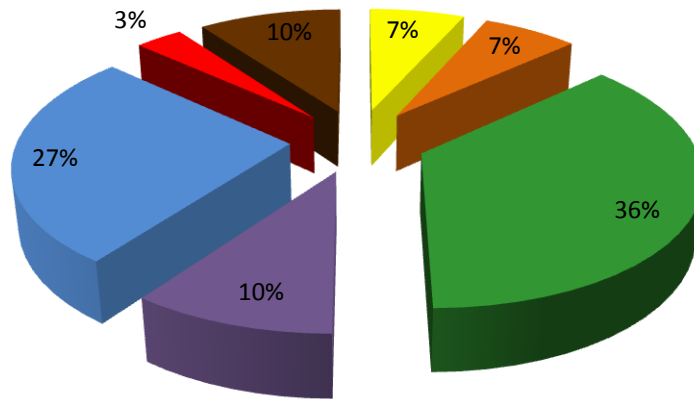
Complaint Resolutions	Total Number
Currently Active with Commission	5
Exonerated by PSD Investigation	1
Sustained by PSD Investigation *	2
Not Sustained by PSD Investigation	12
Not Sustained by PSD Investigation, Training Recommended	2
Conferences with Officers Held **	5
No Further Contact/Unable to contact	5

*Hearings Scheduled

**Conducted by BPD Commissioner

Police Complaints by District

■ District A
 ■ District B
 ■ District C
 ■ District D
 ■ District E
 ■ Motorcycle Unit
 ■ Unknown



Police Complaints by District	Number of Complaints
District A	2
District B	2
District C	11
District D	3
District E	8
MRU	1
Unknown	3

1. Police Complaints

One of the statutory duties of the Commission is to assist citizens with filing and pursuing complaints of police misconduct. Additionally, upon completion of the BPD Professional Standards Division's investigation, the Commission's Executive Director can review the file and documents pertaining to investigation.

The Commission can only assist a citizen in filing a complaint regarding police misconduct and cannot conduct its own investigation of the allegations. All citizens who request Commission assistance are notified that their information and complaint details are maintained in the CCR&CR office for statistical purposes and used in efforts to identify patterns, incidents and causes of discrimination/alleged misconduct against citizens. They are also notified that until an official complaint is filed with PSD, that no action can be taken by the Commission.

As close to half of the complaints received by the Commission are concerning allegations of police misconduct, the Commission is concerned about training for Buffalo Police Officers and equally concerned about the remedial process for officers against whom allegations of misconduct have been sustained.

Areas of concern include complaints of discrimination, police misconduct and difficulty at the district level in obtaining information on how to file a complaint against an officer.

Below is a breakdown, by district, of Police Complaints received by the Commission since May 2009.

Buffalo Police Department's Complaint Process

As stated above, all citizens who have a police complaint are required to file an official complaint with the Buffalo Police Department. Citizens can do so either by filing a complaint at the district level or by contacting the Professional Standards Division of the Buffalo Police Department which is located in Police Headquarters. As a policy, anyone seeking assistance from the Commission has been referred directly to PSD to lodge their complaint.

The PSD Commanding Officer and staff have been extremely helpful in that they have, on many occasions, made themselves available to take citizens complaints here in the Commission office where many feel more comfortable.

It is PSD who determines whether an investigation will be opened and if so, whether such investigation will be handled by their staff or sent to the district level to be handled.

Whatever decision is made, generally, a PSD investigation should be completed within 30 days. However, this time can be extended due to common circumstances that hinder investigation such as location of witnesses, evidence, etc.

Once an investigation is completed, PSD staff discusses the complaint with the Police Commissioner where he will render a finding and if necessary, decide an appropriate remedy for the officer involved. Citizens are notified of the finding in writing.

PSD and the CCR&CR have developed a wonderful working relationship where update meetings are held on a regular basis to discuss files as well as patterns concerning specific officers, districts or targeted individuals.

However, the Commission is concerned about citizen access to the complaint process. While advertisements appear on the government's information channels and signs are posted in headquarters and at district stations, the Commission still interacts with an unsettling amount of citizens who allege that they have been either discouraged or outright prevented from filing complaints at the district level. The Commission decided to send a diverse group of "decoys" to all district offices at different times of the day to inquire about the complaint process. All decoys were asked specifically not to mention PSD and to say that it

was a family member who had been arrested and wanted to file a complaint. They were asked to be polite and to be reluctant to share details of the arrest but simply request to gather information about the complaint process. After discussing the various experiences with the decoys, the Commission would like to share the following information:

District A

Decoy Description: Black Male, early thirties, plainly dressed

If this was a graded experiment, then certainly District A would receive the highest grade. The Supervisor who helped the decoy was not only polite but so very thorough in explaining the complaint process that it would have been difficult for any citizen to walk away without a complete understanding of the options available to them.

The Supervisor took the decoy to a private area where he would feel comfortable sharing details but when the decoy expressed reluctance the supervisor did not change his disposition. He gave the decoy forms and complete contact information for the PSD office. He also provided his contact information, should the decoy have any additional questions at a later time.

This interaction is positively profound on several levels. First, if there was a training video available on how to handle a complaint, according to this decoy's experience, this should be it. The appropriate details were provided and the interaction was positive in that the decoy was not in any way discouraged from filing a complaint either at the district level or with PSD. Secondly, the decoy was not pushed for details. Many citizens claim that they are denied information unless they disclose the details about the incident such as the Officer's name, date, time and location of alleged incident. While at some point this information is important, it is not required in order to provide citizens with information regarding the complaint process. In fact, it is the Commission's position that no details of the incident are needed from a citizen in order to provide information on how to file a complaint. Lastly, and perhaps the part that many may feel the most uncomfortable in mentioning, is that District A is located in an area with a predominantly Caucasian population and where most of the complaints lodged, police and non-police, are from citizens of minority dissent. This decoy was treated fairly and with dignity in spite of his racial background.

District B

Decoy Description: Hispanic Female, late twenties, plainly dressed

The report technician at this district who assisted the decoy was both helpful and courteous. The only question the decoy was asked was if the incident was about being arrested. The decoy was not discouraged in any way from filing a complaint and was given the contact information necessary to file with the Professional Standards Division though no forms were handed out.

District C

Decoy Description: White Male, late fifties, plainly dressed

The interaction with the report technician at this district was evasive and very discouraging when it came to obtaining information on filing a complaint. The technician was asked by the decoy if there was a form that he could take with him to fill out and he was told that the supervisor would be the only one to fill out the complaint form. Her reasoning was that the district wanted to make sure that the person filling out the form was the person making the complaint. He was pressured for identifying information about the officers and the excuse given was that they needed to determine if the officers were from that district or the Mobile Response Unit. The decoy was asked “mockingly” if he would write down the officer’s name despite his expressed desire for confidentiality.

