



Southold Town Police Reform & Reinvention Collaborative Report

March 2021

Southold Town Police Reform and Reinvention Collaborative Report

February 2021

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Part I

I. INTRODUCTION:

Pursuant to Executive Order No. 203, issued by Governor Cuomo on June 12, 2020, the Town of Southold was required to engage in creating a “Reform and Reinvention Collaborative.” These collaboratives were intended to bring the community together with police and public officials to undertake a process of review, reflection and reform ‘to foster trust, fairness and legitimacy’ within communities throughout our State and ‘to address any racial bias and disproportionate policing of communities of color’. This review was mandated due to the recent national incidents “...that have resulted in the deaths of unarmed civilians, predominately black and African-American men, that have undermined the public’s confidence and trust in our system of law enforcement and criminal justice...”. While it is recognized that the Town of Southold is small and does not have a documented pattern of such incidents, it surely is not immune to them, and as such it is necessary and prudent to be proactive and ensure that such incidents never occur in our community.

The review was also undertaken by the Town in response to a nearly simultaneous request from a local community based organization, the North Fork Unity Action Committee, for the Town to conduct a “proactive assessment of its entire Justice System” to ensure that it is equitable in the treatment of all individuals and groups in Southold. During the ensuing process which has first focused on policing in the Town, the Task Force sought the community’s ideas on what public safety should entail, analyzed current Police policies and procedures, researched current expertise on effective community policing and solicited the voices of all members of the Southold community to ensure equity, equality, public safety, and an enhanced mutual trust between the community and police and the justice system as a whole.

A. Department Profile:

Municipality: Town of Southold
Law Enforcement Agency: Southold Town Police Department
Southold Town Supervisor: Hon. Scott A. Russell
Police Commissioners: Hon. Scott A. Russell, Hon. Jill Doherty, Hon. Sarah E. Nappa, Hon. Louisa Evans, Hon. Robert Ghosio, Hon. James Dinizio, Jr.
Southold Chief of Police: Chief Martin Flatley

Abbreviations:	
CPPC - Community-Police Partnership SPD - Southold Town Police Department Town Board - Southold Town Board SRO - School Resource Officer	PC - Police Commissioners Task Force - Southold Justice Review & Reform Task Force EO 203 - Executive Order 203 issued by Governor Cuomo

B. Municipality Demographics:

Southold is the easternmost town located on the North Fork of Long Island consisting of approximately 22,170 people who are year round residents. Southold consists of 10 hamlets and 1 village covered by 1 police department. The 2019 Census data indicates that Southold Town is 95.3% White, 10% Hispanic/Latinx, and 2.1% Black or African American.

C. Agency Demographics:

The Southold Town Police Department consists of 48 police officers. 42 of the police officers are white males, with 2 African American officers, and 1 Hispanic officer. There are 6 female officers.

II. REFORM & REINVENTION COLLABORATION PROCESS:

A. Task Force Membership

Leadership:

- Carolyn Peabody, Ph.D. LCSW: Chairperson
- Reverend Natalie Wimberly
- Stephen Kiely, Esq.
- Alison Byers, Psy.D.
- Liz Gillooly

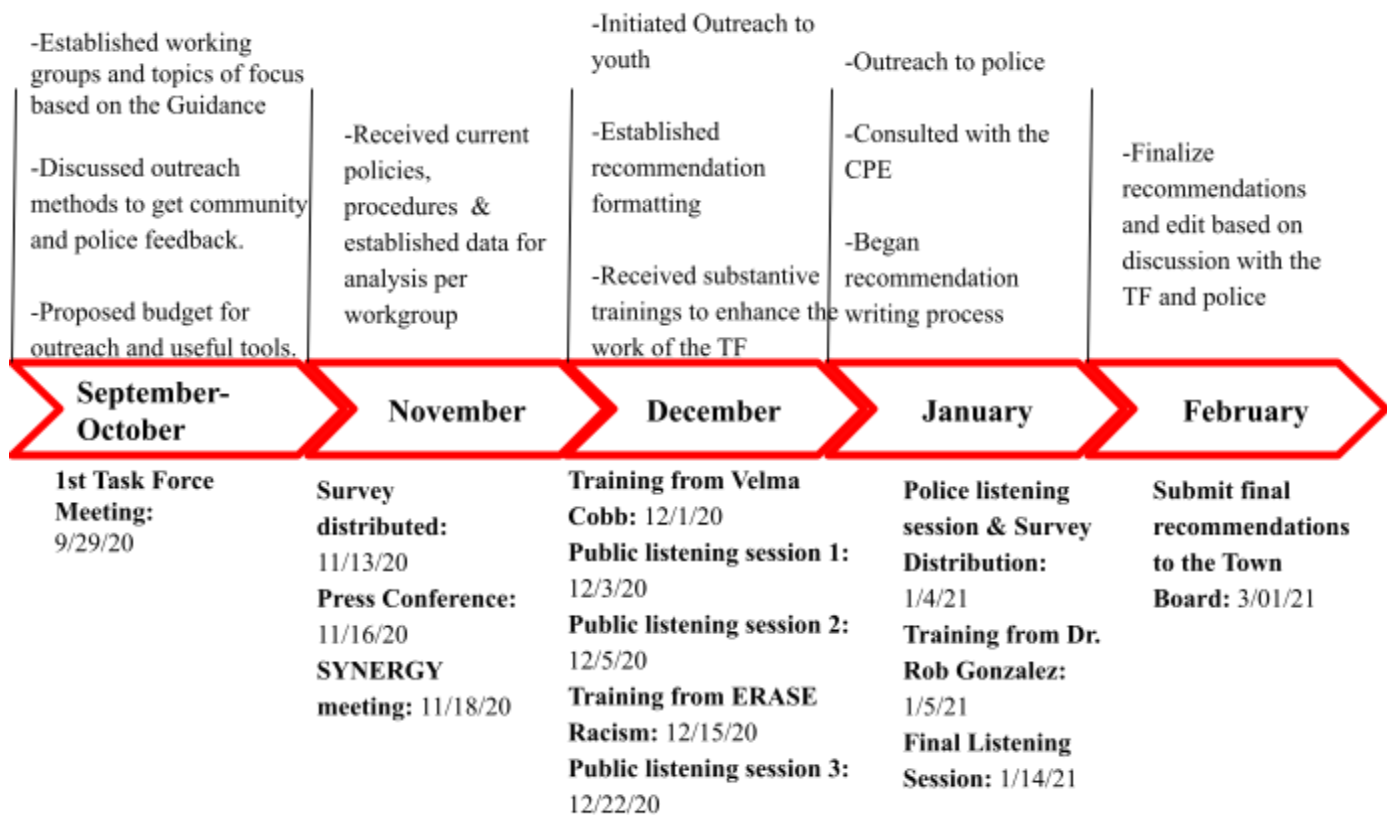
Town Officials:

- Supervisor Scott Russell, Town Board Liaison
- Martin Flatley, Chief of Police

Members:

- Anne Smith, Ed.D.
- Reverend Margaret Cowden, PhD
- Brian Hughes, Esq.
- John J. Slattery, Member Southold Police Advisory Board
- Laura Held, Esq.
- Brian O. Mealy
- Robert Knuts, Esq.
- Sonia Spar
- Paul Pallas. Village of Greenport, Village Administrator
- Valerie Shelby
- Hon. Jack Martilotta, Village of Greenport, Deputy Mayor, Village Trustee
- Leo Cuomo, Esq., Legal Aid
- Brendan Ahern, Esq. D.A. Office
- John Speyer, Esq.

III. Process Implementation Approach & Timeline:



IV. OUTREACH & STAKEHOLDERS

A. Community Outreach :

- **Community Assessment Survey**
 - 27 Survey questions, 6 demographic questions
 - Distributed via email, social media, website, and paper copies
 - Target Audience: All of Southold Town
 - Option to remain anonymous
 - 422 responses collected, 0.019% of Southold Town
- **Community Listening Sessions**
 - Conducted 4 public listening sessions via Zoom with an estimated 50 participants total
- **Other Outreach Efforts**
 - Individual interviews, emails, social media contact, anonymous feedback forms, voicemails, personal conversations, and student outreach via class presentations

B. Police Outreach

- **Police Survey**
 - 25 questions with no demographic or identifying questions

- Completely anonymous
- Distributed as paper copies at the Police Department and put into an anonymous envelope.
- 30 responses collected, 61% of the Police Department
- **Police Listening Session**
 - The officers were invited to a private listening session with the Task Force
 - An estimated 9 officers were in attendance
- **Other Outreach Efforts**
 - Frequent contact with the Chief of Police, the PBA, and other officers

V. Foundational Recommendation Summaries

Category	Goal	Recommendations <i>The Town Board shall:</i>
Foundational Recommendation	To further collaborative efforts and to build trust and ensure equitable treatment for all members of Southold	1. Establish a standing Southold Town Community-Police Partnership Committee (“CPPC”).
Foundational Recommendation	To establish the expected norms of respect and fairness in the treatment of community members and police	1. Ensure that the Police Department shall officially adopt and immediately institutionalize the tenets of Procedural Justice.
Foundational Recommendation	To ensure SPD is adequately resourced and supported in the interest of public safety for all Southolders	1. Adequately fund and staff Southold Police.

Foundational Recommendation	To ensure optimal physical and mental health, and morale of police officers	1. Establish a working group of police rank & file & leadership and Town Board members to explore the most feasible and health-sustaining scheduling structure for police officers to identify proposals within six months.
Foundational Recommendation	To increase legitimacy, professionalism & community trust	1. Ensure that the SPD is accepted as an accredited agency by the New York State Law Enforcement Accreditation Program within (1) year of the adoption of the subject Plan, or as soon thereafter as practicable.

VI. Recommendation Summaries
[Click on the topic to be redirected to the correlating page]

**I. Community-Police Partnership Committee (“CPPC”)
(Foundational Recommendation)**

The Town Board shall:

1. Establish a standing advisory Southhold Town Community-Police Partnership Committee which will:
 - a. Consist of (11) members including: (7) representatives from the community, prioritizing the inclusion of members who are Black, Brown, LGBTQ, people with disabilities, and those who work with such historically marginalized groups, (2) representatives from the Police, and (2) members of the Police Commissioners/town Board members, one of whom shall be the Town Supervisor.
 - b. Conduct a bi-annual review to examine the progress regarding recommendations enumerated in the adopted Plan.
 - c. Conduct an annual survey of the community and police regarding their experiences with policing.
 - d. Hold regular meetings with community leaders, police officers and interested residents to review data, discuss concerns, receive community comments, and maintain ongoing, trust-building dialogue.
 - e. Consult with the Town Board annually on the status of the implementation of enumerated recommendations in the adopted plan, as well as to provide any future recommendations.
 - f. Meet at least quarterly in sessions open to the general public.

**II. Procedural Justice
(Foundational Recommendation)**

The Town Board shall:

1. Ensure that the SPD officially adopts and institutionalizes the tenets of Procedural Justice.
2. Retain the services of a Procedural Justice Trainer from the Yale Law School “Justice Collaboratory” or similar entity to train the Department in the principles of Procedural Justice.
3. Ensure that the SPD designates an officer to be a procedural justice compliance officer who will be further trained in procedural justice, provide continuing training to officers, and ensure compliance of both internal and external procedural justice principles.
4. Hold a public hearing prior to adoption of any new general or special order issued or updated, that is likely to substantially impact the residents of Southold Town. This will increase transparency and give the public a voice.
5. Authorize the CPPC to conduct an annual audit, to be presented to the Town Board, of whether SPD has and is maintaining the principles of Procedural Justice both internally and externally.

III. Mental Health & Wellness of the Officer

The Town Board shall:

1. Pre-arrange and fund Critical Incident Stress Debriefing to enable expedited services when needed, made available at the department’s expense following officer-involved traumatic incidents.
2. Conduct annual in-service training with EAP or other support providers to increase awareness about signs of trauma and wellness strategies and decrease stigma.
3. Prominently display mental health resources.
4. Prominently display mental health resources in numerous areas around the headquarters for easy access and updated regularly.
5. Identify and promote virtual mental health services.
6. Establish a consortium with other neighboring departments to pool resources.
7. Ensure that mental health wellness checks are routinized during annual physical evaluations in order to catch problems early when they are most treatable.
8. Ensure that spouses and families are covered by insurance as well, given that marital and financial challenges can affect job performance for officers if unacknowledged.
9. Ensure that insurance policies adequately cover mental health care as well as the physical needs of officers/partners.

**IV. Police Officer Staffing/Schedule
(Foundational Recommendation)**

The Town Board shall:

1. Establish a working group of police rank & file & leadership and Town Board members to explore the most feasible and health-sustaining scheduling structure for police officers to identify a proposal within six months.
2. Adequately fund and staff Southold Police.
3. Consider hiring more seasonal officers to afford full time officers the time for training.

V. Enhance Police Officer Training

The Town Board shall:

1. Direct the SPD to undertake a comprehensive analysis of training needs; identify what certifications are in good standing and what have lapsed. This includes areas such as:
 - a. Firearms
 - b. EMT Recertification
 - c. De-escalation
 - d. Defense Tactics
2. Examine the role of Field Training Officers (FTO's) in giving hands-on training to new recruits by:
 - a. Ensuring that FTO's comprehensively educate a new hire in understanding the demands of the police and unique needs of their local community.
 - b. Ensuring that the input from FTO is valued and used effectively before a new recruit is graduated.
3. Officially request access to information about the content of the curriculum of the Suffolk County Police Academy. This Task Force has been granted no access to the Academy training protocol. It must be reviewed by the Town Board and/or the CPPC in order to better understand whether there are specific areas of training(such as crisis intervention or basic language instruction) that should be enhanced by in-service training at the local level.
4. Ensure that the SPD keeps all officers up to date on state of the art practices, procedures and approaches, which is critical to ensuring that they are prepared and that the people of the Town can depend on such preparedness.
5. Ensure that Officers, as part of training, examine events in which force was used within the Department, in a non-disciplinary context. While it is not possible to specify all situations in which the use of force is either reasonable or unreasonable, officers should be given some direction and examples of what reasonableness means as a concept. This should be accomplished through ongoing training.
6. Identify possible alternative sources of funding for training needs including collaboration with neighboring towns through the Intermunicipal Agreement (IMA) process.

VI. 911 Dispatchers

The Town Board shall:

1. Institute regular ongoing periodic training and refresher courses for 911 Dispatchers in the areas of cultural diversity, bias-reduction, mental health, substance abuse, and disability awareness that should include incorporating community members from different backgrounds, cultures, and communities within Southold.
2. Consider instituting a customer service survey to be sent out after 911 calls.

VII. Incorporating Community Resources for People in Crisis

The Town Board shall:

1. Implement a comprehensive Crisis Intervention Program that strengthens existing linkages between the SPD and mental health resources available to residents in Southold Town.
2. Mandate all SPD officers receive the basic 40 hours of CIT training, with annual refresher training.
3. Ensure that SPD encourages officers to self-select for advanced CIT training, create a team of CIT officers with advanced training, coordinated by an officer identified as the CIT liaison, and assure that a member of the specialized team is available on an on call basis or is assigned to as many shifts as possible.
4. Ensure that SPD provides advanced training for 911 dispatchers to coordinate efforts with the CIT team and liaison, to improve their ability to identify calls involving persons with mental illness, substance use or developmental challenges.
5. Hold an annual consultation with various mental health service providers and the police CIT liaison and officers, and Police Chief to assure proper coordination among partners, identify needs for improved linkages, and suggest content for further training.
6. Collaborate with the CPPC to review the implications of the CIT coordination findings.
7. Ensure the SPD data collection captures the number of incidents involving persons in crisis, either identified by 911 dispatchers or by the responding officer's report.

VIII. Policing and Youth, Prevention, Parent Support and School Resource Officers
The Town Board shall:

1. Annually survey students to better understand their experiences (both positive and negative) around SRO's and SPD in general.
2. Ensure the SRO's meet regularly with school principals as a group .
3. Organize a youth "synergy" event across the districts.
4. Strengthen connections with Family Service League, Mobile Crisis Response Teams and other Behavioral Health resources in order to enhance training, updates and portable response tools such as "tear off pads" with specific helplines and contacts for families.
5. Ensure that SRO's are specifically trained in Crisis Intervention strategies for responding to all youth-related incidents (on and off school grounds) where behavioral health or substance-related issues are present (See Section VII).
6. Ensure protocols for SPD communication with school officials following incidents should be codified and clarified.
7. Ensure SRO's have formal planned opportunities to educate students about the various career paths in civil service, law enforcement and the justice system.
8. Conduct a formal annual review of the individual school district MOUs to clarify and revise as needed.
9. Amend Amend Policy 8.1 "Taking Custody of Juveniles" (Raise the Age) to reflect current New York State Law.
10. Address situations where "home strategies" are engaged for at-risk youth. SRO's will be notified early and formally in order to be better able to respond, either formally or informally in a supportive role, alongside EMT's or Behavioral Health practitioners.

IX. Officer Recruitment

The Town Board shall:

1. Increase its involvement in the recruitment process of police officers to ensure that future officers reflect the diversity of the town.
2. Engage in a marketing campaign using various social media platforms to reach potential candidates.
3. Consider hiring a marketing firm to develop a target marketing campaign to reach groups that would otherwise not respond to traditional methods.
4. Create and publish ads in the local news outlets, such as the Suffolk Times and the Patch and radio stations.
5. Develop/increase a mentoring program that includes enhanced guidance on the recruitment process, e.g., practice for tests, physical fitness training.
6. Engage in active outreach to both male and female youth in all Southold communities
7. Update the Town website:
 - a. Include detailed facts about the process/timing to become a police officer,
 - b. Link to the Academy and to information about the civil service exam.
8. Enter into dialogue with East End towns about the need for recruitment and initiate dialogue with the county to possibly increase the frequency of testing and academy classes.
9. Investigate the possibility of diverse officers being recruited and relocating from other parts of Suffolk County to join the force.
10. Conduct an annual review of officer to population ratio to ensure that ratio is appropriate.
11. Develop a program for hiring/budgeting at regular intervals to prepare for future retirements.

X. Police Strategies/Use of Force

The Town Board shall:

1. Amend the Use of Force Policy to make clear to officers that the list of four actions in section IX of General Order 2.04 is in no way exhaustive.
2. Ensure a stand alone de-escalation policy is drafted and included in the General Orders detailing the steps to be taken to de-escalate a situation as well as steps to be taken before force can be used.
3. Amend Reporting policies to include Use of Force incidents in accordance with the following:
 - a. Any force used by the subject, any threat made to officers or others, and any evidence of intoxication or mental health issues must be reported in the document.
 - b. In addition to the mandatory fields, reports will include:
 - i. The name of the officer completing the report
 - ii. The location, date, and time of the incident
 - iii. A description of the events leading up to the use of force
 - iv. The number and names of officers at the scene of the incident and whether a senior officer acting in a supervisory capacity was present or consulted with at the scene.
 - c. Procedure: After an officer submits the report to his or her supervisor that report is to be passed up the chain of command until it reaches the Chief of Police for review. The Chief will be made aware of any and all incidents that occur regardless of whether there is any reason to consider disciplinary action.
 - d. After use of force incident reports are reviewed by the Chief of Police they must be reported to and reviewed by the Commissioners (Southold Town Board) regardless of whether the Police Department has taken disciplinary action. This should not create an undue burden for the Commissioners given the fact that in 2020 only five complaints were lodged against officers and of those, it is not known how many of those complaints involved the use of force, as the nature of the complaint has not been required to be reported. If the Commissioners deem it appropriate they shall refer a complaint to the Office of the District Attorney.
3. Investigate the option for SPD implementing an Early Intervention System to include data taken from arrest and incident reports. This data is to be entered by non-police personnel with conclusions from that data to be drawn by supervisors.
4. Ensure the SPD creates an exhaustive list of near-miss events, published to all officers and required for inclusion in Use of Force Reports and provided to the Town's Police Commissioners.

XI. Bias-free Policing and Traffic Stops

The Town Board shall:

1. Ensure SPD conducts all law enforcement activities without discrimination and such activities are based on observable conduct or specific information that provides a legal basis for the activity.
2. Ensure SPD records and reports demographic information, including race, for all law enforcement activities, including pedestrian and vehicle stops, detentions, frisks, searches, seizures, arrests, uses of force, and complaint data, according to the department's formal data collection processes.
3. Intervene to prevent or stop discriminatory police activities. Policy and procedures must require that officers that observe discriminatory behavior on the parts of fellow officers and do not intervene are culpable and subject to discipline by SPD.
4. Enact policies and procedures which require that officers report bias-based incidents that they witness or are aware of.
5. Ensure each patrol car is equipped with a designated device, such as a department issued cell phone, used exclusively for Officers to access the language line in order to ensure that any/all interactions with Spanish speaking individuals are afforded the same respect given to English speaking citizens.
6. Ensure SPD officers are adequately trained, particularly in areas such as the following:
 - a. The negative effects of discriminatory policing on police legitimacy.
 - b. Constitutional and other legal protections that safeguard against unlawful discrimination.
 - c. The history of racism and discrimination in the United States and globally.
 - d. Procedural justice principles including respect, bias free decision-making, explaining process during interactions and allowing people to express themselves during interactions with the community.
 - e. The impact of arbitrary classifications, stereotypes, and biases, including subconscious or implicit biases.
 - f. How to minimize the effects of bias when officers recognize it.
 - g. Cultural competency and humility, including cross cultural communication skills (so officers can appreciate cultural and ethnic norms and differences.)
 - h. Data collection protocols to identify and evaluate patterns of discriminatory practices.
 - i. De-escalation training.
 - j. How to intervene to prevent or stop misconduct.
 - k. Updated Use of Force training (see policy).

XII. Update Discrimination Policy

The Town Board shall:

1. Amend General Order 2.08 on Discrimination, to include that:
 - a. “The purpose of this policy is to prohibit discrimination and harassment of any form” and establish what the intention of the policy is as well as what it seeks to do.
 - b. Remove the word “may” from General Order 2.08, as this implies that enforcement will not occur and that discrimination practices can continue due to lack of supervision. By replacing “may” with “shall” ensures active enforceability.
 - c. Include definitions of key terms that provides an active frame of reference for the police officers, such as:
 - i. Discrimination
 - ii. Harassment
 - iii. Any other conduct that would be defined as discrimination and/or discriminatory acts (i.e quid pro quo, retaliation)³
2. Ensure enforcement of the Discrimination Policy to require that:
 - a. Any violation of the discrimination policy will immediately be reported to the Commissioners and will result in disciplinary action, and
 - b. Establish that any complaints brought to the Commissioners, the Chief and Supervisory staff will remain anonymous in strictest confidence, and that⁴
 - c. The Commissioners, Chief and Supervisory staff will take prompt and reasonable steps to ensure the mitigation and elimination of any discrimination and harassment occurring with police officers within their jurisdiction.⁵
3. Update the Grooming Policy found in General Order 1.04 “Duties of the Department” to comply with the current human rights law by adopting a policy similar if not identical to the NYPD model as outlined here:
https://www1.nyc.gov/assets/nypd/downloads/pdf/public_information/public-pguide1.pdf
p113

XIII. Improve Investigations of Civilian Complaints

The Town Board shall:

1. Amend General Order 4.01 - The Internal Affairs Policy:
 - a. To add the following allegations of SPD employee misconduct to the list of Category I Complaints specified in General Order 4.01:
 - i. On-duty physical or verbal intimidation of a civilian;
 - ii. Retaliation against a civilian in response to information provided by a civilian in any complaint.
 - b. To clarify that no investigation of alleged Category I police misconduct shall be conducted by the immediate supervisor of the SPD employee who is the subject of the complaint.
 - c. To include that all investigations should address the question of whether inadequate supervision or training of the SPD employee who is the subject of the complaint contributed significantly to the conduct identified in the complaint.
 - d. To prevent the Duty Sergeant or supervising officer who receives a complaint via telephone or email from communicating to a complainant that the credibility of their complaint depends on their willingness to appear in person at police headquarters to fill out a written complaint form.
 - e. To clarify that the Duty Sergeant or supervising officer who receives a complaint via telephone or any other means must process the complaint by creating either a Civilian Complaint Report or a Negative Personal Contact report.
 - f. To clarify whether or not a complaint is “Sustained” or “Not Sustained” should be based upon the preponderance of the evidence obtained and evaluated during the investigation. The “Non-Sustained” disposition should be defined as “not proven by a preponderance of the evidence.” If the disposition of the investigation is “Not Sustained”, and the civilian complaint is a Category I complaint, the SPD should provide a short written concerning the Disposition to the complainant if the complainant has not chosen to remain anonymous or has filed the complaint through *pro bono* legal counsel.
 - g. To specify the range of sanctions that may be imposed by the SPD for both Category I and Category II misconduct. The range of sanctions for Category I misconduct should include termination of employment and suspension from employment. Monetary sanctions should be proportional to the severity of the sustained misconduct.
 - h. To include that any SPD officer who becomes the subject of a “Sustained” disposition for more than one Category I complaint or more than two Category II complaints should be suspended for a period of time consistent with the severity of the multiple instances of misconduct.
 - i. To clarify that the Disposition of a Category I Complaint, including any sanction for a Category I Complaint that is Sustained, should be reviewed and approved by the Police Commissioners of the SPD prior to the Disposition becoming final. In addition, it should be clarified that the Police Commissioners have the authority to cause the SPD to conduct additional investigative steps and provide additional information to the Police Commissioners concerning a Category I Complaint prior to the finalization of the Disposition of that Category I Complaint.

2. Direct the SPD to publish an annual report that includes all of the following information:
 - a. The number of civilian complaints received during the prior year, including the number of Category I and Category II Complaints.
 - b. The nature of the Category I and II complaints include a one-sentence description of the allegations made, without disclosing the identity of either the SPD employee or the complainant.
 - c. The Dispositions of the Category I and II complaints during the relevant time period.
 - d. The sanctions imposed in connection with any Category I or Category II complaints that are Sustained, again without disclosing the identity of the SPD employee or the complainant.
3. Create on the Town website an information page that describes the SPD's Internal Affairs Policies and Procedures.

XIV. Filing Complaints

The Town Board shall:

1. Increase transparency Regarding the Complaint Process:
 - i. Easily understood statements that are also translated into Spanish about the right to file a complaint, information and details about the process of filing a complaint should be easily found as a link on the first page of the SPD's website along with the re-written General Order that serves as the guiding policy for the Department.
2. Inform the community where Complaints can be Registered/Submitted:
 - ii. Community members should be able access information about the complaint process, a complaint form, be able to submit complaints at Town Hall and be provided with a copy of their submitted complaint.
3. Create a mechanism for Receipt of Complaint Information:
 - i. A simple sample online form can be found here:
<https://www.burlingtonvt.gov/Police/BPDComplaintSubmission>
A simple sample printed complaint form with a clear brief description of the policy and process can be found here:
<https://www.burlingtonvt.gov/sites/default/files/Citizen%20Complaint%20Process%20%26%20Form.pdf>
4. Set a Time Limit for Complaint Investigation:
 - i. A defined Time Limit should be established and published on all media describing the complaint process.
5. Ensure Transparency & Faithful Representation of Statements given during the Initial Complaint and Evidence Gathering:
 - i. Police policy should require that the complaint and statements by witnesses be audio-recorded. Should an individual decline to be recorded, he/she would need to sign a waiver.
6. Ensure Transparency & Procedural Justice Regarding the Entire Complaint Process for Complainants:
 - i. Easily understood description of the investigative procedure and timeline should be published on the Police Department website as well as posted / provided when the complaint is submitted.
7. Ensure Transparency & Procedural Justice Regarding the Entire Complaint Process for Officers:
 - i. Policy should articulate the inclusion of the named officer to be updated and informed throughout the complaint process.
8. Ensure Transparency regarding the Appeals Process:
 - i. Steps for appealing the decision in any complaint should be specified in policy that establishes and defines the appeals process. For example:
 1. "Prior to the end of the time limit, the complainant shall be informed in writing of the decision and outcome of the complaint. If the complainant does not agree with the outcome, he or she may file an appeal with the Town Supervisor who serves as the

Chair of the Town's Police Commissioners or any other Police Commissioner. The form for such an appeal should be published and accessible online and throughout the Town at such locations as public libraries, Town Hall, etc."

9. Ensure Transparency regarding Public Access to Complaint Outcomes and Patterns:

- i. In the interest of increasing the public's sense of trust in the police, policy should be established that requires that de-identified information about complaints and their outcomes should be published on the Police Department's website and be available on request.

XV. Translation of Police Policies

The Town Board shall:

1. Translate all current policing policies to Spanish.
2. Ensure that all policing policies are made available on the Town and Police websites in both English and Spanish.
3. Ensure that any current and future forms available for public use, such as record release forms and complaint forms, are available in both English and Spanish.
4. Ensure that each patrol car is equipped with a designated device to be used for access to the language line to ensure that all interactions with Spanish speaking individuals include clear and respectful communication.

XVI. A Framework for New Technology

The Town Board shall:

1. Adopt the following framework for implementing any new technologies used to aid in policing:
 - a. Public input prior to adoption of new technology.
 - i. *Law enforcement agencies should encourage public engagement and collaboration, including the use of community advisory bodies, when developing a policy for the use of a new technology.*
 - b. Perform a cost-benefit analysis when adopting new technologies.
 - c. Develop policies or procedures for training officers on how to properly use new technology, defining proper vs improper use.
 - d. Ensure that vendor contracts do not interfere with transparency.
 - e. Public input and review after a new technology has been put to use.
 - i. *Law enforcement agencies should include an evaluation or assessment process to gauge the effectiveness of any new technology, soliciting input from all levels of the agency, from line officer to leadership, as well as assessment from members of the community. The CPPC should review effectiveness and community feedback.*⁸
 - f. Require the department to disclose all technologies it uses to the public.
2. Prepare a report using the subject framework to evaluate the need for Body-Worn Cameras.
 - a. Begin investigating grants to finance the cost of BWC including the cost of data storage and plan to purchase and implement a BWC program in the next year.
 - b. Explore the viability of working with neighboring municipalities in order to share in the financing of the BWC program, via an intermunicipal agreement.
 - c. If adopted, officers in SPD shall follow the same protocol as NYS Police Patrol for use of BWC, requiring them to record immediately before exiting a patrol vehicle to interact with a person or situation, all uses of force; all arrests and summonses; all interactions with individuals suspected of criminal activity; all searches of persons and property, any call to a crime in progress; investigative actions involving interactions with members of the public; any interaction with an emotionally disturbed person; and any instances where an officer feels any imminent danger or the need to document their time on duty.¹⁰

XVII. Use of Social Media for Transparency and Relationship Building

The Town Board shall:

1. Direct the SPD to use a bilingual social media manager to engage with the local community.
 - a. Social media should be used for inspiring the youth to aid in recruitment.
 - a. Officers and the Department should incentivize positive interactions and ensure that praise, respect and appreciation is lavished when appropriate. This will help to create a positive cultural shift toward community policing.

XVIII. Lexipol & Accreditation

The Town Board shall:

1. Ensure that any policies produced by Lexipol are fully vetted by the Town Board, and those of “significance” by the public via a public hearing, and include any proposed changes thereto.
2. Ensure that any Lexipol policies incorporate the recommendations adopted by the Town Board, as enunciated in the Plan.
3. Translate existing policing policies, forms and records into Spanish and ensure any updates or new documents are available in both English and Spanish.
4. Ensure that the CPPC has the opportunity to engage with Lexipol to assure alignment with the recommendations adopted in the Plan as well as future engagement on new policies and procedures which may be issued (see Recommendation: Establishment of a standing Southold Town Community—Police Partnership Board).
5. Ensure that the SPD is accepted as an accredited agency by the New York State Law Enforcement Accreditation Program within (1) year of the adoption of the subject Plan, or as soon thereafter as practicable.

Southold Town Police Reform and Reinvention Collaborative Report

February 2021

Part II

Recommendations Background & Current Status

VII. Community-Police Partnership Committee “CPPC”

Goal: To establish a standing Southold Town Community-Police Partnership Committee that will attend to the progress of the implementation of the Task Force’s recommendations and ensure that the voices and experiences of Latino, African-American and other community members continue to be heard about their interactions with SPD. The Committee shall conduct annual surveys regarding interactions between police and the community in order to increase procedural justice and accountability which will increase trust between the community and its police officers. The Committee will serve as a resource and in an advisory role to the Town Board as Police Commissioners and to the Police.

Background: Southold Town has a history of being committed to ensuring that our town is a bias-free community. In response to recent national events, Governor Cuomo in his EO 203, mandated that municipalities with police departments establish collaborative task forces made up of community members, Town Officials and Police. Such task forces were to seek community input, review police policies and procedures, and research best practices in order to propose recommendations for reforms to ensure equitable treatment for all members of the community by the Police.

The official Guidance regarding Governor Cuomo’s EO 203 states, “[a]fter the plan is adopted, there will still be important work to do. You will need to implement the plan and communicate progress reports and metrics to the public. You will need continuously to monitor and respond to community concerns with the police. Public engagement should not end on April 1, 2021. The Collaborative is an important step in your continual process of building, maintaining and strengthening the relationship between your police department and your community” (p. 115-116).

The CPPC is a critical and essential component of the Task Force’s final recommendations.

Recommendations:

The Town Board shall:

1. Establish a standing advisory Southold Town Community-Police Partnership Committee which will:
 - a. Consist of (11) members including: (7) representatives from the community, prioritizing the inclusion of members who are Black, Brown, LGBTQ, people with disabilities, and those who work with such historically marginalized groups, (2) representatives from the Police, and (2) members of the Police Commissioners/Town Board members, one of whom shall be the Town Supervisor.

- b. Conduct a bi-annual review to examine the progress regarding recommendations enumerated in the adopted Plan.
- c. Conduct an annual survey of the community and police regarding their experiences with policing.
- d. Hold regular meetings with community leaders, police officers and interested residents to review data, discuss concerns, receive community comments, and maintain ongoing, trust-building dialogue.
- e. Consult with the Town Board annually on the status of the implementation of enumerated recommendations in the adopted plan, as well as to provide any future recommendations.
- f. Meet at least quarterly in sessions open to the general public.

References

- 1. Modified from New Rochelle's plan in response to E.O. 203 from January 2021
- 2. <http://southoldtownny.gov/DocumentCenter/View/8136/NYS-Gov-Exec-Order--Police-Reform-and-Reinvention-Collaborative>
- 3. *New York State Police Reform and Reinvention Collaborative Resources & Guide for Public Officials and Citizens*
http://southoldtownny.gov/DocumentCenter/View/8133/Gov-Guidance---Police_Reform_Workbook-unmarked

VIII. Procedural Justice

Goal: Both the practice and the guiding philosophy of Procedural Justice must be utilized internally and externally by SPD. The objective is to ensure that all parties have a voice, and that there is transparency, fairness and impartiality of the Department.

Background: “Procedural justice [is a philosophy that] is based on the premise that...[a police department]...must consistently demonstrate its legitimacy-that its existence is valid and justified-to the public it serves”.¹ It is “...grounded in the idea that people’s perceptions of police legitimacy will be influenced more by their experience of interacting with the officers than the end result of those interactions.”² “Perceptions of legitimacy, in turn, can increase the willingness of the public to assist, cooperate with, and otherwise support the police.”³ Additionally, “[t]here are both internal and external aspects to procedural justice in policing agencies. Internal procedural justice refers to practices within an agency and the relationships officers have with their colleagues and leaders...officers who feel respected by their supervisors and peers are more likely to accept departmental policies, understand decisions, and comply with them voluntarily. It follows that officers who feel respected by their organizations are more likely to bring this respect into their interactions with the people that they serve [thus enhancing external procedural justice].”⁴

There are four pillars of Procedural Justice:

1. Voice
1. Transparency
2. Fairness
3. Impartiality

“Procedural Justice” is both a set of policies as well as a culture. It is a mindset that needs to pervade every police interaction with the public, and interactions between themselves. All of the recommendations of the Task Force, even if they ripen into policies, will not be effectively employed, or employed at all for that matter, unless said policies are nourished in a procedurally just environment. In outreach to the community, there were a number of community members sharing negative experiences with police officers in regards to treatment. In addition there was strong feedback from officers themselves that they do not always feel valued or respected by Management, which should be ameliorated. Therefore, it is critical that the Town Board require that the SPDt officially adopt and continually practice both internal and external Procedural Justice.

Recommendations:

The Town Board shall:

1. Ensure that the SPD officially adopts and institutionalizes the tenets of Procedural Justice.
2. Retain the services of a Procedural Justice Trainer from the Yale Law School “Justice Collaboratory” or similar entity to train the Department in the principles of Procedural Justice.
3. Ensure that the SPD designates an officer to be a procedural justice compliance officer who will be further trained in procedural justice, provide continuing training to officers, and ensure compliance of both internal and external procedural justice principles.

4. Hold a public hearing prior to adoption of any new general or special order issued or updated, that is likely to substantially impact the residents of Southold Town. This will increase transparency and give the public a voice.
5. Authorize the CPPC to conduct an annual audit, to be presented to the Town Board, of whether SPD has and is maintaining the principles of Procedural Justice both internally and externally.

References:

1. Gold, E.(2013). The Case for Procedural Justice: Fairness as a Crime Prevention Tool.
2. Quattlebaum, Meares & Tyler (2018). Principles of procedurally Just Policing. The Justice Collaboratory Yale Law School pg. 2.
3. Brasnly, Luna, Mostyn, Schnitzer & Wycoff (2015). Implementing a Comprehensive Performance Management Approach in Community Policing Organizations: An Executive Guidebook pg. 1.
4. Final Report of The President's Task Force on 21st Century Policing Pg. 10.

IX. Mental Health & Wellness of the Officer

Goal: We must allocate and make resources available to officers and their families in order to be proactive regarding issues of mental health and wellness in the Department. It is crucial that we establish a cultural shift away from one of silence and condemnation of mental health issues towards a culture of proactive acknowledgement, support and treatment to promote overall wellness. Mental health issues should be treated with the same attention as any other medical issue.

Background: According to The Final report of the President's Task Force on 21st Century Policing, 2015, "The wellness and safety of law-enforcement officers is critical not only to themselves, their colleagues, and their agencies but also to public safety. An officer whose capabilities, judgment, and behavior are adversely affected by poor physical or psychological health not only may be of little use to the community he or she serves but also may be a danger to the community and to other officers." "Law Enforcement officers are subject to more stress than the general population owing to the nature of their jobs. In addition to working with difficult, even hostile, individuals, responding to tragic events, and sometimes coming under fire themselves, they suffer from the effects of everyday stressors – the most acute of which often come from their agencies because of confusing messages or non-supportive management; and their families, who do not fully understand the pressures the officers face on the job. When both work and family relations fray the individual's coping, abilities can be stretched to the limit resulting in alcohol abuse, domestic violence, over aggressive policing, even suicide." "An agency work environment in which officers do not feel they are respected, supported, or treated fairly is one of the most common sources of stress. And research indicates that officers who feel respected by their supervisors are more likely to accept and voluntarily comply with departmental policies. This transformation should also overturn the tradition of silence on psychological problems, encouraging officers to seek help without concern about negative consequences."

A survey was conducted seeking input from SPD officers. The results showed that 61% of the officers (100% of the survey respondents) would utilize services to benefit their mental health and wellness.

Current Situation: The Department should be commended for instituting a Peer Mentoring/Support Program designed to promote Officer wellness through anonymous connections with other Police Officers from surrounding departments. In addition, the Department has used resources such as those offered by First Responder Departments in the wake of traumatic incidents such as the tragic limo accident on Rt 48. However, there is minimal proactivity by the Department to promote Officer wellness. There are numerous free resources available and others that require a shift in policy and mindset. The National Officer Safety and Wellness (OSW) Group was formed as a collaboration between the Office of Community Oriented Policing And the Bureau of Justice Assistance (part of DOJ Office of Justice Programs). OSW recognizes that emotional wellness is a public health issue. Problems left untreated due to stigma or lack of resources may lead to behavioral manifestations both in the community and in the Officer's family. Resources should be made readily available and promoted by leadership so officers do not have to look far to access assistance when needed.

Recommendations:

The Town Board shall:

1. Pre-arrange and fund Critical Incident Stress Debriefing to enable expedited services when needed, made available at the department's expense following officer-involved traumatic incidents.
2. Conduct annual in-service training with EAP or other support providers to increase awareness about signs of trauma and wellness strategies and decrease stigma.
3. Prominently display mental health resources.
4. Prominently display mental health resources in numerous areas around the headquarters for easy access and updated regularly.
5. Identify and promote virtual mental health services.
6. Establish a consortium with other neighboring departments to pool resources.
7. Ensure that mental health wellness checks are routinized during annual physical evaluations in order to catch problems early when they are most treatable.
8. Ensure that spouses and families are covered by insurance as well, given that marital and financial challenges can affect job performance for officers if unacknowledged.
9. Ensure that insurance policies adequately cover mental health care as well as the physical needs of officers/partners.

References:

1. Destinationzero.org - database of examples of outstanding programs that have been implemented in departments across the country
2. Safe Call Now – a confidential, comprehensive 24-hour crisis referral service for all public safety employees and first responders and their families nationwide. They provide education, support healthy alternatives and resources to save lives and put families back together.
3. <http://1sthelp.net/>
We're giving first responders easy, quick access to organizations that can assist them with a range of problems related to their jobs. From peer support to mental health care to financial aid – everything first responders need can be found by answering a short questionnaire. Agencies from all around the world, equipped to answer the first responders' calls, have provided their information and are standing by ready to assist. *"We are providing free informational cards to any individual or department that would like to hand them out to their members. These cards bear our logo and the website and are a handy reminder that you are never alone. Contact contact@bluehelp.org to have some shipped to your department."*
4. DOJ - <https://cops.usdoj.gov/RIC/Publications/cops-w0862-pub.pdf>

X. Police Officer Staffing/Scheduling

Goal: To ensure SPD is adequately resourced and supported, we must appropriately fund and staff the SPD. To ensure optimal physical and mental health, and morale of police officers we must improve the current schedule.

Background: Officers within SPD reported feeling dissatisfied by the current work schedule, some saying that it has negatively impacted their overall well-being. According to an officer who responded to the survey “I believe the way our department handles our schedule/shift work has a large impact on all officers. I typically find myself completely fatigued”. Another officer states that “nearly all other police departments have long since transitioned to a more healthy and more desirable work schedule. Many cops have sleep problems...due to the continual rotations/messed up sleep schedule.” According to a study conducted for the USDOJ, Amendola (2012) found that different police schedules are associated with varying perceived quality of work-life, amount of sleep and amount of overtime accrued. In addition, writing in Police Chief Magazine, Scism, R. delineates the extensive challenging impacts of 24/7 rotating shifts among police officers. He reports that “fatigue is a leading cause of impairment on the job - it is four times more likely to cause impairment in the workplace than alcohol and drugs” p.1. Furthermore, sleep deprivation is associated with:

- Increased irritability and lacking levels of tolerance
- Reduced levels of alertness and increased propensity for accidents
- Memory impairment, lack of concentration, and overall inattention
- Stress-related illnesses, obesity, hypertension, and changes in both metabolic and hormonal functions...”
- ...An inability to perform the following functions:
 - Comprehend complex situations
 - Perform risk assessment and accurately predict consequences
 - Think latterly and be innovative
 - Take personal interest in outcomes control mood or behavior
 - Monitor personal performance
 - Recollect timing of events
 - Communicate effectively”

It is apparent from both the SPD officers’ perspective and findings from the literature, there is a need to explore possible alternative scheduling as well as ensure the Department has adequate funding and staffing to address the needs of the community.

Recommendations:

The Town Board shall:

1. Establish a working group of police rank & file & leadership and Town Board members to explore the most feasible and health-sustaining scheduling structure for police officers to identify a proposal within six months.
2. Adequately fund and staff Southold Police.

3. Consider hiring more seasonal officers to afford full time officers the time for training.

References

1. Amendola, K.L., Weisburd, D., Hamilton, M.A., Jones, G., Slipka, M., Heitmann, A., Shane, J., Ortize, C., and Tarkghen, E.(2012) The Impact of Shift Length in Policing on Performance, Health, Quality of Life, Sleep, Fatigue, and Extra-Duty Employment. Research funded by USDOJ.
2. Scism, R.M. (Captain, Missouri State Highway Patrol Research and Development Division,) [Human Fatigue in 24/7 Operations: Law Enforcement Considerations and Strategies for Improved Performance](#). *Police Chief Magazine*.
3. <https://www.policchiefmagazine.org/human-fatigue-in-247-operations/?ref=4e63e5c423ffc023857a2f5868da1a29>

XI. Enhance Police Officer Training

Goal: A proactive stance surrounding orientation and training for officers needs to be taken to ensure the growth and development of positive community relations, confident officers and effective policing.

Background: 30/49 officers in Southold took our survey, and 27 out of those 30 indicated a desire for more training. Officers articulated similar passionate expressions of the need for additional training during our Police Listening Session as well as in multiple conversations with individual officers. Governor Cuomo states in the Guidance of EO 203, that training should not end at recruitment. Officers should be encouraged to grow and learn throughout their career, incorporating and reinforcing practices that emphasize values such as accountability, transparency and fairness in all aspects of policing.

Current Situation: It is the belief of this Task Force that the issues regarding training in general are inextricably intertwined with the factors relating to staffing and scheduling. In order for training to be pursued to the degree necessary, on a consistent basis, systemic changes will be required. Issues related to staffing, schedules, overtime and the contract all affect the possibility of the Department having ongoing, high quality, rigorous, and professional training. Findings from the Police Survey indicate that nearly half (48%) reported that they only “sometimes” “feel well-prepared” and an additional (6.9%) “hardly ever” “feel well-prepared”. Thus, the officers have given the Task Force feedback that they are - across the board - desperate for more training. It is our sincere hope that the Town Board, especially in their role as Police Commissioners, undertake a review of the overall needs of the Department in order to change the current obstacles to professional training. The Department should be commended for doing incredible work given the limited personnel currently scheduled at any given time. At this time, it is not clear exactly how training needs are assessed and or addressed. It appears that basic and essential certifications have lapsed for many of the Officers. In addition, there is no clearly stated plan to institutionalize training for Community Engagement.

Recommendations:

The Town Board shall:

1. Direct the SPD to undertake a comprehensive analysis of training needs; identify what certifications are in good standing and what have lapsed. This includes areas such as:
 - a. Firearms
 - b. EMT Recertification
 - c. De-escalation
 - d. Defense Tactics
2. Examine the role of Field Training Officers (FTO's) in giving hands-on training to new recruits by:
 - a. Ensuring that FTO's comprehensively educate a new hire in understanding the demands of the police and unique needs of their local community.
 - b. Ensuring that the input from FTO is valued and used effectively before a new recruit is graduated.

3. Officially request access to information about the content of the curriculum of the Suffolk County Police Academy. This Task Force has been granted no access to the Academy training protocol. It must be reviewed by the Town Board and/or the CPPC in order to better understand whether there are specific areas of training (such as crisis intervention or basic language instruction) that should be enhanced by in-service training at the local level.
4. Ensure that the SPD keeps all officers up to date on state of the art practices, procedures and approaches, which is critical to ensuring that they are prepared and that the people of the Town can depend on such preparedness.
5. Ensure that Officers, as part of training, examine events in which force was used within the Department, in a non-disciplinary context. While it is not possible to specify all situations in which the use of force is either reasonable or unreasonable, officers should be given some direction and examples of what reasonableness means as a concept. This should be accomplished through ongoing training.
6. Identify possible alternative sources of funding for training needs including collaboration with neighboring towns through the Intermunicipal Agreement (IMA) process.

XII. 911 Dispatchers

Goal: 911 Dispatchers must participate in ongoing training to ensure competence in new technology and equitable and culturally responsive treatment while responding to phone calls.

Background:

In a study reported in the Journal of Emergency Dispatch (Trefts & Hurst, 2020), members of “diverse communities lacked trust in 911”. This lack of trust related to a fear that contacting 911 would result in their “being wrongfully arrested or becoming the target of disrespect, mistreatment, or even violence from responders. It also reflected that they anticipated that their “calls for help would be met with neglect rather than timely aid”. The authors recommend that in order to build trust, communities need to listen to affected communities as a first step, provide cultural training for dispatchers, hire diverse candidates and provide education to youth and adults in minority communities about the rigorous training in cultural awareness that dispatchers receive.

According to the US DOJ Division of Civil Rights Disability Rights Section, the Americans with Disabilities Act requires thorough training for 911 Dispatchers to recognize and utilize TTY calls for people with speech and hearing disabilities. Furthermore, the Act requires that “PSAPs* should require or offer refresher training at least as often as they require or offer training for voice calls, but at a minimum, every six months.” *PSAP = Public Safety Answering Points (PSAPs)

Current Situation: The current 911 Dispatchers in Southold work out of the Police Department in Peconic during the same shifts around the clock as the police. 911 dispatchers are hired from a civil service list and are trained on the specific computer system that all Police Departments use on Long Island. The training takes approximately three months to complete, and is primarily done by senior dispatchers. In the final stage of training, new dispatchers begin to take calls with senior dispatchers observing and listening in. There is no ongoing training for dispatchers unless there is a new technology for them to be trained on.

Recommendations:

The Town Board shall:

1. Institute regular ongoing periodic training and refresher courses for 911 Dispatchers in the areas of cultural diversity, bias-reduction, mental health, substance abuse, and disability awareness that should include incorporating community members from different backgrounds, cultures, and communities within Southold.
2. Consider instituting a customer service survey to be sent out after 911 calls.

