



# Town of Stony Point Police Department

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## NYS POLICE REFORM AND REINVENTION COLLABORATIVE



*"The ability of the police to perform their duties is dependent upon public approval of police existence, actions, behavior and the ability of the police to secure and maintain public respect."*

**Sir Robert Peel**

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**The Town of Stony Point**  
**Police Reform & Reinvention Collaboration**  
**Draft Plan for Public Review & Comment**

## **Introduction**

The Town of Stony Point and its police department is participating in the New York State Police Reform and Reinvention Collaboration process as ordered by the Governor in June of 2020. During this process, a stakeholder's group of residents, business owners, clergy, etc. was assembled and have been meeting to discuss the various topics for consideration laid out by the Governor in his executive order. This group is made up of men and women from different racial, ethnic, and religious backgrounds and represent various aspects of our community, such as our senior citizens, business owners, parents, grandparents, boy scout leader, 4 different churches, former law enforcement, people with disabilities, an attorney, a member of the North Rockland Central School District Board of Education, educators, a member of the volunteer fire department and other organizations. The group of stakeholders, our Town Supervisor, Police Chief, and a panel from the police department worked together to review, approve or recommend changes to existing strategies, policies, procedure, and practices, of the Stony Point Police Department.

The Governor's executive order "*requires 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 purpose 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.*"

This draft plan represents the collaborative effort of the committee, the Town, the police and most importantly our citizenry, to cover every aspect of the Governor's order, ensuring that current police operations address the needs of this community and its policies, procedures, practices, and training conform with existing state and federal laws and best practices identified by the New York State Department of Criminal Justice Services.

**The Stony Point Police Department wishes to acknowledge the hard work, commitment, and dedication of our volunteer stakeholders, who took time away from their homes, businesses, families, ministries and lives to make our community stronger by further opening the lines of communication between the police and the community we serve. We thank you for collaborating with us and helping our agency succeed in our efforts to better serve the people of Stony Point.**

## **STONY POINT POLICE DEPARTMENT**

The Stony Point Police Department has an authorized strength of thirty full-time officers and five part-time officers in addition to an auxiliary force. However, under the current fiscal constraints facing our Town, our manpower stands at twenty five full time officers and four part time officers. We are supplemented by one full-time and two part-time clerical staff. We are charged with providing law enforcement service for the Town of Stony Point, an area of over twenty square miles. We are a full- service agency that has practiced, “Community Policing” since our inception in 1967.

The mission of the Stony Point Police Department is to provide community-oriented law enforcement designed to maintain order, protect life and property, open lines of communication with the public and promote mutual respect between the Police Department and the people we serve.

The core values that the Stony Point Police Department operate by are:

- **Service**: Responding to all those who need our assistance and meeting or exceeding their expectations.
- **Excellence**: Striving to achieve the highest standards of performance in our profession.
- **Integrity**: Committing ourselves to elevated standards of trust, responsibility and discipline while promoting justice in a fair and impartial manner.
- **Pride**: Maintaining the belief that ours is the most noble of professions as we go about serving the residents of our community.

Our most visible asset is our uniform force that patrols our Township, around the clock, in the traditional black and white patrol cars. In addition to patrol coverage, the uniform force supports our Commercial Vehicle Enforcement Unit, Child Safety Seat program and our Crime Prevention Program.

Our Detective Bureau compliments our uniform force by providing highly trained and seasoned Detectives who are adept at criminal investigations. In addition to their normal cases, the Detective Bureau conducts our Neighborhood Watch, Operation Safeguard and Operation Smart Sales programs.

Our Youth Bureau provides specialized investigation on all cases involving our community’s youth. Our Youth Officer is also responsible for our Youth Court, Police Athletic League, Youth Police Academy and Community Service Programs. The Youth Bureau works in conjunction with the Uniform Force and the Detective Bureau and to ensure the safety of our youth.