The decoy’s overall feeling about his interaction at this district was non-supportive and very discouraging. He felt that he was denied information that should have been easily given to him upon request. In the end he left with no contact information.

District D

Decoy Description: Black Female, late thirties, casually dressed

The interaction at this district was encouraging regarding filing a complaint against an officer. The decoy was not asked any direct questions about the officer just when the incident happened. At no time during the visit was she discouraged from filing a complaint and the report technician was polite and gave her the proper information for filing with PSD.

District E

Decoy Description: Black Female, late twenties, casually dressed

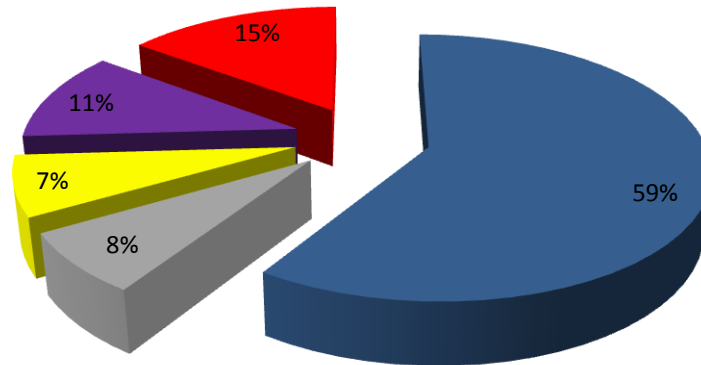
The interaction at this district with the report technician was positive. The decoy was in no way discouraged from filing a complaint but was asked who the complaint was against and given the information needed in order to file a complaint with PSD.

Overall, it is the Commission's view that the Buffalo Police Department has made significant improvements, especially in light of the recent past where the Department of Justice was monitoring activities and setting benchmarks for BPD to meet in order to be released from federal scrutiny. The BPD has been nothing but cooperative with the Commission and forthcoming with requested information.

The Commission, however, is still gravely concerned with the level of Cultural Competency of BPD Officers who interact daily with citizens and believes that training is imperative in order to assure all citizens have productive encounters with officers and to reduce the number those victimized whether purposefully or due to lack of proper training. Please see recommendations for further information including making a minimal, yet imperative, investment in Diversity Training for all City Departments.

Non Police Related Complaints

■ Race ■ Gender ■ Religion ■ Disability ■ Other



Type of Discrimination	Number of Complaints
Race	16
Gender	2
Disability	3
Religion	2
Other	4

Non-Police Complaint Resolutions	Total Number
Resolution between Parties Mediated	5
Unable to Assist Due to Litigation	3
Unable to Assist Due to Jurisdiction	1
No Response/Unable to Contact	3
Declined to Pursue	1
Discrimination Inconclusive/Unfounded	10
Referred to Outside Agencies*	6

*The Outside Agencies are:

- NYS Division of Human Rights
- American Medical Association
- Belmont Shelter
- NFTA
- Housing Opportunities Made Equal (HOME)

2. Discrimination/non-Police

Many citizens request assistance from the Commission because they feel as if their rights have been violated by an organization and/or public accommodation within the City of Buffalo, i.e., another City Department, Social Service Agency, business, etc.

While the Commission cannot assist citizens with every complaint, Commission staff has access to an extensive list of agencies that provide various services and carefully refers citizens to the agency/agencies that can be of the most assistance often personally making the first contact on behalf of the citizen.

DRAFT

Accomplishments 2008-2009

The following is a summary of the many accomplishments the Commission has made since filling the Executive Director's position in May of 2008.

File Re-Assessment

The first task for the new Executive Director was to begin a review of all open files, some of which dated back to 2002, and determine what action, if any should be taken. Files were thoroughly reviewed, complainants were contacted and files were updated, closed or redirected based upon the circumstances of each case. There were some cases in which the Commission was unable to help. Those complainants were either referred to an agency that could help them or informed of the Commission's inability to assist. Currently, there is no case file open that dates back beyond 2008.

Updated Complaint Form/Complaint Process

In addition to redesigning and updating the Complaint Form [**See Attachment B**], the Executive Director has devised a plan that allows for complaints to be presented to Commissioners and that a response is given to the Complaining party within sixty (60) days of receipt. This sixty (60) day limit is applicable to all complaint except those of a police nature as the Commission cannot guarantee how long an investigation will last in the Professional Standards Division of the Buffalo Police Department. However, contact is maintained and the Executive Director is in touch with PSD in order to get an update on cases frequently.

PSD/CCRCR Joint Review of Complaints

Recently retired, Inspector Patrick Stafford from PSD and the Executive Director have developed an understanding of the need to meet on a quarterly basis to review cases and discuss the file outcomes. PSD has been cooperative in helping the Commission maintain this schedule and has remained accessible in between meetings. This enables the Commission the opportunity to update citizens on the status of their case and to assure them that the matter is being investigated thoroughly. It is the Commission's hope that Inspector Stafford's successor will maintain the positive relationship that has between the two departments.

Diversity Training Certification

In September 2009, the Executive Director attended Diversity Certification Training conducted by the nationally accredited Diversity Training University International. This training course, which has been attended by various high level employees from Fortune 100 Companies, Universities, and Federal, State and Local Municipalities,

consists of two (2) levels which must both be completed in order to receive designation as a Certified Diversity Professional (C.D.P).

The criteria for maintaining this certification is the completion of nine (9) hours of advanced level diversity course each year. One of the Commission's goals is to collaborate with Human Resource officials and department heads to coordinate diversity training sessions for City employees. By providing this training, we not only save the costs associated with hiring a training professional but the City also increases employees' cultural awareness, knowledge and skills which is an effective tool that can be used to reduce the number of civil rights/discrimination violations, increase the inclusion of different identity groups and promoting better teamwork.

Commissioner Orientation

The Executive Director organized a day-long retreat where Commissioners gathered to discuss not only the goals of the Commission but also for a period of instruction where Commissioners were able to gain a better understanding of the powers and limitations of the Commission so that it can better serve those that request assistance. Issues such as jurisdiction, local law vs. state law, protected classes and where to send those we cannot assist were discussed as well as goals and future programming for the Commission.

2009 Race & Reconciliation Conference

The Commission, as described in City Charter Section 18:22(a) which states that the Commission should develop programs to improve relations among the city's racial, religious, ethnic and other communities to build an inclusive sense of community throughout the city, and sponsors an annual Race and Reconciliation Conference. The conference's goal is aimed at bringing the Buffalo Community together to discuss ideas targeted at dismantling the residue of institutional racism in the Western New York Area. Previous conferences have given the community an opportunity to address racial issues and come together for a common purpose. Additionally, the conference seeks to raise ethnic awareness and improve race relations.