References:

1. <https://frdat.niagara.edu/assets/911-ops-dat-brief.pdf>
2. Trefts, E. & Hurst, J. (2020). Ensuring trust in 911. The Journal of Emergency Dispatch.
3. <https://iaedjournal.org/ensuring-trust-in-911%E2%80%AF-%E2%80%AF/>
4. [Improving Service to Callers With Disabilities](#)
5. [Serving Equally: Removing Bias-based Inequities from 9-1-1](#)

XIII. Incorporating Community Resources for People in Crisis

Goal: To incorporate best practices for policing when utilizing community resources instead and/or as a supplement to, police in situations involving people in crisis in the Town of Southold.

Background:

Resources providing best practices for policing frequently address concerns regarding the interaction between police and persons in crisis.

Over the past few decades, a model known as the Crisis Intervention Team (CIT) has become an increasingly popular paradigm for Police—People with Mental Illness (PMI) interaction. The first model was developed in Memphis, TN in response to a police encounter in 1987 with Joseph Dewayne Robinson, a 27-year-old man with a history of mental illness and substance abuse. Mr. Robinson's mother called 911, reporting that her son was a danger to himself and others. In the subsequent police encounter, Mr. Robinson did not respond to verbal requests by the police, then “lunged” at the officers, who shot him multiple times.

In response to this incident, various aspects of the Memphis community, including the Universities of Memphis and Tennessee and the Memphis Police Department, came together to establish what became the Memphis Police Department's Crisis Intervention Team.

Elements of the Memphis Crisis Intervention Team (CIT) Model:

- Dispatchers are trained to identify people in mental health or other crises.
- Officers volunteer to serve as crisis intervention officers and receive specialized training in crisis intervention techniques.
- CIT officers are spread across the city during all shifts.
- CIT officers perform regular patrol duties but are immediately dispatched to scenes of mental health crises.
- CIT officers use de-escalation techniques and verbal tactics to defuse crisis.
- CIT officers determine whether to transport people to hospitals or other service providers for further evaluation.
- Receiving facilities refer people to resources, such as community mental health services, social services, and veterans' services.

The success of these programs has been shown by de-escalating scenarios involving persons with mental illness and better provision of appropriate care and treatment. It has also freed police to focus on criminal activity and diverted cases from the criminal justice system. In addition, officers engaged in the CIT efforts reported greater job satisfaction and increased confidence in handling crisis scenarios.

Current Situation:

The SPD are called upon to respond to a wide range of citizen needs, far beyond the purview of crime response/prevention. Police officers euphemistically refer to 911 calls as “one-stop shopping” on the part of the community. Consequently, they find themselves responding to incidents of homelessness, substance use, and mental and emotional crises. In survey responses and the listening session with police conducted by the Task Force, officers reported a need for greater training in order to respond more effectively to the range of services they are called upon to perform, with several expressing specific interest in better training in responding to persons in mental health crises.

In recent years, in an effort to better serve persons in crisis, resources such as DASH (Diagnostic Assessment and Stabilization Hub) have been developed in Riverhead. In partnership with resources from ELIH Stony Brook and Peconic Bay Medical Center, DASH has created a network of resource providers to offer critical assistance to police in the proper handling of crisis situations. It appears that many of the necessary elements of a CIT program are available on the North Fork, but linkages between services and awareness on the part of police officers needs to be strengthened.

Recommendations:

The Town Board shall:

1. Implement a comprehensive Crisis Intervention Program that strengthens existing linkages between the SPD and mental health resources available to residents in Southold Town.
2. Mandate all SPD officers receive the basic 40 hours of CIT training, with annual refresher training.
3. Ensure that SPD encourages officers to self-select for advanced CIT training, create a team of CIT officers with advanced training, coordinated by an officer identified as the CIT liaison, and assure that a member of the specialized team is available on an on call basis or is assigned to as many shifts as possible.
4. Ensure that SPD provides advanced training for 911 dispatchers to coordinate efforts with the CIT team and liaison, to improve their ability to identify calls involving persons with mental illness, substance use or developmental challenges.
5. Hold an annual consultation with various mental health service providers and the police CIT liaison and officers, and Police Chief to assure proper coordination among partners, identify needs for improved linkages, and suggest content for further training.
6. Collaborate with the CPPC to review the implications of the CIT coordination findings.
7. Ensure the SPD data collection captures the number of incidents involving persons in crisis, either identified by 911 dispatchers or by the responding officer’s report.

References

1. Crisis Intervention Team (CIT) Programs: A Best Practice Guide for Transforming *Community Responses to Mental Health Crises*.
2. Leadership Conference on Civil and Human Rights. (2019). New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing, p. 150.
<https://civilrights.org/wpcontent/uploads/PolicingFullReport.pdf>
3. American Academy of Psychiatry and Law, Vol.47, Number 4, 2019, p.1.

4. Leadership Conference on Civil and Human Rights. (2019). New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing, p. 156.
<https://civilrights.org/wpcontent/uploads/PolicingFullReport.pdf>
5. Fair and Just Prosecution (2018), Effective Collaborative Responses to Individuals with Mental Illness: A Compendium of Models from Across the Nation,
https://fairandjustprosecution.org/wp-content/uploads/2018/10/FJP_Brief_MentalHealthCompendium.pdf
6. United States Department of Justice. (2015). Final Report of the President's Task Force on 21st Century Policing. p.56.https://cops.usdoj.gov/pdf/taskforce_taskforce~finalreport.pdf.

XIV. Policing and Youth, Prevention, Parent Support and School Resource Officers

Goal: Procedural justice should be formally implemented by SPD for all Southolders but for youth in particular as research shows it can positively influence behavioral choices and relationships with authority figures in general and can lead to “legal socialization”.

Background:

How young people, especially those between the ages of 12-18, experience policing and interactions with police is a critical time period. As noted in Principles of Procedurally Just Policing Report this is referred to as “legal socialization.” The adolescent brain is in a critical period of development during this stage and any efforts to implement positive youth programs, outreach, work with parents of at-risk youth and general interactions and relationships with law enforcement and the justice system have a lasting impact. Treating the interactions occurring with minor offenses and in pro-active program-based interaction creates the “socialization” and relationship that may lead to better outcomes for prevention and trust-building as young people prepare for the responsibilities of adulthood is supported in the literature on best practices.

“That criminal offending peaks in late adolescence is not surprising. As a growing body of developmental neuroscience and behavioral research reveals, “adolescents differ from adults in their greater propensity for risk-taking and susceptibility to peer influence and their reduced capacity for self-regulation and for attending to future consequences.”¹

The following model principles from the same report outline the basis for building on the existing structures in place in Southold Town.

1. When police officers must interact with young people in the context of stops, frisks, arrests, and the like, they should always exhibit procedurally just behavior.
2. All police officers—particularly those, like School Resource Officers (SROs)—who interact frequently with young people, should be trained in concepts of procedural justice.

Current Situation:

Currently each of the Southold Town School Districts has the recommended Memorandum of Agreement (MOU) outlining the role of School Resources Officers. Principals all reported long-standing positive relationships with the SROs as well Southold PD in general. The ability to pick up the phone and ask for advice, on-site support for educational purposes, and appropriate enforcement when needed was described as uniformly positive. Each district has a different approach to use of officers. The expansion to 2 fulltime SROs was noted as a big improvement and helpful. Schools expressed a request for more access to local experts on issues around prevention and response to anti-bias issues, understanding the impact of implicit bias and better restorative justice which may be something to explore outside the scope of this project.

Despite all of these collective efforts, structural racism continues to impact every aspect of life. Our youth and families, specifically those of color, are not immune to becoming victims as part of interactions with the Justice System in general as stated in the research around youth and policing (Trent, et al., 2019).

Recommendations:

The Town Board shall:

1. Annually survey students to better understand their experiences (both positive and negative) around SRO's and SPD in general.
2. Ensure the SRO's meet regularly with school principals as a group .
3. Organize a youth "synergy" event across the districts.
4. Strengthen connections with Family Service League, Mobile Crisis Response Teams and other Behavioral Health resources in order to enhance training, updates and portable response tools such as "tear off pads" with specific helplines and contacts for families.
5. Ensure that SRO's are specifically trained in Crisis Intervention strategies for responding to all youth-related incidents (on and off school grounds) where behavioral health or substance-related issues are present (See Section VII).
6. Ensure protocols for SPD communication with school officials following incidents should be codified and clarified.
7. Ensure SRO's have formal planned opportunities to educate students about the various career paths in civil service, law enforcement and the justice system.
8. Conduct a formal annual review of the individual school district MOUs to clarify and revise as needed.
9. Amend Amend Policy 8.1 "Taking Custody of Juveniles" (Raise the Age) to reflect current New York State Law.
10. Address situations where "home strategies" are engaged for at-risk youth. SRO's will be notified early and formally in order to be better able to respond, either formally or informally in a supportive role, alongside EMT's or Behavioral Health practitioners.

References:

1. Richard J. Bonnie & Elizabeth S. Scott, *The Teenage Brain: Adolescent Brain Research and the Law*, current directions in Psychol. sci. (2013).
2. Quattlebaum, Meares & Tyler (2018). Principles of Procedurally Just Policing. The Justice Collaboratory Yale Law School
3. The Impact of Racism on Child and Adolescent Health Maria Trent, Danielle G. Dooley, Jacqueline Dougé. Pediatrics Aug 2019, 144 (2) e20191765; DOI: 10.1542/peds.2019-1765
<https://pediatrics.aappublications.org/content/144/2/e20191765>

XV. Officer Recruitment

Goal:

Align SPD with the community that they serve in terms of race, gender, and socioeconomic status.

Background:

Southold has limited direct input into the recruitment process of police officers. This recruitment is governed by Suffolk County civil service rules. Applicants apply directly to the county and all screening is done within the county system. The county administers a test from which municipal agencies within the County select potential candidates. The selection is made first based on residency within the town. If the list of resident candidates is exhausted, then the town must select from the larger, county-wide list. Once selected, candidates must go through the following screening process prior to entering the academy: medical, personality assessment, polygraph, extensive background check and physical fitness screening.

It should be noted that the test from which candidates are chosen is given once every four years. Academy classes are normally held every six months, however, currently, they are only given annually due to budget constraints. It should also be noted that all police agencies within the county are competing for candidates from the same list.

Throughout the multiple efforts by this Task Force to solicit input from the community during this process, a general concern from community members highlighted the concern that the current makeup of SPD does not represent diversity in terms of race, ethnicity and gender.

Current Situation:

The majority of recruitment efforts are done at the County level. SPD participates in these recruitments as well as in job fairs at the town level. The job fairs occur along with other civic departments in the town as opposed to specific recruitment fairs for the Police Department. The town has virtually no input into the recruitment process for police officers beyond the local job fairs.

Other jurisdictions, such as Shelter Island, display the basic information in a relatively prominent place on their website (<https://www.shelterislandtown.us/shelter-island-police-department>). At a minimum, Southold Town should have the basic information on their website. The Town Board and SPD should seek out recruitment ideas from other jurisdictions (i.e. <https://www.police1.com/police-recruiting/>), and open up a dialogue with the county to possibly increase the frequency of testing and academy classes.

Recommendations:

The Town Board shall:

1. Increase its involvement in the recruitment process of police officers to ensure that future officers reflect the diversity of the town.
2. Engage in a marketing campaign using various social media platforms to reach potential candidates.

3. Consider hiring a marketing firm to develop a target marketing campaign to reach groups that would otherwise not respond to traditional methods.
4. Create and publish ads in the local news outlets, such as the Suffolk Times and the Patch and radio stations.
5. Develop/increase a mentoring program that includes enhanced guidance on the recruitment process, e.g., practice for tests, physical fitness training.
6. Engage in active outreach to both male and female youth in all Southold communities
7. Update the Town website:
 - a. Include detailed facts about the process/timing to become a police officer,
 - b. Link to the Academy and to information about the civil service exam.
8. Enter into dialogue with East End towns about the need for recruitment and initiate dialogue with the county to possibly increase the frequency of testing and academy classes.
9. Investigate the possibility of diverse officers being recruited and relocating from other parts of Suffolk County to join the force.
10. Conduct an annual review of officer to population ratio to ensure that ratio is appropriate.
11. Develop a program for hiring/budgeting at regular intervals to prepare for future retirements.

References:

1. Other jurisdictions, such as Shelter Island display the basic information in a relatively prominent place on their website (<https://www.shelterislandtown.us/shelter-island-police-department>).
2. Resource for recruitment - <https://www.police1.com/police-recruiting/>)

XVI. Police Strategies / Use of Force

Goal:

To specify how and when use of force should be used and to provide alternatives.

Background:

Use of Force determinations are based on a standard of reasonableness which, in the words of the US Supreme Court means “objective reasonableness” under the circumstances. Considerations of reasonableness must depend on the individual circumstances of every incident.¹

The Department of Justice Guidance for Law Rules pertaining to intervention state “An officer who purposefully allows a fellow officer to violate a victim’s Constitutional rights *may be prosecuted for failure to intervene to stop the Constitutional violation.*” (emphasis added).

An Early Intervention System (EIS) can assist with accountability between officers and supervisors.⁵ It is a required reform in all Justice Department consent decrees and settlement agreements.⁶ EIS flags officers whose conduct could jeopardize the relationship between the police and the community which can at times be fragile. Because it is driven by data there is no issue of bias or favoritism on the part of supervisors. It can provide data for positive steps including promotions.

The use of an EIS could save managers’ time preparing evaluations as well as disciplinary reports by providing previously entered data for performance evaluations. Data stored in an EIS can assist in directing resources for the needs of officers, such as substance abuse or mental health issues in a non-punitive manner. (Police Executive Research Forum) It will also point to areas in which training has not been addressed.

Sentinel or near-miss events should be required for inclusion in a use of force report. These should include the “...accidental discharge of a conducted energy device” or “where a firearm was discharged at a subject.” In a 2019 report by The Leadership Conference on Civil and Human Rights, the authors recommend that *all* misconduct reports be investigated, even if they occur when disciplinary actions can no longer be imposed. This should include near miss incidents which may not have caused harm to a subject.

Current Situation:

In regards to Use of Force Policies, the SPD provides in General Order No. 2.01 that “Law enforcement officers are authorized to use reasonable and legitimate force in specific circumstances.” It also states, “officers shall use the least amount of force necessary to effect cooperation and control of a situation which requires police intervention, and then only when all other reasonable alternatives have been exhausted or are not available.”

Order No. 2.01 does not specify the conduct that may or may not be reasonable. Section IX of the Order lists only four actions in which force may not be used.² Policies pertaining to de-escalation and other steps to be taken before force is used are not stated in the General Orders.

The General Order states “A supervisor that is made aware of a force incident shall insure the completion of a use of force report by all officers engaging in reportable use of force and, to the extent practical, make a record of all officers present.” It is required that officers complete a Use of Force

Report prior to the end of their shift and submit the report to their supervisor by the end of their shift. Mandatory fields on the Use of Force Report are: the age, race and gender of the reporting officer as well as that of the subject of the arrest and whether the officer or the subject sustained serious physical injury or death.

General Order 2.01 states that under the Use of Force Policy “Any officer present and observing another officer using force that he/she reasonably believes to be clearly beyond that which is objectively reasonable under the circumstances shall intercede to prevent the use of unreasonable force, if and when the officer has a realistic opportunity to prevent harm.”

It further states that “An officer who observes another officer using force that exceeds the degree of force as described in subdivision A of this section shall promptly report these observations to a supervisor.”

Summary of Recommendations:

The Town Board shall:

3. Amend the Use of Force Policy to make clear to officers that the list of four actions in section IX of General Order 2.04 is in no way exhaustive.
4. Ensure a stand alone de-escalation policy is drafted and included in the General Orders detailing the steps to be taken to de-escalate a situation as well as steps to be taken before force can be used.
5. Amend Reporting policies to include Use of Force incidents in accordance with the following:
 - a. Any force used by the subject, any threat made to officers or others, and any evidence of intoxication or mental health issues must be reported in the document.
 - b. In addition to the mandatory fields, reports will include:
 - i. The name of the officer completing the report
 - ii. The location, date, and time of the incident
 - iii. A description of the events leading up to the use of force
 - iv. The number and names of officers at the scene of the incident and whether a senior officer acting in a supervisory capacity was present or consulted with at the scene.
 - c. Procedure: After an officer submits the report to his or her supervisor that report is to be passed up the chain of command until it reaches the Chief of Police for review. The Chief will be made aware of any and all incidents that occur regardless of whether there is any reason to consider disciplinary action.
 - d. After use of force incident reports are reviewed by the Chief of Police they must be reported to and reviewed by the Commissioners (Southold Town Board) regardless of whether the Police Department has taken disciplinary action. This should not create an undue burden for the Commissioners given the fact that in 2020 only five complaints were lodged against officers and of those, it is not known how many of those complaints involved the use of force, as the nature of the complaint has not been required to be reported. If the Commissioners deem it appropriate they shall refer a complaint to the Office of the District Attorney.
3. Investigate the option for SPD implementing an Early Intervention System to include data taken from arrest and incident reports. This data is to be entered by non-police personnel with conclusions from that data to be drawn by supervisors.

4. Ensure the SPD creates an exhaustive list of near-miss events, published to all officers and required for inclusion in Use of Force Reports and provided to the Town's Police Commissioners.

References

1. Graham v O'Connor 490 U.S. 386
2. Force shall not be used for the following reasons: 1. To extract an item from the anus or vagina of a subject without a warrant, except where exigent circumstances are present; 2. To coerce a confession from a subject in custody; 3. To obtain blood, saliva, urine or other bodily fluid or cells, from an individual for the purpose of scientific testing in lieu of a court order where required; 4. Against persons who are handcuffed or restrained unless it is to prevent injury, escape, or otherwise overcome active or passive resistance posed by the subject.
3. United States of America v. The City of Ferguson Consent Decree
4. FBI Uniform Crime Reporting-National Use-of Force-Data Collection
5. *(Strategies for Intervening with Officers through Early Intervention Systems)* US Department of Justice, COPS
6. Samuel Walker, *civil liberties, policing and criminal justice*).

XVII. Bias-Free Policing and Traffic Stops

Goal: To reduce and mitigate the effects of bias in policing, SPD and the Town Board should continue to confront the current reality, and long history, of racism and discrimination as embedded in the institutions of our society. To build trust, equitably engage communities, and improve public safety for all, SPD should make clear that discriminatory policing has no place in Southold by continuing to develop policies that establish bias-free policing as the norm.

Background: Multiple individual interviews were conducted to discuss the current state of policing in Southold. There were 2 white females, 5 black males, 5 black females, and 1 white male. Their employment varied as well, 2 retired, 2 contractors, 2 health care workers, 1 pastor, 3 self-employed and one social worker. The ages varied from the 40's through 80's. Most are life-long residents (born in Greenport), part-time residents and residents who relocated to Greenport and have made their permanent home here.

In analyzing the responses from the interviews, the following themes appeared regarding police - community relations:

- The lack of transparency and trust by the community of the police
- The need for community interaction to foster greater trust.
- The need to diversify the department to reflect the community (i.e., race, gender, ethnicity, etc).
- The perception that the department is engaged in nepotism in their treatment of lawbreakers.
- The perception that the department has bias issues that reflect on ethnicity, economic status and politics which sets up a system of unfair policing practices.
- There is a need for diversity training, which focuses on unconscious biases and how to work through them to create an atmosphere of sensitivity toward persons who are typically mistreated or unfairly prejudged. Diversity training should cover race, ethnicity, sexual orientation, gender, gender identity, sex, the elderly, and people with disabilities.
- It is also believed that most stops are discriminatory and biased.

Recommendations:

The Town Board shall:

1. Ensure SPD conducts all law enforcement activities without discrimination and such activities are based on observable conduct or specific information that provides a legal basis for the activity.
2. Ensure SPD records and reports demographic information, including race, for all law enforcement activities, including pedestrian and vehicle stops, detentions, frisks, searches, seizures, arrests, uses of force, and complaint data, according to the department's formal data collection processes.
3. Intervene to prevent or stop discriminatory police activities. Policy and procedures must require that officers that observe discriminatory behavior on the parts of fellow officers and do not intervene are culpable and subject to discipline by SPD.

4. Enact policies and procedures which require that officers report bias-based incidents that they witness or are aware of.
5. Ensure each patrol car is equipped with a designated device, such as a department issued cell phone, used exclusively for Officers to access the language line in order to ensure that any/all interactions with Spanish speaking individuals are afforded the same respect given to English speaking citizens.
6. Ensure SPD officers are adequately trained, particularly in areas such as the following:
 - a. The negative effects of discriminatory policing on police legitimacy.
 - b. Constitutional and other legal protections that safeguard against unlawful discrimination.
 - c. The history of racism and discrimination in the United States and globally.
 - d. Procedural justice principles including respect, bias free decision-making, explaining process during interactions and allowing people to express themselves during interactions with the community.
 - e. The impact of arbitrary classifications, stereotypes, and biases, including subconscious or implicit biases.
 - f. How to minimize the effects of bias when officers recognize it.
 - g. Cultural competency and humility, including cross cultural communication skills (so officers can appreciate cultural and ethnic norms and differences.)
 - h. Data collection protocols to identify and evaluate patterns of discriminatory practices.
 - i. De-escalation training.
 - j. How to intervene to prevent or stop misconduct.
 - k. Updated Use of Force training (see policy).

References

1. Leadership conference on civil and human rights (2019) New Era of Public Safety: A Guide to Effective Community Policing pp 51-54.

XVIII. Update Discrimination Policies

Goal: Update police manual to be in compliance with EO 203 and NYS Human Rights Law passed in 2020. In order to ensure equitable policing within the community as well as a safe, unbiased work environment, there needs to be a clearly defined policy on discrimination.

Background:

The Guidance released following EO 203 states that, “Racial and ethnic profiling erodes trust in the police and unfairly targets minority communities. Bias based upon race, sex, national origin, gender identity and expression and sexual orientation, among other factors, is fundamentally unjust, and damages the targeted individuals, their communities, and the relationship with law enforcement that is necessary to build trust and effective policing.”

NYS Law S6209A/A7797A amends the NYS Human Rights Law and Dignity for All Students Act to make clear that discrimination based on race includes hairstyles or traits associated with race.

Race discrimination based on hair and hairstyles most closely associated with Black or African American people has caused significant physical and psychological harm to those who wish to maintain natural hair or specific hairstyles but are forced to choose between their livelihood or education and their cultural identity and/or hair health.

Current Situation:

The current SPD policy on discrimination states in its entirety:

- “A. It shall be unlawful to discriminate against any person because of race, creed, color, national origin, sex, marital status or being handicapped.
- B. Ethnic name calling or remarks directed towards any of the above is prohibited.
- C. Failure to comply will/may result in disciplinary action being taken by the Chief of Police.”²

General Order 1.04 on “Grooming” states in its entirety:

“Female

- a. Hair will be neat, trimmed, clean, and present a well-groomed appearance. Female personnel’s hair will not exceed 1 ½ inches in thickness as measured from the scalp; it will not extend below the collar, but may be too mid-ear.
- b. Hair longer than above is permissible, but when in uniform a member must wear it in a style that conforms to the above. Hair must be pulled back away from the face and secured so that it does not interfere with the proper wearing of issued headgear. In no event shall ponytails or other styles or lengths of hair be exposed which may be readily grabbed by an aggressor.
- c. Items used to hold hair up must blend with hair. Decorative articles may not be brown in hair.
- d. Wigs or hairpieces will not be worn while on duty except for cosmetic reasons to cover natural baldness or physical disfigurement.
- e. Make-up, if worn, is to be worn in moderation.
- f. The Chief of Police will have the authority to waive these standards to meet the individual needs for special assignment.”

Male

- a. Regulations are applicable to male employees of the Department and waivers may be granted by the Chief of Police to meet individual needs for special assignments.
- b. Hair will be neat, clean, trimmed, and present a well-groomed appearance. Hair will not exceed 1 ½ inches in thickness as measured from the scalp; it will not extend below the collar, but may extend to mid-ear.
- c. If a member chooses to wear a mustache it must be neatly trimmed and may extend one-half inch beyond and/or below the mouth.
- d. Beards, goatees and ponytails or similar configurations will not be allowed. A Waiver for medical reasons may be granted by the Chief of Police.
- e. Wigs or hairpieces will not be worn while on duty except for cosmetic reasons to cover natural baldness or physical disfigurement. If, under these conditions, a hairpiece or wig is worn, it will conform to the standards as set forth herein for natural hair growth."

Recommendations:

The Town Board shall:

1. Amend General Order 2.08 on Discrimination, to include that:
 - a. "The purpose of this policy is to prohibit discrimination and harassment of any form" and establish what the intention of the policy is as well as what it seeks to do.
 - b. Remove the word "may" from General Order 2.08, as this implies that enforcement will not occur and that discrimination practices can continue due to lack of supervision. By replacing "may" with "shall" ensures active enforceability.
 - c. Include definitions of key terms that provides an active frame of reference for the police officers, such as:
 - i. Discrimination
 - ii. Harassment
 - iii. Any other conduct that would be defined as discrimination and/or discriminatory acts (i.e quid pro quo, retaliation)³
2. Ensure enforcement of the Discrimination Policy to require that:
 - a. Any violation of the discrimination policy will immediately be reported to the Commissioners and will result in disciplinary action, and
 - b. Establish that any complaints brought to the Commissioners, the Chief and Supervisory staff will remain anonymous in strictest confidence, and that⁴
 - c. The Commissioners, Chief and Supervisory staff will take prompt and reasonable steps to ensure the mitigation and elimination of any discrimination and harassment occurring with police officers within their jurisdiction.⁵
3. Update the Grooming Policy found in General Order 1.04 "Duties of the Department" to comply with the current human rights law by adopting a policy similar if not identical to the NYPD model as outlined here:

https://www1.nyc.gov/assets/nypd/downloads/pdf/public_information/public-pguide1.pdf p113

References

1. Cuomo, A. (2020). *New York State Police Reform and Reinvention Collaborative* [PDF]. Albany: Governor Andrew Cuomo.
2. Stanley, D. (1994). *Southold Police General Order Subject: Discrimination Policy* [PDF]. Southold: Southold Police Department.

3. Pristoop, M. (2013). *M.2 Discrimination Harassment- September 2013* [Pdf]. Annapolis Police Department.
4. Otterness, D. (2020). *MSUB Police Department Manual* [PDF]. Bozeman: Montana State University Police.
5. Ibid
6. See Dr. Gillian Scott-Ward, Moving Past Racist Grooming Standards Terrorizing our Children, Medium (Jan. 10, 2018)
<https://medium.com/@gillianscottward/moving-past-racist-groomingstandards-terrorizing-our-children-40df73b9ecb3>
7. NYS Law S6209A/A7797A
8. https://www1.nyc.gov/assets/nypd/downloads/pdf/public_information/public-pguide1.pdf

XIX. Improve Investigations of Civilian Complaints

Goal: The SPD Internal Affairs policy should ensure that all civilian complaints are addressed and investigated

Background: In May 2001, the SPD adopted General Order 4.01 (the “Internal Affairs Policy”) for the purpose of documenting the procedures for SPD to follow concerning “processing of complaints alleging misconduct or inadequate service by members of the police department.” The Internal Affairs Policy was most recently reviewed and affirmed in June 2016. SPD has acknowledged that their Internal Affairs Policy does not yet fully meet the official requirements for Department accreditation under the NYS Law Enforcement Accreditation Program. SPD has expressed it is fully committed to aligning both its written policies and ongoing practices with those standards as part of its broader program to obtain NYS accreditation.

Current Situation: During the period from 2016-2020, the SPD conducted nineteen internal investigations. Thirteen of those investigations arose solely from civilian complaints; one arose from both civilian complaints and internal information. The following chart describes generally the alleged misconduct and the disposition of the investigations based upon civilian complaints.

Type of Complaint	Disposition	Disciplinary Sanction?
Improper use of official information	Sustained	Yes
Negative personal contact	Exonerated	No
Verbal threats	Not sustained	No
Driving violation	Exonerated	No
Off-duty private personal conduct	Not sustained	No
Police inaction	Not sustained	No
Negative personal contact	Not sustained	No
Use of force	Exonerated	No
Negative personal contact	Exonerated	No
Off-duty private personal conduct	Sustained	Pending
Off-duty officer intimidation	Not sustained	No
Off-duty officer intimidation	Exonerated	No
Officer intimidation	Exonerated	No
Use of force	Exonerated	No

During the same five-year time period, the SPD responded to an average of nearly 20,000 service calls per year, including more than 200 domestic incident calls per year, and SPD made more than 100 arrests per year.

Recommendations:

The Town Board shall:

1. Amend General Order 4.01 - The Internal Affairs Policy:
 - a. To add the following allegations of SPD employee misconduct to the list of Category I Complaints specified in General Order 4.01:
 - i. On-duty physical or verbal intimidation of a civilian;
 - ii. Retaliation against a civilian in response to information provided by a civilian in any complaint.
 - b. To clarify that no investigation of alleged Category I police misconduct shall be conducted by the immediate supervisor of the SPD employee who is the subject of the complaint.
 - c. To include that all investigations should address the question of whether inadequate supervision or training of the SPD employee who is the subject of the complaint contributed significantly to the conduct identified in the complaint.
 - d. To prevent the Duty Sergeant or supervising officer who receives a complaint via telephone or email from communicating to a complainant that the credibility of their complaint depends on their willingness to appear in person at police headquarters to fill out a written complaint form.
 - e. To clarify that the Duty Sergeant or supervising officer who receives a complaint via telephone or any other means must process the complaint by creating either a Civilian Complaint Report or a Negative Personal Contact report.
 - f. To clarify whether or not a complaint is “Sustained” or “Not Sustained” should be based upon the preponderance of the evidence obtained and evaluated during the investigation. The “Non-Sustained” disposition should be defined as “not proven by a preponderance of the evidence.” If the disposition of the investigation is “Not Sustained”, and the civilian complaint is a Category I complaint, the SPD should provide a short written concerning the Disposition to the complainant if the complainant has not chosen to remain anonymous or has filed the complaint through *pro bono* legal counsel.
 - g. To specify the range of sanctions that may be imposed by the SPD for both Category I and Category II misconduct. The range of sanctions for Category I misconduct should include termination of employment and suspension from employment. Monetary sanctions should be proportional to the severity of the sustained misconduct.
 - h. To include that any SPD officer who becomes the subject of a “Sustained” disposition for more than one Category I complaint or more than two Category II complaints should be suspended for a period of time consistent with the severity of the multiple instances of misconduct.
 - i. To clarify that the Disposition of a Category I Complaint, including any sanction for a Category I Complaint that is Sustained, should be reviewed and approved by the Police Commissioners of the SPD prior to the Disposition becoming final. In addition, it should be clarified that the Police Commissioners have the authority to cause the SPD to conduct additional investigative steps and provide additional information to the

Police Commissioners concerning a Category I Complaint prior to the finalization of the Disposition of that Category I Complaint.

2. Direct the SPD to publish an annual report that includes all of the following information:
 - a. The number of civilian complaints received during the prior year, including the number of Category I and Category II Complaints.
 - b. The nature of the Category I and II complaints include a one-sentence description of the allegations made, without disclosing the identity of either the SPD employee or the complainant.
 - c. The Dispositions of the Category I and II complaints during the relevant time period.
 - d. The sanctions imposed in connection with any Category I or Category II complaints that are Sustained, again without disclosing the identity of the SPD employee or the complainant.
3. Create on the Town website an information page that describes the SPD's Internal Affairs Policies and Procedures.

XX. Filing Complaints

Goal: It is the position of the Task Force that members of the community should be able to express both compliments and complaints easily both online, by paper and by interview.

Background: Police misconduct and accountability are issues that are central to much of the current and evolving national discussion that reflect concerns about residual effects of historical and systemic racism and relate directly to the reasoning behind the Governor's EO 203 that contributed to Southold Town's undertaking this review and reform process. Recognizing that Southold is not a big city with a history of overt and/or publicized racial tensions, we also recognize that the underlying beliefs that have helped to fuel the victimization and marginalization of people of color may exist among individuals and communities and the social structures such as policing that have evolved over time.

In our listening sessions, as well as feedback from the community on surveys, the feedback forms and telephone interviews, a repeated theme that emerged was the need for expedited resolution of community complaints that continue to be outstanding and seemingly "swept under the rug" in order to re-establish trust in the police. In particular, the "police party" during the pandemic was repeatedly mentioned.

Current Situation: The Introduction of General Order 4.01 Reevaluated in July of 2016, subject: Internal Affairs begins:

"It is essential that the community have confidence in the departmental administrative procedures designed to supervise the exercise of police power. If the integrity and efficiency of the department is to be maintained, all complaints of misconduct and/or inadequate service must be thoroughly and expeditiously investigated." (p. 1)

It is laudable that the SPD acknowledges in this General Order the serious responsibility that the police have in ensuring that community members who are troubled by their treatment by police have their claims considered and investigated faithfully, fairly and fully. However, while well noted in the policy's introductory sentiments, the responses from the outreach conducted by the Task Force has revealed serious gaps in the current way in which this acknowledged responsibility is put into practice.

Current Status

1. Transparency regarding the complaint process:
 - a. The SPD page on the Town's website makes no mention of 1- the right to make a complaint, 2- how to make a complaint, and 3- what the existing policy is with regard to the Complaint Process
2. Where Complaints can be Registered/Submitted:
 - a. Section IV. Procedures of General Order 4.01 details three ways that civilians can submit complaints to the police department. These include:

- i. Going into the Police Department in Peconic
 - ii. By telephone
 - iii. By mail
- 3. Mechanism for Receipt of Complaint Information
 - a. Section IV. Procedures Section 2. Contents in General Order 4.01 provides a list of information that should be collected by the receiving officer specifying that he or she should record the allegation, date, time, location of the incident, names, addresses and phone numbers of all witnesses, and police personnel involved. There is not a specific form that the public can complete and submit.
- 4. Time Limit for Complaint Investigation
 - a. Existing policies do not have a defined time limit. On p. 6, the General Order under the section titled “The following procedures shall apply in all civilian complaints: 1. Time Limit – All investigations will be conducted promptly.”
- 5. Transparency & Faithful Representation of Statements given during the Initial Complaint and Evidence Gathering
 - a. The Sergeant / Desk Officer who takes the complaint currently fills out the form. In addition, the officer who is charged with interviewing witnesses writes down his or her interpretation of the statements given. The process depends on the faithful interpretation of the statement. Thus, if a complainant wishes to appeal the decision, the Commissioners would be relying on the statements as interpreted by the police, which may or may not be verbatim and thus may misrepresent the statements.
- 6. Transparency & Procedural Justice Regarding the Entire Complaint Process form for Complainants
 - a. As stated above, there is currently no public way in which a member of the community can easily access information about what to expect once he or she has submitted a complaint.
- 7. Transparency & Procedural Justice Regarding the Entire Complaint Process for Officers
 - a. There is no stated policy that requires fully informing the officer named in a complaint of the ongoing process and updates as the process goes forward.
- 8. Transparency regarding the Appeals Process
 - a. There is currently no formally described process for appealing the decision made by the Department.
- 9. Transparency regarding Public Access to Complaint Outcomes and Patterns
 - a. There is currently no formally described process for the public to have access to information about complaints and their outcomes in Town or Police policy.

Recommendations:

The Town Board shall:

- 1. Increase transparency Regarding the Complaint Process:
 - i. Easily understood statements that are also translated into Spanish about the right to file a complaint, information and details about the process of filing a complaint should be easily found as a link on the first page of the SPD’s website along with the re-written General Order that serves as the guiding policy for the Department.
- 2. Inform the community where Complaints can be Registered/Submitted:

- ii. Community members should be able access information about the complaint process, a complaint form, be able to submit complaints at Town Hall and be provided with a copy of their submitted complaint.
3. Create a mechanism for Receipt of Complaint Information:
 - i. A simple sample online form can be found here:
<https://www.burlingtonvt.gov/Police/BPDComplaintSubmission>
 A simple sample printed complaint form with a clear brief description of the policy and process can be found here:
<https://www.burlingtonvt.gov/sites/default/files/Citizen%20Complaint%20Process%20%26%20Form.pdf>
4. Set a Time Limit for Complaint Investigation:
 - i. A defined Time Limit should be established and published on all media describing the complaint process.
5. Ensure Transparency & Faithful Representation of Statements given during the Initial Complaint and Evidence Gathering:
 - i. Police policy should require that the complaint and statements by witnesses be audio-recorded. Should an individual decline to be recorded, he/she would need to sign a waiver.
6. Ensure Transparency & Procedural Justice Regarding the Entire Complaint Process for Complainants:
 - i. Easily understood description of the investigative procedure and timeline should be published on the Police Department website as well as posted / provided when the complaint is submitted.
7. Ensure Transparency & Procedural Justice Regarding the Entire Complaint Process for Officers:
 - i. Policy should articulate the inclusion of the named officer to be updated and informed throughout the complaint process.
8. Ensure Transparency regarding the Appeals Process:
 - i. Steps for appealing the decision in any complaint should be specified in policy that establishes and defines the appeals process. For example:
 1. “Prior to the end of the time limit, the complainant shall be informed in writing of the decision and outcome of the complaint. If the complainant does not agree with the outcome, he or she may file an appeal with the Town Supervisor who serves as the Chair of the Town’s Police Commissioners or any other Police Commissioner. The form for such an appeal should be published and accessible online and throughout the Town at such locations as public libraries, Town Hall, etc.”
9. Ensure Transparency regarding Public Access to Complaint Outcomes and Patterns:
 - i. In the interest of increasing the public’s sense of trust in the police, policy should be established that requires that de-identified information about complaints and their outcomes should be published on the Police Department’s website and be available on request.

References:

1. <https://censusreporter.org/profiles/06000US3610369463-southold-town-suffolk-county-ny/>
2. The US DOJ notes: “A complainant should have a wide choice of locations to file a complaint. Permitting non-police officials of an agency’s local government (such as the city clerk, ombudsman,

etc.) to accept complaints gives complainants neutral locations to present their complaints without fear.
(p.15) (COPS, 2003 Standards and Guidelines For Internal Affairs: Recommendations from a
Community of Practice. <https://cops.usdoj.gov/RIC/Publications/cops-p164-pub.pdf>)

XXI. Translation of Police Policies

Goal: In order for Spanish speaking members of the community to be able to interact with the police and be aware of police policies, there must be an active effort to provide copies of all public documents in Spanish. While SPD has access to a translation service provided through the Suffolk County Police Department, there is a need for available documentation in Spanish in the Police Headquarters as well as on the website.

Background: “At the core of community policing are partnerships and problem solving, but those essential elements can be hindered if law enforcement is not able to communicate with the growing diverse population in this country. Recognizing the need to improve communication and interaction with limited English proficient individuals is among the next steps in advancing community policing. By developing and implementing a language access plan, law enforcement agencies will be able to strengthen their police-community relations, increase trust, and be better positioned to address public safety problems” (Shah, 2007).

Current Situation: Currently 10% of the Southold population is Hispanic. Among those residents are people who speak a limited amount of English or are non-English speakers. There are currently 2 Officers who are bilingual. For those who are not bilingual, the current translation option available is provided through the Suffolk County Police Department, with six different languages: Spanish, Mandarin Chinese, Portuguese, Italian, Polish, and Haitian-Creole.

The Task Force learned through conducting interviews that Police officers are sometimes reluctant to use their personal cell phones when in need of the language line because if there is an incident/arrest which requires processing, their personal cell phones will be commandeered and must be entered into evidence. This is a disincentive to accessing translation services, thereby providing equal service to non-English speaking members of our community.

On the Southold Town website, in the Police Department’s “Forms and Links” section, there is only one form that is bilingual: The Records Release form.

Recommendations:

The Town Board shall:

1. Translate all current policing policies to Spanish.
2. Ensure that all policing policies are made available on the Town and Police websites in both English and Spanish.
3. Ensure that any current and future forms available for public use, such as record release forms and complaint forms, are available in both English and Spanish.
4. Ensure that each patrol car is equipped with a designated device to be used for access to the language line to ensure that all interactions with Spanish speaking individuals include clear and respectful communication.

References

1. Shah, S. (2007). *Overcoming Language Barriers: Solutions for Law Enforcement* [PDF]. New York: Community Oriented Policing Services.
2. <https://censusreporter.org/profiles/06000US3610369463-southold-town-suffolk-county-ny>
3. *Suffolk County Police Department Language Access Policy and Plan*. (n.d.). Islip: Suffolk County Police Department.

XXII. A Framework for New Technology

Goal: Implement Body Worn Cameras (BWC) to increase transparency and oversight and adopt a framework for introduction of any new technology used to aid in policing to limit bias incidents, civil rights violations, and other potential issues.

Background:

The Town Board must develop a framework for adopting new technologies including public input wherever possible. Local residents will be more accepting of and respond more positively to technology when they have been informed of new developments and their input has been encouraged. How police use technology and how they share that information with the public is critical.⁵ The Town Board must consider the risks of using a novel technology, potential biases, and intrusion on civil liberties, as well as the ability of the technology to solve an existing problem.

New technologies can be difficult to understand and there are documented instances of technologies being used improperly or in contexts for which they have not been validated. This is a particular risk for technologies that allow users wide discretion in deployment and allow users to select acceptable tool accuracy. The Town Board in their roles as Police Commissioners must combat this by prescribing a recommended amount and quality of training for each new technology that is presented.⁶

Some experts recommend that departments implement policies to refrain from signing vendor contracts that restrict auditing of technologies or that prevent the public disclosure of basic information regarding how each technology system works, including any agreements that restrict defense attorneys from understanding how a technology system was used in a criminal investigation or prevent compliance with oversight legislation or public-records requests. These restrictions significantly reduce transparency, making law enforcement less accountable, and interfering with procedural justice.⁷

Many cities including NYC require the department to inform the public of any technologies the police department uses to aid in solving crimes. This includes any technologies that were given to the department free of charge.⁹

Now that agencies operate in a world in which anyone with a cell phone camera can record video footage of a police encounter, BWCs help police departments ensure that events are also captured from an officer's perspective.¹

A BWC program can represent a Police department's effort to demonstrate transparency and accountability. In several studies, community member complaints against officers, and use of force decreased following adoption of BWCs (Katz et al., 2015; Ariel, Farrar, & Sutherland, 2014; Mesa Police Department, 2013). The results from these studies are supported by in-person interviews with 40 law enforcement executives conducted by the Police Executive Research Forum (PERF).²

- As of 2018, over 35% of law enforcement agencies in the U.S. were using BWCs in some capacity.³ That number is estimated to be much higher now.
- Governor Cuomo recently signed legislation requiring New York State Police patrol officers to use BWCs while on patrol.⁴
- Body-worn cameras have a civilizing effect, resulting in improved behavior among both police officers and citizens.

Current Situation:

- The SPD does not currently have a plan for implementing new technologies that may be advertised to aid in policing.
- The SPD does not currently use Body Worn Cameras (BWC).
- The department does, however, use microphones and vehicle cameras, and is familiar with the procedure for when to turn them on and off.
- The department frequently references the video and audio recorded for training and to give a clearer understanding of events that transpired.
- The SPD does not currently employ any facial recognition software or automated systems to help assist in solving crimes.

Recommendations:

The Town Board shall:

1. Adopt the following framework for implementing any new technologies used to aid in policing:
 - a. Public input prior to adoption of new technology.
 - i. *Law enforcement agencies should encourage public engagement and collaboration, including the use of community advisory bodies, when developing a policy for the use of a new technology.*
 - b. Perform a cost-benefit analysis when adopting new technologies.
 - c. Develop policies or procedures for training officers on how to properly use new technology, defining proper vs improper use.
 - d. Ensure that vendor contracts do not interfere with transparency.
 - e. Public input and review after a new technology has been put to use.
 - i. *Law enforcement agencies should include an evaluation or assessment process to gauge the effectiveness of any new technology, soliciting input from all levels of the agency, from line officer to leadership, as well as assessment from members of the community. The CPPC should review effectiveness and community feedback.⁸*
 - f. Require the department to disclose all technologies it uses to the public.
2. Prepare a report using the subject framework to evaluate the need for Body-Worn Cameras.
 - a. Begin investigating grants to finance the cost of BWC including the cost of data storage and plan to purchase and implement a BWC program in the next year.
 - b. Explore the viability of working with neighboring municipalities in order to share in the financing of the BWC program, via an intermunicipal agreement.
 - c. If adopted, officers in SPD shall follow the same protocol as NYS Police Patrol for use of BWC, requiring them to record immediately before exiting a patrol vehicle to interact with a person or situation, all uses of force; all arrests and summonses; all interactions with individuals suspected of criminal activity; all searches of persons and property, any call to a crime in progress; investigative actions involving interactions with members of the public; any interaction with an emotionally disturbed person; and any instances where an officer feels any imminent danger or the need to document their time on duty.¹⁰

References:

1. Final Report of the President's Task Force on 21 Century Policing. May 2015.
<https://drive.google.com/file/d/110692Avih3DeDVdLh9dFxC-S2j3Zggug/view> p.32
2. White, Michael D. *Police Officer Body Worn Cameras Assessing the Evidence*.
https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/diagnosticcenter_policeofficerbody-worncameras.pdf
3. Cost and Benefits Of Body-Worn Camera Deployments. April 2018.
<https://www.policeforum.org/assets/BWCCosTownBoardenefit.pdf> p.28
4. Requiring Use of Body Cameras (S.8493/A.8674) NY State Gov Website. June 2020.
<https://www.governor.ny.gov/news/governor-cuomo-signs-legislation-requiring-new-york-state-police-officers-wear-body-cameras-and>
5. Final Report of the President's Task Force on 21 Century Policing. May 2015.
<https://drive.google.com/file/d/110692Avih3DeDVdLh9dFxC-S2j3Zggug/view> p.35
6. Governor's Mandate.
7. Governor's Mandate.
8. Final Report of the Presidents Task Force on 21 Century Policing. May 2015.
<https://drive.google.com/file/d/110692Avih3DeDVdLh9dFxC-S2j3Zggug/view> p.35
9. Governor's Mandate.
10. Requiring Use of Body Cameras (S.8493/A.8674) NY State Gov Website. June 2020.
<https://www.governor.ny.gov/news/governor-cuomo-signs-legislation-requiring-new-york-state-police-officers-wear-body-cameras-and>

XXIII. Use Social Media for Transparency and Relationship Building

Goal: Utilize social media to increase transparency, boost department morale, promote positive police interactions, and build trust between police and the community.

Background

As stated in the President's Report, "Law enforcement agencies should adopt model policies and best practices for technology-based community engagement that increases community trust and access."

Current Situation: The Southold Town PD does have a facebook page, but not Instagram or Twitter. They post very infrequently and do not keep the community informed of upcoming events, engagements or anything that is going on with the Department. It is our belief that just as our SRO program has increased trust in the SPD, the use of Social Media, can help bridge the gap between communities and the police. Featuring officers using themes like "Officer of the Month" or "Caught Doing Good" can help create trust, and help people learn more about the positive aspects of our department.

Recommendations:

The Town Board shall:

1. Direct the SPD to use a bilingual social media manager to engage with the local community.
 - a. Social media should be used for inspiring the youth to aid in recruitment.
 - a. Officers and the Department should incentivize positive interactions and ensure that praise, respect and appreciation is lavished when appropriate. This will help to create a positive cultural shift toward community policing.

References:

1. Final Report of the President's Task Force on 21 Century Policing. May 2015.
<https://drive.google.com/file/d/110692Avih3DeDVdLh9dFxC-S2j3Zggug/view>

XXIV. Lexipol & Accreditation

Goal: It is important that the Town Board balance the need to protect the town from litigation with the need to protect its citizens in their interactions with police. This calls for careful coordination among concurrent efforts of the Task Force, the accreditation process of the SPD, and the work of Lexipol. The work of the Task Force would be rendered useless if Lexipol is engaged in a stand-alone review and re-writing of police policies without regard for the recommendations produced by the Task Force. We must also ensure that modifications to Lexipol policies are not lost in routine updates.

Background: Lexipol assures subscribers that its work is in keeping with best practices in policing. However, reviews of the organization suggest that it has a strong bias toward protecting municipalities from liability in litigation.(1) While this is a necessary function of the Town Board, EO 203 addresses the need for greater equity in policing of communities of color: “. . . urgent and immediate action is needed to eliminate racial inequities in policing, to modify and modernize policing strategies policies, procedures, and practices, and to develop practices to better address the particular needs of communities of color to promote public safety improve community engagement and foster trust . . .” (2) Indeed, the Task Force was created by the Town Board in order to create the collaborative process to undertake the assessment of Southold Town Policing as to its equity in policing and to make recommendations that fulfill this mandate. Many resources on best practices in policing encourage greater transparency in police policies and procedures, as well as greater community involvement and feedback in their development and review. (1)

Current Situation: At present, policies and procedures of the SPD are not easily accessed by the public. Recent efforts have been made to put policies in a better format, in part due to the department seeking accreditation by New York State. The Town Board has made a decision to engage the services of Lexipol to assist in the review and updating of policies, with the assurance of alignment with federal and state statutes. Improvement in organization and formatting should make it easier to provide online access to police policies.

Recommendations:

The Town Board shall:

1. Ensure that any policies produced by Lexipol are fully vetted by the Town Board, and those of “significance” by the public via a public hearing, and include any proposed changes thereto.
2. Ensure that any Lexipol policies incorporate the recommendations adopted by the Town Board, as enunciated in the Plan.
3. Translate existing policing policies, forms and records into Spanish and ensure any updates or new documents are available in both English and Spanish.
4. Ensure that the CPPC has the opportunity to engage with Lexipol to assure alignment with the recommendations adopted in the Plan as well as future engagement on new policies and procedures which may be issued (see Recommendation: Establishment of a standing Southold Town Community—Police Partnership Board).

5. Ensure that the SPD is accepted as an accredited agency by the New York State Law Enforcement Accreditation Program within (1) year of the adoption of the subject Plan, or as soon thereafter as practicable.