Our agency also participates in many “shared services” programs such as Rockland Regional Rescue, Entry and Counterterrorism Team (REACT) and the Rockland Mobile Field Force. Participation in programs such as these allows our agency to provide specialized services to our residents that otherwise might not be possible due to personnel and fiscal constraints.



The Stony Point Police Department is an accredited law enforcement agency certified by the New York State Department of Criminal Justice Services. Accreditation is a progressive and time-proven way of helping institutions evaluate and improve their overall performance. Accreditation provides formal recognition that an institution meets or exceeds general expectations of quality in their field. In essence, accreditation acknowledges the implementation of policies that are conceptually sound and operationally effective.

**The program has 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 of the criminal justice system.
3. To ensure the appropriate training of law enforcement personnel; and
4. To promote public confidence in law enforcement.

**The benefits of accreditation include:**

- Independent confirmation that policies comply with professional standards
- Assurance of fair recruitment, selection and promotion processes
- Diminished vulnerability to civil lawsuits and costly settlements
- Enhanced understanding of agency policies and procedures
- Greater administrative and operational effectiveness
- Greater public confidence in the agency

The men and women of the Stony Point Police Department take great pride in providing our community with the highest level of police services. Their hard work and dedication are evidenced by our community having one of the lowest crime rates for a Township our size in New York State. However, a great deal of what our agency can accomplish is dependent on community participation. We rely on our citizens to be our eyes and ears and to report suspicious activity as it is observed.

Working in partnership with our residents will ensure that Stony Point remains a safe community in the future.

Sincerely,

*Brian J. Moore*

Brian J. Moore  
Chief of Police

## **GOVERNOR CUOMO ANNOUNCES NEW GUIDANCE FOR POLICE REFORM COLLABORATIVE TO REINVENT AND MODERNIZE POLICING**

Guidance Offers Framework, Resources for 'New York State Police Reform and Reinvention Collaborative' Established by Governor's Executive Order in June; Localities Must Adopt a Plan by April 1, 2021, to Be Eligible for Future State Funding. The Governor Issued a Letter to 500 Jurisdictions with Police Departments in the State.

*The NYSACOP leadership group will be meeting to discuss how we can best assist our membership with this mandate. This letter and the accompanying "Resources & Guide for Public Officials and Citizens" is also available at [www.nychiefs.org](http://www.nychiefs.org) under the "Police Reform Info" tab.*

"Resources & Guide for Public Officials" is available [Here](#)

Governor Andrew M. Cuomo today announced new guidance for the New York State Police Reform and Reinvention Collaborative, which was established by the Governor's Executive Order in June. The guidance offers a framework and topics for consideration by local police departments, elected officials and citizens as they develop their local plans for reform. Per the Governor's Executive Order, every locality must adopt a plan for reform by April 1, 2021 to be eligible for future state funding. The Governor also issued a letter to 500 jurisdictions with police departments in New York State.

Today's guidance builds on the Governor's actions following the death of George Floyd. Earlier this year, Governor Cuomo signed into law a series of reform policy items - called the "Say Their Name" agenda - including allowing for transparency of prior disciplinary records of law enforcement officers by reforming 50-a of the civil rights law; banning chokeholds by law enforcement officers; prohibiting false race-based 911 reports and making them a crime; and designating the Attorney General as an independent prosecutor for matters relating to the deaths of unarmed civilians caused by law enforcement.

***The full text of the Governor's letter is below:***

Dear Chief Executives, Police Chiefs, and Sheriffs:

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 elected 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.

## What Function 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”. 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.

**Response:** The mission of the Stony Point Police Department is to provide community oriented law enforcement designed to maintain order, protect life and property, open lines of communication with the public and promote mutual respect between the Police Department and the people we serve.

### Core Values

The core values that the Stony Point Police Department will operate by are:

- Service: Responding to all those who need our assistance and meeting or exceeding their expectations.
- Excellence: Striving to achieve the highest standards of performance in our profession.
- Integrity: Committing ourselves to elevated standards of trust, responsibility and discipline while promoting justice in a fair and impartial manner.
- Pride: Maintaining the belief that ours is the most noble of professions as we go about serving the residents of our community.