The 2009 Conference, which dealt with the issues of Poverty and Racism and their connection, was attended by over 700 participants and took place at the Hyatt Regency Hotel in downtown Buffalo. The Commission was extremely excited to have as its guest speaker the legendary civil rights activist, Angela Davis, who discussed the importance of inclusion and equality in the fight against poverty. The day-long conference included workshops on Educational Opportunity, Financial Literacy, Safe

Communities, Job Skill Development, Affordable Housing, Family Support Services, Re-Entry and Domestic Violence. Local professionals with expertise in the aforementioned topics areas facilitated each session. Additionally, the Commission partnered with the Buffalo Arts Commission for the “Diversity through Arts” initiative that highlighted not only the Art Community’s diversity but also appreciation for the City’s diversity through artistic expressions such as drawings, dance, poetry and spoken word.

As there are no funds allocated in the City’s budget to assist with conference costs, the Commission relies on corporate and community sponsors to underwrite this effort. The Commission would like to recognize **AT&T** and the **University at Buffalo** who both served as the 2009 Conference’s Diversity Sponsors. Additional assistance provided by Buffalo Urban League, Council members Bonnie E. Russell and Demone A. Smith, Kaleida Health, Tops Super Markets, Sheehan Health Network, Wegmans, Catholic Charities of Buffalo, Belmont Housing of WNY, Main Seneca Corporation, Buffalo Teachers Federation, Inc., Sheriff Timothy B. Howard, The Buffalo Law Journal and Rich Products.

2010 marks the ten year anniversary of the Commission and the Executive Director is currently in the process of planning this year's Conference which is entitled "The Unfinished Business of Civil Rights: With Liberty and Justice for All". We are please to have as this year's keynote speaker Mr. Thomas Perez who heads the United States Department of Justice's Civil Rights Division and is also a Buffalo area native. We will highlight Buffalo's contribution to historical Civil Rights movements and take a look forward at what role our great City can play in the Civil Rights arena of the future.

Board of Commissioners By-Laws

It came to the Executive Director’s attention during Board meetings that the Board of Commissioners had been operating since its inception in 2000 without By-Laws. Bylaws, which are the set of rules governing a board’s internal affairs, are often neglected as a tool for ensuring good governance.

The Executive Director undertook the task of writing bylaws for the Commission that not only comport with the mission but also allow for growth in the future as the Commission grows. Some of the topics addressed in the Bylaws are:

1. Election of Officers
2. Regular and Special Meeting schedules
3. Voting Rules and participation
4. Record Keeping
5. Attendance

Please see **Attachment C** for a complete copy of Commission Bylaws.

Community Basic Training Series

The Commission began this on-going community series with its “I’ve been stopped by the Police – Now What?” forum. The Community Basic Training Series was created to provide citizens with information regarding the Commission and our mission as well as to educate them on certain topics that have been demonstrated as areas of concern by monitoring complaints received in the Commission office. In response to the number of complaints we receive regularly regarding police encounters, the Commission decided it would be prudent to create an instructional booklet for citizens enumerating informational tips that help citizens conduct themselves in a positive and appropriate manner when encountered by a Buffalo Police Officer. It also provides them with information on how to file a complaint if they feel their rights have been violated.

Building better relations between citizens and the Buffalo Police Department is one of the Commissions’ primary concerns. We know that every action, by both law enforcement officials and citizens, has a bearing on the relationship the BPD has with communities and vice-a-versa. It is the Commission’s job to build a bridge between the two and to ensure that the community is protected and treated fairly.

Diversity Newsletter

In an effort to better communicate with the community, the Commission will publish a quarterly newsletter that will be available in both electronic and paper format. This newsletter will not only discuss civil rights issues of concern to the community but also highlight the outstanding contributions of people and organizations in the City of Buffalo whose everyday efforts contribute to making Buffalo a diverse and inclusive community. Additionally, the newsletter will update the community on Diversity and Inclusion programming and legal updates as they come available.

Meetings Minutes Available on City Website

In an effort to keep the community engaged and informed, the Commission now posts minutes from Board meetings on its website.

E.D. elected to IHORA Board of Directors

The Executive Director was elected as a member-at-large of the **International Association of Official Human Rights Agencies (IAOHRA)**. IAOHRA is a nonprofit coalition based in Washington, D. C. that represents human rights groups in the U. S. and Canada, including the Commission.

DRAFT

Strategic Plans 2009-Beyond

While very much has been accomplished by the Commission, there is still much to do. In an effort to further the Commission's mission, the Board of Commissioners have unanimously decided on a strategic plan which includes the following key initiatives:

Create Connections with Community

- Provide Educational Opportunities for residents related to diversity and inclusion, police contact and discrimination.
- Reach out to various community organizations (religious, cultural, civic, etc.) regarding value of equal participation, diversity and inclusion.

Encourage Dialogue

- Quarterly newsletter that discusses local issues, upcoming events and meetings; and encourages citizen involvement and offers opportunity for feedback as well as highlights issues affecting various communities.
- Establish "Town Hall" meetings in which all members of community are welcome to express views and concerns about various issues related to community relations and citizens' rights.
- Set up Advisory Panels (**see Attachment E**)
- Establish Diversity and Inclusion roundtable to meet on a regular basis to address critical issues facing the City of Buffalo regarding Discrimination, Diversity, Inclusion and Cultural Competency.

Focus on City Employees & Policies

- Conduct survey of department heads measuring their needs/concerns with regard to diversity and inclusion
- Provide comprehensive training for City employees focusing on dealing with diverse constituencies, recognizing cultural religious and other differences and preventing discrimination.
- Invite Department heads to meet with Board of Commissioners to discuss diversity and inclusion concerns specific to each department.

Involve Youth

- Promote cultural understanding events at local schools where students are able to experience different cultures 1st hand by exposure to food, music, art and customs of various ethnic populations in the City of Buffalo.

Establish Buffalo Mosaic Program

- The Commission wishes to partner with the Buffalo Public Schools in an effort to work towards a peaceful future by reaching children in their formative years before they develop the bigoted ideas that influence the behavior we strive to eliminate.
- This project would unite young children of diverse backgrounds, provide them with essential skills to thrive in an increasingly diverse society, and empower them to understand the importance of diversity and inclusion.
- The Commission would create a microcosm of a diverse, inclusive, just world free from bigotry and racism and show our young students that complete diversity and inclusion is not only possible but necessary to succeed in life.
- The Commission would seek to work with a limited number of students selected by criteria to be developed at a later time by the Commission and the Buffalo Public Schools. By completing the program it is our hope that not only will students be inspired to value diversity and inclusion but also that they will be given concrete skills that empower them to take action.
- Funding will be needed for this project.

Implement Diversity Training

The Executive Director is prepared, and requests assistance from City leaders, to develop and implement Diversity Training for City employees that will allow them to utilize the skills gained when interacting with the City's diverse constituencies as well as one another. Please see #1 under Recommendations section for more information.