References

1. Office of Community Oriented Policing Services. 2015. The President's Task Force on 21st Century Policing Implementation Guide: Moving from Recommendations to Action. Washington, DC: Office of Community Oriented Policing Services. p.9.
2. Principles of Procedurally Just Policing. The Justice Collaboratory at Yale Law School. p.10. http://law.yale.edu/sites/default/files/documents/pdf/policing_report.3.20.18.pdf.
3. Fair and Just Prosecution. Blueprint for Police Accountability and Reform: A New Vision for Policing and the Justice System, p.10. <https://fairandjustprosecution.org/wp-content/uploads/2020/06/Policing-RoadmapFINAL.pdf>
4. Lexipol: The Privatization of Police Policymaking, Texas Law Review Vol.96:891, p.925.
5. State of NY Executive Order No. 203 New York State Police Reform and Reinvention Collaborative. June2020.

Southold Town Police Reform and Reinvention Collaborative Report

February 2021

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June 15, 2020

CALL FOR JUSTICE SYSTEM POLICY REVIEW AND OVERSIGHT

To: Scott Russell, Southold Town Supervisor
Louisa Evans, Southold Town Board Member
Jill Doherty, Southold Town Board Member
James Dinizio, Jr., Southold Town Board Member
Robert Ghosio, Southold Town Board Member
Sarah E. Nappa, Southold Town Board Member
Steve Wick, Executive Editor, Suffolk Times

In Southold Town, we join with people across our country in our devastation and anger at the brutal and depraved murder of George Floyd, a black man detained for a minor, non-violent offense by white Minneapolis police officers. We are devastated also by the murder of Ahmaud Arbery, a black man in Georgia, by two white men who decided to stalk and kill him while he was out jogging, compounded by the apparent cover-up undertaken by the district attorney's office in their failure to arrest the perpetrators. Because of these events and so many others, none of us can continue to deny the depth of the institutional racism in this country which has now become so evident, nor the exposure of all the inequities faced on a daily basis by people of color.

In light of this reality, the undersigned members of Southold Town call on the Town of Southold to engage in an independent proactive and comprehensive assessment of our Town's justice system, including, but not limited to, our systems of policing and the policies brought to bear to fulfill our town's efforts to protect, serve and maintain law and order.

Our town's justice system has evolved, as have all institutions across our country to inevitably retain deeply insidious and embedded remnants of racist ideology. This institutional racism certainly legitimizes the expression of racist beliefs and actions. However, as such, one does not need to be racist to enact policies that intentionally, or unintentionally, continue to perpetuate the oppression of people of color. We can no longer ignore even the possibility that our justice system does so. In undertaking a thorough critical assessment, there are proven tools to guard against these residual practices. These include, for example, the establishment of civilian oversight

https://d3n8a8pro7vhmx.cloudfront.net/nacole/pages/161/attachments/original/1481727974/NA_COLE_AccessingtheEvidence_Final.pdf which may be developed with potential funding by the DOJ. And, there is excellent research that substantiates the effectiveness of instituting of strict use of force policies (<http://useofforceproject.org/#project>). These are, of course, only two of many possible tools our Town should consider in seeking to assess and, as needed, remediate institutional racism in our justice system.

We urgently request that Southold Town consider our call for action. The time is now. We believe

that the Town Board, Town Supervisor, Chief of Police, Town Justices, Town Attorney and all the associated staff in the Southold Town Justice system can only benefit from ensuring a transparent

and affirmatively and empirically-based set of policies to guide encounters and interactions with the public and in particular with people of color and other minorities in the pursuit of justice.

We are grateful for the invaluable public service provided by members of the Southold Town Justice system and know that, as both government officials and residents of our town, they are committed to doing all they can to ensure that our community is safe, our police are respected, and that in turn, they and all in our town justice system are behaving respectfully and fairly toward all members of our community.

Thank you for your diligent and passionate work on behalf of moving Southold in the direction of a more equitable community.

Sincerely

Carolyn G. Peabody, Ph.D., LCSW Co-chair, North Fork Unity Action Committee

Sister Margaret Smyth, Co-chair, North Fork Unity Action Committee

and

Lois Abramchik
Olivia Abramchik-Cavallo
Brett Anderson
Lillian Ball
Jim Banks, CSW
Joyce Beckenstein
Sandra Benedetto
Glynis Berry
Barbara Best
Edwin Blesch
Priscilla Bull
Barbara Lynn Cavallo
Lori Cohen

Kathryn Casey Quigley
Collette Clayton
David Collins
Rev. Margaret Ann Cowden

Joyce Culver
Lucy Cutler
Margaret de Cruz
Hector deCordova
Joyce deCordova
Susan G. Dingle LCSW
Sandra Dunn
Mary Allison Fiedler
Susan E Hallock
Pam Ferrari
Christine Flatley
William Flinter
Jane Flinter
Mary Foster Morgan
Timothy T Frost
Mary Gabriel
Emily Geiger
Stephen Geraci
Liz Gillooly

Diana Gordon
Marion Gotbetter
Carol Halliburton
Bob Hanlon
Loretta Hatzel-Geraci
Laura Held
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Isabelle Kanz
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Natasha Lovaas
Claire Lyons
Barbara MacLeod
Pastor Thomas MacLeod
Pat Mundus
Ellen Neff
Jerie R Newman
Nina Nickerson

Ann Nottes
Linda Ortiz
Sarah Parker
Minerva Perez
Sarah Phillips Loth
Ashley Price, MSW
Alice Quinn
Carmen Ramis
Christine Rendel
Patsy Rogers
Pam Schider
Valerie Shelby
Barbara Sheryll
Vicki Semler

Sandra Sinclair
Aiden Sky
Corine Slade
Mike Slade
Connor Smith
Marjorie Snyder
Abigail L Terry
Sherry Thirlby
Ted Thirlby

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North Fork Unity Action Committee
Presentation to Southold Town Board Work Session
June 30, 2020

Laura Held, Carolyn Peabody, Co-chair, Sister Margaret Smyth, Co-chair & Valerie Shelby

Preface

1. We are particularly conscious that in calling on the Town to initiate a comprehensive assessment of the justice system, we foreshadowed the mandate that Governor Cuomo delivered in his executive order.
 - a. The 'New York State Police Reform and Reinvention Collaborative' Requires Local Police Agencies work with local leaders and community activists to Develop a Plan Based on Community Input
2. We come here amidst a nationwide - indeed worldwide movement to ensure that all people are treated equitably, in particular, by police forces and by the justice system as a whole.
3. We come here also recognizing that all of us care about the importance of equitable treatment.
 - a. We know you share this commitment to fairness and equity.
4. Therefore, we come here to propose the creation of a task force to be charged with engaging in the process of a thoughtful, transparent, and thorough assessment of each of the components of Southold Town's justice system.
5. The structure of this task force is in line with the governor's expectations as laid out in his executive order, bringing together community members and activists, local leaders, and representatives of the police and justice system.

Proposed Task Force

1. Proposed Task Force Structure

- a. The total number of people on this task force would vary except for the following members:
 - i. 6 community members who represent the communities within our town who are most vulnerable and historically targeted
 - ii. 6 community leaders
 - iii. Two town board members
- b. A timeline would be set up to focus on each of the various components of the justice system, tracking each system that members of the community would come in contact with from their initial encounters with police, following along whatever trajectory occurs as an individual follows through the justice system: including by not limited to:

- i. Policing
- ii. Southold Town jailing
- iii. District Attorney
- iv. Justice Court
- v. And any other offices or agencies charged with administering justice

1

- c. As we focus on each area, representatives from that area would join the taskforce for the duration of the assessment of that area

2. Proposed Task Force Structure

- a. Conduct initial research into best practices in the review and evaluation of policies and procedures associated with justice systems.
- b. Conduct focus groups & public hearings inviting members of the public who have had experience with Southold Town's justice system to share their experiences both positive and negative
- c. Bring feedback from these forums to the taskforce as we review and evaluate policies, procedures and practices associated with each of the areas of the justice system on which we focus
- d. Concurrent with the process described above, we would engage the community of Southold, including the media, public leaders and every day folks to engage in a public discourse about what public safety means in Southold, envisioning what we believe is the best way to achieve public safety in all its various manifestations in Southold town
- e. Throughout this process the task force would invite input and consultation from experts in the justice system, representatives from organizations focused on equity in policing, etc.

3. Proposed Task Force Timeframe

- a. As mentioned above, our first priority will be on policing as that is the focus of much of the current concern and because encounters with the justice system typically begin with encounters with the police. And, lastly we are faced with a very specific deadline set by the Governor of achieving legislative reform in policing by April 1 of 2021.
- b. We will, however, continue the process of examination and as necessary, recommendations for reform, beyond the police. This is a very significant and serious undertaking and we recognize that all of this cannot be done well in six months or even a year.

4. Proposed Task Force Preparation

- a. All standing and eventual Task Force Members will participate in a full day of education in order to all come to the task with a shared grasp of the challenge.

5. Proposed Task Force Town Support: Funding and Staff Resources

- a. While we

recognize that these are difficult fiscal times, in order to accomplish this profoundly important and historically significant task, the Task Force will need to have support. Once convened, the Task Force will submit a proposed budget and resource plan in order to move forward.

It is important to emphasize that, in line with the mandate of the Governor, we see this as a collaboration of the stakeholders in an effort to ensure that our justice system is fair and equitable to all the members of our community.

2020-416**CATEGORY:**

Committee Decisions

DEPARTMENT:

Town Clerk

Southold Community Joint Justice Review and Reform Task Force

RESOLVED that the Town Board of the Town of Southold hereby creates the **Southold Community Joint Justice Review and Reform Task Force** for the purpose of assisting the Town Board in reviewing and developing current policies and procedures associated with agencies associated with the justice system and identify and recommend best practices; and be it further

RESOLVED that the Town Board authorizes and directs the Town Clerk to advertise for members of this committee.

Duties to include:

- Review current policies and procedures associated with agencies associated with the justice system and identify and recommend best practices
- Conduct community focus groups and hearings for input from the community, especially those who have had interactions with Southold Town's justice system, good and bad
- The Task force shall review and evaluate input and identify policies, procedures and practices to establish priorities
- Engage the community in public discourse including the media, public leaders, and the community-at-large to envision best practices to improve public safety
- Incorporate input and consultations with experts in the justice system and make recommendations for improving equality to policing and administering justice
- The task force shall include two (2) Town Board Members; six (6) Community Leaders and six (6) Community Members with no less than one (1) bilingual (English and Spanish) Member.
Position is un-salaried.

ü Vote Record - Resolution RES-2020-416						
..	Adopted					
p	Adopted as Amended					
..	Defeated					
..	Tabled					
..	Withdrawn					
..	Supervisor's Appt					
..	Tax Receiver's Appt					
..	Rescinded					
..	Town Clerk's Appt					
..	Supt Hgwys Appt					
..	No Action					
..	Lost					



State of New York

Executive Chamber

No. 203

EXECUTIVE ORDER

NEW YORK STATE POLICE REFORM AND REINVENTION COLLABORATIVE

WHEREAS, the Constitution of the State of New York obliges the Governor to take care that the laws of New York are faithfully executed; and

WHEREAS, I have solemnly sworn, pursuant to Article 13, Section 1 of the Constitution, to support the Constitution and faithfully discharge the duties of the Office of Governor; and

WHEREAS, beginning on May 25, 2020, following the police-involved death of George Floyd in Minnesota, protests have taken place daily throughout the nation and in communities across New York State in response to police-involved deaths and racially-biased law enforcement to demand change, action, and accountability; and

WHEREAS, there is a long and painful history in New York State of discrimination and mistreatment of black and African-American citizens dating back to the arrival of the first enslaved Africans in America; and

WHEREAS, this recent history includes a number of incidents involving the police that have resulted in the deaths of unarmed civilians, predominantly black and African-American men, that have undermined the public's confidence and trust in our system of law enforcement and criminal justice, and such condition is ongoing and urgently needs to be rectified; and

WHEREAS, these deaths in New York State include those of Anthony Baez, Amadou Diallo, Ousmane Zango, Sean Bell, Ramarley Graham, Patrick Dorismond, Akai Gurley, and Eric Garner, amongst others, and, in other states, include Oscar Grant, Trayvon Martin, Michael Brown, Tamir Rice, Laquan McDonald, Walter Scott, Freddie Gray, Philando Castile, Antwon Rose Jr., Ahmaud Arbery, Breonna Taylor, and George Floyd, amongst others,

WHEREAS, these needless deaths have led me to sign into law the Say Their Name Agenda which reforms aspects of policing in New York State; and

WHEREAS, government has a responsibility to ensure that all of its citizens are treated equally, fairly, and justly before the law; and

WHEREAS, recent outpouring of protests and demonstrations which have been manifested in every area of the state have illustrated the depth and breadth of the concern; and

WHEREAS, black lives matter; and

WHEREAS, the foregoing compels me to conclude that urgent and immediate action is needed to eliminate racial inequities in policing, to modify and modernize policing strategies, policies, procedures, and practices, and to develop practices to better address the particular needs of communities of color to promote public safety, improve community engagement, and foster trust; and

WHEREAS, the Division of the Budget is empowered to determine the appropriate use of funds in furtherance of the state laws and New York State Constitution; and

WHEREAS, in coordination with the resources of the Division of Criminal Justice Services, the Division of the Budget can increase the effectiveness of the criminal justice system by ensuring that the local police agencies within the state have been actively engaged with stakeholders in the local community and have locally-approved plans for the strategies, policies and procedures of local police agencies; and

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, in particular Article IV, section one, I do hereby order and direct as follows:

The director of the Division of the Budget, in consultation with the Division of Criminal Justice Services, shall promulgate guidance to be sent to all local governments directing that:

Each local government entity which has a police agency operating with police officers as defined under 1.20 of the criminal procedure law must perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices, and develop a plan to improve such deployments, strategies, policies, procedures, and practices, for the purposes of addressing the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color.

Each chief executive of such local government shall convene the head of the local police agency, and stakeholders in the community to develop such plan, which shall consider evidence-based policing strategies, including but not limited to, use of force policies, procedural justice; any studies addressing systemic racial bias or racial justice in policing; implicit bias awareness training; de-escalation training and practices; law enforcement assisted diversion programs; restorative justice practices; community-based outreach and conflict resolution; problem-oriented policing; hot spots policing; focused deterrence; crime prevention through environmental design; violence prevention and reduction interventions; model policies and guidelines promulgated by the New York State Municipal Police Training Council; and standards promulgated by the New York State Law Enforcement Accreditation Program.

The political subdivision, in coordination with its police agency, must consult with stakeholders, including but not limited to membership and leadership of the local police force; members of the community, with emphasis in areas with high numbers of police and community interactions; interested non-profit and faith-based community groups; the local office of the district attorney; the local public defender; and local elected officials, and create a plan to adopt and implement the recommendations resulting from its review and consultation, including any modifications, modernizations, and innovations to its policing deployments, strategies, policies, procedures, and practices, tailored to the specific needs of the community and general promotion of improved police agency and community relationships based on trust, fairness, accountability, and transparency, and which seek to reduce any racial disparities in policing.

Such plan shall be offered for public comment to all citizens in the locality, and after consideration of such comments, shall be presented to the local legislative body in such political subdivision, which shall ratify or adopt such plan by local law or resolution, as appropriate, no later than April 1, 2021; and

Such local government shall transmit a certification to the Director of the Division of the Budget to affirm that such process has been complied with and such local law or resolution has been adopted; and

The Director of the Division of the Budget shall be authorized to condition receipt of future appropriated state or federal funds upon filing of such certification for which such local government would otherwise be eligible; and

The Director is authorized to seek the support and assistance of any state agency in order to effectuate these purposes.



BY THE GOVERNOR

Secretary to the Governor

GIVEN under my hand and the Privy Seal of the
State in the City of Albany this
twelfth day of June in the year two
thousand twenty.

NEW YORK STATE **POLICE REFORM** **AND REINVENTION** **COLLABORATIVE**

RESOURCES & GUIDE FOR
PUBLIC OFFICIALS AND CITIZENS

AUGUST 2020

New York State Police Reform and Reinvention Collaborative

Resources & Guide for Public Officials and Citizens

August 2020

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A Message from Governor Cuomo

Many communities all across the country are dealing with issues concerning their police departments. The millions of people who gathered in protest, even in the midst of a public health crisis, made that clear. The situation is unsustainable for all.

Maintaining public safety is imperative; it is one of the essential roles of government. In order to achieve that goal, there must be mutual trust and respect between police and the communities they serve. The success and safety of our society depends on restoring and strengthening mutual trust. With crime growing in many cities, we must seize this moment of crisis and turn it into an opportunity for transformation.

While the conflict is real and the issues are complicated, we know in New York that denial or avoidance is not a successful strategy. To that end, on June 12, 2020, I signed an Executive Order requiring each local government in the State to adopt a policing reform plan by April 1, 2021. The Order authorizes the Director of the Division of the Budget to condition State aid to localities on the adoption of such a plan.

To ensure these plans are developed through an inclusive process, I called for the New York State Police Reform and Reinvention Collaborative. With more than 500 law enforcement agencies in our large and

diverse state, there is no “one size fits all” solution. To rebuild the police-community relationship, each local government must convene stakeholders for a fact-based and honest dialogue about the public safety needs of their community. Each community must envision for itself the appropriate role of the police. Policies must be developed to allow the police to do their jobs to protect the public and these policies must meet with the local communities’ acceptance.

“Collaborative” is the key word. It would be a mistake to frame these discussions as an adversarial process or an effort to impose top-down solutions. Issues must be aired but solutions must be crafted. The collaborative process should:

- Review the needs of the community served by its police agency, and evaluate the department’s current policies and practices;
- Establish policies that allow police to effectively and safely perform their duties;
- Involve the entire community in the discussion;
- Develop policy recommendations resulting from this review;
- Offer a plan for public comment;
- Present the plan to the local legislative body to ratify or adopt it, and;
- Certify adoption of the plan to the State Budget Director on or before April 1, 2021.

I urge everyone to begin these discussions immediately. Restoring the relationship between the community and the police is in everyone's best interest, and conversation may be required to enable each stakeholder to understand others’ points of view. Time is short.

Local elected officials are the natural position to convene the process. If the local electeds are unable or unwilling to manage the collaborative, the state can select an appropriate convener for that jurisdiction.

Change is hard. But change is necessary if we are to grow. The tension must be resolved. Order and public safety must be ensured. I am excited by the possibilities and I am hopeful that this time of crisis will evolve into a moment of creativity and progress. It is normal to make adjustments to fit changing values and circumstances.

We are addressing the COVID crisis by acknowledging the problem, having productive dialogue and by working together. Let's do the same here.

This is an opportunity to reinvent law enforcement for the 21st century.

Governor Andrew M. Cuomo

August 2020

Note: The guidebook presented here is not intended to be the plan for any given community. Rather, it includes critical questions, information, and resources to frame and guide each community's dialogue. There are references provided to give participants access to a range of ideas and research on every topic to delve deeper into the issues.

Part 1: Key Questions and Insights for Consideration

The purpose of the New York State Police Reform and Reinvention Collaborative is “to foster trust, fairness and legitimacy” within communities throughout our State and “to address any racial bias and disproportionate policing of communities of color.” The United States Department of Justice has emphasized the need for “trust between citizens and their peace officers so that all components of a community are treating one another fairly and justly and are invested in maintaining public safety in an atmosphere of mutual respect.”¹

All public officials and community leaders understand the critical importance of police departments’ core mission. Government must ensure residents’ sense of personal security in order for communities to thrive and prosper. Police-community relationships must facilitate, rather than impede, law enforcement’s success in protecting the public against violence and other criminal behavior.

The work of this Collaborative will be particularly valuable in communities that through bitter experience have come to mistrust law enforcement. A recent study found that in neighborhoods with a high incidence of gun violence, only 35% of young people aged 16-24 said they believe that police officers “try to protect the public from violent crime.” At the same time, 81% of these young people reported having themselves been shot or shot at,

¹ U.S. Department of Justice, Office of Community Oriented Policing Services. *Final Report of the President’s Task Force on 21st Century Policing*. May 2015.
https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf.

and 88% reported that a family member or friend had been shot.² These staggering numbers underscore that mutual trust and respect is essential both for the legitimacy of police forces and for their effectiveness.

The Collaborative is not the first step in New York State's journey of criminal justice reform. Over the past decade, we have enacted meaningful changes to reform our criminal justice system and end mass incarceration, including:

- The **“Say Their Name” Reform Package**: These landmark reforms include:
 - **Repealed 50-a**: Section 50-a of Civil Rights Law previously prohibited disclosure, except under very limited circumstances, of personnel records for police officers, corrections officers, firefighters, and paramedics employed by the State or political subdivisions. This privilege, not granted to other public employees, shielded records from being disclosed that involved serious misconduct or disciplinary actions to the detriment of transparency and accountability for law enforcement officers. The repeal of 50-a will increase transparency by allowing the disclosure of personnel records involving serious misconduct or criminality and building trust between law enforcement and the communities they serve.
 - **Banned Chokeholds**: This law bans the practice of using chokeholds by law enforcement, by making use of a chokehold a criminal offense if it causes serious physical injury or death.

² Center for Court Innovation. “‘Gotta You’re your Own Heaven’ Guns, Safety, and the Edge of Adulthood in New York City.” Pg. 13
https://www.courtinnovation.org/sites/default/files/media/document/2020/Report_GunControlStudy_08052020.pdf

- **Prohibited Race-Based 911 Calls:** In recent years, there has been an increase in the number of frivolous or false calls to 911 due solely to the caller's bias toward certain individuals rather than any particular threat to public safety. This law makes it a civil rights violation to call 911 to report a non-emergency incident involving a member of a protected class without reason to suspect a crime or imminent threat.
- **Appointed the Attorney General as Independent Prosecutor for Police Involved Deaths:** In 2015, Executive Order 147 designated the Attorney General as a special prosecutor for cases where police officers are involved in deaths of unarmed civilians. This year, legislation created a permanent Office of Special Investigation within the Office of the Attorney General, empowered to investigate and, where appropriate, prosecute cases where the death of a person follows an encounter with a law enforcement officer.
- **Reduced the Prison Population and Lowered Crime Rates:** Since Governor Cuomo took office, New York State has closed 26 adult and juvenile detention facilities – more than any other administration in state history. These prison closures eliminated approximately 6,600 beds. We have also decreased the prison population by nearly 19,000 people – a 33% reduction – from 56,419 to 38,312 people, as of July 5, 2020. At the same time, New York State has remained the safest large state in the country with the lowest index crime rate among the most populous states.
- **Bail Reform:** New York overhauled our bail and pre-trial detention system. The previous bail system failed to recognize that freedom before trial should be the rule, not the exception, and by tying freedom from incarceration to money, it created a two-tiered system that puts an unfair burden on the economically disadvantaged. Among other reforms, the law eliminated cash bail for misdemeanors and non-violent felonies.

- **Discovery Reform:** New York was previously one of only 10 states that enabled prosecutors to withhold basic evidence until the actual day a trial begins. Under the previous system, people accused of a crime could be denied access to information that makes it possible for them to make decisions about their case and build an adequate defense. We reformed the discovery process, requiring the sharing of information well before a trial takes place, restoring fairness and equality before the law.
- **Speedy Trial Reform:** Defendants are too often held in custody for excessive periods of time before their day in court while the court system remains overburdened with an overwhelming number of cases. These delays have a disparate impact on low-income and minority communities. Governor Cuomo signed into law a guarantee that criminal cases proceed to trial without undue delay.
- **Raised the Age and Juvenile Justice Reform:** New York raised the age of criminal responsibility to 18-years-old, ensuring that young people in New York who commit non-violent crimes receive the intervention and evidence-based treatment they need. We have also invested millions to support this reform through a continuum of effective prevention, diversion, treatment, re-entry and supervision services for youth at the state and local level.
- **Required Videotaping of Interrogations and Permitted Photo Identifications into Evidence:** We now require law enforcement to video-record custodial interrogations for serious offenses and set out a procedure to allow properly-conducted witness identification of suspects using photo arrays into evidence at trial.

This Collaborative will continue New York's progress on criminal justice reform.

I. What Functions Should the Police Perform?

A relationship of trust and respect between law enforcement and the community must be based on a shared understanding of the functions each community wants its police force to perform.

The protests following the death of George Floyd have raised important questions about the appropriate role of the police, size of police departments and resources devoted to policing. Some protesters have called for “defunding the police.”^{3,4} In Minneapolis – where the death of Mr. Floyd occurred – a majority of City Council members pledged to dismantle their police department and create a new public safety system for the city. Stakeholders in other communities have suggested adjusting the scope of responsibilities assigned to the police department and adjusting its budget correspondingly, shifting resources to social services, community programs, housing, and education to focus on crime reduction.

All communities should be asking what goals they want their police department to accomplish. Meaningful reform will require honest and thoughtful discussion about these goals among local government leaders, law enforcement officials and community members. All participants should recognize that funds are limited, that personnel must be trained and managed for the tasks they are given, and that organizational change is rarely swift.

³ Scottie Andrew. CNN. *There's a growing call to defund the police. Here's what it means.* June 17, 2020. <https://www.cnn.com/2020/06/06/us/what-is-defund-police-trnd/index.html>.

⁴ Dionne Searcey and John Eligon. The New York Times. *Minneapolis Will Dismantle Its Police Force, Council Members Pledge.* June 7, 2020. <https://www.nytimes.com/2020/06/07/us/minneapolis-police-abolish.html>.

How should the police and the community engage with one another?

Even before considering the specific functions your community expects its police force to perform, you should consider broader questions about the relationship between the police and the community. The concept of procedural justice is useful to guide this process. Procedural justice focuses on the manner in which law enforcement interacts with the public, and how these interactions shape the public's trust of the police. The premise, according to the Leadership Conference on Civil and Human Rights, is that citizens judge the police "based on *how they are treated* rather than on the outcomes of interactions,"⁵ and the mandate is to retool the rules of engagement for police officers from that of "warrior" against segments of the population to that of "guardian" to protect the entire population.⁶ President Obama's Task Force on 21st Century Policing adopted procedural justice as the principle that should guide law enforcement interactions both internally with their colleagues and externally with the citizens they serve.⁷

The Task Force on 21st Century Policing outlined the four pillars of procedural justice: treating individuals with dignity and respect; giving individuals a voice during law enforcement interactions; being neutral and transparent in decision making; and conveying trustworthy motives.⁸ Implementing procedural justice principles helps the community trust that officers are honest and acting with just and lawful intentions. The community,

⁵ Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*, p. 17. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

⁶ *Id.* at 36 and 262-63

⁷ United States Department of Justice. (2015). *Final Report of the President's Task Force on 21st Century Policing*. pp. 9-12. https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf.

⁸ *Id.* at 10.

in turn, is more likely to follow the law because it has trust in the criminal justice process and feels that it shares common values with law enforcement.⁹

1. Determining the Role of the Police

Stakeholders critical of the current scope of police responsibilities have largely proposed two types of reforms. First, some argue that the police should not be involved in responding to non-criminal conduct. Second, some propose curtailing police activities that pose a risk of overreaction to minor offenses.

What role do the police currently play in your community?

To ensure a fact-based dialogue, all participants should understand the current role of the police department in your community, as well as the level of satisfaction or dissatisfaction with policing felt by residents. Different parts of the community may feel differently about the police's role within the community, and it is important to take all perspectives into account.

- What are the primary activities of police officers in your community?
- Why are people calling 911?
- In what situations do police self-initiate interventions in the community?

⁹ *Id.* at 9-12; Leadership Conference on Civil and Human Rights. (2019). New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing, pp. 94-96.; Johnston, R., Gripp, C., O'Brien, T., Sarnoff, C. and Cox, A. A Study of Procedural Justice & Criminal Justice System Legitimacy. NYC Mayor's Office of Criminal Justice and The Justice Collaborative, Yale Law School, pp. 73-75.
https://law.yale.edu/sites/default/files/area/center/justice/document/justice_collaboratory_mocj_report_0701_2.pdfhttps://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf; Johnston, R., Gripp, C., O'Brien, T., Sarnoff, C. and Cox, A. A Study of Procedural Justice & Criminal Justice System Legitimacy. NYC Mayor's Office of Criminal Justice and The Justice Collaborative, Yale Law School, pp. 73-75.
https://law.yale.edu/sites/default/files/area/center/justice/document/justice_collaboratory_mocj_report_0701_2.pdf

Consider what grievances your community has had with its police force in the past and what you can learn from those instances.

- How often are complaints made about the police?
- Do particular units or assignments draw an outsized share of complaints?
- Do complaints come from a particular portion or portions of the community?
- What conduct is commonly complained about?

Should you deploy social service personnel instead of or in addition to police officers in some situations?

Some jurisdictions are utilizing agencies other than the police to address situations that fall more squarely within the expertise of other professionals. Your community may be relying on police to respond to calls involving individuals with mental illnesses or substance abuse issues, for instance. Officials in Stockholm, Sweden created a program for mental health professionals to respond to mental health calls instead of police.¹⁰ Under this model, teams of two trained nurses and a driver respond to these calls in an emergency vehicle without police officers. This not only frees up police resources to focus on criminal activity, but also is more effective at de-escalating scenarios involving a person with mental illness. An analysis of this

¹⁰ Lindström V, Stureson L, Carlborg A. (2020) Patients' experiences of the caring encounter with the psychiatric emergency response team in the emergency medical service-A qualitative interview study. Health Expectations: An International Journal of Public Participation in Health Care and Health Policy. <https://europepmc.org/article/med/31967699>

program found that it provided patients with a “safe environment” and an “open and safe place for dialogue.”¹¹

In Eugene and Springfield, Oregon, local police and social service providers collaborate to reroute calls that do not involve a legal issue or extreme threat of violence or risk to the individual or others.¹² In these instances, officials send a team comprised of a medic and a crisis worker to respond to these calls. The responders assess the situation, assist the individual, and connect that individual with a higher level of care or services as needed. City officials estimate that this program, named CAHOOTS, has saved Eugene more than \$15 million a year.¹³ The program is also safe, as police backup was called 150 times out of a total of about 24,000 calls, only 0.6% of calls.¹⁴

Other cities – such as Denver and Austin – utilize social workers and health professionals to divert 911 calls relating to non-violent situations. Denver recently launched a six-month pilot program named Support Team Assisted Response (STAR) which deploys teams of these professionals to respond to 911 calls for people experiencing mental health crises, homelessness, or drug addiction.¹⁵ Since 2013, Austin's Expanded Mobile Crisis Outreach Team (EMCOT) has similarly handled crisis calls and behavioral health situations directly instead of the police. The city recently added funding

¹¹ Karla Adam and Rick Noack. The Washington Post. *Defund the Police? Other countries have narrowed their role and boosted other services.* June 14, 2020. https://www.washingtonpost.com/world/europe/police-protests-countries-reforms/2020/06/13/596eab16-abf2-11ea-a43b-be9f6494a87d_story.html;

¹² Crisis Assistance Helping Out On the Streets at <https://whitebirdclinic.org/services/cahoots/>

¹³ For more information on CAHOOTS, please visit: <https://whitebirdclinic.org/services/cahoots/>

¹⁴ National Public Radio. ‘CAHOOTS’: How Social Workers and Police Share Responsibilities in Eugene, Oregon. June 10, 2020. <https://www.npr.org/2020/06/10/874339977/cahoots-how-social-workers-and-police-share-responsibilities-in-eugene-oregon>.

¹⁵ For more information on the STAR program, please visit: <https://caring4denver.org/>

for mental health professionals to work at its 911 call center to ensure the EMCOT team is able to divert and respond to these calls immediately.¹⁶

You should consider whether your community should follow these or similar examples:

- Do you want police to respond to mental health calls?
- Do you want police to respond to substance abuse/overdose calls?
- Do you want police to respond to calls regarding the homeless?
- Are there other matters for which the community currently turns to its police for assistance that might be better addressed by others with different skills and expertise?

In each of these situations, consider:

- Does a law enforcement response or response from another agency better promote public safety?
- Which does more to further another governmental objective?
- Would it be useful for social service providers to work alongside the police in these circumstances, or separately?

Can Your Community Reduce Violence More Effectively by Redeploying Resources from Policing to Other Programs?

Some stakeholders have suggested that investment in social services may yield better results for enhancing public safety and reducing patterns of violence than investment in policing. Proposals include:

¹⁶ For more information on the EMCOT program, please visit:
<https://www.austintexas.gov/edims/document.cfm?id=302634>

- **Community Based Outreach and Violence Interruption:** Community based outreach and violence interruption programs are derived from public health models of gun violence, that treat gun violence like a disease by identifying its causes and interrupting its transmission. The NYS Division of Criminal Justice Services (DCJS) administers a Street Outreach Program, called SNUG, that uses an evidence-based model to identify individuals at a high risk of engaging in gun violence. SNUG addresses the issues that may prompt those individuals to use a gun, and aims to change community norms and attitudes that accept violence as a part of life. The program employs street outreach workers who live in the communities where they work, many of whom had previously been engaged in street-level crime and served terms of incarceration. These credible messengers have legitimacy within the community and can be a positive force for change and crime reduction in neighborhoods with historically high levels of crime. SNUG programs are active in Albany, Bronx, Buffalo, Hempstead, Mount Vernon, Poughkeepsie, Rochester, Syracuse, Troy, Wyandanch, and Yonkers. DCJS recently implemented the SNUG Social Work and Case Management program at all of its SNUG sites. This program employs social workers to work with program staff, youth in the community, and crime victims to address long-term trauma and connect individuals with social and victim service agencies.¹⁷ You should engage with SNUG and other violence prevention programs active in your community and consider implementing programs of your own to improve public safety.
- **Parent Support:** There are times when parents or caregivers who are unable to control or guide a wayward child, reach a point of desperation and call the police. Support programs run by social workers help to mediate family conflict and may prevent the need for law enforcement. For example, Justice Community Plus is a job-readiness program within the Staten Island Justice Center undertaken in collaboration with the New

¹⁷ For more information on SNUG and the Social Work and Case Management program, please visit: <https://www.youtube.com/watch?v=eHFdAG5JEtA&feature=youtu.be>.

York City Council and the Department of Probation that focuses on life skills and educational advancement.¹⁸

- **Youth Development:** Programs relying on mentors from the community to teach young people skills such as photography, computer programming and entrepreneurship may help young people find a stable career path. For example, the Brownsville Learning Lab located at the Brownsville Community Justice Center offers young people additional assistance with their educational work and provides peer mentors and resume guidance.¹⁹
- **Addressing Trauma and Preventing Violence at Home:** Family counseling may help children avoid foster care and manage trauma caused by violence at home, giving the child better prospects for successful development. There are programs that create a collaborative approach to help families manage trauma. For example, Strong Starts Court Initiative is an example of a program that creates a network of community based services required for family stability.²⁰
- **Design of Public Spaces:** Some localities have sought to reduce crime by identifying features of the built environment that create opportunities for crime, such as lighting, landscaping or the design of public spaces, and modifying those features.

In a 2020 Center for Court Innovation survey, New York City youth at high risk of gun violence reported that violent victimization is a pervasive experience in their lives.²¹ Eighty-one percent had been shot or shot at, and

¹⁸ For more information on the Staten Island Justice Center, please visit:

<https://www.courtinnovation.org/programs/staten-island-justice-center>

¹⁹ For more information on the Brownsville Community Justice Center, please visit:

<https://www.courtinnovation.org/programs/brownsville-community-justice-center>.

²⁰ For more information on the Strong Starts Court Initiative, please visit:

<https://www.courtinnovation.org/programs/strong-starts-court-initiative>

²¹ Center for Court Innovation. “‘Gotta You’re your Own Heaven’ Guns, Safety, and the Edge of Adulthood in New York City.” Pg. 13

“88% had had someone close to them shot, most commonly a close friend, cousin, or sibling.” These young people, who almost universally have experienced violence in their lives, do not feel served or protected by the status quo. Reforming and reinventing policing should address not just the relationship between police and these communities, but how best to provide protection for these communities.

What function should 911 call centers play in your community?

It is important for communities to evaluate the functions of their 911 call centers as well as the roles and responsibilities of the individuals who serve as call-takers. Since 911 largely serves as the catalyst to police involvement in most instances, communities should consider how those calls are received, evaluated, and triaged for resolution to determine if any changes could be made to more effectively improve public safety. Consider the following:

- Who currently staffs your 911 call centers?
- Are all calls routed to law enforcement, fire, or EMS?
- Are there other social services that should be more fully integrated into 911 call centers and the triage process?
- Would call-takers need new training if your community wanted to shift response functions toward social services?
- Should 911 call centers be operated by law enforcement, other social service agencies, or a combination of agencies?

Should Law Enforcement Have a Presence in Schools?

Schools districts often have agreements in place with their police department to station uniformed School Resource Officers (SROs) in their schools. School districts may employ SROs for a number of reasons, but most SRO programs are intended to increase the safety of schools and their students and teachers. Organizations like Fair and Just Prosecution argue that the presence of police in the schools results in student arrests and unnecessary contact between youth and the criminal justice system for what otherwise would be considered truancy or teenage misbehavior.²² Particularly for students of color, these early interactions with the criminal justice system for disciplinary issues has led some to coin this phenomena the “school to prison pipeline.”²³

If applicable, you should examine your community’s use of SROs and determine if their deployment in schools best serves the needs of the students and reflects the needs and values of the community. Consider how police officers are deployed in your schools and any policies or agreements you have in place with respect to student discipline; e.g. are they acting in a manner that supports safety or are they used in disciplinary matters that are better handled through engagement with parents, conflict resolution strategies, or other disciplinary measures? Examine whether your community can meet its goals of

²² Fair and Just Prosecution. Blueprint for Police Accountability and Reform: A New Vision for Policing and the Justice System, p. 11. <https://fairandjustprosecution.org/wp-content/uploads/2020/06/Policing-Roadmap-FINAL.pdf>; Nelson, L. and Lind, D., The School to Prison Pipeline, Explained. <http://www.justicepolicy.org/news/8775>.

²³ Nelson, L. and Lind, D., The School to Prison Pipeline, Explained. *Justice Policy Institute*. <http://www.justicepolicy.org/news/8775>; Fair and Just Prosecution. Blueprint for Police Accountability and Reform: A New Vision for Policing and the Justice System, p. 11. <https://fairandjustprosecution.org/wp-content/uploads/2020/06/Policing-Roadmap-FINAL.pdf>.

keeping students and teachers safe through a more moderated police presence or through alternatives to law enforcement altogether.

If you have SROs in your schools, consider the creation of a memorandum of understanding or agreement between the police department and the school district so as to clearly establish their roles and responsibilities. For example, these provisions could limit or eliminate altogether police involvement in student discipline matters, or require special training for SROs in conflict resolution and alternatives to arrest when dealing with youth truancy in a school setting.²⁴

2. Staffing, Budgeting, and Equipping Your Police Department

Once you have identified the role of the police in your community and the functions you want them to perform, those factors should inform the review, development, and implementation of the staffing levels, budget, and equipment you want your police department to have.

What are the Staffing Needs of the Police Department the Community Wants? Should Components of the Police Department Be Civilianized?

Some stakeholders have suggested that functions currently performed by uniformed officers could instead be assigned to civilian employees in the police or other departments, particularly functions that involve interactions with citizens and that do not call for an arrest or potential use of force. These stakeholders contend that civilianization would lead to improved police-

²⁴ United States Department of Justice. (2015). *Final Report of the President's Task Force on 21st Century Policing*. p. 48. https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf.

community relations. You should consider whether your current police department staffing should be adjusted to include fewer uniformed officers and more civilians.

How Should the Police Engage in Crowd Control? Should the Police be “Demilitarized”?

Police departments have acquired surplus military equipment from the federal government, including body armor, armored vehicles, grenade launchers, and bayonets. The rationale for these acquisitions is that the equipment will assist local law enforcement in combatting terrorism and drug trafficking.

This military equipment, however, has also been used for crowd control, along with other tactics such as the use of water cannons, rubber pellets, acoustic weapons, and tear gas to subdue or move a crowd. Civil rights advocates, among others, have criticized the militarization of crowd control arguing that not only has it failed to increase public safety but it actually results in escalation and increases the risk that excessive force will be used.²⁵ Consider the following:

- How should your police force conduct crowd control activities?

²⁵ Fair and Just Prosecution. Blueprint for Police Accountability and Reform: A New Vision for Policing and the Justice System, p. 8. <https://fairandjustprosecution.org/wp-content/uploads/2020/06/Policing-Roadmap-FINAL.pdf>; Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*, p. 185. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf; Congressional Research Service. (June 25, 2020). Congress and Police Reform: Current Law and Recent Proposals, p. 5. <https://crsreports.congress.gov/product/pdf/LSB/LSB10486>.

- Does your community want to limit the use of military equipment and other tactics such as use of water cannons, rubber pellets, acoustic weapons and tear gas for crowd control purposes?
- Does your community want to limit the acquisition of military equipment altogether?
- Does your community want to have its police officers trained in de-escalation techniques specifically designed to engage with protesters and large crowds?

The policies and procedures police agencies employ for crowd control should minimize the appearance of a military operation and use of force, prioritize citizens' First Amendment rights and effective communication with demonstrators, avoid the use of provocative tactics and equipment that undermine civilian trust, utilize "soft look" uniforms and open postures instead of riot gear and military formation when it is safe to do so, and employ a layered response that prioritizes de-escalation.²⁶

²⁶ United States Department of Justice. (2015). *Final Report of the President's Task Force on 21st Century Policing*. p. 25. https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf.

II. Employing Smart and Effective Policing Standards and Strategies

Effective policing requires standards and strategies that advance the goals of protecting the community, engaging with the citizenry in a meaningful and multi-faceted way and demonstrating respect for individuals during law enforcement interactions. Policing is a partnership with the community, requiring a foundation of positive, trust-based relationships with all segments of the population. It is critical that the strategies employed and the manner by which law enforcement interacts with the population are in line with the community's expectations for its police force.

1. Procedural Justice and Community Policing

Section I described the concept of procedural justice and how to examine whether your police department uses those principles to inform its interactions with the public. As discussed above, those principles encourage you to always consider how the police will interact with the public – the process – instead of focusing solely on the law enforcement outcomes of your decision making.

Moreover, the concept of community policing provides another set of organizing principles for establishing a successful policing model. The premise of community policing is that community participation and assistance are crucial for maintaining public safety and building a police force responsive to the public. It focuses on “strong relationships and collaboration between police and the communities they serve; the application of modern management practices and organizational structures to create a culture of community

partnership; transparency and accountability to communities and democratic government; and decentralized, proactive, community-based solutions to community public safety priorities.”²⁷

Community policing also emphasizes cultural change within law enforcement agencies. The success of this culture change requires the support and leadership of the local government chief executive and the head of the police department. The goal is to establish a culture of community service and problem solving throughout the organization.

For your consideration, the U.S. Department of Justice’s Office of Community Oriented Policing Services recommends the following best community policing practices:²⁸

1. Create a comprehensive community policing strategic plan.
2. Train all personnel on community policing – including overcoming distrust.
3. Foster an atmosphere of openness and transparency.
4. Adopt procedural justice as a guiding principle.
5. Prioritize law enforcement personnel safety and wellness.
6. Engage the community in a true partnership to address crime and disorder issues.
7. Treat every contact as an opportunity to engage positively with a community member.
8. Measure social cohesion and work to develop relationships.
9. Reevaluate metrics of community policing success.
10. Incorporate community policing measures into the performance evaluation process.

²⁷ U.S. Department of Justice Civil Rights Division. (January 2017). *The Civil Rights Division’s Pattern and Practice Police Reform Work: 1994-Present*. <https://www.justice.gov/crt/file/922421/download>.

²⁸ U.S. Department of Justice Office of Community Oriented Policing Services. Law Enforcement Best Practices: Lessons Learned from the Field. 2019. <https://cops.usdoj.gov/RIC/Publications/cops-w0875-pub.pdf>.

These best practices offer a promising framework for local governments to begin planning, but you should form your community policing plan around the individual circumstances and desired outcomes of your community. A successful community policing model must be locally-driven and requires buy-in and support from community members and local stakeholders.

Specific policing strategies that have raised concerns among the public.

Advocates, experts and some in the law enforcement community have drawn attention to a number of specific policing strategies that they believe pose an undue risk of harm to the public.

Your police department may use some or all of these strategies. As discussed here, some strategies that are currently in use may have a record of causing harm to individuals in your community.

You should examine the practices of your police department to determine which, if any, of these strategies are in use, and you should consider whether any of them need to be reformed, curtailed or discontinued.

“Broken Windows” and “Stop and Frisk”

“Broken Windows” policing rests on the theory that minor offenses committed in public, such as turnstile jumping or disorderly conduct, contribute to a degradation of society that, in turn, incubates more serious crimes. Under this theory, where these minor crimes and the individuals who

commit them are stopped at the outset, then the conditions that create more serious crimes can be avoided.²⁹

“Stop and Frisk” was an offshoot of the “Broken Windows” policing theory. Under “Stop and Frisk,” police departments adopted a policy of temporarily detaining individuals on the street based upon a “reasonable suspicion” of minor crimes and performed a pat-down search of these individuals looking for more serious criminal conduct, such as possession of contraband or weapons.³⁰ A 2019 report by the Leadership Conference on Civil Rights found that Stop and Frisk contributes to racial disparities in policing due to the wide latitude officers have in stopping for “reasonable suspicion” and its use as a primary enforcement tactic in communities with higher rates of crime.³¹

Indeed, the NYPD’s use of Stop and Frisk was determined to be unconstitutional by a federal judge in 2013.³² The court found that the practice had a vastly disproportionate impact on minorities. A total of 83% of stops based on “reasonable suspicion” were of African Americans and Latinos. Further, the empirical data presented at trial showed that a relatively low percentage of NYPD searches of African Americans and Latinos resulted in the recovery of contraband. Moreover, the “hit rate,” as measured by the recovery

²⁹ Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*. pp. 20-22. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

³⁰ *Id.* at 79-86.

³¹ *Id.* at 81.

³² *Floyd et al. v. City of New York*, 959 F. Supp.2d 540 (S.D.N.Y. 2013).

of weapons and contraband, arrests made or summonses issued, from African Americans and Latinos was actually 8% lower than that for Whites.³³

As Professors David Rudovsky and David Harris noted in a 2018 legal analysis, “Blacks and Latinos were more likely to be frisked than Whites, even though Whites were more likely to be found in possession of weapons.”³⁴ Indeed, 88% of all stops resulted in no law enforcement action at all. The court also cited the role of Stop and Frisk in deteriorating the relationship between the NYPD and communities of color.³⁵

Discriminatory or Bias-Based Stops, Searches and Arrests

Racial and ethnic profiling erodes trust in the police and unfairly targets minority communities. Bias based upon race, sex, national origin, gender identity and expression and sexual orientation, among other factors, is fundamentally unjust, and damages the targeted individuals, their communities, and the relationship with law enforcement that is necessary to build trust and effective policing.³⁶

You should consider analyzing the demographics of the individuals stopped and ticketed in your community to determine if there is any evidence

³³ *Floyd et al. v. City of New York*, 959 F. Supp.2d 540 (S.D.N.Y. 2013); Rudovsky, D. and Harris, D. Terry Stops-and-Frisks: The Troubling Use of Common Sense in a World of Empirical Data, pp. 33-35. *Ohio State Law J.* <https://www.law.upenn.edu/live/files/7898-rudovskyoslj>; Goldstein, J. (August 12, 2013). Judge Rejects New York’s Stop and Frisk Policy. *The New York Times*. <https://www.nytimes.com/2013/08/13/nyregion/stop-and-frisk-practice-violated-rights-judge-rules.html>.

³⁴ Rudovsky, D. and Harris, D. Terry Stops-and-Frisks: The Troubling Use of Common Sense in a World of Empirical Data, p. 35. *Ohio State Law J.* <https://www.law.upenn.edu/live/files/7898-rudovskyoslj>.

³⁵ *Floyd et al. v. City of New York*, 959 F. Supp.2d 540 (S.D.N.Y. 2013); Rudovsky, D. and Harris, D., Terry Stops-and-Frisks: The Troubling Use of Common Sense in a World of Empirical Data, pp. 33-35. *Ohio State Law J.* <https://www.law.upenn.edu/live/files/7898-rudovskyoslj>.

³⁶ Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*. p. 96. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.


that law enforcement has engaged in biased-based stops, searches and arrests, even if unintentionally. If there is such evidence, determine what steps should be taken to eliminate or address such practices.

Chokeholds and Other Restrictions on Breathing

New York State has criminalized the use of chokeholds by police in the immediate aftermath of George Floyd's shocking death by asphyxiation. In that case, the arresting officer applied continual pressure to his neck while Mr. Floyd was handcuffed on the ground. Governor Cuomo signed this measure into law on June 12, 2020 in the presence of Gwen Carr - the mother of Eric Garner, another individual killed after use of a chokehold in 2014 by a New York City police officer. The legislation creates the crime of aggravated strangulation where a police officer uses a chokehold and causes serious physical injury or death.³⁷

Other forms of force that may not currently be banned can also restrict breathing. For example, positioning someone on their stomach while in restraints restricts breathing. So too does the application of pressure on someone's back while restrained face down. Use of force against individuals who are already handcuffed increases risk of injury.³⁸

³⁷ Eric Garner Anti-Chokehold Act, NY Senate Bill S6670B. (June 12, 2020). <https://www.nysenate.gov/legislation/bills/2019/s6670>.

³⁸ U.S. Department of Justice Civil Rights Division. (January 2017). *The Civil Rights Division's Pattern and Practice Police Reform Work: 1994-Present*. p. 28. <https://www.justice.gov/crt/file/922421/download>; Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*, p. 125. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf; Campaign Zero. #8CantWait. 