## How Should the Police and the Community Engage With Each Other?

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,” 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. 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. 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. Implementing procedural justice principles helps the community trust that officers are honest and acting with just and lawful intentions. The community, 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.

**Response:** The Stony Point Police Department engages with our community in a number of non-traditional ways. It has always been our mission to interact with the public in times other than calls for service, so that we are interacting on a personal level and have time to speak with members of the community. Over the years we have established several community events that have become part of who we are. We hold a Senior Brunch annually in December, a Fall Festival and Family Day annually in September, a Veterans Picnic annually in October, a Father’s Day Fishing event annually in June, just to name a few. It has always been the mantra of our department to be a community oriented police department and we take pride in our community and serve all community members with respect and dignity. This strong sense of community first, shows in our interaction with people when we respond to calls for service, by showing respect and compassion when necessary.

## **Determining the Role of the Police**

### **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?  
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?

**Response:** Like most police agencies the Stony Point Police Department responds to all kinds of calls for service, including auto accidents, medical calls, fire calls, domestic incidents, larcenies, assaults, etc. We also enforce vehicle and traffic laws which may be our most frequent interaction with the public. Our 911 calls can be any of hundreds of types of calls and they come directly into our police station where they are answered by an officer who dispatches our patrol officers directly. Our officers interact with our community members frequently on both a business and personal level, and due to our strong sense of community, our complaints against police officers are rare. On the rare occasion that a complaint against an officer is received it is often from someone who was not happy about receiving a traffic summons or someone arrested for a minor offense.

## **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. 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 deescalating scenarios involving a person with mental illness. An analysis of this program found that it provided patients with a “safe environment” and an “open and safe place for dialogue.” 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. 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. 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. 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. 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 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. 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?

**Response:** Stony Point Police respond to your typical law enforcement related calls as well as calls for service for auto accidents, civil disputes, hazardous conditions, etc. We also respond to all EMS and Fire related calls in our jurisdiction, since our ambulance and fire services are volunteer and may have a longer response time. Our officers carry fire extinguishers and medical equipment, and they are CPR and first aid trained. All medical bags carry Narcan, for use during overdose events, so that we can assist prior to fire or EMS arrival. Our officers often respond with our Mental Health partners of BHRT (Behavioral Health Response Team) to calls for assistance involving those in mental crisis or in need of mental health assistance. The BHRT team will assess and make a determination of what is needed at the time and the aided person can be transported to Nyack Hospital for mental health evaluation in acute instances or they may be left home to follow up with personal doctors, based on BHRT's evaluation. Our department will assist our citizens, alongside other agencies, with the health and safety of those we serve in mind. Our department will also be working with the Rockland County Office of Mental Health to obtain posters or placards that we can provide to our local businesses to display in their stores as well as adding this information to our web page. Our department will also work with the Office of Mental Health to see if a second BHRT team could be created in Rockland County with funding from the State or Federal government.

## **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:

- **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. 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 York City Council and the Department of Probation that focuses on life skills and educational advancement.
- **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.
- **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.
- **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. Eighty-one percent had been shot or shot at, and “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.

**Response:** Stony Point is a small community of approximately 15,500 residents comprised of predominantly single-family homes and gun violence is rare. Programs targeting gun violence would not be warranted here since the programs mentioned would not necessarily serve the needs of our community since the problems they would address are non-existent or nearly non-existent.

## **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?

**Response:** The Stony Point Police Department does not currently employ dispatchers. Our desk is manned 24/7 by a police officer. We route calls for Fire and EMS. When we did employ dispatchers, they were hired from a Civil Service list and trained accordingly.

## **Should Law Enforcement Have a Presence in Schools?**

School 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. 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.” 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 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.