Offer Community Mediation for Various Disputes related to Community Relations

The Executive Director will be formally trained and prepared to offer to citizens Mediation for "community related" disputes. Often, many of the citizens who seek the Commission's assistance are experiencing on-going problems with neighbors due to varied cultural differences. Currently, the Commission is unable to assist citizens with these types of problems and can only recommend contacting law enforcement if the activity/interaction rises to the level of harassment or other criminal act. By providing Mediation services, the Commission hopes to be able to foster positive community relations that reduce confrontation and allows each citizen to enjoy their home as well as their neighborhood. Of course, Mediation would be on a completely voluntary basis, however, so many of the citizens who have been sent to the Commission for help have expressed that such an option would be tremendously helpful to them.

Additional funding for providing such services will be requested in the upcoming budget.

Partner with Local Media

- Promote more stories of inclusion in the local media as well as in the Commission Newsletter to enhance the understanding of different cultural groups of citizens living together in the community and to gain a broader support for community inclusion initiatives. Additionally, the Commission wishes to demonstrate to local media the importance of responsible news dissemination that does not foster ethnic, racial and cultural discourse.
- Provide regular updates to the media about progress on action steps in the Community and upcoming diversity and inclusion activities/events.

DRAFT

Recommendations

The Commission on Citizens' Rights and Community Relations pursuant to § 18:22 (f) of the Buffalo City Charter, in conducting its business via research, citizen complaints and community meetings, makes the following recommendations in this Annual Report:

1. **Implement Diversity Training**

Diversity Training has been defined as innovative leadership training that focuses on solutions rather than problems and building coalitions rather than winning confrontations. Additionally, it is a pragmatic approach that can be used to tackle the problems that come along with lack of diversity training. The Executive Director is prepared, and requests assistance from City leaders, to develop and implement Diversity Training for City employees that will allow them to utilize this approach when interacting with the City's diverse constituency as well as one another.

Using the following steps as a possible methodology along with a personalized training component developed specifically for the City of Buffalo that can assist employees in various departments in increasing their productivity by improving the manner in which they interact with one another and the public:

- **Data-Driven Analysis** which uses surveys and data to analyze each department's needs and allows us to take ideology out of the discussion. The data collected will keep the attention focused on disparities in service, if any, to Historically Excluded Groups (HEG's), inter-departmental relations among employees and how, if at all, this affects constituent services.
- **Participatory/Collaborative Governance**
Develop a Diversity Advisory/Steering Committee made up of a carefully chosen and diverse group of employees that would assist in decision making with regard to Diversity Training, programming to carry out the City's Diversity plan and communicate effectively to their respective departments what the Diversity Plan encompasses.

- **Implementation**

Begin scheduling training for employees taking scheduling and manpower coverage into account.

The Commission re-asserts its recommendation made in previous years that Diversity training be on-going and mandated and that funding be allocated so the Commission can conduct such training. The Commission would like to work with the Human Resources Department in an effort to develop a schedule where training for all departments can be completed by December 2010. The Commission suggests that these departments be trained first due to their constant public interaction:

- Police
- Fire
- Public Works
- BMHA

2. Establish the City's official definition of Diversity & Inclusion

Few businesses as well as local municipalities have a clear definition of Diversity and Inclusion and why these things are important. This lack of definition makes Diversity & Inclusion a nebulous concept and hinders progress toward achieving goals of Diversity & Inclusion. As such, the City of Buffalo is in need of establishing its official definition of Diversity & Inclusion so that our goals can be better defined and more easily reached. Diversity & Inclusion cannot be considered important if what it is has not been articulated.

3. Use "Double-Up Days" for BPD Training

The Commission highly recommends that as much as possible, opportunities to train officers be used. Double-up days, where two shifts of officers are on duty simultaneously, may be able to be used for various training opportunities. This time can provide the much needed training for officers and over time, assurance that officers are well trained and providing services safely for both officers and citizens.

Training topics should include the following:

- EDP (Emotionally Disturbed Persons) Training
- Diversity Training
- Topics in the Use of Excessive Force

Greater attention needs to be made to provide services sensitive to the growing Mental Health and Disabled community. Many individuals require extra assistance and special care needs to be taken during a police encounter. In order to assure this, proper training must be provided.

According to the BPD, they have decided to train officers in Crisis Intervention Teams (CIT) which is based on the award winning **Memphis Model**. An undisclosed percentage of the officers will get a 40 hour training curriculum and be designated as CIT officers. CIT officers will be trained in proper methods of handling persons with mental health issues. This training will be in conjunction with the Sheriffs Dept, ECMC, 8th Judicial District and Crisis Services. See **Attachment F** for more information on the **Memphis Model**.

4. **Obtain New York State Law Enforcement Accreditation**

The Commission once again strongly recommends the Buffalo Police Department seek New York State Law Enforcement Accreditation in accordance with City Charter 13-18 which states:

“The commissioner of police shall seek, obtain and maintain accreditation of the department of police by an agency or organization generally recognized and accepted by law enforcement officials in New York for certifying compliance with generally accepted law enforcement training, policies and procedures and other relevant techniques and methods of operation.”

According to the New York State’s Division of Criminal Justice Services, Office of Public Safety, the Accreditation Program is a “...progressive and contemporary way of helping police agencies evaluate and improve their overall performance. It provides formal recognition that an organization meets or exceeds general expectations of quality in the field. Accreditation acknowledges the implementation of policies that are conceptually sound and operationally effective.”

For more information on the program, principal goals and standards please go to:

<http://criminaljustice.state.ny.us/ops/accred/index.htm>

5. Provide Hate Crime Training

The Commission recommends that community stakeholders become educated in legislation with regard to Hate Crimes. Once educated, these citizens would be better equipped to recognize what constitutes a Hate Crime as opposed to what does not and share information with law enforcement officials accordingly. Additionally, educating community stakeholders provides the benefit of preventing community panic and unrest.

6. Hire Investigator

The Commission requests that the Community Relations Advocate position within the department be funded.

7. Appointment of diverse and qualified Commissioners

The Board of Commissioners, according to the City Charter, is to be made up of 11 Commissioners selected by the Mayor for their commitment to diversity and social justice. The Commission recommends that a review of interested candidates continue in order to fill the five (5) seats currently open on the Board.

8. Obtain additional Funding for Educational Programming

The Commission can only be successful if it is adequately able to connect with the Community by providing educational opportunities through forums and classes. The Commission has begun this effort but its resources are limited when it comes to advertisement, materials and obtaining credible speakers. The Commission recommends that more funding be provided that could be used not only for the Community Basic Training Series but also for the annual Race & Reconciliation conference where over 700 citizens attend and participate. Currently there is not funding provided in the City budget for the conference and private funding exclusively is relied upon.

Additionally, the Executive Director will continue to work with the Director of Urban Affairs to locate, apply for and procure grant funding for such programming.