Use of Force for Punitive or Retaliatory Reasons

The potential for abuse of the use of force for retaliatory or punitive reasons exists. The U.S. Department of Justice has found that such situations have arisen generally where an individual is fleeing, resisting arrest or showing disrespect for the officer.³⁹ In several instances, DOJ has required police departments to adopt formal policies prohibiting the use of force for retaliatory or punitive reasons.⁴⁰

Pretextual Stops

Pretextual stops are those where the officer uses a minor violation as a pretext to stop, question, or search someone suspected of involvement in, or having knowledge of, a more serious crime. Pretextual stops have been used in a targeted fashion to question individuals relevant to an ongoing investigation in a setting that may facilitate disclosure of information valuable to that investigation, and in a broader fashion by officers on patrol to question or search individuals based on the officer's observations at that time.

Pretextual stops are distinct from Stop and Frisk policing as the former involves stopping an individual purportedly on one stated basis, when the real purpose is to investigate the individual for an entirely different and usually more serious crime. The latter, namely Stop and Frisk, when conducted legally, is based on the suspicion of a minor crime without a secondary motive by law enforcement.

³⁹ U.S. Department of Justice Civil Rights Division. (January 2017). *The Civil Rights Division's Pattern and Practice Police Reform Work: 1994-Present*. p. 28. <https://www.justice.gov/crt/file/922421/download>.

⁴⁰ *Ibid*.

As noted by the Leadership Conference on Civil Rights, the wide latitude officers have to conduct a pretextual stop can contribute to the distrust between the community and officers.⁴¹

Informal Quotas for Summonses, Tickets or Arrests

New York State has banned formal quotas for issuance of tickets or summonses, stops of individuals suspected of criminal activity, and arrests.⁴² Quotas erode community-police relations as they encourage officers to make arrests in situations that otherwise would be unnecessary or unwise so as to meet a mandated numeric threshold. Historically, minority communities are often targeted to meet such quotas.⁴³ Moreover, “the knowledge that quotas exist, and therefore that illegitimate arrests exist, casts an untrusting shadow onto all police activity.”⁴⁴

Unlike formal quotas, informal quotas are more difficult to ferret out, but are just as damaging to the individual and the community. For example, a civil rights investigation by the US Department of Justice in Ferguson, Missouri found that the city’s police department had informal quotas for tickets and summonses and that African Americans were targeted at a disproportionate

⁴¹ Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*. pp. 80-81. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

⁴² N.Y. Labor Law 215-a(1); Bronstein, N. (2015). Police Management and Quotas: Governance in the CompStat Era, pp. 545, 557-558. *Columbia J. of Law and Social Probs.* <http://jlsp.law.columbia.edu/wp-content/uploads/sites/8/2017/03/48-Bronstein.pdf>.

⁴³ Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*. pp. 82, 105. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf; Bronstein, N. (2015). Police Management and Quotas: Governance in the CompStat Era, pp. 545-55. *Columbia J. of Law and Social Probs.* <http://jlsp.law.columbia.edu/wp-content/uploads/sites/8/2017/03/48-Bronstein.pdf>.

⁴⁴ Bronstein, N. (2015). Police Management and Quotas: Governance in the CompStat Era, p. 555. *Columbia J. of Law and Social Probs.* <http://jlsp.law.columbia.edu/wp-content/uploads/sites/8/2017/03/48-Bronstein.pdf>.

rate. Specifically, African Americans comprised 67% of the population but received 90% of the tickets. In fact, in 2013, Ferguson – with a population of approximately 21,135 people – had issued 32,975 warrants for nonviolent offenses – more warrants than it had actual residents. Most of these were for driving violations. The collection of high court fines and fees⁴⁵

The resulting fees and fines can have a crippling effect on citizens who cannot afford to pay them. In Ferguson, where an individual was not able to pay the fine, an arrest warrant was issued, effectively creating a debtors' prison and prioritizing revenue-generation measures at the expense of civil rights and the minority communities disproportionately targeted and affected. In addition to jail time, the direct and indirect consequences that flowed from failure to pay included loss of driver's licenses, housing and employment.⁴⁶

The use of "police officers as municipal debt collection agents," as described by DOJ, has a corrosive effect on the relationship between officers and communities of color.⁴⁷

While New Yorkers do not face the prospect of arrest for delinquency in paying a traffic violation fine, any discriminatory practice of issuing

⁴⁵ Shapiro, J. (August 25, 2014). In Ferguson, Court fines and Fees Fuel Anger. *NPR*. <https://www.npr.org/2014/08/25/343143937/in-ferguson-court-fines-and-fees-fuel-anger>; Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*. pp. 88-89. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf; U.S. Dept. of Justice. (January 2017). *The Civil Rights Division's Pattern and Practice Police Reform Work: 1994-Present*. pp. 7, 13, 33-34, 46. <https://www.justice.gov/crt/file/922421/download>.

⁴⁶ Shapiro, J. (August 25, 2014). In Ferguson, Court fines and Fees Fuel Anger. *NPR*. <https://www.npr.org/2014/08/25/343143937/in-ferguson-court-fines-and-fees-fuel-anger>; Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*. pp. 88-89 (2019). https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf; U.S. Dept. of Justice. (January 2017). *The Civil Rights Division's Pattern and Practice Police Reform Work: 1994-Present*. pp. 7, 13, 33-34, 46. <https://www.justice.gov/crt/file/922421/download>.

⁴⁷ U.S. Dept. of Justice. (January 2017). *The Civil Rights Division's Pattern and Practice Police Reform Work: 1994-Present*. p. 13. <https://www.justice.gov/crt/file/922421/download>.

summonses should still be cause for great concern. Failure to pay the fine for a traffic violation can result in suspension of a driver's license or motor vehicle registration, causing a cascade of additional harm that is disproportionate to the underlying offense. The harm is particularly severe for individuals who either drive to work or have driving as a job requirement, as they can be arrested and prosecuted if they drive with a suspended license. As part of the Say Their Name agenda, New York enacted the STAT Act, which requires the collection of demographic information on violations. This should shed light on any disparities in the imposition of such lower level violations, which can then be properly addressed. As part of this exercise, local governments should inform themselves to better address this issue at the outset. Local governments should further examine whether any informal quotas exist for tickets, summons, stops or arrests, and if so, eliminate such quotas.

Shooting at Moving Vehicles and High Speed Pursuits

Shooting at a moving vehicle risks injury to unintended targets, including to innocent bystanders. Hitting the driver can turn a moving car into a high-speed, out of control weapon.⁴⁸

Many experts also believe that shooting at a moving vehicle has low utility as a tactic for neutralizing threats, as shooting at a car rarely stops it. Moreover, one study found that 91% of police pursuits were the result of

⁴⁸ Herman, P. (May 1, 2018). Police in D.C., New York Revise Shooting Policies in Response to Vehicle Ramming Attacks. *The Washington Post*. https://www.washingtonpost.com/local/public-safety/police-in-dc-new-york-revise-shooting-policies-in-response-to-vehicle-ramming-attacks/2018/05/01/9561d1ee-418b-11e8-ad8f-27a8c409298b_story.html; Gross, J. (2016). Unguided Missiles: Why the Supreme Court Should Prohibit Police Officers From Shooting at Moving Vehicles, pp. 135, 139-141. *U. Pa. Law Rev. Online*. https://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=1163&context=penn_law_review_online.

nonviolent offenses.⁴⁹ Experts have proposed either prohibiting shooting at a moving vehicle or permitting the tactic only when the driver or a passenger poses an imminent risk of lethal force against an officer or another individual.⁵⁰ Whether to engage in a high speed pursuit in the first instance is also a decision point for this collaboration. It may be prudent to only engage in such activities for certain offenses, or at certain times of day or locations where harm to bystanders can be minimized.

Use of SWAT Teams and No-Knock Warrants

Historically, SWAT teams were designed to handle high risk situations, such as hostage rescues and terrorist attacks. Today, SWAT teams are increasingly used to execute even routine search warrants. Although some search warrants are inherently high risk to the executing officers, others may not be, and use of a SWAT team may not be necessary or advisable.⁵¹

The use of no-knock warrants has also been criticized. Consider if such a tactic should only be used when there is a specific threat to officer or civilian life.⁵² Recently, Breonna Taylor, a Louisville, Kentucky resident and EMT worker, was killed by officer gunfire when three plain-clothed officers executed a no-knock warrant at her home in the middle of the night. Her boyfriend,

⁴⁹ Gross, J. (2016). Unguided Missiles: Why the Supreme Court Should Prohibit Police Officers From Shooting at Moving Vehicles, pp. 135, 142. *U. Pa. Law Rev. Online*.

https://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=1163&context=penn_law_review_online.

⁵⁰ Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*. p. 125. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf; Campaign Zero. #8CantWait. <https://8cantwait.org>.

⁵¹ Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*. p. 132. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

⁵² *Ibid.*; Fair and Just Prosecution. Blueprint for Police Accountability and Reform: A New Vision for Policing and the Justice System, p.11. <https://fairandjustprosecution.org/wp-content/uploads/2020/06/Policing-Roadmap-FINAL.pdf>.

believing intruders were in the apartment, called 911, and fired his lawfully permitted weapon at the officers.⁵³ The officers returned fire, hitting Ms. Taylor, who was unarmed, eight times. The officers were executing a search warrant for drugs. No drugs were found. Law enforcement knew prior to entering her home that the main suspect who was the center of the investigation had already been taken into police custody.⁵⁴

Less-Than-Lethal Weaponry such as Tasers and Pepper Spray

Increasingly, tasers are being used by law enforcement as an alternative to firearms. The electric shock in tasers induces muscle contraction which can sometimes result in serious injury or even death.⁵⁵ In 2008, the NYPD was called to an apartment building in Brooklyn after a mentally disturbed man, Iman Morales, did not answer his apartment door and his mother asked someone to call 911. After police arrived Mr. Morales, who was naked, left his third-floor apartment through the fire escape descended to the second floor landing and ultimately jabbed at another officer with a fluorescent light tube. An officer on the street then fired his taser at Mr. Morales, who fell head first to the ground and died from his head injuries.⁵⁶

⁵³ Burke, M. (June 13, 2020). Breonna Taylor's Death Ignites Debate on No-Knock Warrants as Louisville Becomes Latest City to Ban Them. *NBC News*. <https://www.nbcnews.com/news/us-news/breonna-taylor-s-death-ignites-debate-no-knock-warrants-louisville-n1208156>. Oppel, R. and Taylor, D. (June 28, 2020). Here's What You Need to Know About Breonna Taylor's Death. *New York Times*. <https://www.nytimes.com/article/breonna-taylor-police.html>.

⁵⁴ Burke, M. (June 13, 2020). Breonna Taylor's Death Ignites Debate on No-Knock Warrants as Louisville Becomes Latest City to Ban Them. *NBC News*. <https://www.nbcnews.com/news/us-news/breonna-taylor-s-death-ignites-debate-no-knock-warrants-louisville-n1208156>; Waldrop, T., Sanchez, R. and Joseph, E. (June 23, 2020). Officer Fired in Shooting Death of Breonna Taylor, Louisville Police Say. *CNN.com*. <https://www.cnn.com/2020/06/23/us/breonna-taylor-shooting-officer-fired/index.html>.

⁵⁵ Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*. pp. 135-36. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

⁵⁶ Fahim, K. and Hauser, C. (Sept. 25, 2008). Taser Use in Man's Death Broke Rules, Police Say. *The New York Times*. <https://www.nytimes.com/2008/09/26/nyregion/26taser.html>; Neil, M. (Oct. 25, 2008). Police Taser

Chemical agents, including pepper spray, are another less-than-lethal method used by some law enforcement. But, while less lethal, it can still cause serious harm and has minimal accuracy, especially when used from a distance or under windy conditions.⁵⁷ Consider additional training of such less-than-lethal weapons by your law enforcement officers.

Facial Recognition Technology

Some law enforcement agencies have used facial recognition systems to assist with investigations. Civil libertarians have raised privacy concerns pertaining to the collection of images. Further, users of facial recognition technology have reported accuracy problems as these systems have a more challenging time recognizing the faces of certain segments of the population, such as African Americans and women.⁵⁸ A recent study looked at three commercial facial recognition systems and found they exhibit higher error rates for darker-skinned women than any other group, with the lowest error rates for light skinned men.⁵⁹

As you consider the use of facial recognition technology, you should take into account whether checks and balances can minimize false positive hits, how

Naked New York City Man, Who Falls and Dies. *ABA Journal*.

https://www.abajournal.com/news/article/police_taser_naked_new_york_city_man_who_falls_and_dies.

⁵⁷ Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*. p. 139. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

⁵⁸ Goodwin, G. (June 4, 2019). Testimony Before the Committee on Oversight and Reform, *U.S. House of Representatives. Face Recognition Technology: DOJ and FBI Have Taken Some Actions in Response to GAO Recommendations to Ensure Privacy and Accuracy, But Additional Work Remains*. <https://www.gao.gov/assets/700/699489.pdf>.

⁵⁹ Buolamwini, J. and Gebru, T. (2018). *Gender Shades: Intersectional Accuracy Disparities in Commercial Gender Classification*. *Proceedings of Machine Learning Research, Conference on Fairness, Accountability and Transparency*, pp. 8, 12. <http://proceedings.mlr.press/v81/buolamwini18a/buolamwini18a.pdf>.

error rates attributable to race and gender can be factored into the application of such technology, and what safeguards can be applied to protect privacy interests.

2. Law Enforcement Strategies to Reduce Racial Disparities and Build Trust

Law enforcement experts have also suggested that various policing and criminal justice strategies can reduce racial disparities and build trust between police departments and the community. You should consider which, if any, of these strategies would help your department achieve these important goals.

Using Summonses Rather than Warrantless Arrests for Specified Offenses

Police officers have broad discretion to choose between treating certain incidents as misdemeanor crimes and making warrantless arrests, or treating such incidents as a civil infractions or violations and issuing appearance tickets or summonses. Advocates for policing reform contend that this latitude has often resulted in people of color disproportionately entering the criminal justice system, harming these individuals and contributing to distrust of the police.⁶⁰

For example, in 2015, Sandra Bland, a 28-year old African American woman, was pulled over in Texas pursuant to a traffic stop for failure to signal a change of lanes, a minor traffic violation that typically results in either a

⁶⁰ Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*. pp. 82, 105. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf; Fair and Just Prosecution. *Blueprint for Police Accountability and Reform: A New Vision for Policing and the Justice System*, p. 11. <https://fairandjustprosecution.org/wp-content/uploads/2020/06/Policing-Roadmap-FINAL.pdf>.

warning or issuance of a ticket and a fine.⁶¹ The conversation became increasingly contentious between the officer and Ms. Bland when she refused to extinguish her cigarette. Ms. Bland was arrested and charged with a Class C misdemeanor, the lowest level of crime in Texas, and for which the punishment carried a fine but no jail term. She was unable to meet a \$5,000 bond for her release. Ms. Bland was found dead in her cell three days later. Her death was ruled a suicide.⁶²

You should consider whether your police department should encourage the issuance of summonses rather than conducting warrantless arrests for specified offenses or under specified circumstances.

Diversion Programs

Diversion programs may occur at various stages in the criminal justice process. Diversion programs recognize that incarceration or establishment of a criminal record may not be the most appropriate mechanism to address certain conduct, and that education, drug or mental health treatment may provide a better alternative for the individual and the community.

⁶¹ Connelly, C. (May 9, 2019). At Texas Capitol, Sandra Bland's Legacy Looms. *Kera News*. <https://www.keranews.org/post/texas-capitol-sandra-blands-legacy-looms>; Montgomery, D. (May 17, 2019). Sandra Bland, It Turns Out, Filmed Traffic Stop Confrontation Herself. *The New York Times*. <https://www.nytimes.com/2019/05/07/us/sandra-bland-video-brian-encinia.html>; Wickham, D. (July 27, 2015). Wickham: Sandra Bland's Fate Sealed By Bad Policing, *USAToday*. <https://www.usatoday.com/story/opinion/2015/07/27/sarah-bland-suicide-death-texas-trooper/30705659/>.

⁶² Connelly, C. (May 9, 2019). At Texas Capitol, Sandra Bland's Legacy Looms. *Kera News*. <https://www.keranews.org/post/texas-capitol-sandra-blands-legacy-looms>; Montgomery, D. (May 17, 2019). Sandra Bland, It Turns Out, Filmed Traffic Stop Confrontation Herself. *The New York Times*. <https://www.nytimes.com/2019/05/07/us/sandra-bland-video-brian-encinia.html>; Wickham, D. (July 27, 2015). Wickham: Sandra Bland's Fate Sealed By Bad Policing, *USA Today*. <https://www.usatoday.com/story/opinion/2015/07/27/sarah-bland-suicide-death-texas-trooper/30705659/>.

For youthful or first time offenders, or those with mental health issues or problems with substance abuse, incarceration is either unnecessary or counterproductive and will not address the underlying behavior. Even apart from unnecessary incarceration, saddling an individual with a criminal record in these circumstances can have broad-ranging, unwarranted consequences. Strategies for diversion programs include warn-and-release, programs requiring violence prevention or aggression management, substance abuse treatment and testing, and court check-ins.⁶³

Restorative Justice Programs

Restorative justice programs offer people a meaningful chance to respond to a conflict outside of the traditional courtroom process. Restorative justice brings the affected parties together, mediated by a trained community member, allowing the aggrieved parties to vocalize hurt and encouraging accountability. The aim is healing rather than punishment, and it requires cooperation between all sides of a conflict, such as between a perpetrator and a victim, to achieve an understanding of what occurred and arrive at a mutually acceptable resolution.⁶⁴

⁶³ See: Law Enforcement Assisted Diversion (LEAD) Program. <https://www.leadbureau.org>; Office of Juvenile Justice and Disciplinary Prevention, Diversion Programs. <https://www.ojjdp.gov/mpg-iguide/topics/diversion-programs/>; Corrective Solutions. <http://correctivesolutions.org/diversion-programs>.

⁶⁴ See: Common Justice. https://www.commonjustice.org/common_justice_model; Center for Court Innovation. <https://www.courtinnovation.org/areas-of-focus/restorative> National Network for Safe Communities at John Jay College. Reconciliation Between Police and Communities: Case Studies and Lessons Learned. https://nnscommunities.org/wp-content/uploads/2017/10/Reconciliation_Full_Report.pdf.

Community-Based Outreach and Violence Interruption Programs

Community based outreach and violence interruption programs aim to curb violence by working with high-risk individuals and connecting them with services, programs, and other community engagement initiatives, so as to interrupt the cycle of crime. For example, the NYS Street Outreach Program (SNUG) discussed earlier employs street outreach workers who live in the communities where they work to reach at-risk youth.

Adopting a strategy where you work with trusted messengers with existing credibility within a community can facilitate better community relationship with law enforcement and be a positive force for change.

Hot-Spot Policing and Focused Deterrence

Some departments have used data analysis to identify crime spikes or “hot spots” in specific neighborhoods or even particular street blocks and increased the visible police presence in these areas, with the purpose of deterring crime. Relatedly, some departments have implemented a strategy of “focused deterrence,” in which officers engage directly with offenders or groups of offenders based on their prior history, sometimes in partnership with community members.⁶⁵

⁶⁵ Center for Problem-Oriented Policing. <https://popcenter.asu.edu>; National Institute of Justice. Hot Spot Policing Can Reduce Crime. <https://nij.ojp.gov/topics/articles/hot-spot-policing-can-reduce-crime>; National Institute of Justice. Gun Violence Prevention Strategy: Focused Deterrence. <https://nij.ojp.gov/topics/articles/gun-violence-prevention-strategy-focused-deterrence>.

Hot spot and deterrence policing may have both public safety and community benefits; reducing crime and targeting crime drivers. Indeed, focused deterrence policing has been found to have some beneficial impact on reduction in crime, particularly those programs that target gangs or groups.⁶⁶ However, a locality employing these techniques must ensure that they are supported by the community, that the police department can and will implement them in a race-neutral and transparent fashion, and that the local government itself will vigilantly monitor their use.

Analysts have criticized the “hot spot” and “focused deterrence” techniques on the ground that they are used disproportionately in minority communities. According to a 2018 report on proactive policing by the National Academies of Science, Engineering and Medicine,⁶⁷ the high rate at which individuals of color are stopped, cited, arrested or injured by the police is associated with police deployment based on intensive presence in particular areas. For example, if residents of areas with higher levels of reported crime are disproportionately people of color or disadvantage, placing greater police resources in these areas will increase the probability of law enforcement contacts with minorities and loss of liberty through stops, searches and arrests.⁶⁸

⁶⁶ Campbell Collaboration. American Institutes for Research (2019). https://campbellcollaboration.org/media/k2/attachments/0110_Braga_Focused_deterrence_PLS_EN.pdf.

⁶⁷ National Academies of Science, Engineering, and Medicine. (2018). *Proactive Policing: Effects on Crime and Communities*. The National Academies Press. p. 251. <https://www.nap.edu/read/24928/chapter/9>.

⁶⁸ Weisburd, David. Does Hot Spots Policing Inevitably Lead to Unfair and Abusive Police Practices, or Can We Maximize Both Fairness and Effectiveness in the New Proactive Policing? University of Chicago Legal Forum (2016), pp. 671-672. <https://chicagounbound.uchicago.edu/cgi/viewcontent.cgi?article=1578&context=uclf>

In the same 2018 report, the National Academies of Science, Engineering and Medicine also found that focused deterrence policing is more likely to target minority offenders. Since non-White individuals are more likely to live in areas with more police per capita, they will have higher rates of prior contact with police in their lifetime. This increases the probability of a prior arrest record, and thus makes them a target for focused deterrence policing practices.

De-Escalation Strategies

De-escalation has proven effective in certain circumstances to diffuse what would otherwise be a dangerous encounter. Body position and stance, tone of voice and word choice, can either calm a situation or inflame an already tense situation. De-escalation tactics, including both verbal and non-verbal communication strategies, can slow down an evolving situation and reduce the risk that a situation will become violent. De-escalation is tied to the principle that an officer should exhaust all available methods of resolving a situation before using force.⁶⁹

The former longtime Chief of Police of Madison, Wisconsin developed a de-escalation policy beginning in the 1970's in what is now referred to as the "Madison Model." Under this model, police officers operate under the theory that they are "social workers in blue."⁷⁰ When this was introduced in Madison, officers wore shorts and blazers and marched with Vietnam War protesters.

⁶⁹ Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*. pp. 10, 121, 143. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

⁷⁰ The Marshall Project. *The Madison Model: A Shooting Death Spotlights Wisconsin's Legacy of Police Reform*. <https://www.themarshallproject.org/2015/05/14/the-madison-model>.

They got out of their cars and walked the streets in high-crime areas. Rookies were taught to avoid deadly confrontations if at all possible, even with armed individuals. The Madison Model remains a de-escalation model that departments and law enforcement consultants still reference when formulating a de-escalation policy of their own.⁷¹

Although de-escalation training is increasingly used in police departments, there is limited knowledge regarding its actual effectiveness in successfully decreasing volatile situations. One group of researchers examined sixty-four de-escalation training programs across all professions over a forty year period and found some early promising results and few adverse consequences, but noted the weaknesses in methodological controls of such studies.⁷² Regardless, de-escalation training has become one of the most frequently requested types of police trainings as proponents advocate it reduces violence across the board and protects both civilians and officers.⁷³

Can Your Community Effectively Identify, Investigate and Prosecute Hate Crimes?

Hate crimes against individuals in protected classes are an attack not only on the individual, but also on the whole community.⁷⁴ On March 11, 2020, in response to a physical assault on the basis of race against a woman of Asian-

⁷¹ *Ibid.*

⁷² Engel, R., McManus, H. and Herold, T. (January 31, 2020). Does De-Escalation Training Work? *Criminology & Public Policy*. <https://onlinelibrary.wiley.com/doi/full/10.1111/1745-9133.12467>.

⁷³ McKenna, S. (June 17, 2020). Police Violence Calls for Measures Beyond De-Escalation Training. *Behavior & Society*. <https://www.scientificamerican.com/article/police-violence-calls-for-measures-beyond-de-escalation-training1/>.

⁷⁴ Fair and Just Prosecution. Blueprint for Police Accountability and Reform: A New Vision for Policing and the Justice System, p. 11. <https://fairandjustprosecution.org/wp-content/uploads/2020/06/Policing-Roadmap-FINAL.pdf>.

decent in Manhattan, Governor Cuomo directed the New York State Police to investigate the incident and stated: “No one in this state should ever feel intimidated or threatened because of who they are or how they look. Diversity is our greatest strength – it's one of the things that makes New York great – and in difficult times we need to band together even tighter.”⁷⁵ Local law enforcement agencies are required to submit Hate Crime Incident Report forms to the Division of Criminal Justice Services each month.⁷⁶ You should ensure your police department is complying with these reporting requirements and has the capacity to effectively identify and investigate hate crime and bias incidents.

Evaluate your practices concerning the identification and investigation of hate crimes. Are members of your department trained to investigate hate crimes and interview members of minority communities and groups? What additional training and community resources can you draw on to enhance hate crime prevention and response?

3. Community Engagement

Community engagement is imperative to forming trust between officers and the citizens in the neighborhoods they police. The concept of community policing can, however, often be misunderstood and misapplied. Many applications of this concept do not capture the deeper, sustained role a

⁷⁵ Governor Andrew M. Cuomo. (March 11, 2020). Governor Cuomo Directs State Police Hate Crimes Task Force to Assist in Investigation of Assault Against Asian Woman. <https://www.governor.ny.gov/news/governor-cuomo-directs-state-police-hate-crimes-task-force-assist-investigation-assault-against>.

⁷⁶ For more information on reporting Hate Crimes to the Division of Criminal Justice Services, please visit: <https://www.criminaljustice.ny.gov/crimnet/ojsa/crimereporting/forms/hatecrime.pdf>.

community can play in policing.⁷⁷ Community-oriented policing seeks to address the causes of crime and to reduce fear of social disorder through problem-solving strategies and police-community partnerships.⁷⁸

Consider whether any of the following tools would help you to achieve these goals.

Community outreach plans

A number of law enforcement agencies have developed plans for institutionalizing community engagement.⁷⁹ For example, in 2018 the Seattle Police Department released a report outlining their Community Engagement Program, what was done, and where the program saw success.⁸⁰ Seattle developed and articulated specific ways in which it engages with communities, including but not limited to: appointing community liaison officers, fostering police community partnerships, holding regular community meetings, and tracking and rewarding positive interactions between officers and community groups.

By deepening their contact and collaboration with the community, agency efforts in engaging with citizens are more likely to be successful.

⁷⁷ United States Department of Justice. (2015). *Final Report of the President's Task Force on 21st Century Policing*. https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf

⁷⁸ Community Policing. (n.d.). <https://www.bjs.gov/index.cfm?ty=tp&tid=81>

⁷⁹ For examples please see: The Ohio Collaborative Community-Police Advisory Board's suggestions at <https://www.ocjs.ohio.gov/ohiocollaborative/links/Examples-Community-Police%20Engagement.pdf> Or the New Orleans Police Department's Community Engagement Manual at [https://www.nola.gov/getattachment/NOPD/NOPD-Consent-Decree/Community-Engagement-Manual-\(3\).pdf/](https://www.nola.gov/getattachment/NOPD/NOPD-Consent-Decree/Community-Engagement-Manual-(3).pdf/)

⁸⁰ For example please view report at <http://www.seattle.gov/documents/departments/police/reports/communityengagementreport2018.pdf>

Citizen advisory boards and committees

Community engagement emphasizes working with residents to promote public safety. Law enforcement agencies can work with community residents to identify problems and collaborate on implementing solutions that produce meaningful results for the community.⁸¹ A community advisory board/committee is a group that meets regularly to provide advice and perspectives to executive staff in law enforcement agencies. Membership should reflect and represent the different voices and needs in the community, meaning a board should be as diverse as the community in which it functions.⁸²

The goal should be the creation of an inclusive space designed to accommodate the community's diverse needs. An advisory board can play a continuing and meaningful role in the decision-making process and keep the community informed of developments and achievements made by law enforcement. This provides a sustained communication structure between the community and law enforcement leadership.

For example, the Albany Police Department (APD) has had a positive experience using such a mechanism for continued community policing and engagement. The department sought assistance from the city's Common Council to ensure all 15 wards of the city were equally represented on the Community Policing Advisory Committee. This committee was charged with

⁸¹ United States Department of Justice. (2015). *Final Report of the President's Task Force on 21st Century Policing*. pp. 48. https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf

⁸² IACP. (2019, May 6). Promoting Community Involvement in Law Enforcement: Community Advisory Boards. Retrieved from <https://www.theiacp.org/news/blog-post/promoting-community-involvement-in-law-enforcement-community-advisory-boards>

reviewing and addressing items to reinvigorate the relationship between community members and APD.⁸³

Partnership with community organizations and faith communities

It is important to work within the community in order to build trust and nurture legitimacy. Law enforcement agencies can proactively increase public trust by initiating positive non-enforcement activities to engage communities that typically have high rates of investigative and enforcement involvement with government agencies.⁸⁴

Can your law enforcement agency develop programs that create opportunities for patrol officers to interact regularly with neighborhood residents, faith leaders, and business leaders? Some communities have developed Police Athletic Leagues (PALs) which provide an opportunity for the police to engage with youth in the community and build enduring beneficial relationships. Communities are often more willing to assist law enforcement when they have forged positive relationships through non-law enforcement-related community engagement.⁸⁵

Partnering with students and schools

Adopt-a-school programs seek to build a rapport between a school, its students and a local police department. In such programs, police officers visit the school at regularly scheduled intervals, have lunch with the students and

⁸³ Albany, C. O. (n.d.). Retrieved from <https://www.albanyny.gov/Government/Departments/PoliceDepartment/AlbanyCommunityPoliceAdvisoryCommittee.aspx>

⁸⁴ United States Department of Justice. (2015). *Final Report of the President's Task Force on 21st Century Policing*. pp. 14. https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf

⁸⁵ *Id.* at 15

spend time with them at recess. Students are encouraged to engage with and ask questions of the officers. The goal is to cultivate a mentoring relationship from these interactions, with the officers serving as community role models.⁸⁶ Unlike School Resource Officers (discussed above in Part I), officers in adopt-a-school programs are *not* intended to enforce student discipline or address truancy issues, nor should they be used for such purposes. Rather, adopt-a-school programs are designed to have students engage with officers in a relaxed, non-adversarial fashion, fostering positive connections that carry through the students' academic and personal lives, into adulthood.⁸⁷

Police-community reconciliation

The police-community reconciliation process seeks to improve strained relationships between police and communities of color. The goal is to strengthen and build a community perception that law enforcement is a trustworthy partner with which it can collaborate in achieving public safety.

In many communities of color, a history both of violence unaddressed by law enforcement and police misconduct has left a legacy of grievance and distrust between these communities and the law enforcement agencies that serve them. A 2020 Center for Court Innovation survey of New York City youth at high risk of gun violence found a deep distrust of law enforcement, with only 19% believing that the police want to understand their community needs.⁸⁸ The

⁸⁶ See e.g., Valparaiso Police Department. <https://www.ci.valparaiso.in.us/366/Adopt-a-School>;

⁸⁷ See e.g., Rancho Cordova Police Department. <https://www.ranchocordovapd.com/programs/adopt-a-school>.

⁸⁸ Center for Court Innovation. "'Gotta You're your Own Heaven' Guns, Safety, and the Edge of Adulthood in New York City." Pg. 13

study found that “this lack of trust stemmed from three primary concerns: being stopped for low-level offenses, feeling the police were not addressing serious crime and violence, and sensing a lack of care for people in the community.⁸⁹” When these issues are addressed openly, new and different understandings can emerge, and a profound transformation in community-police relations becomes possible.⁹⁰ While engaging in discussion with communities of color on how historical and current police practices affect their communities, consider:

- Discussing how policies, culture, engagement, and other mechanisms can change to create a more transparent system built on trust.
- Communicating a willingness to improve as well as acknowledge past and continuing harm.
- Following through on changes to demonstrate commitment to the reconciliation process.
- Acknowledging that the intention is to create new practices in recognition of historical harm (in tandem with the announcement and implementations of new initiatives adopted by the collaborative). Not only will this reinforce the message of reconciliation in the department, it will help in educating the general population.⁹¹

https://www.courtinnovation.org/sites/default/files/media/document/2020/Report_GunControlStudy_08052020.pdf

⁸⁹ *Id.*

⁹⁰ Mentel, Z. (2012). *Racial reconciliation, truth telling, and police legitimacy*. Retrieved from https://s3.trustandjustice.org/misc/Racial-Reconciliation_Truth-Telling_and-Legitimacy.pdf

⁹¹ Kuhn, S., and Lurie, S. (2018). *Reconciliation between Police and Communities: Case Studies and Lessons Learned*. New York: John Jay College.

Attention to Marginalized Communities

Your department may need to devote special training and management attention to interaction with marginalized communities.

- **Limited English Proficiency (LEP) Citizens:** For citizens who have Limited English Proficiency, communication with law enforcement is more difficult and could result in law enforcement perceiving these citizens as noncompliant. Law enforcement agencies must ensure reasonable and equitable language access for all persons who have encounters with police or who enter the criminal justice system. Statewide language access requirements discussed in New York State Executive Order No. 26 (E.O. 26), require New York State executive agencies to provide interpretation services in any language and translation services in the top six most commonly spoken non-English languages in the state. Consider adopting elements of E.O. 26 as part of your plan, and requiring law enforcement agencies to provide appropriate resources to community members.
- **Citizens with communication disabilities.** Similarly, citizens who are deaf, hard-of-hearing or have sensory and stimulation sensitivities can be perceived by officers as noncompliant. It is important that officers are able to recognize when a community member may have a disability that could affect the way they communicate. Consider working with experts and members of the disability community to create training programs to educate officers to identify and work with disabled community members.
- **The LGBTQIA+ Community:** Law enforcement agencies must take steps to eradicate discriminatory policing based on a community member's perceived gender identity or sexual orientation. For example, a 2014 report on a national survey of LGBT people and people living with HIV found that 73% of respondents had face-to-face contact with the police in the past five years. Of those respondents, 21% reported encountering hostile attitudes from officers, 14% reported verbal assault by the police,

3% reported sexual harassment, and 2% reported physical assault at the hands of law enforcement officers. Police abuse, neglect, and misconduct were consistently reported at higher frequencies by respondents of color and transgender and gender-nonconforming respondents.⁹² One example of a positive policy change is the LAPD's 2012 policy requiring officers to refer to transgender individuals by the name and gender they prefer and precluding officers from searching transgender individuals solely for the purpose of determining their biological sex.⁹³ For more examples and guidance please review *Gender, Sexuality, and 21st Century Policing: Protecting the Rights of the LGBTQIA+ Community*.⁹⁴

- **Immigrant Communities:** To begin to bridge the gap between immigrant communities and law enforcement, in 2017 Governor Cuomo signed Executive Order 170 which prohibits New York State agencies and officials from asking a person's immigration status. This rule also prohibits officials from disclosing a person's immigration status to federal authorities, except in certain situations such as a law enforcement investigation.⁹⁵ You should look for opportunities to integrate members of immigrant communities into community discussions on policing. Engaging with communities is the best way to continue to get feedback that can shift police culture and values, and foster community trust.

Involving youth in discussions on the role of law enforcement agencies

Creating avenues to reach youth, such as youth leadership councils, can assist law enforcement in building trust and forming relationships with the

⁹² Mallory, C., Hasenbush, A., & Sears, B. (2015, March). Discrimination and Harassment by Law Enforcement Officers in the LGBT Community. Retrieved from <https://williamsinstitute.law.ucla.edu/publications/lgbt-discrim-law-enforcement/>

⁹³ Copple, James E., & Dunn, P. (2017). *Gender, Sexuality, and 21st Century Policing: Protecting the Rights of the LGBTQ+ Community*. Washington, DC: Office of Community Oriented Policing Services Retrieved from <https://www.iadlest.org/Portals/0/cops%20LGBTQ.pdf>

⁹⁴ *Ibid.*

⁹⁵ Governor Cuomo Signs Executive Order Prohibiting State Agencies from Inquiring About Immigration Status. (2017, September 20). Retrieved from <https://www.governor.ny.gov/news/governor-cuomo-signs-executive-order-prohibiting-state-agencies-inquiring-about-immigration>

greater community. Such groups can provide early positive encounters with law enforcement that benefit both the police and the community at large. Similar to the creation of citizen advisory boards, it is important that youth councils in communities be diverse and inclusive and reflect the makeup of the community.

III. Fostering Community-Oriented Leadership, Culture and Accountability

Reforms cannot succeed or be sustained without commitment from strong and effective leadership – in other words – without a supportive institutional culture. Culture determines behavior much more powerfully than policies and rules. The ultimate goal of reform is to ensure an institutional culture consistent with your goals for community-police relations.

Accountability is essential for a strong institutional culture and for mutual trust between the community and the police. Your department must engage in meaningful review of officer conduct, including use of force, to give the community confidence that misconduct is identified and the conduct is appropriately addressed. Much of the current unrest across the country is rooted in a belief that some police departments tolerate abuse of authority, including excessive force and other misconduct or adhere to practices that are inconsistent with community values. In the long run, this belief will harm police officers as well as degrade public safety.

In developing your plan, consider whether improvements are needed in your leadership selection process, community oversight structures, accountability mechanisms or other efforts to shape and maintain a healthy and productive institutional culture.

1. Leadership and Culture

Is your leadership selection process designed to produce the police-community relationship you want?

The process of selecting your chief of police, as well as other department leaders, should be based upon the characteristics and needs of your jurisdiction and should be structured in a manner that is legitimate and fair. Recruitment of a law enforcement leaders, whether by internal promotion or hiring an external candidate, needs to begin with an analysis of the needs of the local community.⁹⁶

The process for conducting a search and identifying candidates can incorporate input from a variety of community groups and stakeholders, even if the ultimate appointment authority resides with the chief executive of the jurisdiction. This will produce more meaningful results and candidates better able to uphold specific community values than if the search is conducted solely through the office of the chief executive.

Does your selection process ensure consideration of a diverse group of candidates? Does it take into account applicants' views on and experience with police-community relations?

In some jurisdictions, citizen committees are established to conduct an applicant search and provide advice and recommendations regarding the

⁹⁶ *Selecting a police chief*. (1999). Retrieved from https://icma.org/sites/default/files/308762_E-42370.pdf

selection process.⁹⁷ In Tallahassee, Florida for example, a panel comprised of law enforcement, non-profit groups, and religious leaders was formed to participate in the process of selecting a new chief of police for the city.⁹⁸ Your community should consider whether a similar approach that includes a well-balanced and representative search committee, might yield a broader array of candidates.

Does your officer evaluation structure help advance your policing goals?

CompStat has been an enormously valuable tool for many communities to enhance their level of public safety. However, in many instances localities still rely on mechanisms for promotions based on “the annual reports that chiefs of police submit to city councils and mayors emphasizing the number of arrests they’ve made, even if the crime rate continues to climb.”⁹⁹ Such cases can be a powerful indicator that arrest is being misused as a tool and is not helping to achieve public safety.

Jurisdictions may need to modify their CompStat implementations and other incentive and promotion structures to ensure their officer evaluation metrics reduce crime and promote public safety while promoting larger reform goals including improved community relationships and police legitimacy.¹⁰⁰

⁹⁷ *Selecting a police chief*. (1999). Retrieved from https://icma.org/sites/default/files/308762_E-42370.pdf page 5.

⁹⁸ Etters, K. (2019, July 01). Meet the individuals who will help pick the new Tallahassee police chief. Retrieved from <https://www.tallahassee.com/story/news/2019/07/01/meet-people-who-help-pick-new-tallahassee-police-chief/1618663001/>

⁹⁹ Mentel, Z. (2012). *Racial reconciliation, truth telling, and police legitimacy*. Retrieved from https://s3.truandjustice.org/misc/Racial-Reconciliation_Truth-Telling_and-Legitimacy.pdf

¹⁰⁰ *Ibid*.

What incentives does your department offer officers to advance policing goals?

Departments may want to consider offering awards, prizes, or other recognition to officers who advance reform goals. Such incentives can change officer behavior and department culture. Some departments invite community members to nominate officers for community policing awards.¹⁰¹ This incentivizes officers to establish a positive relationship with community members and engages the community.

Does your hiring and promotion process help build an effective and diverse leadership team?

Diversity in leadership is a persistent problem for law enforcement agencies. For example, 80 percent of the NYPD's chiefs, deputy inspectors, and inspectors who hold a rank above captain are classified as "non-Hispanic white."¹⁰² In addition to hiring diversity, promoting leaders within the department who reflect a broad range of diversity, including race, gender, sexual orientation, gender identity, language, life experiences, and cultural background, will improve understanding and effectiveness in policing and community relations.

Consider how your police agency uses cognitive, written and physical performance tests for promotion and hiring into leadership roles. Are there

¹⁰¹ U.S. Department of Justice, Bureau of Justice Assistance, Understanding Community Police: A Framework for Action, <https://www.ncjrs.gov/pdffiles/commmp.pdf>.

¹⁰² Despite diversity gains, top NYPD ranks fall short of reflecting communities. (2019, September 03). Retrieved from <https://brooklyneagle.com/articles/2019/09/03/nypd-diversity-top-ranks/>

qualifications other than exam scores that can be woven into criteria for leadership positions?¹⁰³ Other questions to consider include: Do applicants have specialized training or additional education? What are the culture, values and mission the applicant envisions for the agency? Has this person shown clear commitment to community engagement?

What is your strategy to ensure that your department's cultural-norms and informal processes reflect your formal rules and policies?

Policy makers and law enforcement organizations can create policies and set rules and guidelines, but if policies conflict with institutional culture these policies will not become part of the institutional fabric and may not effectively guide individual behavior.¹⁰⁴ Leadership must take an active role in demonstrating commitment to the values important to the department and the community. It is not sufficient for chiefs and department leaders to talk the talk without walking the walk.

On April, 2014, the Office of Community Oriented Policing Services (COPS Office) hosted a conference with law enforcement officials, civil rights activists, academic experts, community leaders and policymakers. At this meeting Chief Chris Magnus, of the Richmond California Police Department, led a discussion on engaging communities of color. He described using a multipronged approach to change policies in his own department. These policies included: engaging all officers, not just a subset; using up-to-date evaluation tools capable

¹⁰³The Leadership Conference Education Fund. (2019). New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing. Retrieved from https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf

¹⁰⁴ United States Department of Justice. (2015). *Final Report of the President's Task Force on 21st Century Policing*. pp. 12. https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf

of evaluating new hires' community policing skills; providing developmental training in progressive policies; and keeping officers in their positions long enough that they could understand how to deal with challenges in the community. Chief Magnus also shifted the department's focus to issues other than crime to help show that crime is not the police's only priority. For example, Richmond's police helped reduce the number of abandoned cars, in part by moving code enforcers into the department.¹⁰⁵

It is possible that more comprehensive changes may be required where police/community relations have deteriorated beyond the point where then can be repaired through policy reform. For example, in 2013 Camden, New Jersey "eliminated its city police department and established a new one under county control."¹⁰⁶ Previously the community-police relationship was undermined by lack of trust, high crime rates and corruption within the police department. Supporters say that the Camden restructuring made police officers a more regular presence in the community, and rebooted the culture of policing in the city. Since the reforms, violent crime rates have fallen, including a sharp decrease in the homicide rate, and excessive use of force has also decreased.¹⁰⁷

¹⁰⁵ Palladian Partners, Inc. (2014). Strengthening the Relationships between Law Enforcement and Communities of Color: Developing an Agenda for Action. Washington, DC: Office of Community Oriented Policing Services. Received from https://www.nnscommunities.org/wp-content/uploads/2017/10/StrengtheningtheRelationshipBetweenLE_CommunitiesofColor-DevelopinganAgendaforAction.pdf

¹⁰⁶ Landergan, K. (2020, June 12). The City that Really Did Abolish the Police. Retrieved from <https://www.politico.com/news/magazine/2020/06/12/camden-policing-reforms-313750>

¹⁰⁷ Landergan, K. (2020, June 12). The City that Really Did Abolish the Police. Retrieved from <https://www.politico.com/news/magazine/2020/06/12/camden-policing-reforms-313750>

2. Tracking and Reviewing Use of Force and Identifying Misconduct

When should officers be required to report use of force to their supervisor?

Building on prior use-of-force reporting reforms, Governor Cuomo recently signed legislation requiring that law enforcement officers report all firearm discharges in circumstances where a person could have been injured, whether or not any injury occurred.¹⁰⁸ Beyond this requirement, police departments should have clear policies regarding documenting the use of force.¹⁰⁹ Consider what other incidents, including other uses of force, your department should require be reported.

What internal review is required after a use of force?

The authors of the 2019 report “New Era of Public Safety” recommended reviewing all uses of force.¹¹⁰ These incidents can be reviewed by a supervisor, other individuals in the officer’s chain of command, a dedicated review board within the department, or an outside entity. Multiple levels of supervisory review can ensure that all supervisors carefully review use of force reports because they will receive scrutiny from their own supervisors.¹¹¹

¹⁰⁸ Governor Andrew M. Cuomo, Governor Cuomo Signs Policing Reform Legislation, <https://www.governor.ny.gov/news/governor-cuomo-signs-policing-reform-legislation#:~:text=This%20new%20law%20requires%20that,a%20written%20report%20within%2048.>

¹⁰⁹ Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*. p. 144. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf

¹¹⁰ *Id.* at 146.

¹¹¹ Samuel E. Walker & Carol A. Archbold, *The New World of Police Accountability*, Chapter 3, https://us.sagepub.com/sites/default/files/upm-assets/99450_book_item_99450.pdf

As one example, the NYPD reviews all use-of-force incidents, with varying levels of scrutiny, ranging from review by an individual supervisor to review by an independent review board, depending on the severity of the incident.¹¹²

Does your department review officers' use of force and/or misconduct during performance reviews?

Regular attention by supervisors to officers' use of force may promote adherence to departmental policy. Does department policy direct them to review the officer's history of use of force and other forms of misconduct, including under prior supervisors? Other flags such as sexual misconduct or a high number of complaints or lawsuits may signal potential for future misconduct.¹¹³

Does your department use external, independent reviewers to examine uses of force or misconduct?

Impartiality is one of the four pillars of procedural justice and could help instill confidence in determinations regarding potential abuse of force or other misconduct.

¹¹² Use of Force Report 2017, New York City Police Department, <https://www1.nyc.gov/assets/nypd/downloads/pdf/use-of-force/use-of-force-2017.pdf>

¹¹³ Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*. p. 204. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

Does your department leverage Early Intervention Systems (EIS) to prevent problematic behavior?

An EIS is a system that electronically tracks officer performance in an attempt to identify abnormal patterns indicative of problematic behavior.¹¹⁴ EIS's are used across many disciplines, to identify potential issues before they fully manifest.

In the law enforcement context, these systems can help departments identify officers that may need intervention before a major problem occurs. Behavior that can suggest the need for corrective action includes a high number of use-of-force incidents or citizen complaints, or misuse of sick leave. An EIS can help prevent future misconduct, which in turn results in a more just law enforcement system, reduced complaints, and reduced litigation risk.¹¹⁵

Does your department review “sentinel” or “near-miss” events? Does the department respond to questionable uses of force with non-punitive measures designed to improve officer performance?

The Final Report of the President’s Task Force on 21st Century Policing recommends that law enforcement entities review “sentinel” or “near miss” events.¹¹⁶ Sentinel review consists of non-punitive peer review of critical incidents that resulted in or came close to undesirable outcomes.

¹¹⁴ *Id.* At 198.

¹¹⁵ Early Warning Systems: Responding to the Problem Police Officer, National Institute of Justice, <https://www.ncjrs.gov/pdffiles1/nij/188565.pdf>.

¹¹⁶ United States Department of Justice. (2015). Final Report of the President’s Task Force on 21st Century Policing. https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf.

Understanding what went wrong in these events can help prevent the same issue from recurring.

The National Institute of Justice (NIJ) recently studied the use by three large departments of peer review of sentinel incidents.¹¹⁷ The NIJ study found that a practice of regular peer review, intended to create an opportunity for learning rather than punishment, can promote a culture of excellence.¹¹⁸

3. Internal Accountability for Misconduct

What does your department expect of officers who know of misconduct by another officer?

Some law enforcement agencies, such as the LAPD, have imposed on their officers a duty to report misconduct by other officers. Within the New York State Police, there is an obligation to report the misconduct of another trooper.¹¹⁹ Similarly, some law enforcement agencies have imposed on their supervisors a duty to respond to reports of possible misconduct. Should your department adopt such policies?

Does your police department have clear procedures for reporting misconduct to the department and/or to outside agencies such as the Attorney

¹¹⁷ National Institute of Justice, Mending Justice: Sentinel Event Reviews, <https://www.ncjrs.gov/pdffiles1/nij/247141.pdf>.

¹¹⁸ Similarly, many hospitals conduct regular peer review of surgeries with poor outcomes.

¹¹⁹ New York State Police Members Manual, Article 9B1(C) "Even if no allegation or complaint is received, Division Members must report to the Troop/Detail Commander any incident that, in their judgment, indicates that an official Complaint Against Personnel Investigation is necessary."

General, the District Attorney, a civilian oversight agency or the EEOC? Are these procedures well understood by department personnel?

Does the department have robust anti-retaliation policies to ensure that officers are willing to report misconduct by others? Does and should the department accept anonymous internal complaints?

Does your department have a clear and transparent process for investigating reports of misconduct?

Misconduct investigations must ensure both community trust in the department and fairness to officers. Do the department's procedures achieve these goals? Does the department have an appropriate timetable in which to complete misconduct investigations in light of these goals?

In a 2019 report by The Leadership Conference on Civil and Human Rights, the authors recommend that all misconduct reports be investigated, even if they occur when disciplinary actions can no longer be imposed.¹²⁰ Should your department adopt this practice?