**Response:** The Stony Point Police Department had SRO/DARE officers in our middle school in the past. Due to budgeting and manpower drawbacks our program was discontinued. Our officers were stationed in the school to assist students and teachers, to teach DARE education, and to provide safety to the school’s students, teachers and staff. Our presence in the school was not to make arrests or to get involved in disciplinary actions, and our memorandum of understanding

clearly stated our officer's role. Our committee meetings have raised questions regarding the re-introduction of the SRO program. We talked about the success of our SRO/DARE programs before they were cut and all in attendance agreed that the benefits of having an officer in the schools was a success in all aspects. Our department has even hired officers who went through our DARE program and had interactions with our SRO's while they were in school and they remember the positive environment it created. We discussed how it could be funded, what qualifications would be needed, if retired police officers could be hired based on their past training, etc. The ground-work has been set for the Police Department, the Town and the School District to discuss options in the future with the hope of getting officers back in our schools.

## **Staffing, Budgeting & Equipping Your Police Department**

### **What are the Staffing Needs of the Police Department the Community Wants? Should Components of the Police Department Be Civilized?**

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

**Response:** After our dispatchers were removed from our budget, it became necessary for police officers to perform the desk duty assignment previously performed by the dispatchers. If dispatchers were added into our budget, then these police officers would be available to perform patrol duties. Other than the performance of desk duty, which could be done by dispatchers from a civil service list, the Stony Point Police Department has no sworn police officers performing duties that could be performed by civilian employees.

### **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. Consider the following:

- How should your police force conduct crowd control activities?
- 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.

**Response:** The Stony Point Police Department utilizes standard, DCJS approved crowd control tactics and in accordance with agreements between other agencies that may be assisting SPPD. SPPD does not possess or utilize an armored vehicle, grenade launchers or bayonets.

## **Employing Smart and Effective Policing Standards and Strategies**

### **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." 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:

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.

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 buying 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.

**Response:** The Stony Point Police Department does not utilize tactics or strategies that put our community or its residents at risk.

## **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.

“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. 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.

Indeed, the NYPD’s use of Stop and Frisk was determined to be unconstitutional by a federal judge in 2013. 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 of weapons and contraband, arrests made or summonses issued, from African Americans and Latinos was actually 8% lower than that for Whites. 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.” 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.

**Response:** The Stony Point Police Department does not engage in Stop and Frisk or Broken Windows Strategies. However, we recognize the desire for transparency on these issues. The committee recommends the NYS legislature and Governor along with the Commissioner of Motor Vehicle should either pass legislation or adopt into regulation a requirement of DMV to collect race, gender, national origin, and other such data from a driver license applicant. This data could then be collected by scanning a person’s driver license and then electronically reported to the state via the NYS TRACS program, already in use by police departments statewide.

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

**Response:** The Stony Point Police Department does not engage in racial/ethnic profiling.

## 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. 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.

**Response:** Chokeholds are prohibited by the Stony Point Police Department, unless it is a deadly force situation and no other force options are available. **SPPD General Order 413, IV, G, 1 e;**

Choke holds are only authorized when officers reasonably believe there is an imminent threat of serious physical injury or death to an officer or other person, and no other force options may be available.

## 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. In several instances, DOJ has required police departments to adopt formal policies prohibiting the use of force for retaliatory or punitive reasons.

**Response:** The Stony Point Police Department is a NYS Accredited Agency and has adopted the NYS DCJS model policy on use of force. Stony Point Police Officers must follow the use of force procedures established in SPPD General Order 413. **General Order 413, IV, A, 1 thru 7;**

### PROCEDURE

#### A. General

1. Officers must be aware that each individual situation will dictate the level of force ultimately utilized. Beginning with the officer's presence at the scene, the officer will determine the appropriate level of force to control the situation based upon what is objectively reasonable and meets the guidelines of the Department's "FORCE Options Chart," found in this General Order.
2. In general terms, force is authorized to be used when reasonably believed to be necessary to affect a lawful arrest or detention, prevent the escape of a person from custody, or in defense of one's self or another.