A- Commissioner Biographies

John Calvin Davis, Chairman

John Calvin Davis currently serves as Chair of the Commission on Citizens Rights and Community Relations. Mr. Davis is a native of Buffalo who is a graduate of Hutch-Tech High School, Howard University (BA & MA) and Florida State University College of Law. Mr. Davis practiced law in both the public and private sectors in Florida for several years prior to returning to Buffalo to live. Mr. Davis also taught law at Florida State University and Emory University. Mr. Davis served as the first Affirmative Action Coordinator for the City of Gainesville, Florida and developed and implemented the city's Affirmative Action Plan. In addition to his role with the Commission, Mr. Davis also serves as the Chair of the Community Action Organization Board of Directors, Chair of the Commission on Ethics for the Buffalo School Board, Vice-Chair of the Sheehan Health Network Board of Directors and a member of the Citizen Action Board of Directors.

Dana Bobinчек, Commissioner

Commissioner Bobinчек currently serves as the Special Assistant to Mayor Byron W. Brown and is a Public Affairs professional with 10 years experience in managing projects from cradle to grave, coordinating internal/external communications and directing administrative operations. She also possess' a grad based background in public, private and not-for-profit sectors. Commissioner Bobinчек was the Erie Chapter Director at the New York League of Conservation Voters and very active in causes having to do with environmental issues, urban quality of life and community relations. She proudly serves on the Commission's Community Relations Committee and was the architect of the Commission's Diversity through Arts Program.

Sherrill W. Colston, Commissioner

Sherrill Colston has been an entrepreneur for over forty-two years, civil leader, community activist, business leader, and humanitarian. He is the Chief Operating Officer of Colston's Enterprise, Inc. which provides automotive repair services and New York State inspections, and used car sales. He has served as chairman of the Buffalo Municipal Housing Authority and is a life member of both the NAACP and Operation People United to save humanity. He is an active member and Deacon at the Humboldt Parkway Baptist Church.

William Covington, Commissioner

Now in his second term, Bill has served on the Commission on Citizens Rights and Community Relations since his appointment in 2005. He is currently the Chair of the Citizens Rights Committee of the CCRCR. A lifelong resident of Buffalo, Bill works as the Buffalo-Niagara Organizer for the Healthcare Education Project of 1199SEIU and the Greater New York Hospital Association, a healthcare access advocacy organization. Bill has had a lifelong commitment to social and economic justice, and has been a union organizer for more than 20 years. He is an active member of St. John Baptist Church, serving as a member of the Trustee Ministry and the Male Usher Board. Additionally, he serves on the Board of Directors of the St. John Fruit Belt Community Development Corporation and the Western New York Council on Occupational Safety and Health.

Kenneth A. Simmons, Commissioner

Kenneth is also currently a Board Member of Johnnie B. Wiley Sports Pavilion, Chairman of the CAO Saves Ourselves Program, Board President of Pop Warner Bills, and President of the NICYO Little League Baseball and was a former Erie County Democratic Committee Zone Chairman. Kenneth is the proud father of five children and one grand-child. He also serves as the Director of Center Services for the Community Action Organization of Erie County, Inc. His responsibilities include overseeing the facilities management and operation of six community centers in Buffalo, Angola, and Lackawanna. Kenneth is the youth and associate pastor at Second Chance Ministries. He is also the recipient of numerous civic and community awards, including the 2007 Father of the year Award from the National Chapter of MADDADS and most recently, the 2009 “Where Eagles Dare” Youth Advocate Award.

Carol D. Speser, Commissioner

Carol Speser is a fourth generation Buffalonian and a life long grassroots organizer. She has been instrumental in the founding of many LGBT organizations including Western New York’s Stonewall Democrats; Pride Buffalo; Shades - Buffalo’s first lesbian of color organization; the Empire State Pride Agenda; and WNY Gay Mishpachah. Ms. Speser was the publisher and editor of Buffalo’s first gay magazine, PridePath. For four years, she led the early gay pride efforts in Buffalo. In 1991, she conceived and organized Buffalo’s historic first outdoor Gay Pride Celebration, held at the Buffalo and Erie County Historical Society. At the 1993 National Gay Rights March in Washington, she was honored as New York State’s Outstanding Grassroots Organizer.

In addition to her pioneering efforts for the LGBT community, Ms. Speser has been a part of many local coalitions and projects such as the AIDS Interfaith Network, MOCHA (Men of Color Health Awareness Project) and Buffalo United for Choice. She served on the planning committee for the very first Race and Reconciliation Conference in 2000, where she facilitated two workshops. She holds Masters Degrees in both Creative Studies and Library Science. She was the children’s librarian at the North Jefferson Library for many years. Ms. Speser is now a community-based chaplain. She is currently the founder/director of Rainbow Spirit Rising and most recently organized Buffalo’s 2009 *Fabulous Interfaith Service for Gay Pride*. Ms. Speser is the great-granddaughter of one of the founders of Temple Beth Zion, where she is a life-long member and serves on the Caring Committee

B- Complaint Form

CHAIRPERSON

John C. Davis

Dear Citizen:

COMMISSIONERS

Dana Bobinchek
Sherrill Colston
William Covington
Kenneth Simmons
Carol Speser

Enclosed you will find an official Commission on Citizens' Rights and Community Relations Incident Report form. Please fill out the form with as much information as possible. It is important that you write legible and please try to include as many details as you possibly can. If necessary, you write or type your complaint on a separate form and attach it to the Incident Report before sending it back to the Commission.

If your complaint is against a Buffalo Police Officer(s), you **must** also contact the Professional Standards Division of the Buffalo Police Department to schedule a time to lodge a formal complaint with them as well. You can do so by calling 851-4557.

Someone from the Commission will contact you once your Incident Report is received and update you on the status of your file. If you do have any questions, please feel free to contact the office by calling 851-8000.

Sincerely,

Crystal J. Rodriguez, J.D., LL.M.
Executive Director



COMMISSION ON CITIZENS' RIGHTS & COMMUNITY RELATIONS
Incident Report

Shaded area – Office use only:

CASE NUMBER		FORM		FILING DATE	
Name of person or organization alleging harm:			HOME PHONE ()	BUSINESS PHONE ()	
STREET ADDRESS	CITY	COUNTY ERIE	STATE NY	ZIP	
EMAIL ADDRESS				May we contact you using this email? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Against whom is the complaint being filed?				BUSINESS PHONE ()	
STREET ADDRESS	CITY	COUNTY ERIE	STATE NY	ZIP	
Date(s) of the alleged discrimination/incident:					
If the individual you named above appeared to be acting for a company, check here: <input type="checkbox"/> and fill in below:					
Company Name:			Company Address (City, State, Zip):		
If the above complaint pertains to the Buffalo Police Department, please provide the following information, if available.					
Police District: _____					
Number of Police Officers Involved: _____					
Please provide the names of Police Officer(s) and Title(s), if available:					

Reasons you believe you were discriminated against (check all that apply):					
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> Religion <input type="checkbox"/> Sex <input type="checkbox"/> Sexual Orientation <input type="checkbox"/> National Origin <input type="checkbox"/> Disability <input type="checkbox"/> Ethnic Group <input type="checkbox"/> Vietnam-era or disabled Veteran status <input type="checkbox"/> Retaliation <input type="checkbox"/> Familial Status <input type="checkbox"/> Gender Identity and Expression <input type="checkbox"/> Other (explain):					
Have you filed a complaint with another agency and or Attorney?					