Does your department respond to officer misconduct with appropriate disciplinary measures?

Do officers in your department believe that misconduct will result in appropriate discipline, or do they believe that it will be overlooked?

¹²⁰ Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*. p. 255. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

Does your department have a continuum of responses to misconduct? Supervisors and department leadership should not be in the position of having to either ignore misconduct or impose harsh penalties that may be disproportionate.

What procedures are in place to ensure that substantiated complaints of misconduct and settlements or adverse verdicts in lawsuits are used to reduce the risk of future misconduct?

Review of misconduct and adverse legal actions can be helpful in evaluating a department's policing activities. In particular, the discovery and trial processes can provide evidence that is more comprehensive than what is typically available to departments.¹²¹

What controls are in place to ensure impartiality when reviewing potential misconduct or complaints? When appropriate, are cases referred to either the District Attorney or another prosecutor?

In 2015, Governor Cuomo issued Executive Order 147 requiring a special prosecutor's office within the Office of the Attorney General to investigate killings of unarmed citizens and prosecute when appropriate. The Executive Order also permitted the special prosecutor's office to investigate and prosecute killings of citizens where there was a significant question as to whether a citizen was armed and dangerous at the time of his or her death.

In 2020 the Executive Order was codified into state law, creating a permanent Office of Special Investigation within the Office of the Attorney

¹²¹ Schwartz, Joanna C., What Police Learn from Lawsuits (December 2, 2010). Cardozo Law Review, Vol. 33, p. 841, 2012, Available at SSRN: <https://ssrn.com/abstract=1640855>.

General. This new legislation provides an independent review in situations where local relationships and pressures can hamper thorough review and impede necessary corrective action. This law also expands the permissible scope of the Attorney General's oversight to cases where an individual was known to be armed at the time of death.

The community must have confidence that such cases are handled fairly and without partiality either for or against the officers involved. In light of the permanent working relationship between a police department and the District Attorney, maintaining public confidence requires an independent review. Beyond cases that are currently referred to the Office of the Attorney General, consider how best to establish a disciplinary review process that gives the whole community confidence that misconduct will be fairly and impartially reviewed.

Does your department expect leaders and officers to uphold the department's values and culture when off-duty?

Behavior of officers when they are off-duty can reinforce a lack of trust in police officers and the justice system as a whole. While you cannot control the behavior of officers while they are off-duty, it is important to acknowledge the impact their off-duty conduct may have on the community members' faith in your department, and consider measures you can implement to ensure off-duty conduct does not undermine the community relationship-building work of the department.

Many police departments hold officers to certain standards of conduct even when they are out of uniform, including imposition of sanctions ranging

from termination and suspension to administrative duty. For example, an off-duty police officer in Missouri was removed from his official duties and placed on administrative duty after he was seen verbally abusing a man following a car accident. The incident was caught on video and quickly went viral. In the video the officer, who was not in uniform, threatened and cursed at the citizen, all while a uniformed officer was also at the scene.¹²² In another example, an officer in Savannah, Georgia, was fired as the result of a social media post. This post violated one of the department's conduct policies, which reads in part, "Employees shall not engage in offensive or harassing conduct, verbal or physical, towards fellow employees, supervisors or the public during work hours or off-duty hours."¹²³

4. Citizen Oversight and Other External Accountability

Does or should your department have some form of civilian oversight over misconduct investigations or policy reform?

Many larger law enforcement entities have some form of civilian oversight entity.¹²⁴ Unlike citizen advisory boards discussed in Section II - which are broad committees to encourage dialogue and community connection - civilian oversight entities have formal duties and authorities. For example,

¹²² Gstalter, M. (2020, June 24). Off-duty officer in Trump hat relieved of official duties for threatening man in viral video. Retrieved from <https://thehill.com/blogs/blog-briefing-room/news/504335-off-duty-officer-in-trump-hat-placed-on-leave-for-threatening>

¹²³ Staff, W. (2020, June 26). Savannah officer fired after making controversial Facebook post about privilege. Retrieved from <https://www.wtoc.com/2020/06/26/savannah-officer-fired-after-making-facebook-post-about-privilege/>

¹²⁴ "Police Oversight by Jurisdiction (USA)." National Association for Civilian Oversight of Law Enforcement. https://www.nacole.org/police_oversight_by_jurisdiction_usa.

these entities may have the power to review investigative findings of Internal Affairs bureaus, to conduct their own investigations, to leverage various investigative tools, including subpoenas, and/or to impose discipline.¹²⁵ Some entities also have the power to weigh in on key policy decisions.¹²⁶

Police and reform groups often advocate different approaches to civilian oversight. For example, the Equal Justice Initiative recommends that civilian oversight entities reflect the entire community, observing that “[s]tudies show that white Americans are far more likely than Black Americans to believe that the police use an appropriate amount of force.”¹²⁷ The New Era of Public Safety also recommends empowering such review boards by giving them the necessary resources to fully evaluate complaints.¹²⁸ This includes giving oversight entities the power to weigh in on pertinent policy, the requisite financial resources, and access to investigative information.¹²⁹ Effective oversight requires full cooperation of subject and witness officers in investigations.

By contrast, the National Association for Civilian Oversight of Law Enforcement (NACOLE) recommends that police departments select the least intrusive civilian oversight entity that is able to accomplish its desired goal.¹³⁰

¹²⁵ “Oversight Models: Is one model better than another?” National Association for Civilian Oversight of Law Enforcement. https://www.nacole.org/oversight_models.

¹²⁶ *Ibid.*

¹²⁷ Equal Justice Initiative, *Reforming Policing in America* 2020, <https://eji.org/issues/policing-in-america/>

¹²⁸ Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*. p. 222. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

¹²⁹ *Ibid.*

¹³⁰ National Association for Civilian Oversight of Law Enforcement, *Civilian Oversight of Law Enforcement, A Review of the Strength and Weaknesses of Various Models* (https://d3n8a8pro7vhmx.cloudfront.net/nacole/pages/161/attachments/original/1481727977/NACOLE_short_doc_FINAL.pdf?1481727977).

If you consider establishing an entity outside the police department to review citizen complaints of excessive force or other police misconduct, here are some relevant questions:

- What level of review should it conduct? Should it review the findings of an Internal Affairs Bureau or conduct its own investigation?
- What power should it have to interview officers or other witnesses, to compel officers or other witnesses to be interviewed, and to review documents, recordings, interviews conducted by Internal Affairs or other evidence?
- Should it be empowered to impose disciplinary action, recommend disciplinary action, or simply to substantiate complaints?
- Should it be authorized to formally refer cases to the Attorney General or District Attorney?
- What mechanisms are in place to ensure subject and witness officers fully cooperate with civilian oversight investigations?

There are a number of existing oversight entities to look to as models.¹³¹

- The New York City board is composed of 13 members: five appointed by the Mayor, five appointed by the City Council, and three appointed by the Police Commissioner. The board has power to investigate complaints, including subpoena power, and can recommend discipline. However, the Police Commissioner has final authority over the imposition of discipline.¹³²

¹³¹ U Ofer, Udi (2016) "Getting It Right: Building Effective Civilian Review Boards to Oversee Police," Seton Hall Law Review: Vol. 46 : Iss. 4 , Article 2, p.1053. Available at: <https://scholarship.shu.edu/shlr/vol46/iss4/2>.

¹³² For more information on the NYC Civilian Complaint Review Board please visit its website at <https://www1.nyc.gov/site/ccrb/index.page>.

- The Chicago board is composed of nine members appointed by the Mayor with the consent of the City Council. The board has investigative and subpoena power, and power to impose disciplinary measures.¹³³
- The Baltimore board is composed of nine voting members nominated by the Mayor and confirmed by the City Council, along with five non-voting members from community stakeholders. The board does not have power to investigate or impose discipline. It may simply review complaints.¹³⁴

Is there an easy, accessible and well-publicized process for members of the public to report complaints about police misconduct?

To encourage citizen feedback, the 2019 report “New Era of Public Safety” recommends that departments make claim filing processes easy and, accessible. Some considerations include language and disability accessibility, formats supported for filing (email, phone, in-person, Internet, etc.) and length of intake process.¹³⁵ Law enforcement agencies should also seek feedback on these processes from the public through many of the outreach avenues discussed in this report. Listening to feedback regarding the complaint process and incorporating that feedback into process reform will improve the complaint review process, improving confidence in the system and encouraging citizen complaints.

¹³³ For more information on the Chicago Civilian Office of Police Accountability please visit its website <https://www.chicagocopa.org/>.

¹³⁴ For more information on the Baltimore Civilian Review Board please visit its website at <https://civilrights.baltimorecity.gov/civilian-review-board>.

¹³⁵ Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf

Newly enacted legislation authorizes the New York State Attorney General to investigate allegations of misconduct against local police agencies.¹³⁶

Are investigation outcomes reported to the complainant? Are they reported to the public? Should the department or the citizen complaint review entity, if any, accept anonymous complaints?

Disclosing the outcome of investigations to complainants and the public increases transparency and can increase confidence in law enforcement. Some departments choose to disclose this information in aggregate reports instead of sharing individualized data.

Accepting anonymous complaints may assuage citizen fears of police retaliation. However, anonymous complaints can be less reliable and are difficult to investigate because the investigator cannot ask follow-up questions or interview the complainant, and they can be retaliatory. New Era of Public Safety recommends that departments review anonymous complaints fully, but disclose during intake that anonymity can hinder the review process.¹³⁷

¹³⁶ Governor Cuomo Signs Legislation Requiring New York State Police Officers to Wear Body Cameras and Creating the Law Enforcement Misconduct Investigative Office, <https://www.governor.ny.gov/news/governor-cuomo-signs-legislation-requiring-new-york-state-police-officers-wear-body-cameras-and>.

¹³⁷ Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*. Retrieved from: civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

Does your local legislature engage in formal oversight of the police department? Should any changes be made in the legislature's oversight powers or responsibilities?

While uncommon, legislative oversight of police departments can be a helpful tool.¹³⁸ Legislatures often have the power to conduct investigations and learn about local policing practices through hearings and other means. This investigative authority allows legislatures to access more information regarding policing practices than the general public. Further, if legislatures identify practices that pose concerns, they have the power to address those concerns through legislation.

Some experts believe legislative oversight is critical to ensuring democratic accountability in policing because it provides clear authority for policy and makes the legislature accountable to the public for police functions at the “front-end” instead of relying on uncertain “back-end” procedures, such as Constitutional analyses by courts.¹³⁹

Is your police department accredited by any external entity?

Accreditation is a useful tool that enables external review of agency policies, procedures, and practices to improve the standards of your police department and quality of your policing services. The Division of Criminal Justice Services administers the New York State Law Enforcement Agency

¹³⁸ Mary M. Cheh, Legislative Oversight of Police: Lessons Learned from an Investigation of Police Handling of Demonstrations in Washington, D.C., 32 J. Legis. 1 (2005). Retrieved from: scholarship.law.gwu.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1467&context=faculty_publications

¹³⁹ Friedman, Barry and Ponomarenko, Maria, Democratic Policing (November 23, 2015). New York University Law Review, Vol. 90, 2015; NYU School of Law, Public Law Research Paper No. 15-53. Available at SSRN: <https://ssrn.com/abstract=2694564>

Accreditation Program, which provides structure and guidance for police agencies to evaluate and improve overall performance in areas such as administration, training, and operational standards. The program encompasses four principal goals:

1. To increase the effectiveness and efficiency of law enforcement agencies utilizing existing personnel, equipment and facilities to the extent possible;
2. To promote increased cooperation and coordination among law enforcement agencies and other agencies that provide criminal justice services;
3. To ensure the appropriate training of law enforcement personnel; and
4. To promote public confidence in law enforcement agencies.

Accredited agencies must meet minimum standards, considered “best practices” in the field, which promote a high degree of professionalism and public confidence. The standards of the NYS Law Enforcement Agency Accreditation Program can be found in the Standards and Compliance Verification Manual.¹⁴⁰ Please refer to the “Becoming an Accredited Law Enforcement Agency” section of the Manual for information on how to apply. For any questions regarding the application process or for general Accreditation related inquiries, please contact NYS Law Enforcement Accreditation Program staff at ops.accreditation@dcjs.ny.gov. This program is available at no cost to localities and participation should be considered as part of your community policing plan.

¹⁴⁰ NYS Division of Criminal Justice Services Law Enforcement Agency Accreditation Council. *Standards and Compliance Verification Manual*. September 5, 2019.
https://www.criminaljustice.ny.gov/ops/docs/accred/standards_compliance_verification_manual.pdf.

Does Your Police Department Do an Annual Community Survey to Track Level of Trust?

An annual survey that measures the community's level of trust in the police department, the community's view on the effectiveness of certain policing strategies, as well as one that collects any negative feedback may be a helpful tool in gaging the community's satisfaction with the police department. The 21st Century Policing Report recommends such an annual community survey, advising that it should be conducted by zip code, so as to delineate the responses from each neighborhood.¹⁴¹

5. Data, Technology and Transparency

Transparency is one of the four pillars of procedural justice and is critical to ensuring accountability. Without a full picture of law enforcement policies, procedures, and activity, the public cannot meaningfully evaluate the performance of law enforcement. Even a well-functioning department risks losing public confidence when it does not engage in meaningful transparency. Departments should consider various ways to make law enforcement practices more transparent to the public.

Data is an important tool for improving accountability because it provides the public with insight into police activity and can be leveraged to inform data-driven policies.

What police incident and complaint data should be collected? What data should be available to the public?

¹⁴¹ United States Department of Justice. (2015.) *Final Report of the President's Task Force on 21st Century Policing*, pp. 16. https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf

Local law enforcement data increases transparency by providing a snapshot of police conduct. Collection of police activity data can be useful to evaluate if policing practices are effective, ensure compliance with the law, and identify potential biases and disparities. Data reporting and analysis are key components of many DOJ consent decrees with law enforcement agencies.¹⁴² Data analysis has been critical in identifying disparate and biased policing of minorities. Reports also suggest that transparent use-of-force data builds community trust and increases accountability within law enforcement departments.¹⁴³

Governor Cuomo recently signed legislation (Police Statistics and Transparency Act) requiring courts to compile and publish racial and other demographic data for low-level offenses.¹⁴⁴ This legislation also requires departments to report arrest-related deaths to DCJS. Many law enforcement agencies collect and publish other types of data regarding policing activity. For example, the NYPD publishes an annual report with use-of-force statistics.¹⁴⁵

Other legislatures are adopting laws requiring departments to collect “stop data” regarding traffic and pedestrian stops.¹⁴⁶ Stop data typically includes information regarding the stop (rationale, outcome, etc.) and the

¹⁴² The Civil Rights Division’s Pattern and Practice Police Reform Work 1994-Present, Civil Rights Division, U.S. Department of Justice. <https://www.justice.gov/crt/file/922421/download>.

¹⁴³ *Ibid.*

¹⁴⁴ The Laws of New York, Article 7-A: Judicial Administration, Section 212, <https://www.nysenate.gov/legislation/laws/JUD/212>; Press Release: Governor Cuomo Signs Policing Reform Legislation, <https://www.governor.ny.gov/news/governor-cuomo-signs-policing-reform-legislation>.

¹⁴⁵ Use of Force Report 2017, New York City Police Department, <https://www1.nyc.gov/assets/nypd/downloads/pdf/use-of-force/use-of-force-2017.pdf>.

¹⁴⁶ Passage of 'Traffic Stop Data Collection Act' in Illinois is Key "First Step" to End of Racial Profiling, ACLU Says, <https://www.aclu.org/press-releases/passage-traffic-stop-data-collection-act-illinois-key-first-step-end-racial-profiling>.

target (race, gender, age, etc.). Analysis of stop data can inform the effectiveness of policing and identify potential biases or disparate impact.

In determining how your agency should collect and use data, consider the following questions:

- What policing activity data should be collected by your department? This could include data regarding shootings by officers, firearm discharges, civilian injuries, use of force incidents, and officer stops, searches, and/or arrests.
- Should this data include demographic data, which can be used to detect racial disparities and biases?
- Beyond disclosures required under state and federal law, what other policing data should be disclosed? Made public? Should this data be aggregate data or individualized data? Should individualized data be anonymized or redacted? How frequently should data be disclosed?
- Should the department make available to the public aggregate data on its review of use of force incidents, such as number of incidents reviewed, number found to be inconsistent with department policy or number referred for prosecution?
- Should the department make available to the public aggregate data about the number and disposition of citizen complaints, including the nature of any discipline imposed?

How should your law enforcement agency leverage data to drive policing strategies?

Data can be useful for informing policing strategies. For example, data can be used to shape decisions on resource allocation, personnel deployment, and

policy. Data collection and utilization can be enhanced by employing crime analysts to inform decision-making and support policing operations.

It is important that departments are aware that data-driven findings can be unreliable if the underlying data is of poor quality or is biased.¹⁴⁷ For example, law enforcement agencies may be inclined to deploy more resources to an area because it has a high number of arrests. However, the high number of arrests may be related to over-policing in the area.

Agencies should consider formally partnering with their regional NYS Crime Analysis Center which can assist with data-driven and intelligence-led policing efforts, as well as provide specific investigatory support. DCJS partners with local law enforcement agencies to support a network of 10 regional Crime Analysis Centers (CACs) that provide investigative support and information to help police and prosecutors more effectively solve, reduce and prevent crime. Using data-driven processes, the CACs coordinate, expand, and enhance investigative services and provide real-time investigative support to law enforcement agencies.¹⁴⁸

How can your police department demonstrate a commitment to transparency in its interactions with the public?

Police Departments can consider policies that require officers to state explicitly their name, badge number, and purpose before interacting with a

¹⁴⁷ Andrew Guthrie Ferguson, Policing Predictive Policing, 94 Wash. U.L. Rev. 1109 (2017).
https://openscholarship.wustl.edu/cgi/viewcontent.cgi?article=6306&context=law_lawreview.

¹⁴⁸ For more information on the DCJS Crime Analysis Center network, please visit:
<https://www.criminaljustice.ny.gov/crimnet/ojsa/impact/CACCI.pdf>.

member of the public. Departments can also require that officers provide a business card following an interaction. To instill confidence in the public following substantial criticism of its “stop-and-frisk” program, in 2018 the NYPD began offering business cards to individuals who were subject to a “stop-and-frisk,” but were not arrested.¹⁴⁹ The business cards include officer information and information on how to obtain body camera footage.

Law enforcement agencies can also consider requiring officers to inform individuals of their rights in certain scenarios even when not legally required. For example, an officer seeking to conduct a consent search could be required as a matter of policy to advise the subject that he or she has the right to refuse to consent to the search.

As a general matter, policies aimed to enhance transparency will be most effective if they include enforcement mechanisms to ensure compliance with these policies and procedures.

How can your police department make its policies and procedures more transparent?

Does your department have comprehensive policies and procedures in place to address common and controversial forms of police activity? The Municipal Police Training Council (MPTC) – created under Executive Law §837 to establish training standards and guidelines – is comprised of law enforcement officials and academics appointed by the Governor. The MPTC has

¹⁴⁹ New York City Civilian Complaint Review Board. “What is the Right to Know Act?”, Available at: <https://www1.nyc.gov/site/ccrb/complaints/right-to-know-act.page>

developed model policy guidance for law enforcement agencies to use as an initial framework in their own policy development.

Topic areas include but are not limited to: Body Worn Cameras, Identification Procedures, Investigation of Hate Crimes, Recording of Custodial Interrogations, and Use of Force. All MPTC model policy guidance issued by the Council is available to law enforcement and may be requested by contacting DCJS at OPS.GeneralPolicing@dcjs.ny.gov.

- Does your department have a process for developing or revising its policies and procedures? Does this process include the solicitation of community and/or stakeholder input?
- How can your department make its policies and procedures accessible (format, language, ADA-compliant) and understandable to the public?
- Are your policies and procedures evidence-based? Do they reflect current peer-reviewed research?
- Do your policies consider disparate impact and potential biases?

How can your police department ensure adequate transparency in its use of automated systems and “high-risk” technologies?

New technologies including biometric technologies, surveillance systems, unmanned aerial systems, data mining tools, geofencing tools, and resource allocation tools may provide significant value to police departments. However, reports suggest that these technologies may rely on obscured

systems with unstudied effectiveness and pose a risk of bias or interfering with civil liberties.¹⁵⁰

For example, as discussed earlier in Section II on policing strategies, researchers from MIT and Stanford have found that facial recognition technology can be ineffective, especially for certain skin colors and genders.¹⁵¹ In the previous section, we discussed assessing if a new technology is an effective policing tool. Before employing a new technology, experts recommend that departments carefully consider the potential risks posed by the technology, pursue mechanisms to audit the performance of the technology prior to use, and properly train all users of the technology so that it is appropriately used.¹⁵²

Unlike other policing resources, new technologies have not had decades of established practice to refine attendant policies and procedures.¹⁵³ For this reason, many experts suggest departments take a special approach to establishing policies and procedures, and solicit community input prior to deploying a new technology.¹⁵⁴ Law enforcement may want to review resources from or consult with civil liberties and privacy experts, non-profit

¹⁵⁰ United States Department of Justice. (2015). *Final Report of the President's Task Force on 21st Century Policing*. https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf.

¹⁵¹ Hardesty, L., MIT News Office. *Study Finds Gender and Skin-Type Bias in Commercial Artificial-Intelligence Systems*. MIT News, 11 Feb. 2018, news.mit.edu/2018/study-finds-gender-skin-type-bias-artificial-intelligence-systems-0212.

¹⁵² United States Department of Justice. (2015). *Final Report of the President's Task Force on 21st Century Policing*. https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf; Algorithmic Accountability Policy Toolkit, AI Now, October 2018, <https://ainowinstitute.org/aap-toolkit.pdf>; First Report of the Axon AI & Policing Technology Ethics Board, June 2019, https://static1.squarespace.com/static/58a33e881b631bc60d4f8b31/t/5d13d7e1990c4f00014c0aeb/1561581540954/Axon_Ethics_Board_First_Report.pdf.

¹⁵³ United States Department of Justice. (2015). *Final Report of the President's Task Force on 21st Century Policing*. https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf. ("We live in a time when technology and its many uses are advancing far more quickly than are policies and laws.")

¹⁵⁴ New York City, Automated Decision Systems Task Force Report, November 2019, <https://www1.nyc.gov/assets/adstaskforce/downloads/pdf/ADS-Report-11192019.pdf>.

research organizations, public technologists, and researchers when evaluating new technologies to ensure selection of low-risk, effective technologies. Law enforcement may also want to consider any racial-equity impact assessments--systematic examinations of how different racial and ethnic groups will be affected by the proposed technology usage--in an effort to identify interventions that will minimize adverse consequences. This approach should also apply to technologies leveraged by third parties to assist law enforcement investigations. Below are some questions your department may want to consider:

- What process does your department have in place for the adoption of new technologies? Does the process include the solicitation of stakeholder and researcher input? Is there a process for community input? Does the process include the creation and publication of clear policies that articulate how the technology works, how it can be audited, and how, where, when, and why it is used?
- Does your department perform a cost-benefit analysis when adopting new technologies?¹⁵⁵ Does your department consider the risks of using a novel technology (unstudied effectiveness, potential biases and intrusion on civil liberties), as well as the ability of the technology to solve an existing problem?
- What is your department's process for procuring or using a new technology? Does your department study the effectiveness of the technology and analyze potential biases?¹⁵⁶

¹⁵⁵ First Report of the Axon AI & Policing Technology Ethics Board, June 2019, https://static1.squarespace.com/static/58a33e881b631bc60d4f8b31/t/5d13d7e1990c4f00014c0aeb/1561581540954/Axon_Ethics_Board_First_Report.pdf.

¹⁵⁶ New York City, Automated Decision Systems Task Force Report, November 2019, <https://www1.nyc.gov/assets/adstaskforce/downloads/pdf/ADS-Report-11192019.pdf>.

- Does your department have policies or procedures for training officers on how properly to use new technologies? New technologies can be difficult to understand and there are documented instances of technologies being used improperly or in contexts for which they have not been validated. This is a particular risk for technologies that allow users wide discretion in deployment and allow users to select acceptable tool accuracy.
- Does your department have policies in place to ensure that vendor contracts do not interfere with transparency? Many new technologies are considered proprietary and have audit and/or disclosure restrictions.¹⁵⁷ Some experts recommend that departments implement policies to refrain from signing vendor contracts that restrict auditing of technologies or that prevent the public disclosure of basic information regarding how each technology system works, including any agreements that restrict defense attorneys from understanding how a technology system was used in a criminal investigation or prevent compliance with oversight legislation or public-records requests. These restrictions significantly reduce transparency, making law enforcement less accountable, and interfering with procedural justice.
- Does your department have a process through which residents can register feedback on a certain technology or request information on any personal data it has collected about them without their knowledge?
- Does your department have a policy for maintaining sensitive data or information? Many new technologies involve handling sensitive data. Experts recommend that privacy and security safeguards are included in departmental policies to ensure proper handling of data.
- Is your department required to disclose the technologies its uses to the public? If so, does this disclosure requirement extend to technologies that were given to the police department (i.e., not procured)? Several cities,

¹⁵⁷ Rashida Richardson, ed., “Confronting Black Boxes: A Shadow Report of the New York City Automated Decision System Task Force,” AI Now Institute, December 4, 2019, <https://ainowinstitute.org/ads-shadowreport-2019.html>.

including San Francisco and Seattle, require departments to disclose which technologies it is using. New York City recently passed similar legislation called the Public Oversight of Surveillance Technology (POST) Act.

Should your police department leverage video cameras to ensure law enforcement accountability and increase transparency?

In-car and body-worn cameras (BWCs) are frequently recommended, and are mandated for some police forces, as monitoring mechanisms to ensure accountability.¹⁵⁸ In particular, BWC usage has increased significantly in the past few years in response to controversial policing incidents. According to one study, over one-third of law enforcement agencies in the U.S. use BWCs in some capacity.¹⁵⁹

Governor Cuomo recently signed legislation requiring New York State Police patrol officers to use BWCs while on patrol.¹⁶⁰ Officers are required to record immediately before exiting a patrol vehicle to interact with a person or situation, all uses of force; all arrests and summonses; all interactions with individuals suspected of criminal activity; all searches of persons and property, any call to a crime in progress; investigative actions involving interactions with members of the public; any interaction with an emotionally disturbed person; and any instances where an officer feels any imminent danger or the need to

¹⁵⁸ United States Department of Justice. *The Civil Rights Division's Pattern and Practice Police Reform Work 1994-Present*. ("Policing experts and empirical studies strongly support the positive effects of in-car cameras on accountability and officer safety.") (<https://www.justice.gov/crt/file/922421/download>)

¹⁵⁹ Reaves, R. U.S. Department of Justice, Bureau of Justice Statistics, Local Police Departments, 2013: Equipment and Technology, <https://www.bjs.gov/content/pub/pdf/lpd13et.pdf>.

¹⁶⁰ New York State Press Release. "Governor Cuomo Signs Legislation Requiring New York State Police Officers to Wear Body Cameras and Creating the Law Enforcement Misconduct Investigative Office." June 2020. Available at: <https://www.governor.ny.gov/news/governor-cuomo-signs-legislation-requiring-new-york-state-police-officers-wear-body-cameras-and>

document their time on duty. This legislation also requires law enforcement to retain footage of these interactions. Some law enforcement entities are hesitant to adopt BWCs because they are costly; one estimate suggests BWCs cost approximately \$1,000 per user per year.

In 2017, the National Criminal Justice Reference Service (NCJRS) funded a cost-benefit analysis of BWC usage at the Las Vegas Metropolitan Police Department.¹⁶¹ The cost-benefit analysis estimated that BWCs saved over \$6,200 in office time spent investigating an average complaint against an officer and decreased the overall number of complaints. Ultimately, the study found that BWCs generate a net annual savings between \$2,909 and \$3,178 per year per user. The results of a cost-benefit analysis may be different depending on how a department uses BWCs and how common complaints or controversial interactions are. If a department decides to implement BWCs, it should consider what policies govern the use of BWCs. Below is a list of considerations for discussion.

- When should officers be required to turn on their BWCs? When interacting with members of the public? When conducting a law enforcement investigation?
- When should officers be required to notify members of the public that BWCs are on? In private settings? In public settings?
- What should the penalties be for non-compliance?
- How long should the department maintain footage?
- Under what conditions should footage be accessible to officers, the public, or investigators?

¹⁶¹ National Criminal Justice Reference Service. "The Benefits of Body-Worn Cameras: New Findings from a Randomized Controlled Trial at the Las Vegas Metropolitan Police Department" 2017, <https://www.ncjrs.gov/pdffiles1/nij/grants/251416.pdf>.

IV. Recruiting and Supporting Excellent Personnel

Staffing and personnel management is one of the most critical responsibilities of law enforcement leaders and the communities which they protect and serve.¹⁶² Each of the State's more-than 500 county and local law enforcement agencies must therefore have robust strategies for recruitment, hiring, and retention of officers whose diversity reflects the communities they serve. Law enforcement agencies should also design and oversee training and wellness programs that aim to ensure the safety of officers and the public while reinforcing relationships of trust between police departments and their communities.

1. Recruiting a Diverse Workforce

In setting out to address these issues, it may be helpful to first assess your current law enforcement workforce:

- What are the demographics of your agency?
- What are the demographics of your community?
- Are those demographics aligned?
- What steps, if any, has your agency taken to increase diversity in the workforce?
- Can my officers and my community relate in terms of socio-economic background? Life experiences? Any other metrics?

¹⁶² United States Department of Justice. (2015). Final Report of the President's Task Force on 21st Century Policing. https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf

Does your agency reflect the diversity of the community it serves?

It is essential that local law enforcement agencies reflect and represent the diversity of the communities they serve. President Obama's Task Force on 21st Century Policing recognized that diverse law enforcement agencies foster trust in the community.¹⁶³ This trust, in turn, aids in easing community tensions, reducing and solving crime, and creating a system where residents have positive views of law enforcement as fair and just.

The recent protests and civil unrest that swept the nation following several law-enforcement involved civilian deaths, has brought to light the stark imbalance between the demographics of many law enforcement agencies and the communities they serve. A report by the Washington Post found that "many major police forces are still much whiter than the communities where they work."¹⁶⁴ This holds true for communities throughout New York State. In Syracuse, New York, for example, 89% of the police are white, compared with about 55% of the population.¹⁶⁵ New York City has been more successful than most police agencies in its minority recruitment efforts where 67% of New York City residents self-identify as members of a racial or ethnic minority (Black, Hispanic or Asian) and 47% of the police force is white.

Increasing diversity of your workforce can have tangible benefits for both your agency and the communities you serve. For example, research shows that

¹⁶³ *Ibid.*

¹⁶⁴ Keating, D., Uhrmacher, K. (2020) "In urban areas, police are consistently much whiter than the people they serve." *The Washington Post*. <https://www.washingtonpost.com/nation/2020/06/04/urban-areas-police-are-consistently-much-whiter-than-people-they-serve/?arc404=true>

¹⁶⁵ United States Census Bureau. *Quick Facts: Syracuse, NY – New York, NY*. (2019). <https://www.census.gov/quickfacts/fact/table/syracusecitynewyork,newyorkcitynewyork/PST045219> AND New York State Division of Criminal Justice Services, data

female officers are just as capable as their male colleagues in carrying out law enforcement functions, but they are more likely to both rely on an interpersonal style of policing, and to use less physical force.

What are ways in which your agency recruits diverse candidates that better represent the demographics of the communities you serve?

Many law enforcement agencies may find difficulties in recruiting and retaining appropriate numbers of applicants that represent the diversity of the communities they serve. These challenges may stem from multiple factors such as individuals from underrepresented communities (1) lacking trust in law enforcement; (2) being dissuaded by law enforcement's reputation or operational practices; or (3) being unaware of employment opportunities in law enforcement.¹⁶⁶

In assessing how to attract a more diverse workforce, law enforcement agencies should consider their current recruitment strategies and assess what role they play in advancing or hindering the process.

Additionally, law enforcement agencies should consider how to both leverage existing community ties and create new ones that will support their efforts to expand their applicant pools.

- To encourage diverse populations to apply to your agency, consider proactive and targeted community outreach efforts. Studies show success in recruiting people of color, women, and other members of underrepresented populations where police departments have worked

¹⁶⁶ United States Department of Justice, (2016) "Advancing Diversity in Law Enforcement Report" - <https://www.justice.gov/crt/case-document/file/900761/download>

with community organizations and religious institutions to showcase the human face of law enforcement.¹⁶⁷

- The Sacramento, California Police Department, for example, routinely holds free hiring workshops where they explain their recruitment and testing process. You might consider holding community workshops to educate the public on the process and answer questions about how to become an officer. Consider whether you should create an internship or community mentorship program through partnerships with educational institutions. This provides young people a way to experience law enforcement as a profession first-hand and creates a pipeline of future potential applicants.
- “Behind the scenes” looks at policing, can help improve the historically negative experiences that many minority communities have with law enforcement.
- Be active on social media, and use these tools as a form of communication to connect with all members of the community. Your online presence can be both a great recruitment strategy, and a way to directly communicate with underrepresented populations.
- Examine the number of female officers in your workforce. Research shows that increasing the number of women officers has tangible, positive benefits for both agencies and the communities they serve. Women are more likely to use community-oriented policing techniques focusing on cooperation and de-escalation. Also, when handling domestic violence calls, female officers have been shown to be more effective, and are often the main contact for women and youth victims of domestic violence.¹⁶⁸

¹⁶⁷ Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*. p. 274. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf

¹⁶⁸ United States Department of Justice, (2016) “Advancing Diversity in Law Enforcement Report.” p 19. <https://www.justice.gov/crt/case-document/file/900761/download>

What are ways in which you can re-evaluate hiring practices and testing to remove barriers in hiring underrepresented communities?

Most law enforcement agencies use very similar processes to select, screen, and hire potential employees, relying heavily on some combination of medical and psychological exams, background investigations, and criminal and driver records checks, fitness tests, written aptitude tests, and credit history checks.¹⁶⁹ However, agencies in New York State have wide discretion in their hiring criteria, so long as they comply with the minimum qualification standards set by the Municipal Police Training Council (MPTC).

Research has consistently shown that traditional hiring practices too often leave underrepresented populations at a disadvantage. These practices frequently exclude those who come from communities without a history of members working in law enforcement. Screening tools, such as fitness and cognitive tests, and background checks also have been found to have disparate impacts on underrepresented communities.¹⁷⁰

The Department of Justice recommends that agency leadership be prepared to “re-evaluate employment criteria, standards, and benchmarks to ensure that they are tailored to the skills needed to perform job functions, and consequently attract, select, and retain the most qualified and desirable sworn officers.”¹⁷¹

¹⁶⁹ *Ibid.*

¹⁷⁰ *Ibid.*; Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*. p. 274. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf

¹⁷¹ *Ibid.*

Consider eliminating selection criteria and written or physical tests that do not relate directly to actual job-duties, and which often disproportionately eliminate underrepresented individuals from the process.

Consider whether you should offer assistance or preparation materials to help prospective officers prepare for the application testing and process. Even short of affirmative research shows that mere transparency in the hiring process can be helpful to applicants from diverse backgrounds who may not be familiar with the, often, complex law enforcement hiring process. Creating a short but comprehensive tool describing the process can lead to higher passage rates for these individuals. Creating test preparation materials and offering coaching or other assistance will be even more helpful in increasing minority recruitment.

How can you encourage youth in your community to pursue careers in law enforcement?

Police Cadet programs offer law enforcement apprenticeships to young people, typically between the ages of 18 and 20 years old.¹⁷² They provide the opportunity for a young person to explore a career in law enforcement and obtain relevant training and skills.¹⁷³ Many programs offer a salary or tuition benefit, have work requirements, and are targeted towards college students. These benefits can help departments recruit students who otherwise would not have considered a career in law enforcement. Some programs allow high

¹⁷² Leland R. Devore, The Purpose and Function of Police Cadet Programs in Medium Sized Police Agencies by the Year 2000, <https://www.ncjrs.gov/pdffiles1/Digitization/124727NCJRS.pdf>.

¹⁷³ See NYPD, Cadet Corps Requirements & Benefits, <https://www1.nyc.gov/site/nypd/careers/cadets/police-cadets-program.page>; San Francisco Police Cadet, <https://www.sanfranciscopolice.org/your-sfpd/careers/civilian-job-openings/san-francisco-police-cadet-program>.

school students to participate, but are typically less comprehensive.¹⁷⁴ Upon completion of a Police Cadet program, participants are often eligible to become police officers, subject to testing and other requirements.¹⁷⁵ These programs are useful recruiting tools because they engage young community members who have not yet settled on a specific vocation.¹⁷⁶

What actions can your agency take to foster the continued development and retention of diverse officers?

Beyond recruitment and hiring, law enforcement agencies – like other employers – must focus on retention. Retaining all employees, but especially diverse officers, comes with its own set of challenges. Research has shown that many members of underrepresented demographics in law enforcement may struggle with adjusting to the organizational and culture of law enforcement¹⁷⁷. Additionally, officers belonging to historically under-represented groups often face obstacles to promotion, ranging from outright bias and discrimination to less insidious but no less harmful factors such as a lack of transparency about the promotion process, or inadequate mentoring relationships and professional development opportunities.¹⁷⁸

- Consider supporting your new officers, especially those from underrepresented populations, by establishing mentoring programs and

¹⁷⁴ See, for example, Seattle Police Explorers, <https://www.seattle.gov/police/community-policing/police-explorers>.

¹⁷⁵ *Id.*

¹⁷⁶ Leland R. Devore, The Purpose and Function of Police Cadet Programs in Medium Sized Police Agencies by the Year 2000, <https://www.ncjrs.gov/pdffiles1/Digitization/124727NCJRS.pdf>.

¹⁷⁷ *Id.* at 30, See also: Rand Center On Quality Policing, Identifying Barriers To Diversity In Law Enforcement 3 (2012), http://www.rand.org/content/dam/rand/pubs/occasional_papers/2012/RAND_OP370.pdf

¹⁷⁸ Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*. p. 274. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf

leadership training for new recruits. For example, DCJS' Municipal Police Training Council (MPTC) holds frequent trainings and seminars appropriate for officer development.

- The same community partnerships that your agency uses during recruitment and hiring, can remain helpful in the context of retention. Stakeholders can aid in retention of officers of color and women by addressing and understanding the unique challenges these groups face in the law enforcement profession. These partnerships allow agencies to diagnose the barriers in their practices, policies, or systems that often prevent or discourage officers from staying on the job.

2. Training and Continuing Education

Smart and effective policing starts with smart and effective training. Training should not end at recruitment; officers should be encouraged to continue to grow and learn throughout their career. Training should incorporate and reinforce best practices while emphasizing values such as accountability, transparency, and fairness in all aspects of policing.

There is no universal standard of police training, and individual jurisdictions must make important decisions around the types of training and education that should be required of the police officers who will serve and protect their communities. Your approach to police officer training and education can have a significant impact on the way those officers engage in real world policing. Your agency should consider research relating to effective adult learning techniques and law enforcement training environments as you decide how to achieve your police officer training objectives.

This section will pose questions that you should consider in developing a training program that advances your community's policing goals.

How can you develop officer training programs that reflect your community values and build trust between police officers and the communities they serve?

It is important to engage both internal and external stakeholders in the development and implementation of your police department's training materials and curricula.¹⁷⁹ Incorporating members of the community in this process can strengthen the overall quality of your training program while reinforcing public trust and ensuring that your training and education programs reflect the values of your community.¹⁸⁰

- A number of subject matter experts have found that police training academies are sometimes modeled after military boot camps.¹⁸¹ This environment, they argue, contributes to the development of a “warrior” mentality among police officers that can translate to hostile and fear-

¹⁷⁹ The Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*, pp. 301-304. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf; Gokey, C. & Shah, S. (Eds.). (2016). *How to Support Trust Building in Your Agency*. Police Perspectives: Building Trust in a Diverse Nation, no. 3. Office of Community Oriented Policing Services, 41. https://www.vera.org/downloads/publications/police-perspectives-guide-series-building-trust-diverse-nation-diverse-communities-building-trust_1.pdf.

¹⁸⁰ The Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*, p. 301. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf; U.S. Department of Justice. (2019). *Law Enforcement Best Practices: Lessons Learned from the Field*, pp. 11-12, 15. <https://cops.usdoj.gov/RIC/Publications/cops-w0875-pub.pdf>.

¹⁸¹ See Rahr, S. & Rice, S.K. (2015.) From Warriors to Guardians: Recommitting American Police Culture to Democratic Ideals. *U.S. Department of Justice, National Institute of Justice*. <https://www.ncjrs.gov/pdffiles1/nij/248654.pdf>; Stoughton, S. (2015). Law Enforcement's “Warrior” Problem, *Harvard Law Review* 128(6), pp. 225-234. <https://harvardlawreview.org/2015/04/law-enforcements-warrior-problem/>.

based interactions with the communities they serve.¹⁸² Police departments should assess whether their training models and environments may foster a potentially adversarial relationship with their communities, and should consider redesigning training models as necessary to ensure they align with community policing goals. Agencies may consider developing training models aimed instead at establishing a “guardian” mindset among police officers.¹⁸³

- Reports issued by groups including the President’s Task Force on 21st Century Policing, the Leadership Conference for Civil and Human Rights, and the Justice Collaboratory at Yale Law School suggest that police departments should consider how to build principles of procedural justice into all police officer training programs.¹⁸⁴ This can involve engaging community members in the process of developing training programs and ensuring that trainers actively discuss the importance of procedural justice and integrate these principles into all aspects of their instruction. A recent study published by the Proceedings of the National Academy of Sciences found that procedural justice training can build community trust in police and decrease incidents involving police use of force.¹⁸⁵

¹⁸² See Rahr, S. & Rice, S.K. (2015.) From Warriors to Guardians: Recommitting American Police Culture to Democratic Ideals. *U.S. Department of Justice, National Institute of Justice*.

<https://www.ncjrs.gov/pdffiles1/nij/248654.pdf>; Stoughton, S. (2015). Law Enforcement’s “Warrior” Problem. *Harvard Law Review*, 128(6), pp. 225-234. <https://harvardlawreview.org/2015/04/law-enforcements-warrior-problem/>

¹⁸³ The Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*, pp. 262-263. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf

¹⁸⁴ United States Department of Justice. (2015.) *Final Report of the President’s Task Force on 21st Century Policing*, pp. 51-52. https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf; The Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*, p. 17. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf; Van Craen, M. & Hennessy, C.L. (2014). Training Police for Procedural Justice. *Journal of Experimental Criminology*, 11, pp. 319-334. https://www.researchgate.net/publication/269723704_Training_police_for_procedural_justice; Quattlebaum, M., Meares, T., & Tyler, T. (2018). Principles of Procedurally Just Policing. *The Justice Collaboratory at Yale Law School*. https://law.yale.edu/sites/default/files/area/center/justice/principles_of_procedurally_just_policing_report.pdf.

¹⁸⁵ Wood, G., Tyler, T.R., & Papachristos, A.V. (2020). Procedural justice training reduces police use of force and complaints against officers. *Proceedings of the National Academy of Sciences*, 117(18), pp. 9815-9821. <https://www.pnas.org/content/117/18/9815>.

- You can partner with academic institutions, community organizations, and other relevant experts to create rigorous, evidence-based police officer training programs.
- Police practices around issues like arrests, searches, and public demonstrations continue to be the focus of significant attention from advocates and members of the public. Groups from the Electronic Frontier Foundation to the International Association of Chiefs of Police, for example, have discussed the public's First Amendment right to record police officers in public,¹⁸⁶ and lawsuits have resulted in police departments implementing training programs on this issue.¹⁸⁷ Policies like “stop and frisk” have also led to widespread condemnation and lengthy litigation, and the New York Civil Liberties Union found that the policy in New York City disproportionately impacted communities of color.¹⁸⁸ Your community should review police policies and practices concerning stops, searches, arrests, and public protests/demonstrations and should consider implementing training programs aimed at eliminating bias and unconstitutional conduct in these types of interactions.¹⁸⁹
- If you are preparing training modules that focus on police relationships with specific community groups, you should consider soliciting input from advocacy groups and community members who represent the viewpoint of the community on which the policing is focused. For example, police departments in New York, Los Angeles, Atlanta, Washington, D.C., and elsewhere have established working groups that

¹⁸⁶ Cope, S. & Schwartz, A. (2020, June 8). You Have a First Amendment Right to Record the Police. *Electronic Frontier Foundation*. <https://www.eff.org/deeplinks/2020/06/you-have-first-amendment-right-record-police>; International Association of Chiefs of Police. (n.d.). *Public Recording of Police*. <https://www.theiacp.org/prop>.

¹⁸⁷ American Civil Liberties Union. (2018, Jan. 19). *First Amendment Training for Lafayette PD Included in Settlement with ACLU of Louisiana*. <https://www.aclu.org/press-releases/first-amendment-training-lafayette-pd-included-settlement-aclu-louisiana>.

¹⁸⁸ New York Civil Liberties Union. (n.d.). *Stop-and-Frisk Data*. <https://www.nyclu.org/en/Stop-and-Frisk-data>.

¹⁸⁹ United States Department of Justice. (2015.) *Final Report of the President's Task Force on 21st Century Policing*, p. 59, https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf; The Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*, pp. 101, 174. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

engage with the LGBTQIA+ community around training and other policing issues that impact LGBTQIA+ individuals.¹⁹⁰

- When soliciting input from community members around issues relating to training or agency policies, police departments may tend to partner with community groups and individuals with whom they have existing relationships. However, when developing and implementing officer training programs, your agency should seek to engage segments of the community that typically have not had strong and trusting relationships with the police in the past.¹⁹¹ By bringing these perspectives into the conversation, you can show your commitment to procedural justice and to building up relationships of trust.

What training policies can you adopt to ensure that police officers continuously receive high-quality, relevant in-service training sessions?

Continuing education or in-service training requirements help ensure that officers can refresh skills learned in the past, develop new skills, and remain abreast of new information on emerging topics and best practices. Police departments should carefully consider how to identify and select staff who should conduct these and other training sessions.¹⁹²

- Your community should consider your current in-service officer training standards and determine whether more rigorous requirements should be established, including requirements around the number of annual in-service training hours officers must receive.¹⁹³ The New York State Law

¹⁹⁰ Copple, J.E. & Dunn, P.M. (2017). Gender, Sexuality, and 21st Century Policing: Protecting the Rights of the LGBTQ+ Community. *Office of Community Oriented Policing Services*, pp. 22-23. <https://www.iadlest.org/Portals/0/cops%20LGBTQ.pdf>.

¹⁹¹ Office of Community Oriented Policing Services. (2019). *Law Enforcement Best Practices: Lessons Learned from the Field.*, p. 32. <https://cops.usdoj.gov/RIC/Publications/cops-w0875-pub.pdf>.

¹⁹² The Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*, p. 304. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

¹⁹³ *Id.* at 301.

Enforcement Accreditation Program, for example, establishes a standard of at least 21 hours of in-service training per year.¹⁹⁴

- Your community can develop specific goals for police officer in-service training programs and may identify certain topics that are critical to your community and around which all officers must receive recurring in-service training (e.g. implicit bias, de-escalation, and use of force training).
- Education experts advise that adults learn most effectively when they utilize and build on real-world experiences, rather than through the passive consumption of information.¹⁹⁵ As a result, law enforcement trainers have been encouraged to adopt models focused on experiential learning.¹⁹⁶ Your agency should consider developing realistic, scenario-based training programs that reflect circumstances your officers may encounter in their community. For example, this may involve role-playing scenarios or reviewing body camera footage.
- Consider establishing performance-based criteria for selecting personnel who will conduct agency training programs. For example, you may require that training instructors be veteran officers who have demonstrated mentorship skills and who are up-to-date on their in-service training requirements. Your agency may choose to prevent officers with histories of misconduct from serving as training instructors.¹⁹⁷

¹⁹⁴ New York State Law Enforcement Accreditation Program. Standard 33.1: Length and Content.

<https://drive.google.com/file/d/1FvS2MxJJBoCOA3c5h4RYhd3-LGIsOoT/view>.

¹⁹⁵ See, e.g., Knowles, M.S. (1988). *The Modern Practice of Adult Education: From Pedagogy to Andragogy: Revised and Updated*, pp. 43-45, 48-51. Cambridge.

<https://pdfs.semanticscholar.org/8948/296248bbf58415cbd21b36a3e4b37b9c08b1.pdf>; The Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*, p. 304. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

¹⁹⁶ See, e.g., Birzer, M.L. (2003). The theory of andragogy applied to police training. *Policing: An International Journal of Police Strategies and Management*, 26(1), pp. 29-42.

<https://www.researchgate.net/publication/242020962> The theory of andragogy applied to police training

¹⁹⁷ The Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*, pp. 304-305. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

How can leadership training improve community policing and strengthen relationships between your police department and members of the public?

Ongoing leadership training can foster leadership skills, reinforce positive conduct, and strengthen officers' commitment to community standards and procedural justice.¹⁹⁸ Leadership training can also promote diversity at the executive level of law enforcement agencies.¹⁹⁹

- Police departments should consider providing ongoing leadership training to all officers throughout their careers.²⁰⁰ Different standards, programs, and learning goals may be established at each level of leadership within a department.
- Agencies may also consider encouraging officers to engage in cross-discipline leadership training programs.²⁰¹ This can help expose officers to new and valuable knowledge and skills that can complement their own.
- You should consider developing leadership training standards in partnership with academics, non-profit groups, and other community members. These standards should be evidence-based and reflect community values.

How can your police department use its training programs to avoid incidents involving unnecessary use of lethal or nonlethal force?