3. Under the 4<sup>th</sup> Amendment, a police officer may use only such force as is “objectively reasonable” under the circumstances. The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene.
4. Use of physical force should be discontinued when resistance ceases or the when the incident is under control.
5. Only issued or approved equipment will be carried on duty and used when applying physical force, except in exigent circumstances when an officer must use any resources at his disposal. The use of the Expandable Baton, Advanced Taser, or Oleoresin Capsicum (“OC Spray”) is considered use of force.
6. Physical force shall not be used against individuals in restraints, except as objectively reasonable to prevent their escape or prevent imminent bodily injury to the individual, the officer, or another person. In these situations, only that amount of force reasonably necessary to control the situation shall be used.
7. Once the scene is safe and as soon as practical, an officer who has custody of a person must provide attention to the medical and mental health needs of a person in their custody and obtain assistance and treatment of such needs, which are reasonable and provided in good faith.
  - a. This includes appropriate and timely medical attention being provided to a party injured as a result of a use of force incident. An officer shall provide appropriate medical care, consistent with his or her training, to any individual who has visible injuries, complains of being injured, or requests first aid. This may include providing first aid, requesting emergency medical services, and/or arranging for transportation to an emergency medical facility.
  - b. The immediate mental health needs of a person shall be based upon the reasonable cause to believe that a person, who appears to be mentally ill, is conducting themselves in a manner which is likely to result in a serious harm to themselves or others.

## **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. 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.

**Response:** When vehicle and traffic violations are observed by Stony Point Police officers, they will conduct a traffic stop based on their observations. They will then respond accordingly by issuing a uniform traffic summons, a written warning or a verbal warning. Officers may stop vehicles in the course of investigations, but the officer will immediately advise the operator of the true reason for the stop.

## **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. 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. Moreover, “the knowledge that quotas exist, and therefore that illegitimate arrests exist, casts an untrusting shadow onto all police activity.” 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 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 fees. 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. 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. While New Yorkers do not face the prospect of arrest for delinquency in paying a traffic violation fine, any discriminatory practice of issuing 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.

**Response:** The Stony Point Police Department does not have quotas for tickets, summonses, or arrests. Officers will enforce all laws, including penal, local and vehicle and traffic laws when



violations are observed. We do not set/issue fines, suspend licenses or issue warrants. These actions are administered by the courts.

## **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. 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 nonviolent offenses.<sup>49</sup> 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.<sup>50</sup> 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.

**Response:** Stony Point Police Department General order 413 regulates shooting at moving vehicles. **General Order 413, IV, G, g and h:**

### **IV. PROCEDURE**

#### **G. Prohibited Uses of Force**

1. Force shall not be used by an officer for the following reasons:

g) Firearms shall not be discharged at moving vehicle unless;

(1) A person in the vehicle is using or threatening the officer or another person with deadly force by means other than the vehicle; or

(2) The vehicle is operated in a manner deliberately intended to strike an officer of another person, and all other reasonable means of defense have been exhausted (or are not present or practical), which includes moving out of the path of the vehicle.

h) Firearms shall not be discharged from a moving vehicle except in exigent circumstances. In these situations, an officer must have an articulable reason for this use of deadly force.

## **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. 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. 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, believing intruders were in the apartment, called 911, and fired his lawfully permitted weapon at the officers. 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.

**Response:** The Stony Point Police Department does not have a SWAT team. When needed for high risk situations we utilize Rockland County REACT, which is manned by members from several different departments from Rockland County Law Enforcement, under the direction of the Rockland County Sheriff's Department. REACT is in essence, a SWAT team, utilizing many of the same tactics and principles. When requested and before a decision is made to activate the REACT team a supervisor from the team reviews a "Threat Assessment" that is completed by the officer requesting the assistance, to see if it meets criteria for deployment.