C- Bylaws

Commission on Citizens' Rights and Community Relations

For the

City of Buffalo

Article I – Identification and Purpose

Section 1. Name

The name of this body shall be the Commission on Citizens' Rights and Community Relations for the City of Buffalo (Here after "Commission").

Section 2. Office

The principal office for the transaction of activities and affairs of the Commission shall be located in City Hall of the City of Buffalo. Currently, the office is located at 1316 C City Hall, 65 Niagara Square, Buffalo, New York 14202.

Any change of location of the principal office shall be noted by the Chairperson and changed immediately in these bylaws without amendment.

Section 3. Purpose

It is the mission of the Commission on Citizens' Rights and Community Relations of the City of Buffalo to strive to eliminate prejudice, intolerance, bigotry and discrimination; to encourage equality of treatment and prevent discrimination against persons based upon race, ethnic background, cultural background, language, religion, gender, sexual orientation, disability, nationality and age; and to assure respect for the civil liberties of all citizens as stated in the City Charter Section 18:20.

Section 4. Authority

The Commission shall exercise its authority, functions, powers and duties in accordance with the Charter for the City of Buffalo ("Charter") Section 18.20 -18-22.

Article II – Members of the Commission

Section 1. Membership

The Commission shall have eleven (11) members appointed by the Mayor and confirmed by Common Council. (Charter § 18-21).

Section 2. Term of Appointment

Except as otherwise provided by law, the term of office of Commissioners shall be three (3) years. Commissioner may be removed by the Mayor at any time for reasons stated in writing upon fifteen (15) days notice to the Common Council. (Charter § 18-21).

Section 3. Limitation on Hold Over Service

Commissioners may not serve on the Commission as hold-over's for more than ninety (90) days after the end of their terms.

Section 4. Oath of Public Office

Swearing to the Oath of Public Office constitutes the Commissioner's sworn responsibility to the public trust.

Article III – Officers

Section 1. Officers

The Officers of the Commission shall consist of a Chairperson ("Chair"), a Vice Chairperson (Vice-Chair), and such other officers with such titles and duties as shall be stated in these bylaws or determined by the Commission in accordance with applicable law. (Charter §18-21)

Section 2. Officer's Term of Appointment

The term of each officer elected is one (1) year. The elections of the Chair and Vice-Chair shall occur at the completion of the one (1) year term (or as needed in the event of the officer's resignation or the expiration of the Officer's Mayoral appointment).

Section 3. General Duties and Responsibilities of the Chairperson

The Chair shall preside at all meetings and hearings of the Commission. The Chair shall perform all duties incident to the office of Chair, such other duties as may be prescribed elsewhere in the Commission Bylaws or as may be assigned by the Commission or which are otherwise necessary or incidental to the office.

Section 4. General Duties and Responsibilities of the Vice-Chair

In the absence or disability of the Chair, the Vice-Chair shall perform temporarily all duties of the Chair, and when so acting shall have all the powers of and be subject to all restrictions upon, the Chair. In the event of the Chair's inability to act, the Commission shall elect a new Chair at the next regular or special meeting to serve until the expiration of the term of the succeeded Chair. If the office of the Vice-Chair is vacated before the expiration of a term, it shall remain vacant until the next regular meeting, at which time the Commission shall elect a new Vice-Chair to serve until the expiration of the term of the succeeded Vice-Chair.

Article IV – Meetings

Section 1. Regular Meetings

The Commission shall hold its regular meetings in City Hall, 65 Niagara Square, Buffalo, New York 14202, quarterly beginning September of 2009 on the 1st Wednesday of the month. Additional meetings may be called as described in this article.

Meetings that take place outside of City Hall will be announced in advance and posted on the Commission website.

The Commission shall annually designate a meeting for planning its goals and objectives and reviewing its prior year performance.

Section 2. Special Meetings

The Chair or a majority of the members of the Commission may call special meetings to address specific matters. Commissioner will be notified by U.S. Postal Service as well as by email of such meetings.

Section 3. Noticing Meetings

The agenda of all regular meetings and notices and agendas of all special meetings shall be posted on the Commission website, available at the meeting site and the Commission office at least seventy-two (72) hours in advance of each meeting. Agendas for past meetings and notices shall be provided to each Commissioner and any person who files a written request for such notice.

Section 4. Cancellation of Meetings

The Chair may cancel a regular or special meeting if she or he is aware that a quorum of the body will not be present or if the meeting date conflicts with other responsibilities of the Commissioners. The Chair may cancel a meeting if after roll call a quorum fails to attend or during a scheduled meeting the Commission loses quorum. Notices of continued, rescheduled,

or cancelled meetings shall be posted as provided in Section 3 of Article IV. If time permits, notices of continued, rescheduled, or cancelled meetings shall be mailed to any person who files a written request to receive notices and agendas as provided in Section 3 of this Article.

Section 5. Quorum

The presence of a majority of Commissioners (six members) is required to conduct a meeting and shall constitute a quorum for all purposes. When a quorum fails to attend a scheduled meeting or the Commission loses a quorum because of the departure of some members, the only official actions the Commission may take are: (1) fix the time to which to adjourn; (2) adjourn the meeting; (3) recess the meetings; or (4) take measures to secure quorum. Any other action taken by the Commission while it does not have a quorum is void.

Section 6. Conduct of Meetings

- A. Public Participation. All Commission meetings and all committee meetings shall be open and public, and all persons shall be permitted to attend any meeting of the Commission. The Commission may meet in closed session at regular or special meetings as permitted by Public Meetings Laws & Procedures. All meetings shall be conducted in compliance with applicable laws and these Commission Bylaws.
- B. Public Comment. Members of the public are entitled to comment on any matter on the calendar prior to action being taken by the Commission on that item or prior to calling the next item on the agenda. In addition, the agenda shall provide an opportunity for members of the public to address the Commission on items within the subject matter jurisdiction of the Commission and have not been the subject of public comment on other items on the agenda.

Upon the specific findings of the Commission, the Chair may set a reasonable time limit for each speaker, based on such factors as the complexity and nature of the agenda item, the number of anticipated speakers for that item and the number and anticipated duration of other items on the agenda.

Individual Commissioners and Commission Staff should refrain from entering into any debates or discussion with speakers during public comment.

- C. Registration to Comment. The Chair may request speakers who wish to address the Commission to submit a speaker card before or during the Commission agenda item upon which they wish to comment. The Chair shall use speaker cards only as an aid

- to meeting management. The public has a right to address the Commission anonymously.
- D. Translation of Comments or Testimony. Where a speaker with limited English proficiency requires translation to comment or testify, the time used for repeating comments or testimony in English shall not count against the applicable time limit for public comment.
 - E. Parliamentary Procedures. All meetings shall be conducted according to the most recent editions of ***Roberts Rules of Order*** unless provided otherwise herein.