¹⁹⁸ The Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*, pp. 267-268. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

¹⁹⁹ *Ibid.*

²⁰⁰ United States Department of Justice. (2015.) *Final Report of the President's Task Force on 21st Century Policing*, p. 54. https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf

²⁰¹ *Id.* at 55.

Police department training programs focused on elements of de-escalation can lead to actual outcomes that achieve police objectives while resolving potentially dangerous scenarios safely and peacefully.²⁰² There is no universal standard model for de-escalation, though the term generally refers to a variety of practices or actions used “during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary.”²⁰³ De-escalation training can include instruction focused on decision-making, effective verbal and non-verbal communication and social interaction skills, ethics and professionalization, use of force, defensive tactics, and crisis intervention skills.

- Reports issued by the Leadership Conference on Civil and Human Rights and the U.S. Commission on Civil Rights have noted that police departments often devote substantially more time to firearms and defensive tactics training than they do to trainings around de-escalation and nonlethal use of force.²⁰⁴ Your agency should consider requiring officers to undergo use of force and de-escalation training at regular intervals throughout their career. Experts recommend that such

²⁰² Abanonu, R. (2018). De-Escalating Police-Citizen Encounters. *Review of Law and Social Justice*, 27(3), pp. 249-251.

<https://gould.usc.edu/students/journals/rlsj/issues/assets/docs/volume27/Summer2018/3.Abanonu.pdf>

²⁰³ Engel, R.S., McManus, H.D. & Herold, T.D. (2017). *The Deafening Demand for De-Escalation Training: A Systematic Review and Call for Evidence in Police Use of Force Reform*. International Association of Chiefs of Police, p. 6. https://www.theiacp.org/sites/default/files/IACP_UC_De-escalation%20Systematic%20Review.pdf.

²⁰⁴ The Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*, p.143. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf; U.S. Commission on Civil Rights. (2018). *Police Use of Force: An Examination of Modern Policing Practices*, pp. 101, 114. <https://www.usccr.gov/pubs/2018/11-15-Police-Force.pdf>.

trainings utilize scenario-based training practices in interactive training environments.²⁰⁵

- Police departments should consider requiring specialized training programs focused on the use of force against vulnerable groups, including children, individuals with disabilities, people experiencing mental health emergencies, people under the influence of substances, and people who are pregnant.²⁰⁶
- Agencies should consider developing use of force training simulations that include scenarios in which police officers are expected not to resort to using force.²⁰⁷ Leadership within the Oakland, CA police department has attributed a reduction in the agency's use of force incidents to a shift in the design of their training programs to include such circumstances.²⁰⁸
- Agencies should consider developing a training schedule in which use of force training is conducted immediately following de-escalation training so that de-escalation training concepts can be most effectively incorporated into use of force training.²⁰⁹
- Law enforcement agencies should also consider training officers on the effects of violence not only on communities and individual victims but

²⁰⁵ The Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*, p. 143. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

²⁰⁶ Fair and Just Prosecution. (2020). *Blueprint for Police Accountability and Reform: A New Vision for Policing and the Justice System*, p. 11. <https://fairandjustprosecution.org/wp-content/uploads/2020/06/Policing-Roadmap-FINAL.pdf>.

²⁰⁷ The Justice Collaboratory at Yale Law School. (2018). *Principles of Procedurally Just Policing*, p. 43. https://law.yale.edu/sites/default/files/area/center/justice/principles_of_procedurally_just_policing_report.pdf.

²⁰⁸ Quattlebaum, M., Meares, T., & Tyler, T. (2018). *Principles of Procedurally Just Policing. The Justice Collaboratory at Yale Law School*, Endnote 148. https://law.yale.edu/sites/default/files/area/center/justice/principles_of_procedurally_just_policing_report.pdf. See also Apuzzo, M. (2015, May 4). Police Rethink Long Tradition on Using Force. *New York Times*. <https://www.nytimes.com/2015/05/05/us/police-start-to-reconsider-longstanding-rules-on-using-force.html>.

²⁰⁹ The Justice Collaboratory at Yale Law School. (2018). *Principles of Procedurally Just Policing*, p. 43. https://law.yale.edu/sites/default/files/area/center/justice/principles_of_procedurally_just_policing_report.pdf.

also on police officers themselves.

How can your police department use its training programs to avoid potential bias incidents and build stronger connections with communities of color and vulnerable populations?

Awareness of and appreciation for cultural diversity are integral components of a professional police force.²¹⁰ Police forces must understand and appreciate the cultural diversity within the communities they serve. This understanding can help officers to de-escalate specific situations, and also to build ongoing, effective dialogue with community members.

Research suggests that biases, including implicit biases, can affect interactions between communities of color and law enforcement.²¹¹ Implicit bias refers to the attitudes or stereotypes that affect our understanding, actions, and decisions in an unconscious manner. Law enforcement agencies across the country have begun to train police officers in implicit bias.²¹² Implicit bias

²¹⁰ United States Department of Justice. (2015.) *Final Report of the President's Task Force on 21st Century Policing*, p. 58. https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf. Gokey, C. & Shah, S. (Eds.). (2016). *How to Support Trust Building in Your Agency. Police Perspectives: Building Trust in a Diverse Nation*, no. 3. Office of Community Oriented Policing Services, 42. https://www.vera.org/downloads/publications/police-perspectives-guide-series-building-trust-diverse-nation-diverse-communities-building-trust_1.pdf.

²¹¹ Clark, A. (2017, Aug. 24.) The Harmful Effects of Implicit Racial Bias in the Police. *Race, Politics, Justice*. <https://www.ssc.wisc.edu/soc/racepoliticsjustice/2017/08/24/the-harmful-effects-of-implicit-racial-bias-in-the-police/>; National Institute of Justice. (2013, Jan. 9). Race, Trust and Police Legitimacy. <https://nij.ojp.gov/topics/articles/race-trust-and-police-legitimacy>; The Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*, pp. 39-40. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf; U.S. Commission on Civil Rights. (2018). *Police Use of Force: An Examination of Modern Policing Practices*, pp. 101, 103-105. <https://www.usccr.gov/pubs/2018/11-15-Police-Force.pdf>.

²¹² CBS News. (2019, Aug. 7). We asked 155 police departments about their racial bias training. Here's what they told us. <https://www.cbsnews.com/news/racial-bias-training-de-escalation-training-policing-in-america/>.

awareness allows officers to recognize their own human biases and how implicit biases can affect their perceptions of others and their behavior. This awareness improves policing and has a positive effect on the relationship between police and the community. Finally, implicit bias awareness training develops skills and tactics to reduce the influence of bias on police practice and allows officers to be safe, effective, and just police professionals.²¹³

- Many entities, including the International Association of Police Chiefs and the National Training Institute on Race and Equality, offer implicit bias and cultural competency trainings designed for police departments.²¹⁴ You may consider also partnering with advocacy and community groups that can enhance these trainings by sharing the experience of the community.²¹⁵
- Community-specific implicit bias and cultural competency training programs might focus on groups such as Black communities; Orthodox Jewish, Muslim, Arab, and South Asian communities; individuals with limited English proficiency; LGBTQIA+ individuals; individuals with disabilities; and individuals experiencing homelessness.²¹⁶

²¹³ The Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*, pp. 59-60. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

²¹⁴ See, e.g., Kirwan Institute for the Study of Race and Ethnicity. *Implicit Bias Module Series*. <http://kirwaninstitute.osu.edu/implicit-bias-training/>; International Association of Chiefs of Police. (2020). Bias-Free Policing. <https://www.theiacp.org/sites/default/files/2020-06/Bias-Free%20Policing%20January%202020.pdf>; The Perception Institute. Services and Solutions. <https://perception.org/services-and-solutions/>; Fair and Impartial Policing. FIP Training Courses. <https://fipolicing.com/fip-training-courses/>; The National Training Institute on Race and Equity. Implicit Bias Training. <https://www.ntire.training/book-a>.

²¹⁵ United States Department of Justice. (2015.) *Final Report of the President's Task Force on 21st Century Policing*, p. 58. https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf.

²¹⁶ Fair and Just Prosecution. (2020). *Blueprint for Police Accountability and Reform: A New Vision for Policing and the Justice System*, p. 11. <https://fairandjustprosecution.org/wp-content/uploads/2020/06/Policing-Roadmap-FINAL.pdf>; United States Department of Justice. (2015.) *Final Report of the President's Task Force on 21st Century Policing*, p. 58. https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf.

- Community-focused trainings can include instruction about the type of language or behavior that may be viewed as offensive by a given community and direct officers to avoid such conduct.
- Training programs focused on communities that have historically viewed police with distrust may benefit from the inclusion of training materials that provide officers with the appropriate historical perspective and context to understand how past policing practices may have contributed to these negative perceptions.
- You may also consider implementing basic training and in-service training requirements that establish a set period of time that officers must spend interacting with individuals and groups within their communities and engaging in meaningful, non-enforcement related conversations. As explained by Professor Seth Stoughton in the Harvard Law Review, this type of “non-enforcement contact” can build trust, reinforce officers’ commitment to community policing, and build communication skills that will be valuable throughout an officer’s career.²¹⁷

How can your training program help officers effectively and safely respond to individuals experiencing mental health crises or struggling with substance abuse?

Responding to circumstances involving people who are under the influence of a substance and/or are experiencing a mental health crisis can be extremely difficult. Initially, this guidebook suggests that the collaborative consider whether and to what extent the police should respond to such calls. If the collaborative has determined that police should be a part of such response, it must recognize that responding officers need to make a series of difficult

²¹⁷ Stoughton, S. (2015). Law Enforcement’s “Warrior” Problem. *Harvard Law Review*, 128(6), pp. 225-234. <https://harvardlawreview.org/2015/04/law-enforcements-warrior-problem/>

judgments and decisions about how to safely resolve such situations,²¹⁸ which too often turn violent. Indeed, the Treatment Advocacy Center has found that individuals with untreated mental health conditions are significantly more likely than members of the general population to be killed during interactions with police.²¹⁹ Appropriate training programs can help prepare police officers to respond to these types of situations safely, effectively, and humanely. Police responding to situations involving a member of the public experiencing a mental health crisis should consider the following best practices:

- Police departments should consider making Crisis Intervention Team (CIT) training a standard component of their training program.²²⁰ CIT has been shown to enhance officers' ability to recognize and respond to mental health emergencies, increase likelihood of jail diversion and treatment for individuals experiencing mental illness, reduce officer injury rates, and reduce police officer use of force in encounters with people experiencing mental health emergencies.²²¹
- Police departments can also ensure that their training programs equip officers to recognize the signs of substance abuse and respond appropriately when interacting with individuals who may be impaired as a result of substance abuse.²²² This may include training and equipping officers with overdose-reversal drugs like Naloxone.²²³

²¹⁸ International Association of Chiefs of Police. (2018). *Responding to Persons Experiencing a Mental Health Crisis*. <https://www.theiacp.org/resources/policy-center-resource/mental-illness>.

²¹⁹ Fuller, D.A., Lamb, H.R., Biasotti, M., & Snook, J. (2015). *Overlooked in the Undercounted: The Role of Mental Illness in Fatal Law Enforcement Encounters*. Treatment Advocacy Center, p. 12. <https://www.treatmentadvocacycenter.org/storage/documents/overlooked-in-the-undercounted.pdf>.

²²⁰ The Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*, p. 163. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

²²¹ United States Department of Justice. (2015.) *Final Report of the President's Task Force on 21st Century Policing*, p. 56. https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf; The Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*, p. 157. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

²²² United States Department of Justice. (2015.) *Final Report of the President's Task Force on 21st Century Policing*, p. 57. https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf.

²²³ National Institute on Drug Abuse. (2020). *Opioid Overdose Reversal with Naloxone (Narcan, Evzio)*. <https://www.drugabuse.gov/drug-topics/opioids/opioid-overdose-reversal-naloxone-narcan-evzio>.

- Police departments should consider training dispatchers to recognize these types of crises, ask the rights questions, and dispatch the appropriately trained personnel to respond to the scene.²²⁴
- Law enforcement agencies should consider establishing a network of mental health and disability professionals to support and inform the work of officers trained in crisis response.²²⁵

What practices and procedures can you put in place to measure the quality and efficacy of your police department's training programs?

It is important to review periodically your police department's training programs to determine whether they remain up-to-date and whether they are yielding the desired results.²²⁶

- Agencies should consider establishing a periodic review, audit, and assessment of training programs to ensure that they are not teaching outdated practices and/or basing their trainings on outdated understandings of community needs.
- Your community should consider implementing a process through which training outcomes can be measured by assessing post-training officer performance.

²²⁴ The Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*, p. 163. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

²²⁵ Civil Rights Coalition On Police Reform. (2014, Aug. 14). *A Unified Statement of Action to Promote Reform and Stop Abuse*. <https://lawyerscommittee.org/wp-content/uploads/2015/08/Civil-Rights-Coalition-on-Police-Reform-Resource-Packet.pdf>.

²²⁶ The Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*, pp. 307-309. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

- The critical self-analysis approach used by law enforcement agencies to evaluate incidents involving use of force, searches and seizures, crisis response encounters, and other similar circumstances can also be used to inform the agency's training goals and priorities. For example, agencies that have recently experienced high rates of use-of-force incidents may want to emphasize training courses focused on de-escalation.²²⁷
- Agencies should consider adopting a policy requiring the maintenance of complete, accurate, and up-to-date records of training curricula, materials, and attendance. This will help ensure that officers complete their ongoing training requirements, and will provide communities with an added opportunity to hold departments accountable for insufficient or outdated training.

3. Support Officer Wellness and Well-being

Law enforcement is inherently a physically and emotionally dangerous career. Studies show that people working in law enforcement are at an elevated risk of physical and mental health issues when compared to the general population.²²⁸

Consider how your police department can include in its plan an effective and proactive approach to preparing officers to handle the stress of the occupation and to ongoing support for and promotion of officer wellness.

²²⁷ *Id.* at 301.

²²⁸ *The Canadian Journal of Psychiatry*, "Mental Disorder Symptoms among Public Safety Personnel in Canada.", Carleton, R. Nicholas, et al. vol. 63, no. 1, 2017, pp. 54–64., <https://journals.sagepub.com/doi/pdf/10.1177/0706743717723825>

What steps can you take to promote wellness and well-being within your department?

The members of your department may face different risks and stressors depending on their daily assignments. Well-being, self-care, counseling, and intervention programs are important resources that should be made available to officers starting at the training academy and then continuously thereafter.

In order to understand the issues affecting your officers, seek their input. Surveys, confidential meetings, and assistance programs all provide a means for leadership to understand the concerns of their individual officers.

Law enforcement leadership should consider how officer wellness is incorporated into your department. You should take steps to ensure that support for officer wellness and safety is integrated into all aspects of your department's work, and commitment to officer wellness and safety should be reflected in your policies, practices, attitudes, and behaviors. Department leadership should endeavor to lead by example, as rank and file personnel are likely to model the behavior and attitudes they see in their leaders.

Your department can engage professional organizations (such as Blue H.E.L.P., Valor for Blue, and Blue Wall Institute), that provide mental health and wellness training to police officers and first responders.²²⁹

²²⁹ Blue H.E.L.P., Training and Resources <https://bluehelp.org/resources/training-and-resources/>; Valor for Blue. <https://www.valorforblue.org/>; Blue Wall Institute. <https://www.bw-institute.com/>.

Are there ways to address officer wellness and well-being through smarter scheduling?

Your department should consider how to incorporate concern for wellness and wellbeing into everyday operations, including how shifts are arranged.

Research shows that shift lengths frequently are correlated with officer stress levels.²³⁰ As such, managers may consider limiting maximum shift lengths along with overall limits on an officer's work hours by, for example, limiting back-to-back shifts and overtime that could be staffed by other officers.

Consider staffing patterns and whether tasks can be performed effectively by sworn or civilian staff.

How can you effectively and proactively address the mental health challenges experienced by many police officers throughout their careers?

Rates of death by suicide among law enforcement officers appear to be higher than those within the general U.S. population,²³¹ and deaths by suicide among officers may have outnumbered those caused by fatal line-of-duty incidents in recent years.²³² Your agency should consider providing training to

²³⁰ The Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*, p. 320. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

²³¹ Police Executive Research Forum. (2019). *An Occupational Risk: What Every Police Agency Should Do To Prevent Suicide Among Its Officers*, pp. 11-14. <https://www.policeforum.org/assets/PreventOfficerSuicide.pdf>; National Officer Safety Initiatives. (2020). *Preventing Suicide Among Law Enforcement Officers: An Issue Brief*, pp. 4-5.

²³² Police Executive Research Forum. (2019). *An Occupational Risk: What Every Policy Agency Should Do To Prevent Suicide Among Its Officers*, p.11. <https://www.policeforum.org/assets/PreventOfficerSuicide.pdf>.

recognize early warning signs of mental health problems and/or suicidal behavior. This could include specialized training for supervisors on how effectively to intervene with at-risk personnel.²³³

Officers often feel more comfortable speaking to fellow officers. As such, your agency should also consider creating internal peer support and mentoring programs that can aid officers in expressing their thoughts and concerns about the job with more seasoned officers that “have been where they are.”

Employee Assistance Programs (EAP) are another tool that can provide law enforcement personnel with confidential support in many areas of their personal and professional lives. For example, the New York State Police manages an EAP that can either provide direct assistance to individual employees at local agencies or assist an agency in establishing its own EAPs.

How can you address the well-being of an officer after a traumatic event?

Traumatic events are unavoidable for members of law enforcement. The aftermath of such events can deeply affect those involved and jeopardize their physical and mental well-being.

Following a crisis event, you should consider making sure the personnel involved have the option to access crisis counseling.

Supervisors and peers should monitor employees involved in potentially traumatic incidents for changes in their demeanor and behavior, prepared with

²³³ International Association of Chiefs of Police. (2014). *IACP National Symposium on Law Enforcement Officer Suicide and Mental Health: Breaking the Silence on Law Enforcement Suicides* p.18.
https://www.theiacp.org/sites/default/files/Officer_Suicide_Report.pdf.

formal and informal intervention systems to provide meaningful assistance to those officers in need.²³⁴

²³⁴ The Leadership Conference on Civil and Human Rights. (2019). *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*, p. 322. https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf.

Part 2: Developing Your Collaborative Plan

There are over 500 law enforcement agencies across the state. The New York State Police Reform and Reinvention Collaborative (the Collaborative) was designed to bring each community together with its local police agency to chart its individual course forward. Your most important task in this Collaborative is to ensure a healthy, productive engagement and fostering a relationship of mutual trust between the police and the community – including all segments of the community. In some localities, that relationship is already strong. In others, it is frayed or broken. Each community will have to approach this task in a way tailored to its unique experiences and needs, and will come to its own shared vision of the role of law enforcement.

The rest of this guidebook includes information and resources on the best ideas available on developing a modern police force, which will inform your community's discussions and decision making.

While some localities have already started to develop a plan, this Part provides organizing principles that may be helpful in designing your process, along with a suggested 4-phase timeline for bringing stakeholders to the table, facilitating productive conversations, and successfully developing and ratifying a redesigned police force by April 1, 2021, as required by Executive Order No. 203 (reprinted as Appendix A).

Key Organizing Principles

Bring Your Community to the Table

The Governor's Executive Order specifically requires an inclusive, open and transparent process. The Executive Order identifies some of the key stakeholders who must be involved:

- Membership and leadership of the local police force;
- Members of the community, with emphasis on areas with high numbers of police and community interactions;
- Interested non-profit and faith-based community groups;
- The local office of the district attorney;
- The local public defender; and
- Local elected officials.

Beyond this group, you should ensure that participants bring to your process a broad range of the perspectives, experiences, knowledge and values of your community.

Specifically, you should consider engaging:

- Residents who have had interactions with the police;
- Residents who have been incarcerated;
- Any local police unions;
- Local education officials and educators;
- Local neighborhood, homeless, and housing advocates;
- LGBTQIA+ leaders and advocates;
- The Local Health Department and healthcare leaders and advocates;
- Mental health professionals;
- Business leaders;
- Transportation and transit officials; and
- Legal and academic experts.

Run an Open and Transparent Process

In addition to incorporating a diverse group of community members, you should keep the public informed throughout the process. The Police Reform and Reinvention Collaborative was designed to enable all members of the community to participate in reimagining the role of law enforcement. Your process will not be successful if it simply restates the current functions, strategies and operations of the police department, without deep and probing consideration of the perspectives of those who seek reform.

The Collaborative emphasizes transparency. All draft plans must be posted for public comment before finalization. Further, the chief executive must certify that the community was engaged in this process and the local legislative body ratified the plan. Transparency is essential to ensure that the plan reflects a shared vision for the future of law enforcement. Transparency entails:

- Making planning and deliberation meetings public.
- Polling and surveying the public for their views on specific issues, if feasible.
- Providing periodic updates as the planning process moves forward.
- Engaging local media.
- Making all research materials public.
- Having a plan to incorporate public comment feedback in the final plan.

Suggested Workplan



Phase 1: Planning (August-September 2020)

Create an operations plan: Create a work plan for your process and identify staff to manage the information gathering and plan development. Many localities have already begun this process. If appropriate, hire any external consultants or facilitators. You can also develop a preliminary list of the critical issues that need to be addressed through the plan development process, based on the material provided in Part 1 of this guidebook.

Coordinate with neighboring localities: Consider whether aspects of this process can be done in conjunction with neighboring localities. In some areas a countywide process may be useful during parts of this process, bearing in mind that each locality will need to solicit meaningful input from its own community and develop an individual plan tailored to its own needs.

Convene key stakeholders: Identify local leaders who can work closely with you to facilitate conversations with key constituencies in the community.

Assess where you are now: Gather information on how your police department currently operates including data, policies, procedures, prior

complaint history, budget, contracts, equipment, etc. Share this information with the public. This self-assessment will help focus the conversation on what you and your community want to change.

Phase 2: Listening and Learning (September-October 2020)

Listening Sessions: Conduct listening sessions with the public. You may want to organize these sessions thematically or focus on meeting with individual stakeholders separately.

Engage Experts: This guidebook provides you with a starting point. Engaging with the experts and resources referenced in this guide may help you consider difficult issues more fully. It may be efficient for neighboring jurisdictions to coordinate in finding research useful for the region.

Request Comments and Information: All localities will release their draft plans for public comment before completing this process. However, you may want to collect public feedback early in your plan development, especially from people unable to or uncomfortable with joining public meetings. Consider posting questions or prompts asking for written comments or suggestions.

Phase 3: Draft a Plan (November-December 2020)

Identify areas of focus: After evaluating the current state of your law enforcement agency and getting feedback, identify what issues or areas are in need of change. Breaking down and organizing issues to be addressed allows decisions to be made in a more manageable way.

Identify measurable goals: In the areas identified as needing reform, identify what success will look like in the short- and long-term. Articulating measurable goals will help focus your policy development, allow you and all stakeholders to assess outcomes, and identify needed adjustments in the future.

Draft a reform and reinvention plan: Decide what format your final product will take. You may choose to solicit suggested language from stakeholders to help facilitate drafting and to see different stakeholders' positions in writing. Consider articulating not just the policy changes but your vision for what these changes will accomplish. Make sure to include how you will measure success.

Keep the public engaged: If the public has the opportunity to share proposals and hear deliberations, the public comment period will be more productive.

Phase 4: Public Comment and Ratification (January-March 2021)

Release your draft plan for public comment: Executive Order No. 203 requires that these plans be posted for public comment. Consider diversifying the ways the public can share feedback, in writing and at events.

Educate the public: When releasing your draft, think about how you and other key stakeholders involved in the development can explain the proposals to the public. Consider holding events, engaging the media, or publishing an op-ed in the local newspaper.

Revise the plan to Incorporate public comment: Ensure the public comment is addressed in a meaningful way in your final plan. Consider how you will address those comments which are not adopted and those that highlight areas of tension and disagreement among members of the community or between community members and the police.

Ratify the plan: After public comment and finalization of a plan, the Executive Order requires that the local legislature adopt or ratify the proposal. Build in sufficient notice and time for this to occur before the April 1, 2021 deadline.

Certify with New York State: Submit your certification (included here in Appendix B) that your locality has met the requirements of Executive Order No. 203 to the Division of the Budget by April 1, 2021.

Going Forward

After the plan is adopted, there will still be important work to do. You will need to implement the plan and communicate progress reports and metrics to the public. You will need continuously to monitor and respond to community concerns with the police. Public engagement should not end on April 1, 2021. The Collaborative is an important step in your continual process of building,

maintaining and strengthening the relationship between your police department and your community.

Part 3: Appendices

Appendix A: Executive Order No. 203

Appendix B: Plan Certification Form

Appendix C: New York State Police Agencies

APPENDIX A

No. 203

E X E C U T I V E O R D E R

NEW YORK STATE POLICE REFORM AND REINVENTION COLLABORATIVE

WHEREAS, the Constitution of the State of New York obliges the Governor to take care that the laws of New York are faithfully executed; and

WHEREAS, I have solemnly sworn, pursuant to Article 13, Section 1 of the Constitution, to support the Constitution and faithfully discharge the duties of the Office of Governor; and

WHEREAS, beginning on May 25, 2020, following the police-involved death of George Floyd in Minnesota, protests have taken place daily throughout the nation and in communities across New York State in response to police-involved deaths and racially-biased law enforcement to demand change, action, and accountability; and

WHEREAS, there is a long and painful history in New York State of discrimination and mistreatment of black and African-American citizens dating back to the arrival of the first enslaved Africans in America; and

WHEREAS, this recent history includes a number of incidents involving the police that have resulted in the deaths of unarmed civilians, predominantly black and African-American men, that have undermined the public's confidence and trust in our system of law enforcement and criminal justice, and such condition is ongoing and urgently needs to be rectified; and

WHEREAS, these deaths in New York State include those of Anthony Baez, Amadou Diallo, Ousmane Zango, Sean Bell, Ramarley Graham, Patrick Dorismond, Akai Gurley, and Eric Garner, amongst others, and, in other states, include Oscar Grant,

Trayvon Martin, Michael Brown, Tamir Rice, Laquan McDonald, Walter Scott, Freddie Gray, Philando Castile, Antwon Rose Jr., Ahmaud Arbery, Breonna Taylor, and George Floyd, amongst others,

WHEREAS, these needless deaths have led me to sign into law the Say Their Name Agenda which reforms aspects of policing in New York State; and

WHEREAS, government has a responsibility to ensure that all of its citizens are treated equally, fairly, and justly before the law; and

WHEREAS, recent outpouring of protests and demonstrations which have been manifested in every area of the state have illustrated the depth and breadth of the concern; and

WHEREAS, black lives matter; and

WHEREAS, the foregoing compels me to conclude that urgent and immediate action is needed to eliminate racial inequities in policing, to modify and modernize policing strategies, policies, procedures, and practices, and to develop practices to better address the particular needs of communities of color to promote public safety, improve community engagement, and foster trust; and

WHEREAS, the Division of the Budget is empowered to determine the appropriate use of funds in furtherance of the state laws and New York State Constitution; and

WHEREAS, in coordination with the resources of the Division of Criminal Justice Services, the Division of the Budget can increase the effectiveness of the criminal justice system by ensuring that the local police agencies within the state have been actively engaged with stakeholders in the local community and have locally-approved plans for the strategies, policies and procedures of local police agencies; and

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of

New York, in particular Article IV, section one, I do hereby order and direct as follows:

The director of the Division of the Budget, in consultation with the Division of Criminal Justice Services, shall promulgate guidance to be sent to all local governments directing that:

Each local government entity which has a police agency operating with police officers as defined under 1.20 of the criminal procedure law must perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices, and develop a plan to improve such deployments, strategies, policies, procedures, and practices, for the purposes of addressing the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color.

Each chief executive of such local government shall convene the head of the local police agency, and stakeholders in the community to develop such plan, which shall consider evidence-based policing strategies, including but not limited to, use of force policies, procedural justice; any studies addressing systemic racial bias or racial justice in policing; implicit bias awareness training; de-escalation training and practices; law enforcement assisted diversion programs; restorative justice practices; community-based outreach and conflict resolution; problem-oriented policing; hot spots policing; focused deterrence; crime prevention through environmental design; violence prevention and reduction interventions; model policies and guidelines promulgated by the New York State Municipal Police Training Council; and standards promulgated by the New York State Law Enforcement Accreditation Program.

The political subdivision, in coordination with its police agency, must consult with stakeholders, including but not limited to membership and leadership of the local police force; members of the community, with emphasis in areas with high numbers of police and community interactions; interested non-profit and faith-based community groups; the local office of the district attorney; the local public defender; and local elected

officials, and create a plan to adopt and implement the recommendations resulting from its review and consultation, including any modifications, modernizations, and innovations to its policing deployments, strategies, policies, procedures, and practices, tailored to the specific needs of the community and general promotion of improved police agency and community relationships based on trust, fairness, accountability, and transparency, and which seek to reduce any racial disparities in policing.

Such plan shall be offered for public comment to all citizens in the locality, and after consideration of such comments, shall be presented to the local legislative body in such political subdivision, which shall ratify or adopt such plan by local law or resolution, as appropriate, no later than April 1, 2021; and

Such local government shall transmit a certification to the Director of the Division of the Budget to affirm that such process has been complied with and such local law or resolution has been adopted; and

The Director of the Division of the Budget shall be authorized to condition receipt of future appropriated state or federal funds upon filing of such certification for which such local government would otherwise be eligible; and

The Director is authorized to seek the support and assistance of any state agency in order to effectuate these purposes.

G I V E N under my hand and the Privy Seal of the State in the City of Albany this twelfth day of June in the year two thousand twenty.

BY THE GOVERNOR

Secretary to the Governor

APPENDIX B

NEW YORK STATE POLICE REFORM AND REINVENTION COLLABORATIVE PLAN CERTIFICATION FORM

Instructions: The Chief Executive of each local government must complete and submit this certification and a copy of their Plan to the Director of the New York State Division of the Budget on or before April 1, 2021 at EO203Certification@budget.ny.gov.

I, _____, as the Chief Executive of _____
(the “Local Government”), hereby certify the following pursuant to Executive Order No. 203 issued by Governor Andrew M. Cuomo on June 12, 2020:

- ☐ The Local Government has performed a comprehensive review of current police force deployments, strategies, policies, procedures, and practices;
- ☐ The Local Government has developed a plan, attached hereto, to improve such deployments, strategies, policies, procedures, and practices (the “Plan”);
- ☐ The Local Government has consulted with stakeholders (including but not limited to: membership and leadership of the local police force; members of the community, with emphasis in areas with high numbers of police and community interactions; interested non-profit and faith-based community groups; the local office of the district attorney; the local public defender; and local elected officials) regarding the Plan;
- ☐ The Local Government has offered the Plan in draft form for public comment to all citizens in the locality and, prior to adoption of the Plan by the local legislative body, has considered the comments submitted; and
- ☐ The legislative body of the Local Government has ratified or adopted the Plan by local law or resolution.

Name

Signature

Title

Date

APPENDIX C

New York State Police Agencies

County	Agency
Albany	Albany City Police Department
	Albany County Sheriff's Office
	Altamont Village Police Department
	Bethlehem Town Police Department
	Coeymans Town Police Department
	Cohoes City Police Department
	Colonie Town Police Department
	Green Island Village Police Department
	Guilderland Town Police Department
	Menands Village Police Department
	Watervliet City Police Department
Allegany	Alfred Village Police Department
	Allegany County Sheriff's Office
	Andover Village Police Department
	Angelica Village Police Department
	Belmont Village Police Department
	Bolivar Village Police Department
	Cuba Town Police Department
	Friendship Town Police Department
	Independence Town Police Department
	Wellsville Village Police Department
	Willing Town Police Department
Broome	Binghamton City Police Department
	Broome County Sheriff's Office
	Deposit Village Police Department
	Endicott Village Police Department
	Johnson City Village Police Department
	Port Dickinson Village Police Department
	Vestal Town Police Department
Cattaraugus	Allegany Village Police Department
	Cattaraugus County Sheriff's Office
	Cattaraugus Village Police Department
	Ellicottville Town Police Department
	Franklinville Village Police Department
	Olean City Police Department
	Portville Village Police Department
	Salamanca City Police Department
Cayuga	Auburn City Police Department

Chautauqua	Cayuga County Sheriff's Office
	Moravia Village Police Department
	Port Byron Village Police Department
	Weedsport Village Police Department
	Carroll Town Police Department
	Chautauqua County Sheriff's Office
	Dunkirk City Police Department
	Ellicott Town Police Department
	Fredonia Village Police Department
	Jamestown City Police Department
	Lakewood Busti Police Department
	Westfield Village Police Department
Chemung	Chemung County Sheriff's Office
	Elmira City Police Department
	Elmira Heights Village Police Department
	Elmira Town Traffic District # 1
Chenango	Horseheads Village Police Department
	Afton Village Police Department
	Bainbridge Village Police Department
	Chenango County Sheriff's Office
	Greene Village Police Department
	New Berlin Town Police Department
	Norwich City Police Department
	Oxford Village Police Department
Clinton	Sherburne Village Police Department
	Clinton County Sheriff's Office
Columbia	Plattsburgh City Police Department
	Chatham Village Police Department
	Columbia County Sheriff's Office
	Germantown Town Police Department
	Greenport Town Police Department
	Hudson City Police Department
	Philmont Village Police Department
	Stockport Town Police Department
Cortland	Cortland City Police Department
	Cortland County Sheriff's Office
Delaware	Homer Village Police Department
	Colchester Town Police Department
	Delaware County Sheriff's Office
	Delhi Village Police Department
	Hancock Village Police Department
Dutchess	Sidney Village Police Department
	Walton Village Police Department
	Beacon City Police Department
	Dutchess County Sheriff's Office

Erie	East Fishkill Town Police Department
	Fishkill Town Police Department
	Fishkill Village Police Department
	Hyde Park Town Police Department
	Millbrook Village Police Department
	Millerton Village Police Department
	Pine Plains Town Police Department
	Poughkeepsie City Police Department
	Poughkeepsie Town Police Department
	Red Hook Village Police Department
	Rhinebeck Village Police Department
	Wappingers Falls Village Police Department
	Akron Village Police Department
	Amherst Town Police Department
	Blasdell Village Police Department
	Brant Town Police Department
	Buffalo City Police Department
	Cheektowaga Town Police Department
	Depew Village Police Department
	East Aurora/Aurora Town Police Department
	Eden Town Police Department
	Erie County Sheriff's Office
	Evans Town Police Department
	Gowanda Village Police Department
	Grand Island Town Police Department
	Hamburg Town Police Department
	Hamburg Village Police Department
	Kenmore Village Police Department
	Lackawanna City Police Department
	Lancaster Town Police Department
	North Collins Village Police Department
	Orchard Park Town Police Department
	Springville Village Police Department
	Tonawanda City Police Department
Essex	Tonawanda Town Police Department
	West Seneca Town Police Department
	Essex County Sheriff's Office
Franklin	Lake Placid Village Police Department
	Moriah Town Police Department
	Ticonderoga Town Police Department
	Franklin County Sheriff's Office
Fulton	Malone Village Police Department
	Saranac Lake Village Police Department
	Tupper Lake Village Police Department
	Broadalbin Village Police Department

Genesee	Fulton County Sheriff's Office
	Gloversville City Police Department
	Johnstown City Police Department
	Northville Village Police Department
	Batavia City Police Department
	Corfu Village Police Department
Greene	Genesee County Sheriff's Office
	LeRoy Village Police Department
	Athens Village Police Department
	Cairo Town Police Department
	Catskill Village Police Department
	Coxsackie Village Police Department
Hamilton	Durham Town Police Department
	Greene County Sheriff's Office
	Hunter Town Police Department
	Windham Town Police Department
Herkimer	Hamilton County Sheriff's Office
	Inlet Town Police Department
	Dolgeville Village Police Department
	Frankfort Town Police Department
	Frankfort Village Police Department
	Herkimer County Sheriff's Office
Jefferson	Herkimer Village Police Department
	Ilion Village Police Department
	Little Falls City Police Department
	Mohawk Village Police Department
	Webb Town Police Department
	Adams Village Police Department
	Alexandria Bay Village Police Department
	Antwerp Village Police Department
	Black River Village Police Department
	Brownville Village Police Department
	Cape Vincent Village Police Department
	Carthage Village Police Department
	Clayton Village Police Department
	Dexter Village Police Department
	Glen Park Village Police Department
	Jefferson County Sheriff's Office
	Philadelphia Village Police Department
	Sackets Harbor Village Police Department
Lewis	Theresa Village Police Department
	Watertown City Police Department
	West Carthage Village Police Department
	Lewis County Sheriff's Office
	Lowville Village Police Department

Livingston	Avon Village Police Department
	Caledonia Village Police Department
	Dansville Village Police Department
	Geneseo Village Police Department
	Livingston County Sheriff's Office
	Mount Morris Village Police Department
	Nunda Town & Village Police Department
Madison	Canastota Village Police Department
	Cazenovia Village Police Department
	Chittenango Village Police Department
	Hamilton Village Police Department
	Madison County Sheriff's Office
Monroe	Oneida City Police Department
	Brighton Town Police Department
	Brockport Village Police Department
	East Rochester Village Police Department
	Fairport Village Police Department
	Gates Town Police Department
	Greece Town Police Department
	Irondequoit Town Police Department
	Monroe County Sheriff's Office
	Ogden Town Police Department
	Rochester City Police Department
	Webster Town Police Department
Montgomery	Amsterdam City Police Department
	Canajoharie Village Police Department
	Fort Plain Village Police Department
	Montgomery County Sheriff's Office
	St. Johnsville Village Police Department
Nassau	Centre Island Village Police Department
	Floral Park Village Police Department
	Freeport Village Police Department
	Garden City Village Police Department
	Glen Cove City Police Department
	Great Neck Estates Village Police Department
	Hempstead Village Police Department
	Kensington Village Police Department
	Kings Point Village Police Department
	Lake Success Village Police Department
	Long Beach City Police Department
	Lynbrook Village Police Department
	Malverne Village Police Department
	Muttontown Village Police Department
	Nassau County Police Department
	Nassau County Sheriff's Office

New York City	Old Brookville Village Police Department
	Old Westbury Village Police Department
	Oyster Bay Cove Village Police Department
	Port Washington Police District
	Rockville Centre Police Department
	Sands Point Village Police Department
	New York City Police Department
	New York City Sheriff's Office
Niagara	Barker Village Police Department
	Lewiston Town Police Department
	Lockport City Police Department
	Middleport Village Police Department
	Niagara County Sheriff's Office
	Niagara Falls City Police Department
	Niagara Town Police Department
	North Tonawanda City Police Department
	Somerset Town Police Department
Oneida	Youngstown Village Police Department
	Boonville Village Police Department
	Camden Village Police Department
	Kirkland Town Police Department
	New Hartford Town Police Department
	New York Mills Village Police Department
	Oneida County Sheriff's Office
	Oriskany Village Police Department
	Rome City Police Department
Onondaga	Sherrill City Police Department
	Utica City Police Department
	Vernon Village Police Department
	Whitesboro Village Police Department
	Whitestown Town Police Department
	Yorkville Village Police Department
	Baldwinsville Village Police Department
	Camillus Town & Village Police Department
	Cicero Town Police Department
	DeWitt Town Police Department
	Geddes Town Police Department
	Jordan Village Police Department
	Liverpool Village Police Department
	Manlius Town Police Department
	Marcellus Village Police Department
	North Syracuse Village Police Department
	Onondaga County Sheriff's Office
	Skaneateles Village Police Department
	Solvay Village Police Department

Ontario	Syracuse City Police Department
	Canandaigua City Police Department
	Clifton Springs Village Police Department
	Geneva City Police Department
	Manchester Village Police Department
	Ontario County Sheriff's Office
Orange	Phelps Village Police Department
	Shortsville Village Police Department
	Blooming Grove Town Police Department
	Chester Town Police Department
	Chester Village Police Department
	Cornwall Town Police Department
	Cornwall on Hudson Village Police Department
	Crawford Town Police Department
	Deerpark Town Police Department
	Florida Village Police Department
	Goshen Town Police Department
	Goshen Village Police Department
	Greenwood Lake Village Police Department
	Harriman Village Police Department
	Highland Falls Village Police Department
	Highlands Town Police Department
	Maybrook Village Police Department
	Middletown City Police Department
	Monroe Village Police Department
	Montgomery Town Police Department
	Montgomery Village Police Department
	Mount Hope Town Police Department
	New Windsor Town Police Department
	Newburgh City Police Department
	Newburgh Town Police Department
	Orange County Sheriff's Office
	Port Jervis City Police Department
	Tuxedo Park Village Police Department
	Tuxedo Town Police Department
	Walden Village Police Department
Orleans	Wallkill Town Police Department
	Warwick Town Police Department
	Washingtonville Village Police Department
	Woodbury Town Police Department
	Albion Village Police Department
	Holley Village Police Department
	Lyndonville Village Police Department
	Medina Village Police Department
	Orleans County Sheriff's Office

Oswego	Central Square Village Police Department
	Fulton City Police Department
	Oswego City Police Department
	Oswego County Sheriff's Office
	Phoenix Village Police Department
	Pulaski Village Police Department
Otsego	Cooperstown Village Police Department
	Oneonta City Police Department
	Otsego County Sheriff's Office
Putnam	Brewster Village Police Department
	Carmel Town Police Department
	Cold Spring Village Police Department
	Kent Town Police Department
	Putnam County Sheriff's Office
Rensselaer	East Greenbush Town Police Department
	Hoosick Falls Village Police Department
	Nassau Village Police Department
	North Greenbush Town Police Department
	Rensselaer City Police Department
	Rensselaer County Sheriff's Office
	Schodack Town Police Department
	Troy City Police Department
Rockland	Clarkstown Town Police Department
	Haverstraw Town Police Department
	Orangetown Town Police Department
	Piermont Village Police Department
	Ramapo Town Police Department
	Rockland County Sheriff's Office
	South Nyack-Grand View Village Police Department
	Spring Valley Village Police Department
	Stony Point Town Police Department
	Suffern Village Police Department
Saratoga	Ballston Spa Village Police Department
	Galway Village Police Department
	Mechanicville City Police Department
	Saratoga County Sheriff's Office
	Saratoga Springs City Police Department
	South Glens Falls Village Police Department
	Stillwater Town Police Department
	Waterford Town & Village Police Department
Schenectady	Glenville Town Police Department
	Niskayuna Town Police Department
	Rotterdam Town Police Department
	Schenectady City Police Department

Schoharie	Schenectady County Sheriff's Office
	Scotia Village Police Department
	Cobleskill Village Police Department
Schuyler	Schoharie County Sheriff's Office
	Schoharie Village Police Department
	Schuyler County Sheriff's Office
Seneca	Watkins Glen Village Police Department
	Interlaken Village Police Department
	Seneca County Sheriff's Office
St. Lawrence	Seneca Falls Town Police Department
	Waterloo Village Police Department
	Canton Village Police Department
Steuben	Gouverneur Village Police Department
	Massena Village Police Department
	Norfolk Town Police Department
Suffolk	Norwood Village Police Department
	Ogdensburg City Police Department
	Potsdam Village Police Department
Suffolk	St. Lawrence County Sheriff's Office
	Addison Village Police Department
	Bath Village Police Department
Suffolk	Canisteo Village Police Department
	Cohocton Town Police Department
	Corning City Police Department
Suffolk	Hammondsport Village Police Department
	Hornell City Police Department
	North Hornell Village Police Department
Suffolk	Painted Post Village Police Department
	Steuben County Sheriff's Office
	Wayland Village Police Department
Suffolk	Amityville Village Police Department
	Asharoken Village Police Department
	East Hampton Town Police Department
Suffolk	East Hampton Village Police Department
	Head of the Harbor Village Police Department
	Huntington Bay Village Police Department
Suffolk	Lloyd Harbor Village Police Department
	Nissequogue Village Police Department
	Northport Village Police Department
Suffolk	Ocean Beach Village Police Department
	Quogue Village Police Department
	Riverhead Town Police Department
Suffolk	Sag Harbor Village Police Department
	Shelter Island Town Police Department
	Southampton Town Police Department

Sullivan	Southampton Village Police Department
	Southold Town Police Department
	Suffolk County Police Department
	Suffolk County Sheriff's Office
	Westhampton Beach Village Police Department
	Fallsburg Town Police Department
	Liberty Village Police Department
	Monticello Village Police Department
	Sullivan County Sheriff's Office
Tioga	Woodridge Village Police Department
	Candor Village Police Department
	Owego Village Police Department
	Spencer Village Police Department
	Tioga County Sheriff's Office
Tompkins	Waverly Village Police Department
	Cayuga Heights Village Police Department
	Dryden Village Police Department
	Groton Village Police Department
	Ithaca City Police Department
	Tompkins County Sheriff's Office
Ulster	Trumansburg Village Police Department
	Ellenville Village Police Department
	Kingston City Police Department
	Lloyd Town Police Department
	Marlborough Town Police Department
	New Paltz Town & Village Police Department
	Olive Town Police Department
	Plattekill Town Police Department
	Rosendale Town Police Department
	Saugerties Town Police Department
	Shandaken Town Police Department
	Shawangunk Town Police Department
	Ulster County Sheriff's Office
	Ulster Town Police Department
Warren	Woodstock Town Police Department
	Bolton Town Police Department
	Glens Falls City Police Department
	Warren County Sheriff's Office
Washington	Warrensburg Town Police Department
	Cambridge Village Police Department
	Fort Edward Village Police Department
	Granville Village Police Department
	Greenwich Village Police Department
	Hudson Falls Village Police Department
	Washington County Sheriff's Office

Wayne	Whitehall Village Police Department
	Clyde Village Police Department
	Macedon Town Police Department
	Newark Village Police Department
	Palmyra Village Police Department
	Sodus Village Police Department
	Wayne County Sheriff's Office
Westchester	Wolcott Village Police Department
	Ardsley Village Police Department
	Bedford Town Police Department
	Briarcliff Manor Village Police Department
	Bronxville Village Police Department
	Buchanan Village Police Department
	Croton on Hudson Village Police Department
	Dobbs Ferry Village Police Department
	Eastchester Town Police Department
	Elmsford Village Police Department
	Greenburgh Town Police Department
	Harrison Town Police Department
	Hastings-on-Hudson Village Police Department
	Irvington Village Police Department
	Larchmont Village Police Department
	Lewisboro Town Police Department
	Mamaroneck Town Police Department
	Mamaroneck Village Police Department
	Mount Pleasant Town Police Department
	Mount Vernon City Police Department
	New Castle Town Police Department
	New Rochelle City Police Department
	North Castle Town Police Department
	North Salem Town Police Department
	Ossining Village Police Department
	Peekskill City Police Department
	Pelham Manor Village Police Department
	Pelham Village Police Department
	Pleasantville Village Police Department
	Port Chester Village Police Department
	Pound Ridge Town Police Department
	Rye Brook Village Police Department
	Rye City Police Department
	Scarsdale Village Police Department
	Sleepy Hollow Village Police Department
	Somers Town Police Department
	Tarrytown Village Police Department
	Tuckahoe Village Police Department

Wyoming	Westchester County Department of Public Safety
	White Plains Department of Public Safety
	Yonkers City Police Department
	Yorktown Town Police Department
	Arcade Village Police Department
	Attica Village Police Department
	Perry Village Police Department
	Warsaw Village Police Department
	Wyoming County Sheriff's Office
Yates	Penn Yan Village Police Department
	Yates County Sheriff's Office



CONFIDENTIAL SURVEY OF THE COMMUNITY

The Southold Justice System Review & Reform Task Force is conducting a survey of Southold Town residents to understand how the public feels about the Southold Town Police Department. This information will help us better understand police-community interactions. The survey takes about 8 minutes to complete and is voluntary and completely anonymous. We have no way to connect the answers you provide to your identity unless you would like us to. The police have no access to this information at all.

1. Do you, or does anyone in your immediate family, work in the criminal justice system, now or in the past?

☐ Yes

☐ No

2. Have you personally had any interaction with the police in the last 5 years?

☐ Yes

☐ No

3. Overall, how did you experience the interaction(s)?

☐ Very positive

☐ Positive

☐ Neutral

☐ Negative

☐ Very negative

Other (please specify)

4. How many times have you been stopped or questioned by the police in the past 5 years?

5. When interacting with the police were you treated with dignity and respect?

☐ A great deal

☐ A lot

☐ A moderate amount

☐ A little

☐ None at all

6. Please evaluate what you believe should be the PRIMARY role of the Police? Select all that apply.

- ☐ Law and Order
- ☐ Protect and serve
- ☐ Enforce the laws
- ☐ Public safety
- ☐ Investigation
- ☐ Mediator
- ☐ Community liason
- ☐ Crime prevention

Other (please specify)

7. To the best of your knowledge, to what extent do the police work to build strong, trusting relationships with all community members?

- ☐ A great deal
- ☐ A lot
- ☐ A moderate amount
- ☐ A little
- ☐ None at all

8. In your opinion to what extent does the Southold Police Department make an effort to get to know you and your community outside of official investigations?

- ☐ A great deal
- ☐ A lot
- ☐ A moderate amount
- ☐ A little
- ☐ None at all

9. To what extent is the Southold Police Department responsive to your needs?

- ☐ A great deal
- ☐ A lot
- ☐ A moderate amount
- ☐ A little
- ☐ None at all

10. If you called the Police at any time in the last 5 years, please tell us how quickly they responded?

- ☐ Quickly/faster than I expected
- ☐ Not quickly nor slowly
- ☐ Slowly/response time was poor
- ☐ did not call

11. To what extent do you believe the Southold Police Department is honest and ethical in interactions with you and your community?

- ☐ A great deal
- ☐ A lot
- ☐ A moderate amount
- ☐ A little
- ☐ None at all

12. To what extent do you believe that the Police are biased against certain groups of individuals?

- ☐ A great deal
- ☐ A lot
- ☐ A moderate amount
- ☐ A little
- ☐ None at all

13. In the past 5 years, have you had any contact with the police, or witnessed an encounter with the police, where you believe an officer acted inappropriately?