## **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. 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. 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. Consider additional training of such less-than-lethal weapons by your law enforcement officers.

**Response:** Stony Point Police Officers are trained in the use of all weapons, whether lethal or non-lethal, before they are permitted to carry same. Our officers are trained in the use of pepper spray (capstun), before issuance and trained annually in the use of conducted energy weapons (Tasers).

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

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.

**Response:** The Stony Point Police Department does not use facial recognition and we have no plans to start using facial recognition or to obtain facial recognition technology.

## **Law Enforcement Strategies to Reduce Racial Disparities and Build Trust**

### **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. 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 warning or issuance of a ticket and a fine. 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. 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.

**Response:** Stony Point Police Officers do not have discretion in most instances when an arrest is made. If the offense is a penal law violation, misdemeanor or felony, all offenders are arrested and transported to SPPD where they will be processed and released without bail or arraigned if required. Vehicle and traffic misdemeanors are treated in similar fashion. If the offense is not a printable offense the offender will be issued a simplified traffic information and released on scene. If the offense is a printable offense, i.e.; driving while intoxicated, the offender will be arrested and transported to SPPD for processing and then be released as per Criminal Justice Reform Guidelines.

### **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. 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.

**Response:** Diversion programs have been used by our department for several years. The Rockland County District Attorney's Office, who handles and prosecutes our criminal cases, has employed a domestic violence intervention program as well as drug treatment programs as an alternative to incarceration. On a local level, the Stony Point Police Department has been using "Youth Court" for over 20 years. Youth court is managed by our youth detective who recruits local youth to sit as jurors, judge, prosecutors and defense counsel. When local youth are arrested on violations or minor crimes they can go before the youth court to adjudicate their case. Once adjudicated, the youth charged with the offense will usually receive some community service, counseling and/or other appropriate sentence requirements and will have no permanent record. Those who sit as the judge, jurors, prosecutors and defense counsel also gain a benefit by being introduced to how a trial or hearing would work in the real world.

## **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.

**Response:** The police make an arrest and complete the arrest paperwork, which is then forwarded to Court and the District Attorney's office for prosecution. The police do not govern the adjudication of cases, criminal, civil or otherwise.

## **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.

**Response:** The number of violent crimes in Stony Point is not at a level that would require intervention programs or community assistance at this time. Should a need arise for such a program it could be explored at that time.

## **Hot Spot Policing**

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. 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. 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, 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. 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.

**Response:** The Stony Point Police Department engages in a form of Hot Spot Policing by using information gathered in the regular course of policing, as well as intelligence from outside sources. Locations are identified by gathering intelligence from the community, SPPD officers, support agencies and other law enforcement agencies. Our follow up and presence in the area where a problem has been identified helps build trust, in that the community sees our response to problems they reported, effecting the quality of life in their neighborhoods. We will target these areas with both uniform and non-uniform patrols, and to this point, have not seen any resistance from the community to this type of enforcement.

## **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. 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." When this was introduced in Madison, officers wore shorts and blazers and marched with Vietnam War protesters. 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. 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. 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.

**Response:** De-escalation training is taught in the Rockland County Police Academy and in "In-Service" training as well. De-escalation has been made a part of our use of force policy and is addressed in our department's General order 413. **General Order 413, IV, D; 1-2;**

#### **IV. PROCEDURE**

##### **D. De-Escalation**

1) An officer shall use de-escalation techniques and other alternatives to higher levels of force consistent with his or her training, whenever possible and appropriate, before resorting to force and to reduce the need for the use of force.

2) Whenever possible, and when such delay will not compromise the safety of the officer or another, and will not result in the destruction of evidence. Escape of a suspect, or commission of a crime, an officer shall allow an individual time and opportunity to submit to verbal commands before force is used.

## **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. On March 11, 2020, in response to a physical assault on the basis of race against a woman of Asian- 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." Local law enforcement agencies are required to submit Hate Crime Incident Report forms to the Division of Criminal Justice Services each month. 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?