Section 7. Agendas

Chair and The Executive Director for the Commission shall prepare the agenda. The agenda shall consist of items requested by the Chair, Executive Director, or Commissioners. The Commission Secretary shall maintain an e-mail list of community members and organizations that request electronic copies of the Commission agenda and forward said agenda in a timely manner.

Section 8. Voting and Abstention

The affirmative vote of a majority of Commissioners shall be required for the approval of all matters. The Commission shall take action on items on the agenda by roll call vote, voice vote or by a show of hands. Each Commissioner present at a Commission meeting shall vote “yes” or “no” when each question is put forth unless; (1) excused from voting by motion and adopted by a majority of members; or (2) the member has a conflict of interest that legally precludes participation in the discussion and vote. In consultation with Corporation Counsel, the individual Commissioner shall determine whether he or she has a conflict of interest, which precludes participation in a vote.

A roll call shall not be interrupted, but a Commissioner may, prior to the calling of the roll, explain his or her vote, or file in writing an explanation thereof after the result of the roll call has been announced and recorded. The minutes shall reflect how each Commissioner voted on each item.

Section 9. Commissioner’s Code of Ethics

Commissioners agree to maintain the highest standards of professional and personal conduct. Each Commissioner shall adhere to the highest standards of ethical conduct and support the Commission’s mission, goals and objectives and work to instill in the public a sense

of confidence in the Commission's operations. The standard of conduct for the Commission includes, but is not limited to:

1. Being accountable for its rules of procedures and decisions, and promoting accountability of all members of the Commission and Commission staff;
2. Treating all Commission staff, members of the public and colleagues with courtesy, respect, objectivity and fairness;
3. Refrain from representing the Commission's stances and positions individually without express permission from the Chair or the entire Board of Commissioners;
4. Conducting all Commission business in a timely manner and in public meetings with full disclosure of policies and procedures; and engaging in the decision-making process, except for those matters authorized to be considered in closed session; and
5. Reviewing its actions, recommendations, and procedures periodically to determine whether the Commission had adhered to its Code of Ethics and mission in all respects.

Article V – Commission Records

Section 1. Minutes

Minutes shall be taken at every regular and special Commission and committee meeting.

Section 2. Public Review File

The Commission shall maintain a public review file for the public to be able to review upon written request received at least five (5) days before the requested date of review.

Section 3. Tape Recordings

Beginning with the regular meeting of September 2009, the Commission shall audio record all regular meetings, and all closed sessions. The audio recordings shall be maintained in the Commission office and posted on the Commission website for the public to listen to.

Section 4. Commission Mail

The Commission Secretary shall promptly notify Commissioners off all correspondence.

Article VI – Advisory Committees

Section 1. Creation of Commission Advisory Committees

The Chair or the Board of Commissioners shall establish advisory committees or task forces on an ad-hoc basis to perform tasks for functions as deemed necessary to meet the goals or mission of the Commission. Advisory committees are an integral and vitally important component of the Commission, providing community involvement and opportunity for in-depth study and exploration of issues.

Section 2. Function and Operation of the Advisory Committee

The role of the advisory committees is to provide advice and assistance to the Commission by developing and examining ideas and issues within the jurisdiction of the Commission. Upon approval of the Commission, the committees may also hold public hearings and make recommendations of positions for the Commission to take with regard to various issues.

Section 3. Advisory Committee Guidelines

The Commission shall adopt and revise from time to time guidelines governing the function and operation of each committee, the responsibilities of committee members, Commissioners and Department staff.

Section 4. Appointment and Term

The Chair assigns Commissioners to each and appoints members from the Community in accordance with the Advisory Committee Guidelines, to participate in these committees.

Committee members are appointed for one year terms beginning January and ending December. In December of each year, Commissioners assigned to each committee shall consult with the Chair to reconstitute the membership of their advisory committee.

Section 5. Committee Actions

All committee actions shall represent recommendations to the Commission and shall be subject to approval of the Commission as a whole.

Recommendations may be based on a consensus where such exists or on the presentation of the majority and minority points of view.

All committee recommendation or reports shall be brought to the Commission for approval through the committee chair or the person he or she designates.

All committee recommendation for public hearings must be brought to the Commission for review and approval. If approved, the Chair shall instruct the committee members and Commission staff to plan the public hearing and prepare and agenda for the Chair to approve in advance. The Chair may modify, augment or reject the recommended agenda.

Each committee shall meet at regularly scheduled times and places, and at such additional meetings as deemed necessary by the committee's chair or a majority of the committee. All meetings

shall be conducted in compliance with all applicable laws and the rules set forth in these Commission By-laws.

Committees may not form subcommittees or other bodies without the approval of the Commission Chair.

Article VII – Attendance

Section 1. Attendance Requirements

Except in the event of a notified absence (defined below), each Commissioner is expected to attend regular and special meetings of the Commission. Commission Secretary shall maintain a record of members' attendance. At the Chair's discretion, a Commissioner may 'attend' a meeting via telephone. Notice of such attendance needs to be given in advance so that staff can prepare the needed equipment for meeting.

Section 2. Notified Absences

A commissioner's absence shall constitute a "notified absence" where the Commissioner, in advance of the meeting, informs the Commission Secretary that he or she will be absent. Once a Commissioner has more than 3 "notified absences" in a 12 month period, the matter will be discussed at the next regular meeting of the Commission.

An absence due to unforeseen circumstances such as illness or emergency shall qualify as a notified absence where the Commissioner reports such absence to the Commission Secretary as soon as reasonably possible. The Commission Secretary shall record all absences.

Section 3. Report to the Appointing Authority

The Commission Secretary shall report all instances of non-notified absences as well as any instance of three absences of a member from regular meetings in a fiscal year to the member's appointing authority.

Section 4. Annual Attendance Report

At the end of each fiscal year, the Commission Secretary shall submit a written report to the Mayor and to the Chair of the Commission detailing each Commissioner's attendance at all meetings of the Commission for that fiscal year.

Article VIII – Executive Director of the Commission

The Executive Director shall serve as the administrative head of Commission affairs and shall be selected as stated in the City Charter.

The Executive Director shall work in conjunction with the Chair in all matters as previously described in these By-Laws and as further directed by the Chair.

DRAFT

HUMAN RIGHTS

Local executive elected to international board

September 07, 2009, 6:54 AM

The executive director of Buffalo's human rights commission has been elected to the board of an international group that fights discrimination.

Crystal J. Rodriguez, who oversees Buffalo's Commission on Citizens' Rights and Community Relations, has been elected as a member-at-large of the International Association of Official Human Rights Agencies.