- ☐ Yes
- ☐ No

Other (please specify)

14. Have you ever considered filing a complaint against a member of the Southold Police Department?

- ☐ Yes
- ☐ No

15. If you did not file a complaint, please tell us all the reasons why not? Check all that apply.

- ☐ I was afraid
- ☐ I did not know how
- ☐ I was talked out of it by family/friends
- ☐ I decided it was unnecessary after thinking about it
- ☐ Other (please specify)

16. If you DID file a complaint, did you feel the matter was resolved in an acceptable way?

- ☐ Yes
- ☐ No
- ☐ Somewhat
- ☐ Other (please specify)

17. To what extent do you believe that the Police treat all citizens the same, regardless of race, ethnicity, religion, gender, gender orientation, disability &/or language?

- ☐ A great deal
- ☐ A lot
- ☐ A moderate amount
- ☐ A little
- ☐ None at all

18. To what extent do the Police work to be fair in their interactions with ALL members of the community.

- ☐ A great deal
- ☐ A lot
- ☐ A moderate amount
- ☐ A little
- ☐ None at all

19. To what extend do you think Southold Town Police are held accountable to the same laws and regulations that community members must follow?

- ☐ A great deal
- ☐ A lot
- ☐ A moderate amount
- ☐ A little
- ☐ None at all

20. How likely would you be to call the police to report suspicious or criminal activity in your neighborhood?

- ☐ Very likely
- ☐ Likely
- ☐ Neither likely nor unlikely
- ☐ Unlikely
- ☐ Very unlikely

21. How likely would you be to call the Police if you needed help?

- ☐ Very likely
- ☐ Likely
- ☐ Neither likely nor unlikely
- ☐ Unlikely
- ☐ Very unlikely

22. How likely would you be to provide information to help the Police find someone suspected of committing a crime?

- ☐ Very likely
- ☐ Likely
- ☐ Neither likely nor unlikely
- ☐ Unlikely
- ☐ Very unlikely

23. What is your age?

- ☐ 10-14
- ☐ 15-19
- ☐ 20-29
- ☐ 30-39
- ☐ 40-49
- ☐ 50-59
- ☐ 60-69
- ☐ 70+

24. Where in Southold do you live?

- ☐ Orient
- ☐ East Marion
- ☐ Greenport
- ☐ Southold
- ☐ Peconic
- ☐ New Suffolk
- ☐ Cutchogue
- ☐ Mattituck
- ☐ Laurel

25. Do you own or rent your home?

- ☐ Own
- ☐ Rent
- ☐ Live with family/friends
- ☐ Other (please specify)

26. What is your personal estimated income?

- ☐ Below \$25,000
- ☐ between \$25,000 - \$75,000
- ☐ More than \$75,000

27. How do you identify yourself (please check all that apply)

- ☐ Hispanic/Latino/Latina/LatinX
- ☐ American Indian or Alaskan native
- ☐ Asian
- ☐ Black, Caribbean American or African American
- ☐ White
- ☐ Native Hawaiian or Other Pacific Islander
- ☐ Other (please specify)

28. How do you identify yourself?

- ☐ Male
- ☐ Female
- ☐ Transgender
- ☐ Non-binary/Non-conforming
- ☐ prefer not to say

29. Are you a member of the LGBTQ+ Community

- ☐ Yes
- ☐ No

30. Is there anything that we did not ask that you would like to share?

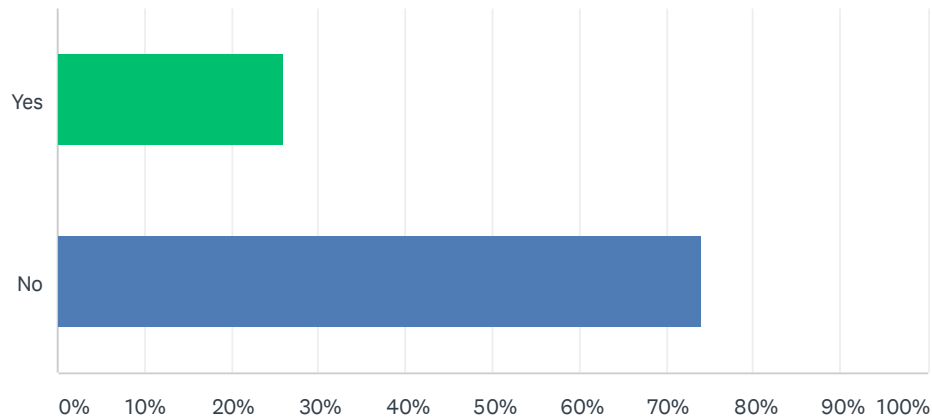
31. This survey is COMPLETELY CONFIDENTIAL. However if you would like to be contacted please leave a phone number or email where you can be reached. your privacy will be respected.

Thank you for completing this survey! Please forward this link to friends and family so they can complete it as well.

Remember...your voice matters!

Q1 Do you, or does anyone in your immediate family, work in the criminal justice system, now or in the past?

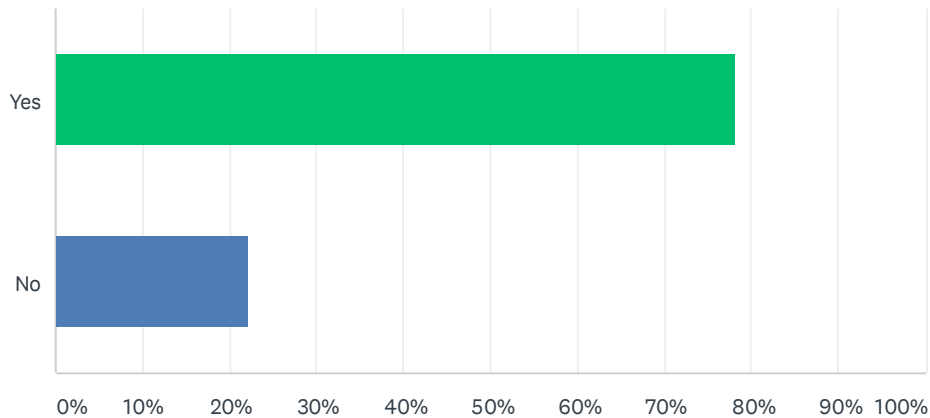
Answered: 468 Skipped: 2



ANSWER CHOICES	RESPONSES	
Yes	25.85%	121
No	74.15%	347
TOTAL		468

Q2 Have you personally had any interaction with the police in the last 5 years?

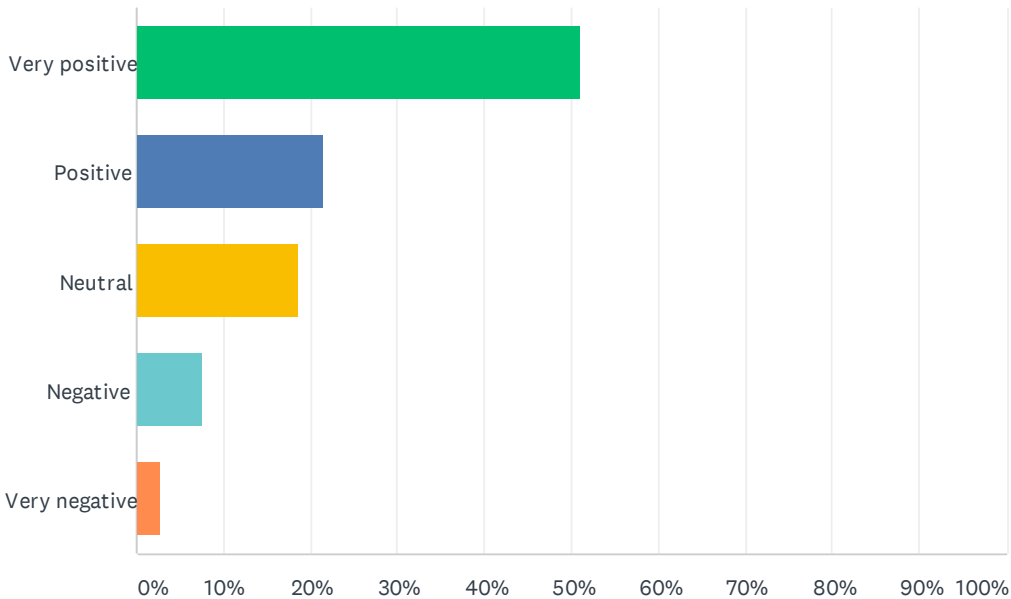
Answered: 464 Skipped: 6



ANSWER CHOICES		RESPONSES	
Yes		78.23%	363
No		22.20%	103
Total Respondents: 464			

Q3 Overall, how did you experience the interaction(s)?

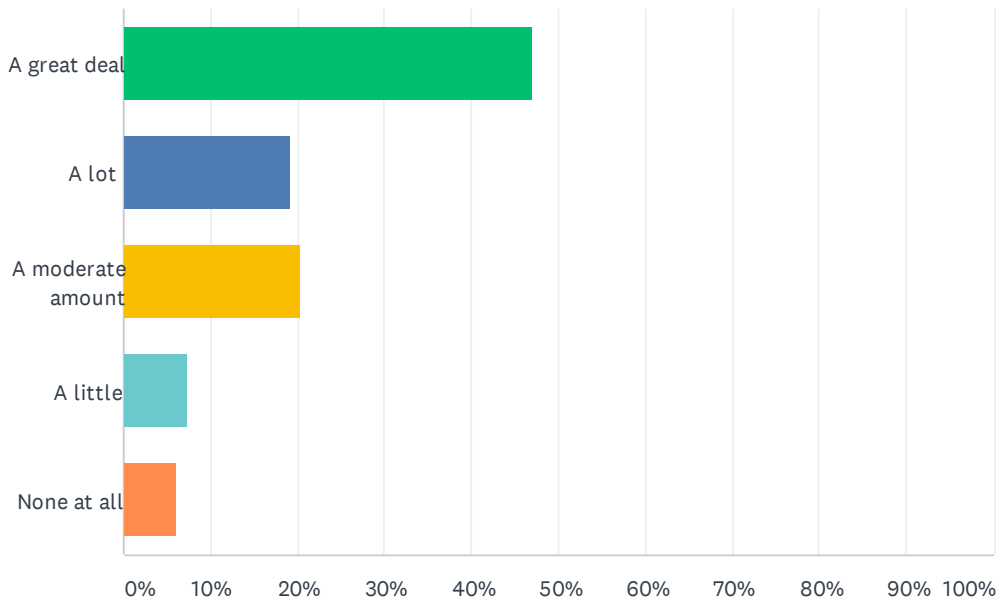
Answered: 399 Skipped: 71



ANSWER CHOICES	RESPONSES	
Very positive	51.13%	204
Positive	21.55%	86
Neutral	18.55%	74
Negative	7.52%	30
Very negative	2.76%	11
Total Respondents: 399		

Q5 When interacting with the police were you treated with dignity and respect?

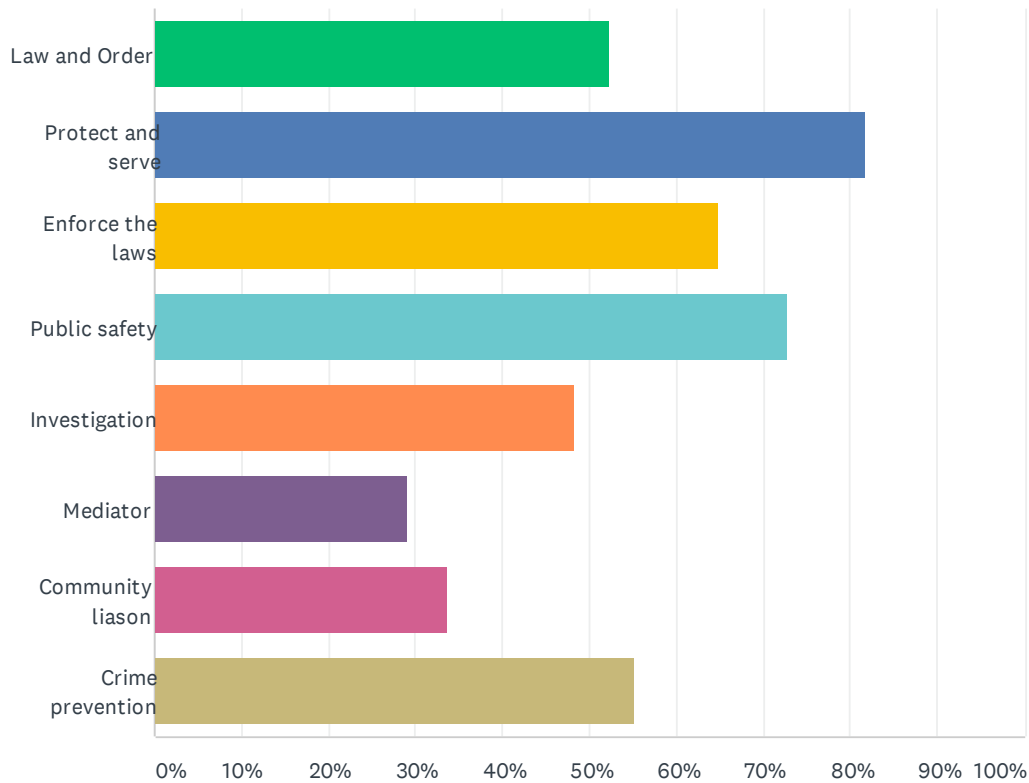
Answered: 399 Skipped: 71



ANSWER CHOICES	RESPONSES	
A great deal	47.12%	188
A lot	19.30%	77
A moderate amount	20.30%	81
A little	7.27%	29
None at all	6.02%	24
TOTAL		399

Q6 Please evaluate what you believe should be the PRIMARY role of the Police? Select all that apply.

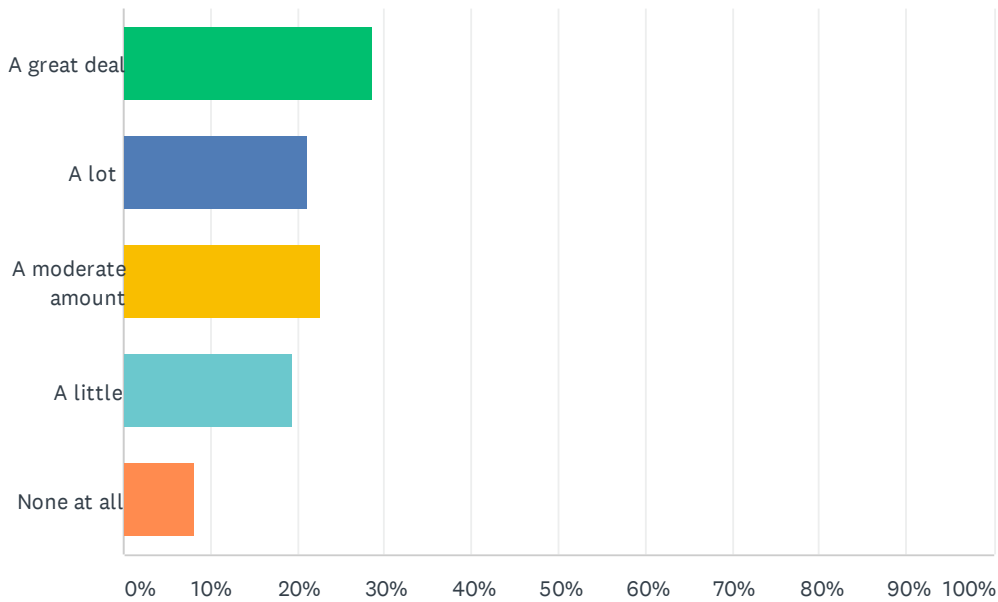
Answered: 460 Skipped: 10



ANSWER CHOICES	RESPONSES	
Law and Order	52.39%	241
Protect and serve	81.74%	376
Enforce the laws	64.78%	298
Public safety	72.83%	335
Investigation	48.26%	222
Mediator	29.13%	134
Community liason	33.70%	155
Crime prevention	55.22%	254
Total Respondents: 460		

Q7 To the best of your knowledge, to what extent do the police work to build strong, trusting relationships with all community members?

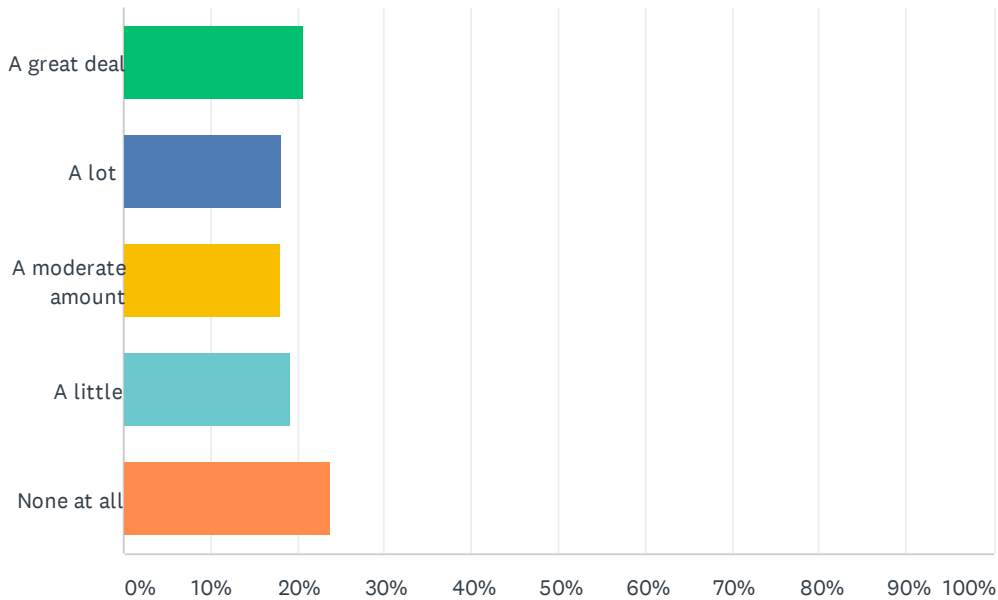
Answered: 455 Skipped: 15



ANSWER CHOICES	RESPONSES	
A great deal	28.57%	130
A lot	21.10%	96
A moderate amount	22.64%	103
A little	19.56%	89
None at all	8.13%	37
TOTAL		455

Q8 In your opinion to what extent does the Southold Police Department make an effort to get to know you and your community outside of official investigations?

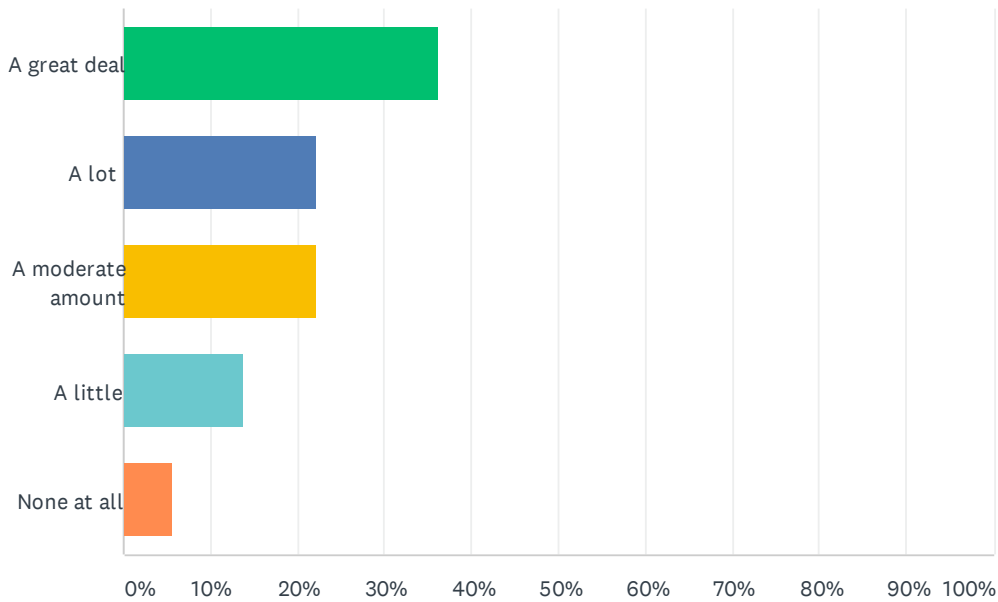
Answered: 457 Skipped: 13



ANSWER CHOICES	RESPONSES	
A great deal	20.79%	95
A lot	18.16%	83
A moderate amount	17.94%	82
A little	19.26%	88
None at all	23.85%	109
TOTAL		457

Q9 To what extent is the Southold Police Department responsive to your needs?

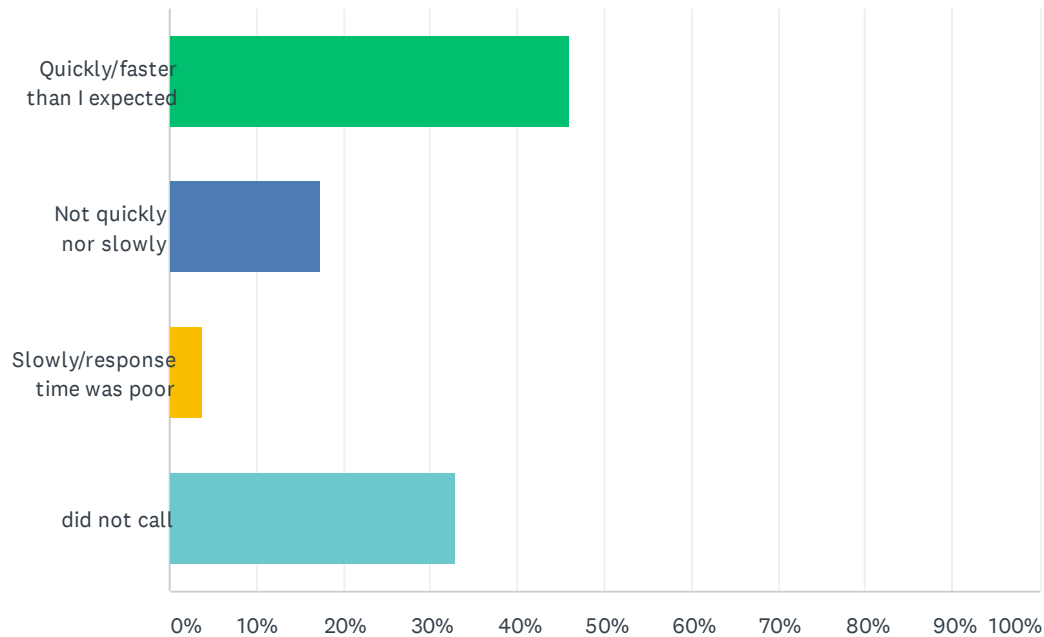
Answered: 446 Skipped: 24



ANSWER CHOICES	RESPONSES	
A great deal	36.10%	161
A lot	22.20%	99
A moderate amount	22.20%	99
A little	13.90%	62
None at all	5.61%	25
TOTAL		446

Q10 If you called the Police at any time in the last 5 years, please tell us how quickly they responded?

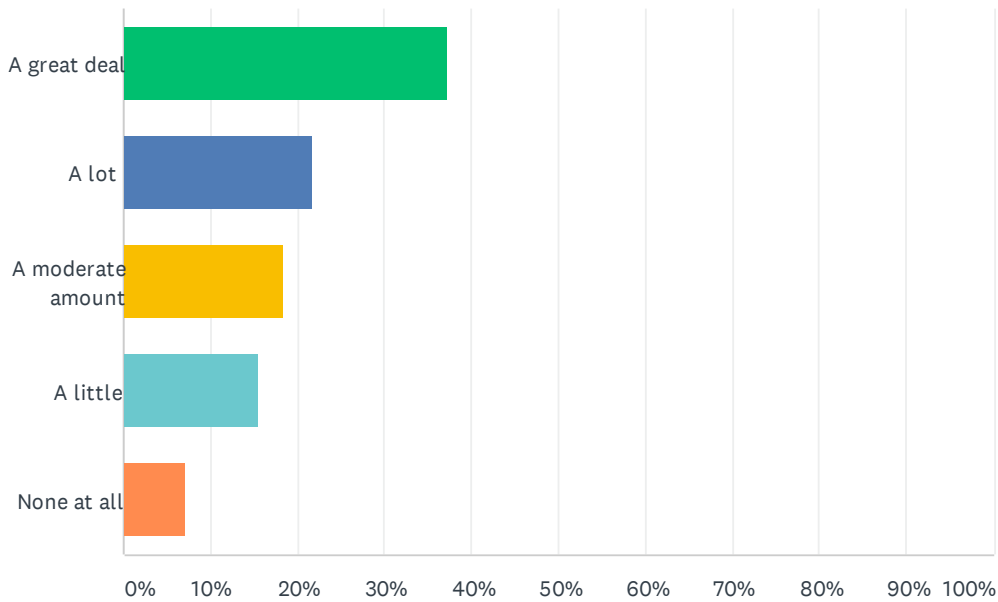
Answered: 444 Skipped: 26



ANSWER CHOICES	RESPONSES	
Quickly/faster than I expected	45.95%	204
Not quickly nor slowly	17.34%	77
Slowly/response time was poor	3.83%	17
did not call	32.88%	146
TOTAL		444

Q11 To what extent do you believe the Southold Police Department is honest and ethical in interactions with you and your community?

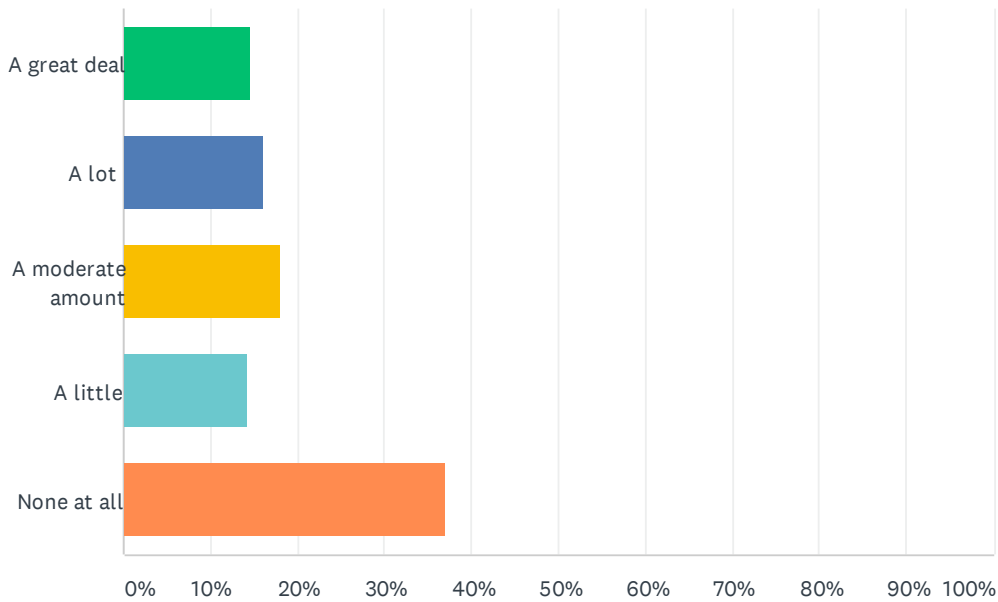
Answered: 460 Skipped: 10



ANSWER CHOICES	RESPONSES	
A great deal	37.17%	171
A lot	21.74%	100
A moderate amount	18.48%	85
A little	15.43%	71
None at all	7.17%	33
TOTAL		460

Q12 To what extent do you believe that the Police are biased against certain groups of individuals?

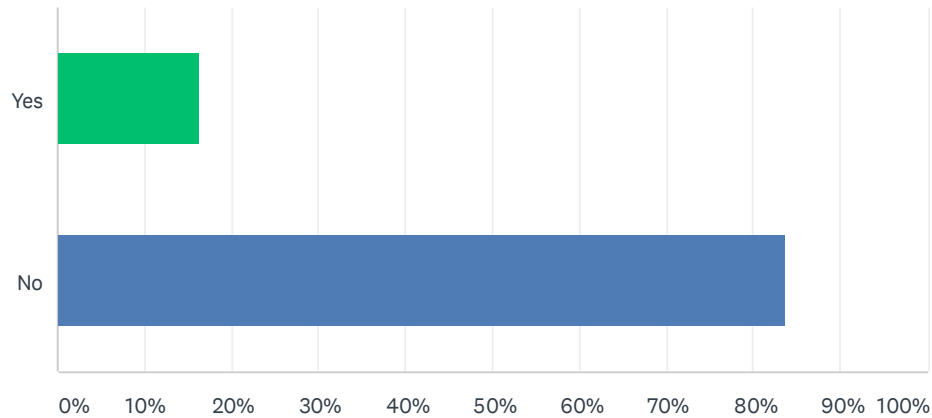
Answered: 458 Skipped: 12



ANSWER CHOICES	RESPONSES	
A great deal	14.63%	67
A lot	16.16%	74
A moderate amount	17.90%	82
A little	14.19%	65
None at all	37.12%	170
TOTAL		458

Q13 In the past 5 years, have you had any contact with the police, or witnessed an encounter with the police, where you believe an officer acted inappropriately?

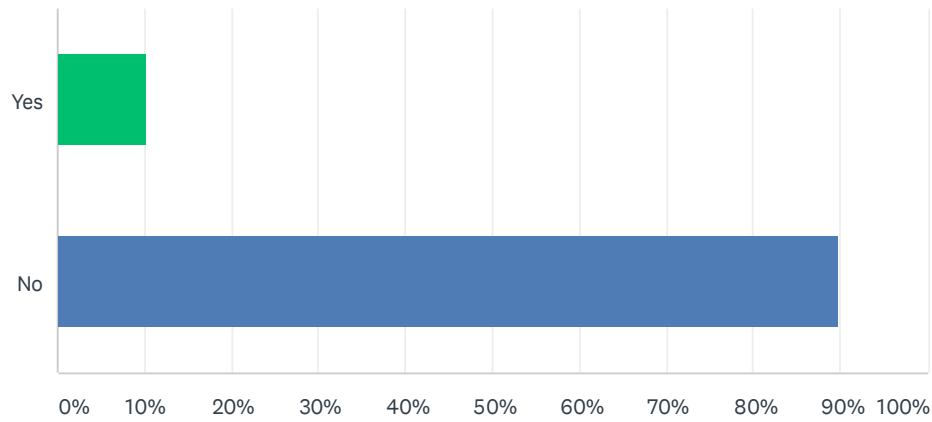
Answered: 457 Skipped: 13



ANSWER CHOICES	RESPONSES	
Yes	16.41%	75
No	83.59%	382
TOTAL		457

Q14 Have you ever considered filing a complaint against a member of the Southold Police Department?

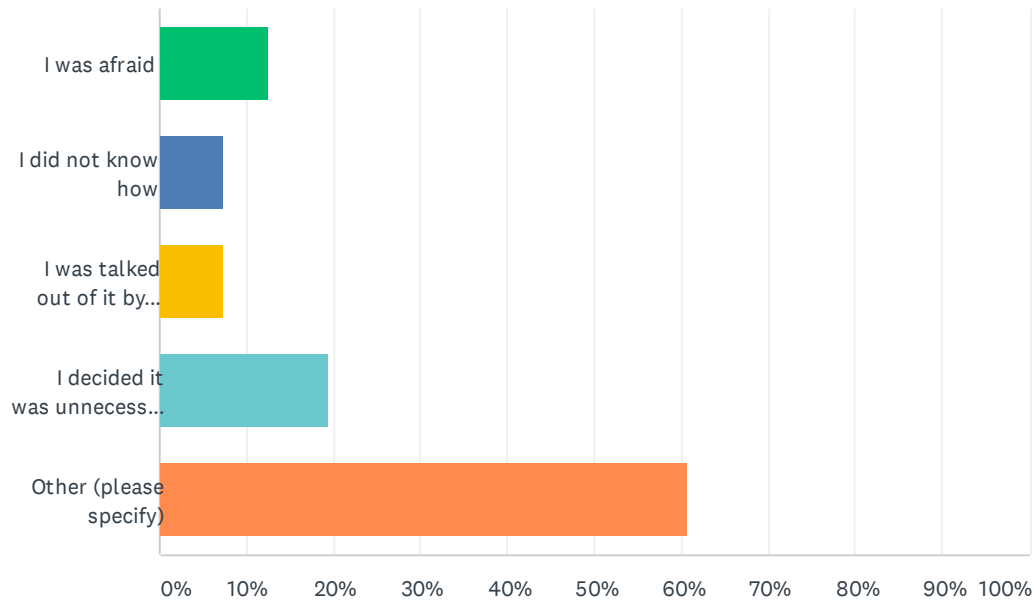
Answered: 462 Skipped: 8



ANSWER CHOICES	RESPONSES	
Yes	10.17%	47
No	89.83%	415
TOTAL		462

Q15 If you did not file a complaint, please tell us all the reasons why not? Check all that apply.

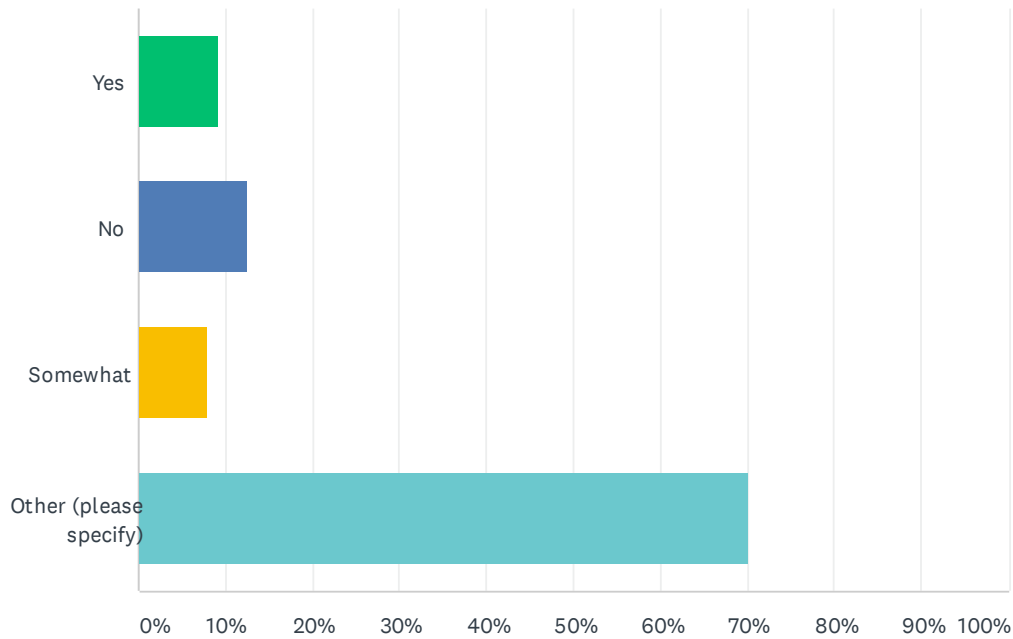
Answered: 216 Skipped: 254



ANSWER CHOICES	RESPONSES	
I was afraid	12.50%	27
I did not know how	7.41%	16
I was talked out of it by family/friends	7.41%	16
I decided it was unnecessary after thinking about it	19.44%	42
Other (please specify)	60.65%	131
Total Respondents: 216		

Q16 If you DID file a complaint, did you feel the matter was resolved in an acceptable way?

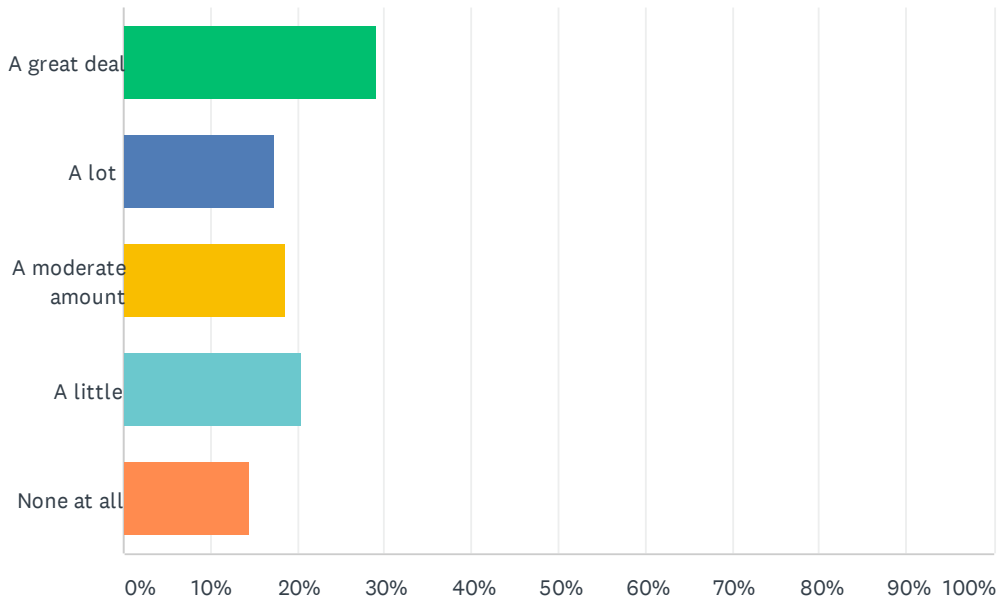
Answered: 87 Skipped: 383



ANSWER CHOICES	RESPONSES	
Yes	9.20%	8
No	12.64%	11
Somewhat	8.05%	7
Other (please specify)	70.11%	61
TOTAL		87

Q17 To what extent do you believe that the Police treat all citizens the same, regardless of race, ethnicity, religion, gender, gender orientation, disability &/or language?

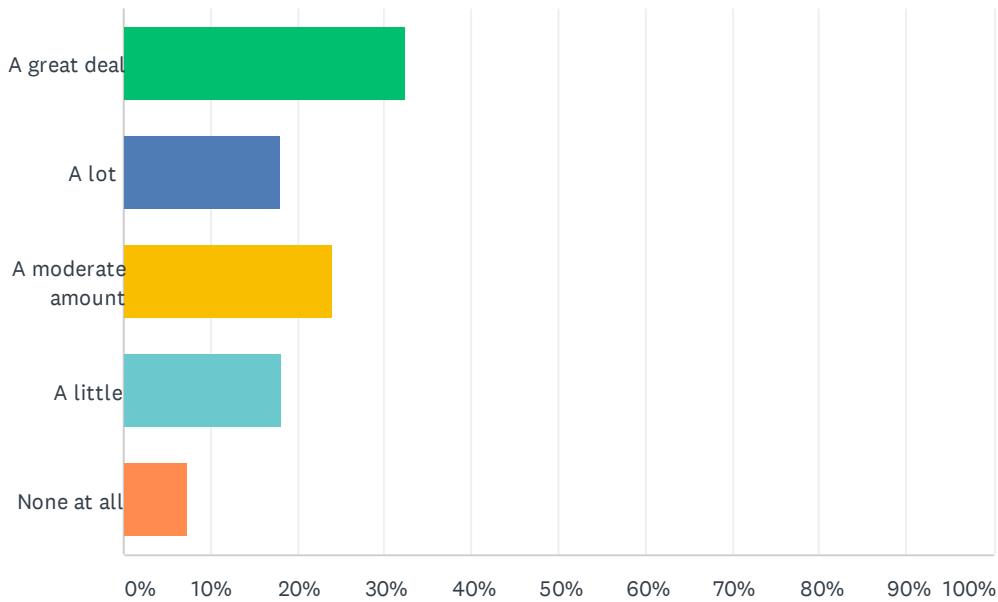
Answered: 455 Skipped: 15



ANSWER CHOICES	RESPONSES	
A great deal	29.01%	132
A lot	17.36%	79
A moderate amount	18.68%	85
A little	20.44%	93
None at all	14.51%	66
TOTAL		455

Q18 To what extent do the Police work to be fair in their interactions with ALL members of the community.

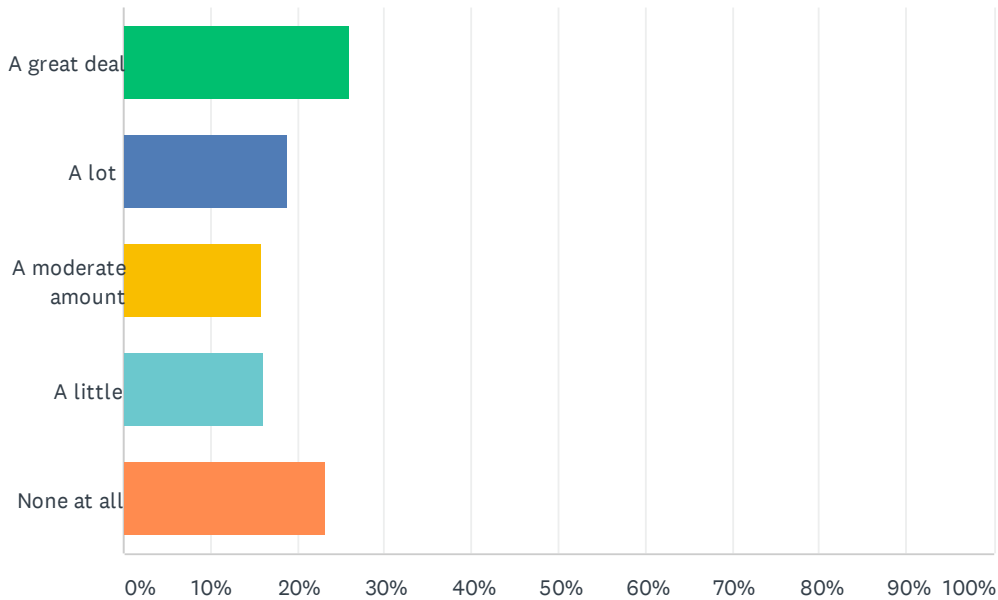
Answered: 452 Skipped: 18



ANSWER CHOICES	RESPONSES	
A great deal	32.52%	147
A lot	17.92%	81
A moderate amount	24.12%	109
A little	18.14%	82
None at all	7.30%	33
TOTAL		452

Q19 To what extend do you think Southold Town Police are held accountable to the same laws and regulations that community members must follow?

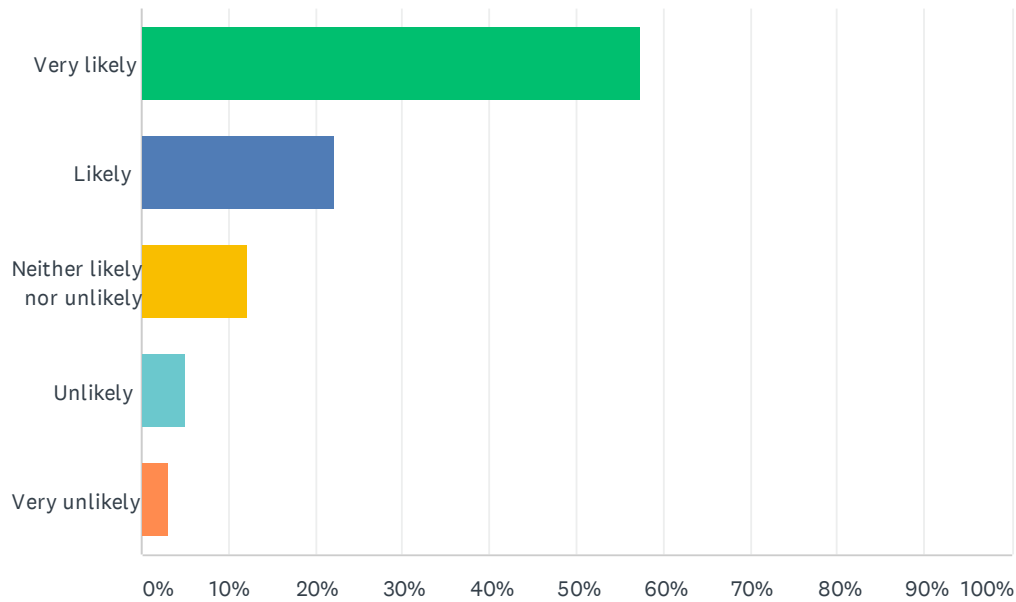
Answered: 460 Skipped: 10



ANSWER CHOICES	RESPONSES	
A great deal	25.87%	119
A lot	18.91%	87
A moderate amount	15.87%	73
A little	16.09%	74
None at all	23.26%	107
TOTAL		460

Q20 How likely would you be to call the police to report suspicious or criminal activity in your neighborhood?

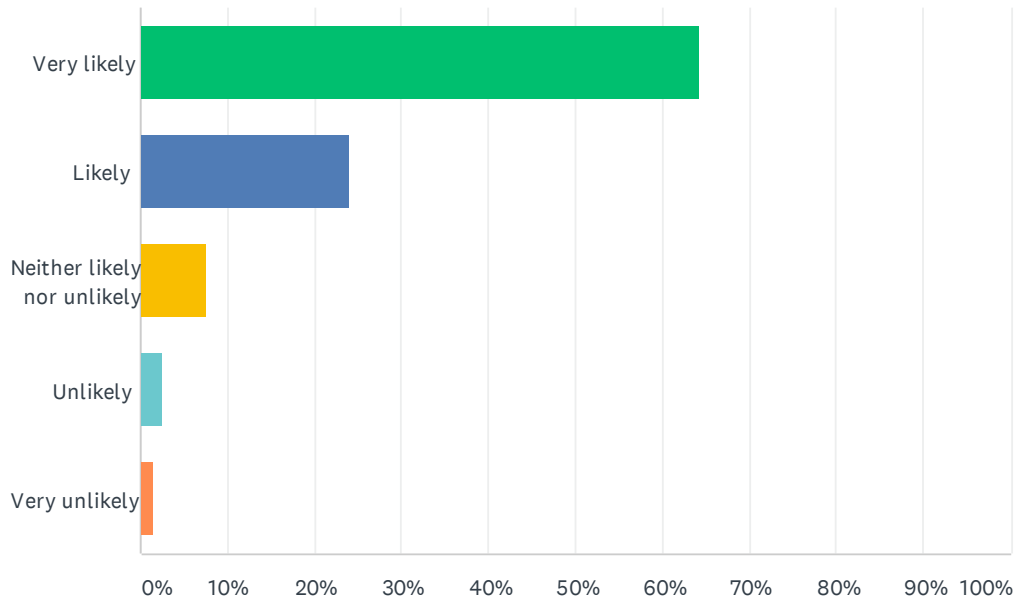
Answered: 467 Skipped: 3



ANSWER CHOICES	RESPONSES	
Very likely	57.39%	268
Likely	22.27%	104
Neither likely nor unlikely	12.21%	57
Unlikely	4.93%	23
Very unlikely	3.21%	15
TOTAL		467

Q21 How likely would you be to call the Police if you needed help?

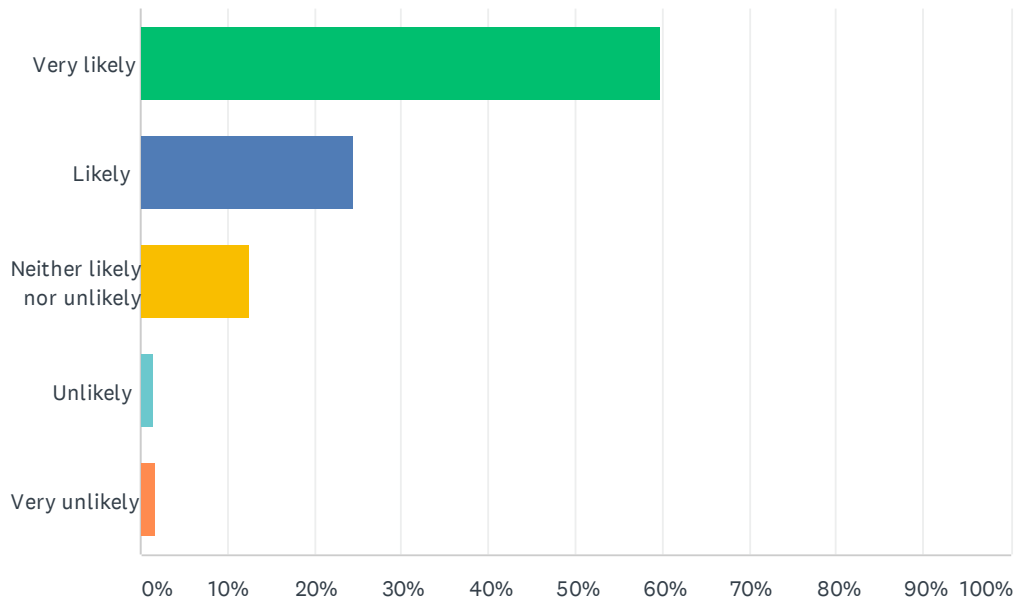
Answered: 465 Skipped: 5



ANSWER CHOICES	RESPONSES	
Very likely	64.30%	299
Likely	24.09%	112
Neither likely nor unlikely	7.53%	35
Unlikely	2.58%	12
Very unlikely	1.51%	7
TOTAL		465

Q22 How likely would you be to provide information to help the Police find someone suspected of committing a crime?