**Response:** The Stony Point Police Department complies with NYS Executive law 845-t for reporting all hate crimes to DCJS via the “Portal”. In addition to reporting compliance, SPPD General Order 611 addresses policies and procedures for investigating Hate Crimes. **General Order 611, II; POLICY:**

## II. POLICY

It is the policy of Stony Point Police Department to safeguard the state and federal rights of all individuals irrespective of their race, religion, ethnic background, disability or sexual orientation. Any acts or threats of violence, property damage, harassment, intimidation, or other crimes motivated by hate and bias and designed to infringe upon the rights of individuals are viewed very seriously and will be given high priority.

Officers shall be mindful of the potential for reprisal and escalation of violence, and the far-reaching negative consequences of these crimes on the community. All necessary resources will be employed to identify and arrest hate crime perpetrators. A swift and strong response by law enforcement can help stabilize and calm the community as well as aid in a victim’s recovery.

# **Community Engagement**

## **Community Outreach Plans**

A number of law enforcement agencies have developed plans for institutionalizing community engagement. 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. 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.

**Response:** During our Police Reform and Re-invention Collaborative committee meetings it became apparent that even though we have many strong community programs, we had gotten away from the smaller aspects of community relations. We realized that during the coronavirus pandemic and even for a short time prior to the pandemic, we started to neglect the “park, walk

and talk” sessions with our business owners. At least two of our committee members brought to our attention that they were not seeing a strong enough presence of our officers interacting with citizens outside of businesses. After further discussion on the effects of the coronavirus and our need to minimize interaction with the public, we acknowledged that we could do a better job in this area and that post coronavirus, we will be increasing our interactions and will thereby increase our presence in the community.

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

**Response:** Although the Stony Police Department interacts and communicates with our community members frequently and takes input and suggestions through informal channels and conversations, we do not have an official/formal method of obtaining this information. The addition of an advisory board/committee would be something we would consider if we find that our current methods are no longer serving the needs of the community and police department.

## **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. 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.



**Response:** The Stony Point Police Department revived the Stony Point Police Athletic League, Inc in 2012. The Stony Point PAL Advisory Board is comprised of community members from different backgrounds including local businesses, clergy, parents, PTA leaders, and those interested in giving back to our Town. The Stony Point PAL provides safe, family fun events and an opportunity for our Youth Officer to interact with school aged children from Stony Point and neighboring Towns, creating mentoring relationships. These relationships help to provide two-way communication about local issues affecting the community where local law enforcement could be useful. Since 2012, the Stony Point PAL has grown and become embedded in the community through its annual activities and special events that have inspired and encouraged many officers to volunteer their time with the organization to help in its success.

## **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 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. Unlike School Resource Officers (discussed above in Part I), officers in adopta-school programs are not intended to enforce student discipline or address truancy issues, nor should they be used for such purposes. Rather, adopta-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.

**Response:** The Stony Point Police Department Youth Officer works with our local schools by assisting the school administration with lock-down procedures and drills, safety/bullying assemblies for students, pushing PAL functions and events into the schools and being a liaison for the Department on any law enforcement issues that arise. In conjunction with our Safe Schools program, uniformed patrol officers make daily visits to our schools to help provide safety checks and interact with the staff and students on a limited basis. The Adopt-a-school/officer program could be a more formalized program that the Stony Point Police Department utilizes based upon interest and availability and should/could be evaluated.

## **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. The 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.” When these issues are addressed openly, new and different understandings can emerge, and a profound transformation in community– police relations becomes possible. 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.

**Response:** The Stony Point Police Department is not aware of any strained relationships between the police and people of color in our community and we have had no complaints that would indicate that there are issues with any particular segment of our community. We will remain vigilant and be open to guidelines of this reform should we recognize indicators of a strained relationship or if a community member or members make us aware of same.