Based in Washington, D. C., the nonprofit coalition represents human rights groups in the U. S. and Canada, including Buffalo's commission. Prior to her appointment to the city's anti-discrimination panel, Rodriguez was a legal fellow in a courtroom in the state's 8th Judicial District. She also previously served as a commissioner of the Buffalo Municipal Housing Authority.

E- Advisory Committees

Section 1. Creation of Commission Advisory Committees

The Chair or the Board of Commissioners shall establish advisory committees or task forces on an ad-hoc basis to perform tasks for functions as deemed necessary to meet the goals or mission of the Commission. Advisory committees are an integral and vitally important component of the Commission, providing community involvement and opportunity for in-depth study and exploration of issues.

Section 2. Function and Operation of the Advisory Committee

The role of the advisory committees is to provide advice and assistance to the Commission by developing and examining ideas and issues within the jurisdiction of the Commission. Upon approval of the Commission, the committees may also hold public hearings and make recommendations of positions for the Commission to take with regard to various issues.

Section 3. Advisory Committee Guidelines

The Commission shall adopt and revise from time to time guidelines governing the function and operation of each committee, the responsibilities of committee members, Commissioners and Department staff.

Section 4. Appointment and Term

The Chair assigns Commissioners to each and appoints members from the Community in accordance with the Advisory Committee Guidelines, to participate in these committees.

Committee members are appointed for one year terms beginning January and ending December. In December of each year, Commissioners assigned to each committee shall consult with the Chair to reconstitute the membership of their advisory committee.

Section 5. Committee Actions

All committee actions shall represent recommendations to the Commission and shall be subject to approval of the Commission as a whole.

Recommendations may be based on a consensus where such exists or on the presentation of the majority and minority points of view.

All committee recommendation or reports shall be brought to the Commission for approval through the committee chair or the person he or she designates.

All committee recommendation for public hearings must be brought to the Commission for review and approval. If approved, the Chair shall instruct the committee members and

Commission staff to plan the public hearing and prepare an agenda for the Chair to approve in advance. The Chair may modify, augment or reject the recommended agenda.

Each committee shall meet at regularly scheduled times and places, and at such additional meetings as deemed necessary by the committee's chair or a majority of the committee. All meetings shall be conducted in compliance with all applicable laws and the rules set forth in these Commission By-laws.

Committees may not form subcommittees or other bodies without the approval of the Commission Chair.

DRAFT

F- Memphis Model

Mission

The Crisis Intervention Team (CIT) program is a community partnership working with mental health consumers and family members. Our goal is to set a standard of excellence for our officers with respect to treatment of individuals with mental illness. This is done by establishing individual responsibility for each event and overall accountability for the results. Officers will be provided with the best quality training available, they will be part of a specialized team which can respond to a crisis at any time and they will work with the community to resolve each situation in a manner that shows concern for the citizen's well being.

Overview

In 1988, the Memphis Police Department joined in partnership with the Memphis Chapter of the National Alliance on Mental Illness (NAMI), mental health providers, and two local universities (the University of Memphis and the University of Tennessee) in organizing, training, and implementing a specialized unit. This unique and creative alliance was established for the purpose of developing a more intelligent, understandable, and safe approach to mental crisis events. This community effort was the genesis of the Memphis Police Department's Crisis Intervention Team.

The CIT is made up of volunteer officers from each Uniform Patrol Precinct. CIT officers are called upon to respond to crisis calls that present officers face-to-face with complex issues relating to mental illness. CIT officers also perform their regular duty assignment as patrol officers.

The Memphis Police Department has approximately 225 CIT officers who participate in specialized training under the instructional supervision of mental health providers, family advocates, and mental health consumer groups. Due to the training, CIT officers can, with confidence, offer a more humane and calm approach. These officers maintain a 24 hour, seven day a week coverage.

The CIT Model has been instrumental in offering:

1. Special trained officers to respond immediately to crisis calls
2. Ongoing training of CIT officers at no expense to the City of Memphis
3. Establishments of partnerships of police, National Alliance on Mental Illness/Memphis, mental health providers, and mental health consumers.

The Crisis Intervention Team program is a community effort enjoining both the police and the community together for common goals of safety, understanding, and service to the mentally ill and their families. It is to these goals the Memphis Police Department stands committed.

The CIT program provides an avenue for the development of community partnerships and the collaboration of working together for community interest of service and care. CIT is about doing the right thing for the right reasons. CIT recognizes a special population that deserves special

care, treatment, and service. CIT is not about fame, fortune, nor glory, but rather, one of honor and service.

As an innovative program, the CIT model encourages communities, families, law enforcement officers, and mental health professionals to act as a compass for consumers of mental illness. An increase in illegal narcotic/alcohol abuse and the “deinstitutionalization” of mentally ill citizens has caused many to become homeless and potentially more violent which increases the chances of involvement with law enforcement. This increases the possibility for excessive force complaints and the inevitable backlash from the community.

Traditional police methods, misinformation, and a lack of sensitivity cause fear and frustration for consumers and their families. Too often, officers’ respond to crisis calls where they felt at a disadvantage or were placed in a no-win situation.

Unfortunately, it is usually after a tragedy that police departments look for change. As a proactive program, CIT acts as a model committed to preventing tragic situations and finding “win-win” solutions for all persons concerned.

A response to mentally ill crisis events must be immediate. The National Alliance on Mental Illness/Memphis and the Memphis Police Department agree that an “immediate response” is preferable to that of specialized mental health workers on call or a mobile crisis van response. By offering an immediate humane and calm approach, CIT officers reduce the likelihood of physical confrontations and enhance better patient care. As such, the CIT program is a beginning for the necessary adjustment that law enforcement must make from traditional police responses to a more humane treatment of individuals with mental illness.

Program Benefits

Since the CIT program began in Memphis, the citizens and the criminal justice system of Memphis have experienced significant benefits of the program. Some of the benefits of the program are listed below.

- Crisis response is immediate
- Arrests and use of force has decreased
- Underserved consumers are identified by officers and provided with care
- Patient violence and use of restraints in the ER has decreased
- Officers are better trained and educated in verbal de-escalation techniques
- Officer’s injuries during crisis events have declined
- Officer recognition and appreciation by the community has increased
- Less “victimless” crime arrests
- Decrease in liability for health care issues in the jail
- Cost savings

Significant Achievements

National advocates, such as The National Alliance on Mental Illness and The American Association of Suicidology have recognized the CIT program for distinguished service to the mentally ill. NAMI (Memphis) credits CIT with saving lives and preventing injuries, both for consumers and officers. Officer injury data has decreased by seven-fold since the program inception. University of Tennessee studies have shown that the CIT program has resulted in a decrease in arrests rates for the mentally ill, an impressive rate of diversion into the health care system, and a resulting low rate of mental illness in our jails.

Most importantly, CIT officers give consumers a sense of dignity. This dignity generates a new respect and outlook on the police and the mental health systems.

DRAFT