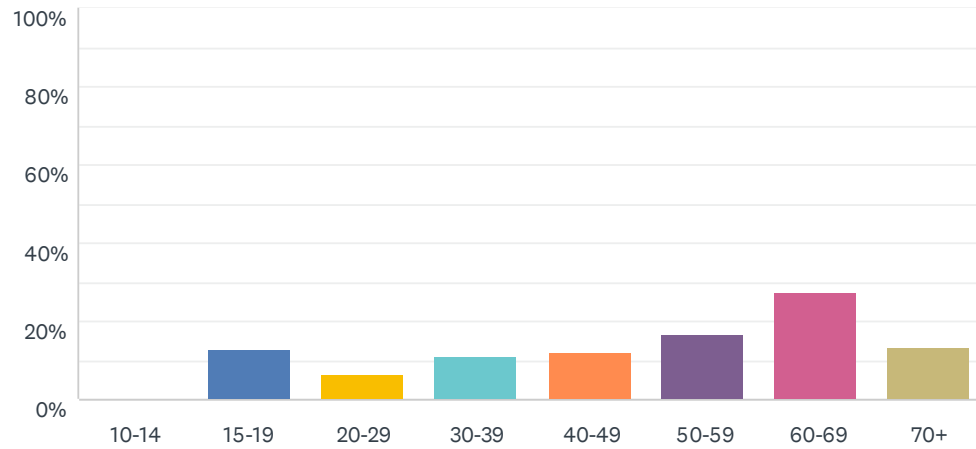
Answered: 463 Skipped: 7



ANSWER CHOICES	RESPONSES	
Very likely	59.83%	277
Likely	24.41%	113
Neither likely nor unlikely	12.53%	58
Unlikely	1.51%	7
Very unlikely	1.73%	8
TOTAL		463

Q23 What is your age?

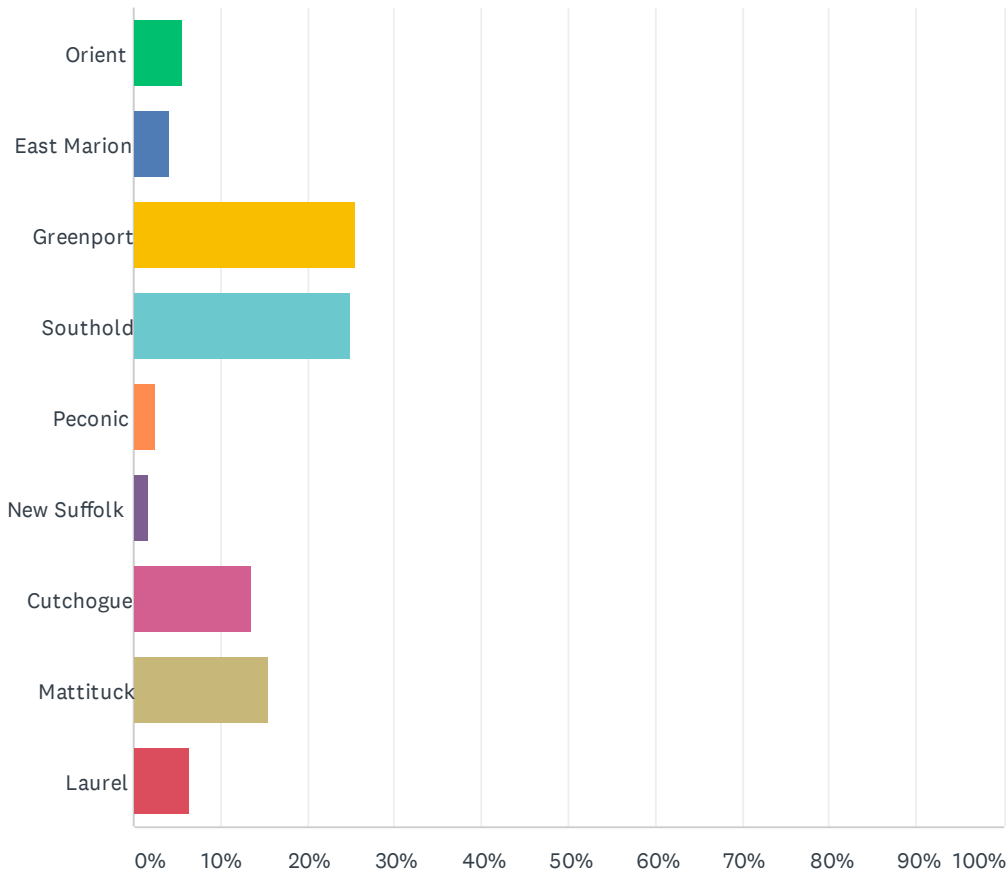
Answered: 462 Skipped: 8



ANSWER CHOICES	RESPONSES	
10-14	0.00%	0
15-19	13.20%	61
20-29	6.49%	30
30-39	11.26%	52
40-49	11.90%	55
50-59	16.67%	77
60-69	27.27%	126
70+	13.42%	62
Total Respondents: 462		

Q24 Where in Southold do you live?

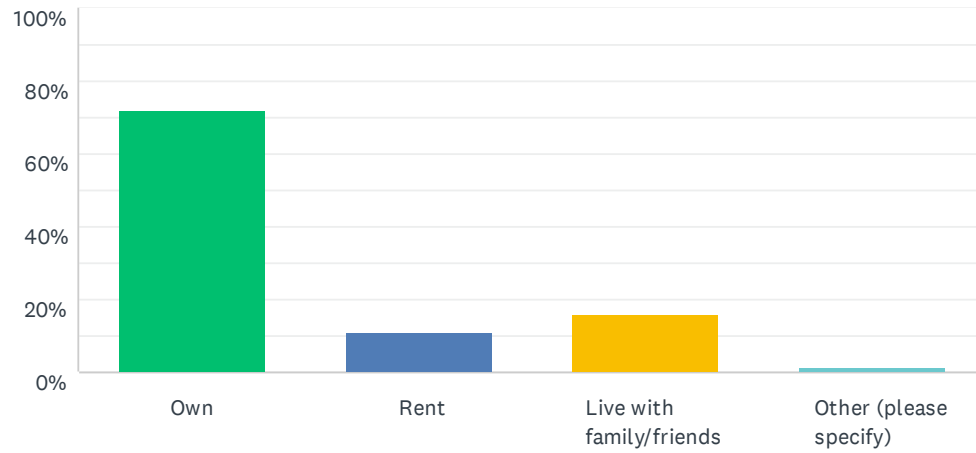
Answered: 453 Skipped: 17



ANSWER CHOICES	RESPONSES	
Orient	5.74%	26
East Marion	4.19%	19
Greenport	25.61%	116
Southold	24.94%	113
Peconic	2.43%	11
New Suffolk	1.77%	8
Cutchogue	13.69%	62
Mattituck	15.45%	70
Laurel	6.40%	29
Total Respondents: 453		

Q25 Do you own or rent your home?

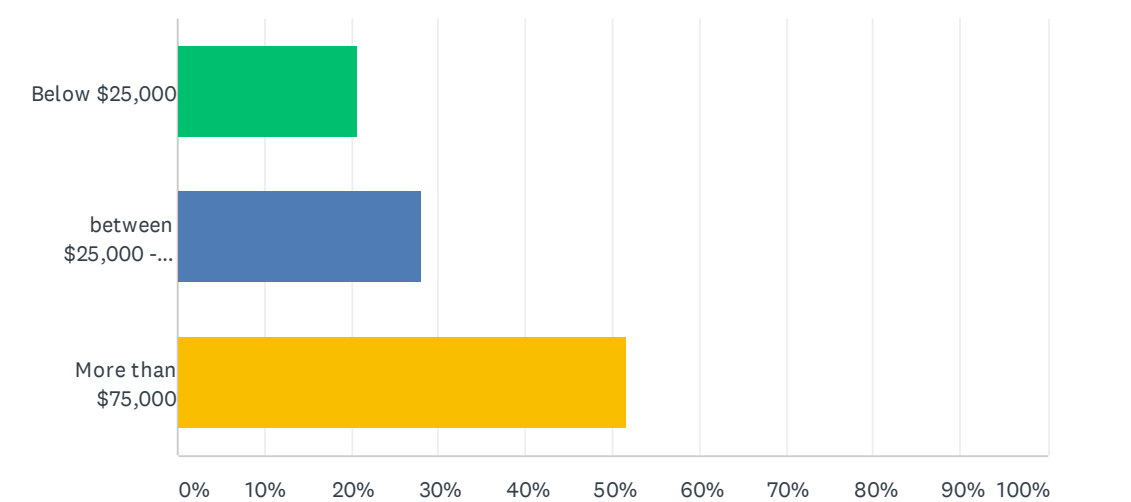
Answered: 454 Skipped: 16



ANSWER CHOICES	RESPONSES	
Own	72.03%	327
Rent	10.79%	49
Live with family/friends	15.86%	72
Other (please specify)	1.32%	6
TOTAL		454

Q26 What is your personal estimated income?

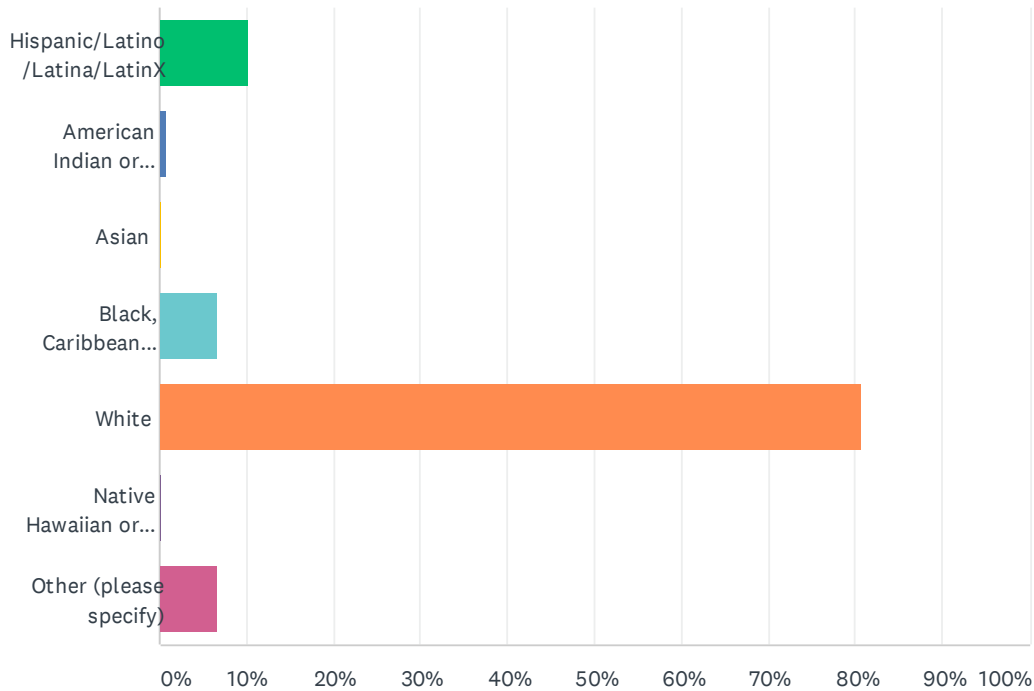
Answered: 407 Skipped: 63



ANSWER CHOICES	RESPONSES	
Below \$25,000	20.64%	84
between \$25,000 - \$75,000	28.01%	114
More than \$75,000	51.60%	210
Total Respondents: 407		

Q27 How do you identify yourself (please check all that apply)

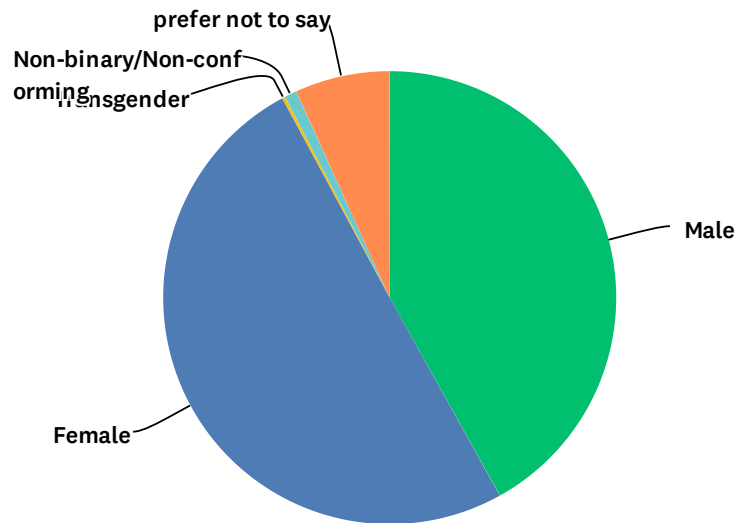
Answered: 440 Skipped: 30



ANSWER CHOICES	RESPONSES	
Hispanic/Latino/Latina/LatinX	10.23%	45
American Indian or Alaskan native	0.91%	4
Asian	0.23%	1
Black, Caribbean American or African American	6.59%	29
White	80.68%	355
Native Hawaiian or Other Pacific Islander	0.23%	1
Other (please specify)	6.59%	29
Total Respondents: 440		

Q28 How do you identify yourself?

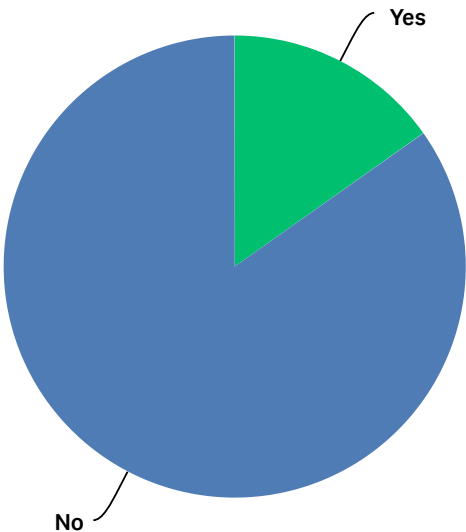
Answered: 458 Skipped: 12



ANSWER CHOICES	RESPONSES	
Male	41.92%	192
Female	50.22%	230
Transgender	0.22%	1
Non-binary/Non-conforming	0.87%	4
prefer not to say	6.77%	31
TOTAL		458

Q29 Are you a member of the LGBTQ+ Community

Answered: 434 Skipped: 36



ANSWER CHOICES	RESPONSES	
Yes	15.21%	66
No	84.79%	368
TOTAL		434

SOUTHOLD POLICE DEPARTMENT SURVEY

Through this **COMPLETELY ANONYMOUS SURVEY**, the Southold Justice Review & Reform Task Force is seeking to ensure that we have an understanding of key local issues that might impact Police efficiency and/or effectiveness. We want to hear from you about what you believe you need to do to be your best as police officers and what the Southold Police Department needs in order to both support you in doing so and enable ours to be the best department for all of Southold Town's communities. You may skip any that you feel uncomfortable responding to.

1. Please indicate the degree to which you **AGREE/DISAGREE with the statements below**

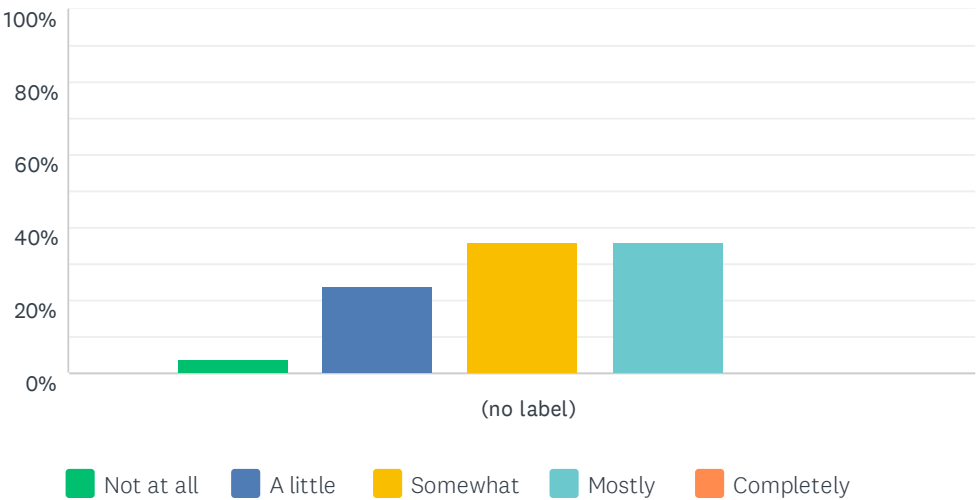
	Not at all	A little	Somewhat	Mostly	Completely
I believe that the Southold Police Department is the best we can be					
"Management" supports the officers so that we can excel in our roles					
Officers in the Southold Police Department are held accountable when necessary					
Given the challenges of 24/7 staffing/shift work, I believe the Southold Police Department does a good job of balancing the needs of the officers with the demands of the job					
I believe there is justification for community mistrust of the Southold Police Department					
If I were to seek professional assistance, such as EAC (Employee Assistance Program), it would be held against me in my career					
Current Southold Police Department policies and practices are sufficient to meet the needs of the diverse communities in the township (race/gender/language/ethnicity/religion/culture/identity/sexual identity)?					

2. How often, if at all, does your work as a police officer in Southold make you feel...

	Always	Usually	Sometimes	Hardly ever	Never
Fulfilled					
Frustrated					
Well prepared					
Unprepared					
Proud					

Q1 Please indicate the degree to which you AGREE/DISAGREE with the following statement:I believe that our department is the best we can be

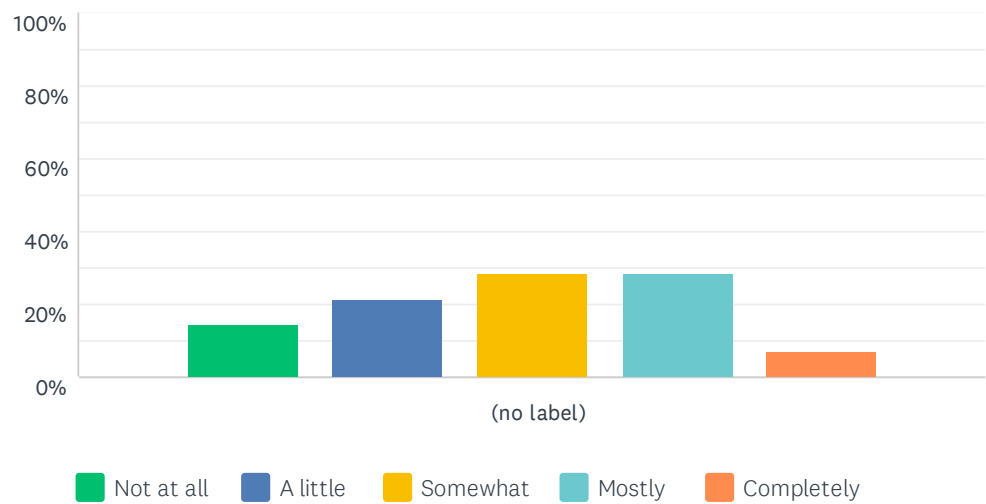
Answered: 25 Skipped: 5



	NOT AT ALL	A LITTLE	SOMEWHAT	MOSTLY	COMPLETELY	TOTAL	WEIGHTED AVERAGE
(no label)	4.00%	24.00%	36.00%	36.00%	0.00%	25	3.04
	1	6	9	9	0		

Q2 Please indicate the degree to which you AGREE/DISAGREE with the following statement:"Management" supports the officer so that we can excel

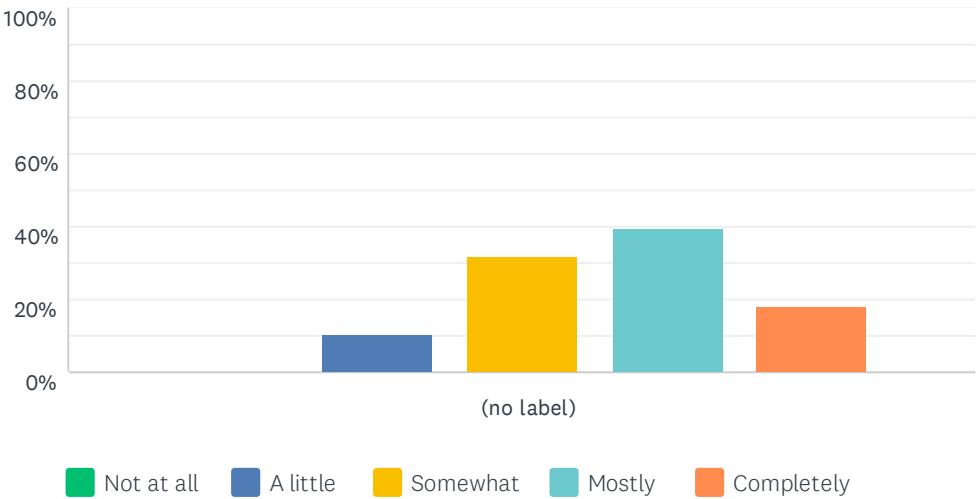
Answered: 28 Skipped: 2



	NOT AT ALL	A LITTLE	SOMEWHAT	MOSTLY	COMPLETELY	TOTAL	WEIGHTED AVERAGE
(no label)	14.29%	21.43%	28.57%	28.57%	7.14%	28	2.36
	4	6	8	8	2		

Q3 Please indicate the degree to which you AGREE/DISAGREE with the following statement:Officers in our department are held accountable when necessary

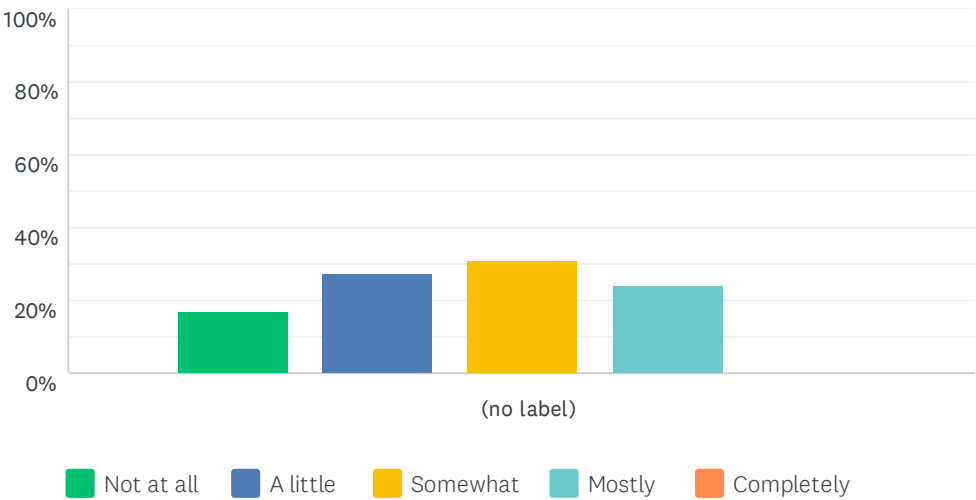
Answered: 28 Skipped: 2



	NOT AT ALL	A LITTLE	SOMEWHAT	MOSTLY	COMPLETELY	TOTAL	WEIGHTED AVERAGE
(no label)	0.00%	10.71%	32.14%	39.29%	17.86%	28	3.64
	0	3	9	11	5		

Q4 Please indicate the degree to which you AGREE/DISAGREE with the following statement: Given the challenges of 24/7 staffing/shift work, I believe our department does a good job of balancing the needs of the officers with the demands of the job

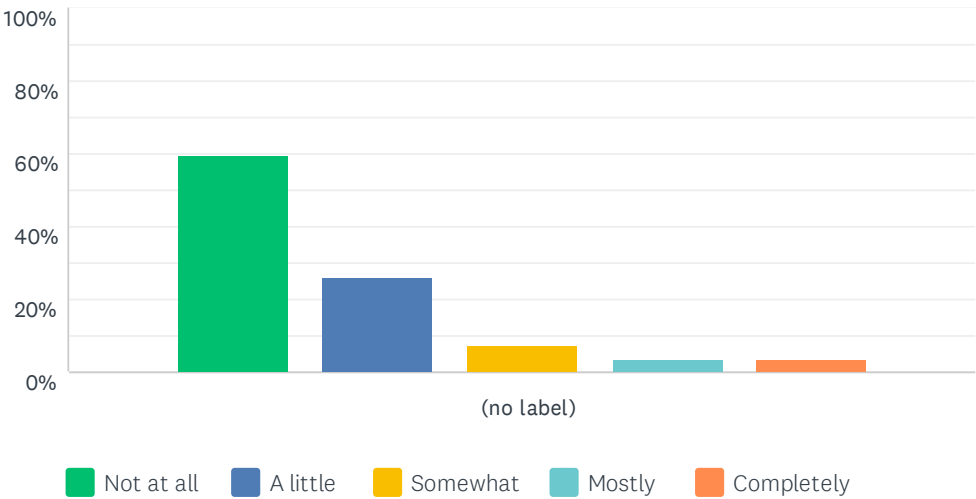
Answered: 29 Skipped: 1



	NOT AT ALL	A LITTLE	SOMEWHAT	MOSTLY	COMPLETELY	TOTAL	WEIGHTED AVERAGE
(no label)	17.24% 5	27.59% 8	31.03% 9	24.14% 7	0.00% 0	29	2.62

Q5 Please indicate the degree to which you AGREE/DISAGREE with the following statement:I believe there is justification for community mistrust of the department

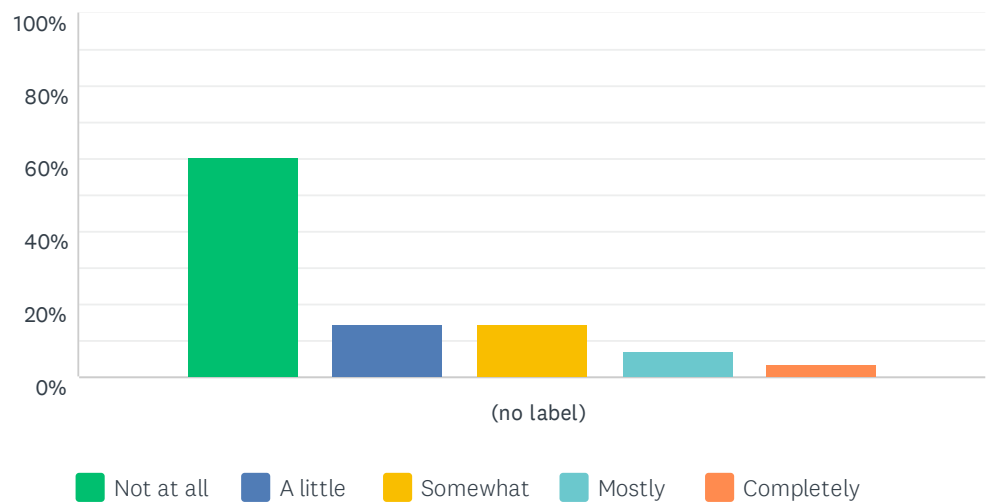
Answered: 27 Skipped: 3



	NOT AT ALL	A LITTLE	SOMEWHAT	MOSTLY	COMPLETELY	TOTAL	WEIGHTED AVERAGE
(no label)	59.26%	25.93%	7.41%	3.70%	3.70%	27	1.67
	16	7	2	1	1		

Q6 Please indicate the degree to which you AGREE/DISAGREE with the following statement:If I were to seek professional assistance/counseling, it would be held against me in my career

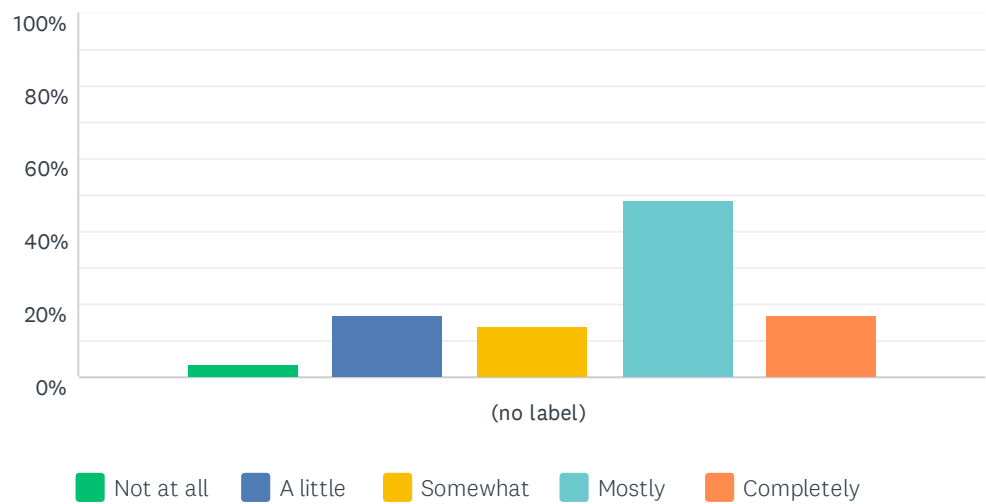
Answered: 28 Skipped: 2



	NOT AT ALL	A LITTLE	SOMEWHAT	MOSTLY	COMPLETELY	TOTAL	WEIGHTED AVERAGE
(no label)	60.71% 17	14.29% 4	14.29% 4	7.14% 2	3.57% 1	28	1.79

Q7 Please indicate the degree to which you AGREE/DISAGREE with the following statement:Current department policies and practices are sufficient to meet the needs of the diverse communities in the township

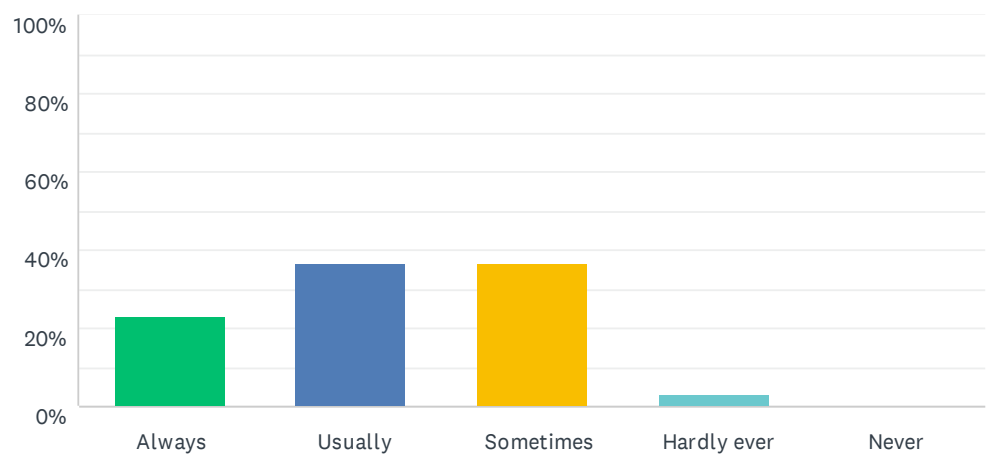
Answered: 29 Skipped: 1



	NOT AT ALL	A LITTLE	SOMEWHAT	MOSTLY	COMPLETELY	TOTAL	WEIGHTED AVERAGE
(no label)	3.45%	17.24%	13.79%	48.28%	17.24%	29	3.59
	1	5	4	14	5		

Q8 How often, if at all, does your work as a police officer in Southold make you feel FULFILLED

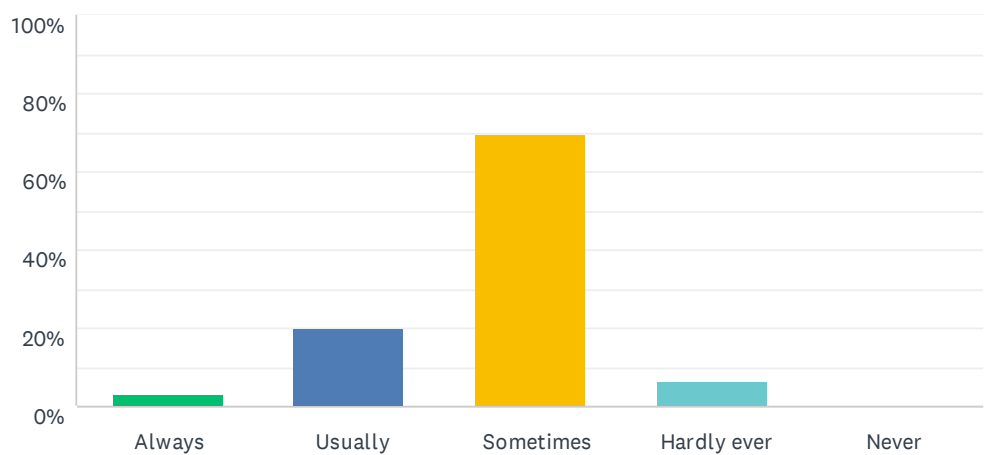
Answered: 30 Skipped: 0



ANSWER CHOICES	RESPONSES	
Always	23.33%	7
Usually	36.67%	11
Sometimes	36.67%	11
Hardly ever	3.33%	1
Never	0.00%	0
TOTAL		30

Q9 How often, if at all, does your work as a police officer in Southold make you feel FRUSTRATED

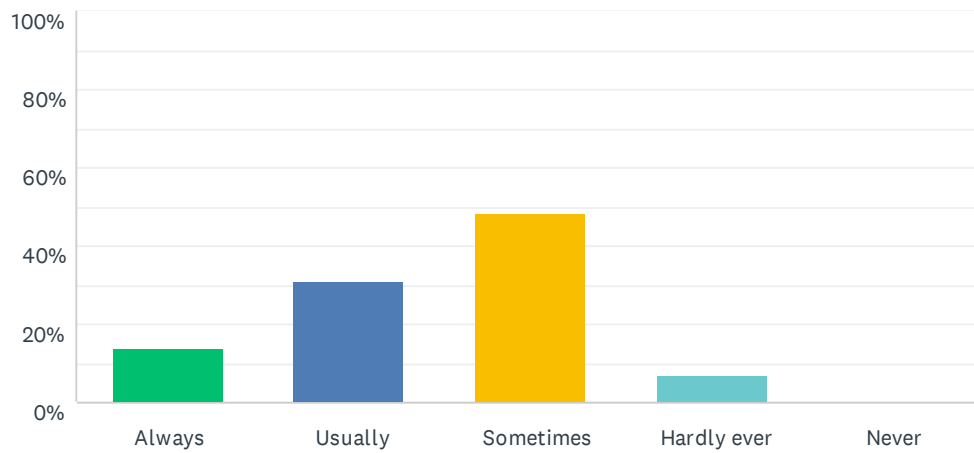
Answered: 30 Skipped: 0



ANSWER CHOICES		RESPONSES	
Always		3.33%	1
Usually		20.00%	6
Sometimes		70.00%	21
Hardly ever		6.67%	2
Never		0.00%	0
TOTAL			30

Q10 How often, if at all, does your work as a police officer in Southold make you feel WELL PREPARED

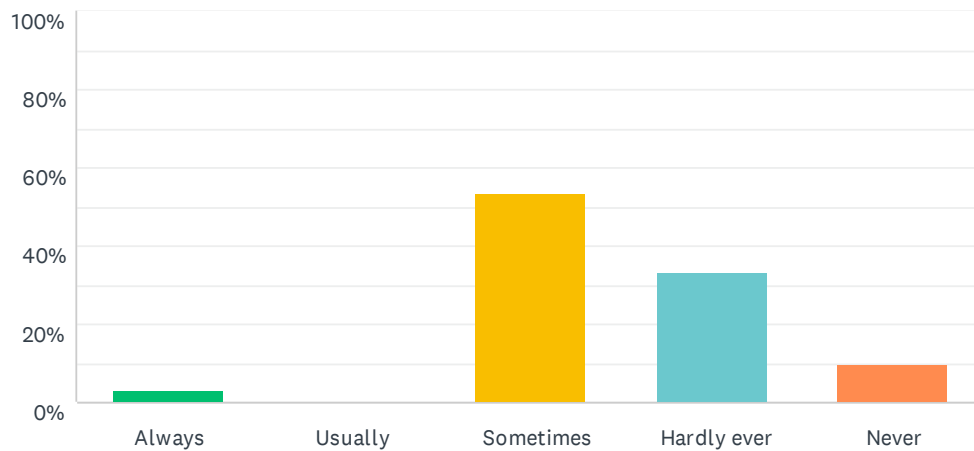
Answered: 29 Skipped: 1



ANSWER CHOICES	RESPONSES	
Always	13.79%	4
Usually	31.03%	9
Sometimes	48.28%	14
Hardly ever	6.90%	2
Never	0.00%	0
TOTAL		29

Q11 How often, if at all, does your work as a police officer in Southold make you feel UNPREPARED

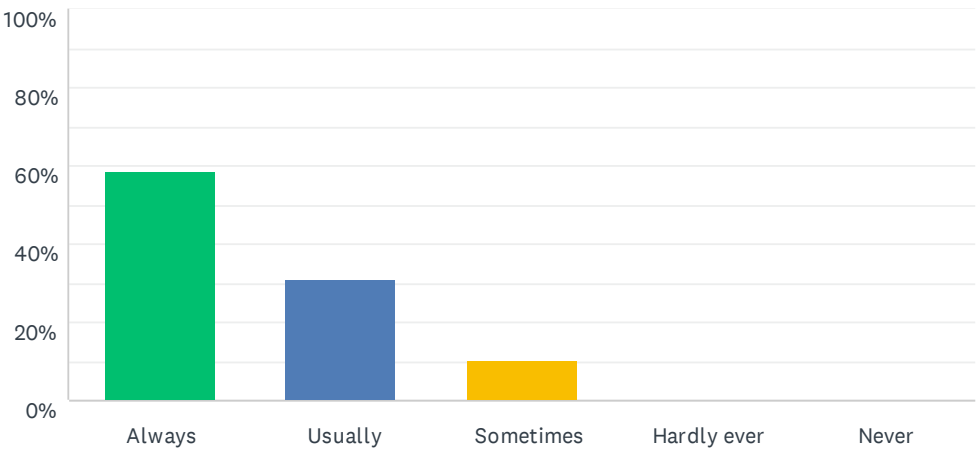
Answered: 30 Skipped: 0



ANSWER CHOICES		RESPONSES	
Always		3.33%	1
Usually		0.00%	0
Sometimes		53.33%	16
Hardly ever		33.33%	10
Never		10.00%	3
TOTAL			30

Q12 How often, if at all, does your work as a police officer in Southold make you feel PROUD

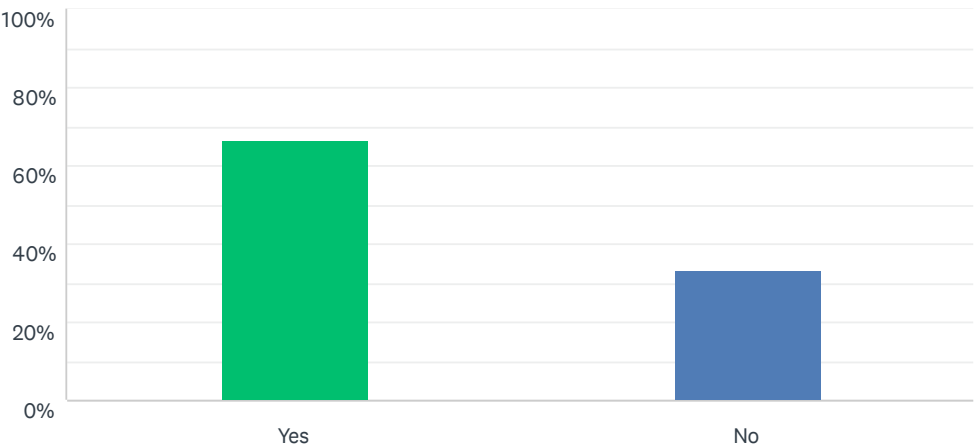
Answered: 29 Skipped: 1



ANSWER CHOICES		RESPONSES	
Always		58.62%	17
Usually		31.03%	9
Sometimes		10.34%	3
Hardly ever		0.00%	0
Never		0.00%	0
TOTAL			29

Q13 Would you utilize Online information about emotional support for police if you knew it were available to promote your well-being?

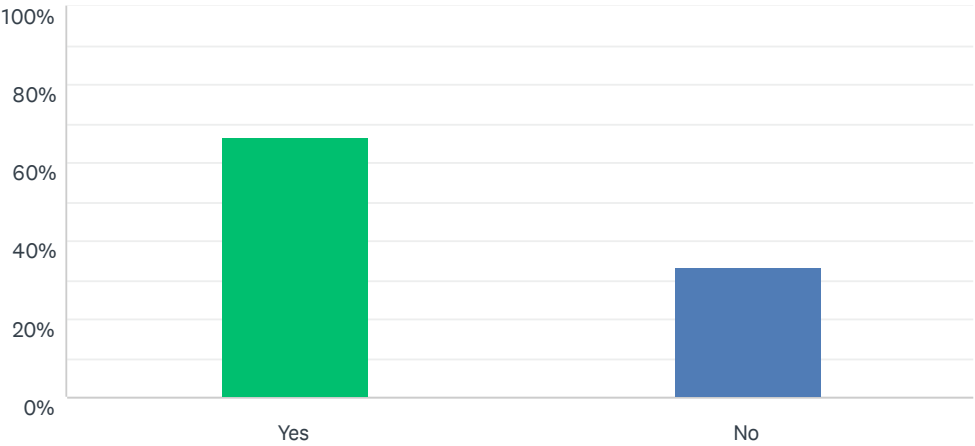
Answered: 30 Skipped: 0



ANSWER CHOICES		RESPONSES	
Yes		66.67%	20
No		33.33%	10
TOTAL			30

Q14 Would you utilize Peer Mentoring if you knew it were available to promote your well-being?

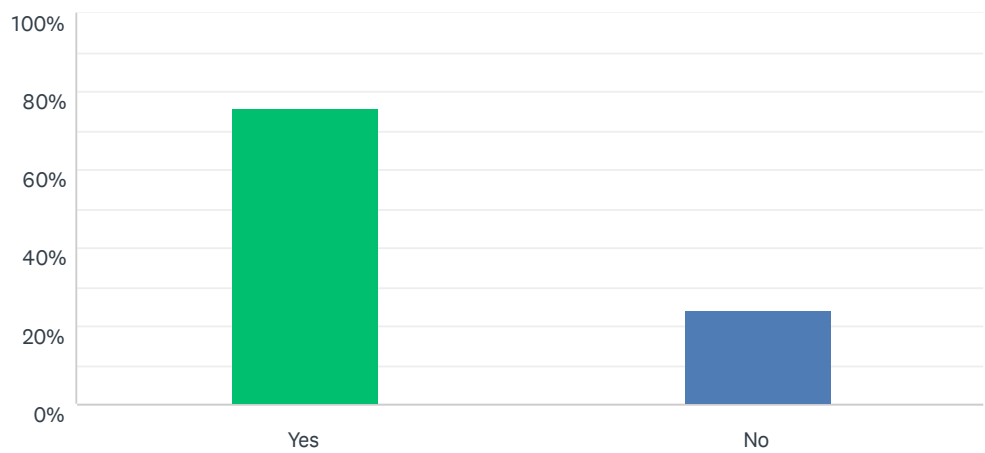
Answered: 30 Skipped: 0



ANSWER CHOICES		RESPONSES	
Yes		66.67%	20
No		33.33%	10
TOTAL			30

Q15 Would you utilize Employee Assistance Program (EAP) if you knew it were available to promote your well-being?

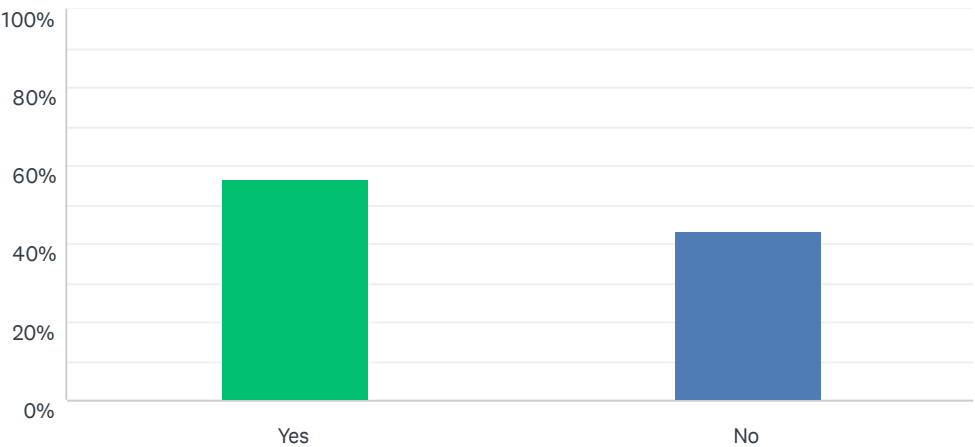
Answered: 29 Skipped: 1



ANSWER CHOICES		RESPONSES	
Yes		75.86%	22
No		24.14%	7
TOTAL			29

Q16 Would you utilize Confidential therapy/Counseling via Zoom if you knew it were available to promote your well-being?

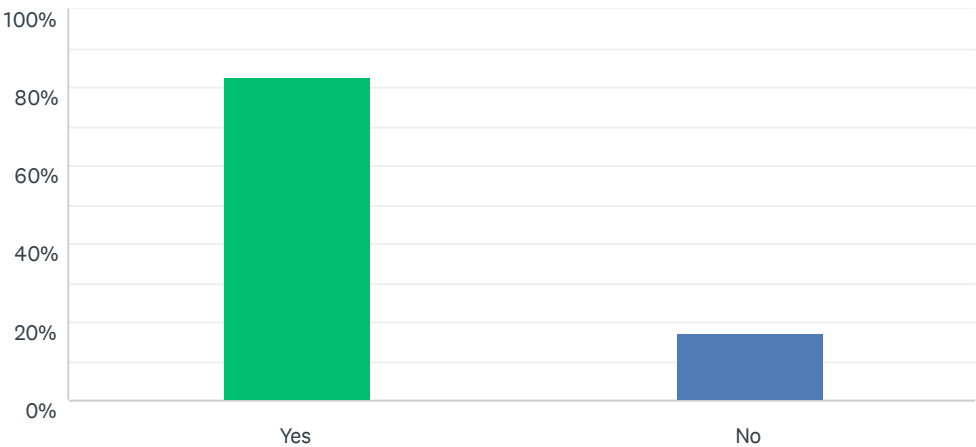
Answered: 30 Skipped: 0



ANSWER CHOICES		RESPONSES	
Yes		56.67%	17
No		43.33%	13
TOTAL			30

Q17 Would you utilize Critical Incident Stress Debriefing if you knew it were available to promote your well-being?

Answered: 29 Skipped: 1



ANSWER CHOICES		RESPONSES	
Yes		82.76%	24
No		17.24%	5
TOTAL			29

Dates of Community Outreach

Outreach	Date
Individual Interviews	October 1st 2020- January 18th 2021
Press Conference	November 16th 2020
Community Survey	November 16th 2020- February 13th 2021
SYNERGY Meeting	November 18th 2020
Public Listening Session 1	December 3rd 2020
Public Listening Session 2	December 5th 2020
Public Listening Session 3	December 22nd 2020
Police Listening Session	January 4th 2021
Public Listening Session 4	January 14th 2021
Police Survey	January 21st 2021-January 25th 2021
Greenport High School Classes	January 25th 2021
Mattituck High School Classes	February 11th 2021



Join us for a press conference
introducing the

SOUTHOLD JUSTICE REVIEW & REFORM TASK FORCE

NOVEMBER 16, 2020

2:00PM

ZOOM MEETING ID: 957 9539 3837

PASSWORD: 123

Southold Community members are
joining with the town to ensure our
justice system is equitable for all.

We need to hear from you!

SHARE YOUR EXPERIENCES & LEARN MORE AT

[SOUTHOLDJUSTICETF.ORG](https://southoldjusticetf.org)



**Southold Justice
Review & Reform Task Force
Public Listening Session**

Topic:
ROLE OF POLICE
IN THE TOWN OF SOUTHOLD

**January 14th
6:00pm-8:00pm**

**www.southoldjusticetf.org
for the Zoom link**



**Southold Justice
Review & Reform Task Force
WANTS TO HEAR YOUR VOICE!**

to share, you can...

- Take our **ANONYMOUS** survey
- Call us at **(631) 771-0828**
- Fill out an **ANONYMOUS** feedback form
- Email us at
southoldjusticetf@gmail.com

To share your experiences, visit our website!

www.southoldjusticetf.org

  @southoldjusticetf20



THE SOUTHOLD JUSTICE REVIEW
& REFORM TASK FORCE

**NEEDS TO
HEAR FROM
YOU.**

LISTENING SESSIONS
VIA ZOOM:

DEC 3: 7-9PM

DEC 5: 3-5PM

DEC 22: 6-8PM

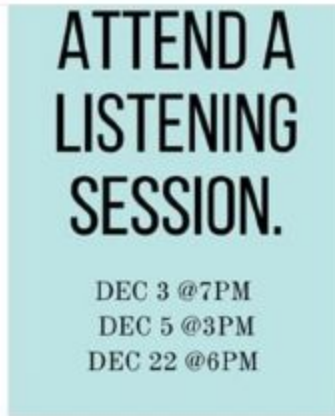
ALL SOUTHOLD TOWN RESIDENTS ARE
ENCOURAGED TO TAKE OUR **ANONYMOUS
SURVEY**, AND TO JOIN US FOR A **LISTENING
SESSION** TO SHARE YOUR EXPERIENCE WITH
THE SOUTHOLD TOWN POLICE DEPARTMENT.



Learn about our mission at SoutholdJusticeTF.org



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Southold Justice Review & Reform Task Force

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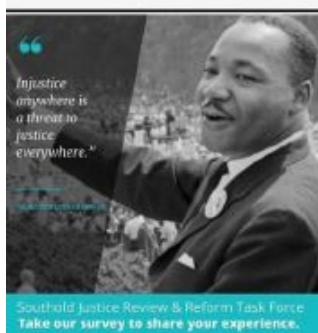
Southold Justice Review & Reform Task Force

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Important Links: <https://linktr.ee/SoutholdJusticetf20>
southoldjusticetf.org/survey-enquesta

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Story Highlights ▾



Anonymous Community Feedback

Please utilize this space to tell us your experience(s) with policing in the Town of Southold: *

What is something you would like to see more or less of from Southold Police?