## 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. 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. For more examples and guidance please review Gender, Sexuality, and 21st Century Policing: Protecting the Rights of the LGBTQIA+ Community.
- **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. 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.

**Response:** Members of the Stony Point Police department treat all citizens with respect and dignity. A person's race, color, ethnicity, gender/gender preference, disability, primary language or any other attribute has no influence, negative or positive, on the response that citizen will receive, or the manner in which they will be treated.

## **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 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.

**Response:** The Stony Point Police Department Youth Officer uses several programs to reach our youth including: North Rockland Youth Court Program, North Rockland Youth Police Academy and the Stony Point Police Athletic League, Inc (SPPAL). The Youth Court program actively recruits local youth interested in the legal profession or law enforcement. Several Youth Court members have even been recruited after serving as defendants in cases where they committed minor offenses or infractions and successfully completed their "sentence" in their case. These programs help provide positive interactions between our law enforcement officers and the youth and help to provide a lasting relationship. Our Youth Police Academy Program provides a setting

for youth and our officers to interact on a positive, mentoring type forum where the youth learn how our officers handle all types of calls for service. The youth actively participate in the program and even role play as police officers to learn first-hand how officers sometimes must make split-second decisions. Also, during these roles play exercises it affords our officers to explain and teach the youth about the laws and ways to handle special situations and conflict resolution. These programs open lines of communication to the youth of our community and help provide feedback to our officers and department.

## **Fostering Community Oriented Leadership, Culture and Accountability**

### **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. 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 selection process. 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. Your community should consider whether a similar approach that includes a well-balanced and representative search committee, might yield a broader array of candidates.

**Response:** The Stony Point Police Department promotion process is regulated by NYS Civil Service Law, Rockland County Civil Service Rules and Regulations and the Rockland County Police Act. We must therefore act within the guidelines set forth by these agencies, laws and policies when considering someone for promotion. The candidate will be selected from a list of certified candidates prepared by Rockland County Civil Service who have scored the top three highest grades on a NYS Civil Service promotional exam.

## **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.” 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.

**Response:** The Stony Point Police Department conducts annual evaluations of our officers. These evaluations incorporate a rating system, with 1 being the lowest and 7 being the highest. Officers are rated in 15 categories, which are then averaged for an over-all rating. These rating categories cover several important traits a police officer should have and include Judgement, Dependability, Incident Handling, Appearance, Knowledge of Assignments, Resourcefulness, Interaction with the Public, Flexibility, Initiative, Demeanor and Attitude, Knowledge of Department Forms and Policies, and Productivity. We do not conduct traditional Comp Stat meetings.

## **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. This incentivizes officers to establish a positive relationship with community members and engages the community.

**Response:** The Stony Point Police Department’s officers can receive awards from the Town Board, the Rockland County PBA or the local Elks Chapter. All three of these entities have the ability to award an officer, who has been recognized by his agency, (supervisors or peers) or the general public, for doing something extraordinary or dangerous, while performing his or her duties. The officers’ actions are reduced to a “write up”, detailing the event the nomination for recognition is for, which is then submitted to one or all of the above entities for review. If accepted as meeting the criteria for an award, the officer will receive recognition for his or her efforts.

## **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." 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 qualifications other than exam scores that can be woven into criteria for leadership positions? 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?

**Response:** The Stony Point Police Department follows NYS Civil Service regulations, Rockland County Civil Service regulations and the Rockland County Police Act, with regard to promotional exams and the promotional eligibility requirements.

## **What is Your Strategy to Ensure That Your Department's Cultural Norms and Informal Process 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. 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 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. 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." 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.

**Response:** While the Stony Point Police Department, like all police departments, has crime fighting, enforcement of law and community safety as our top priority, we also address other issues captured in the above passage. We have officers assigned to monthly assignments that include such things as reporting street lights that out, so they can be repaired, home security checks when residents are on vacation and updating business information, which puts officers in touch with our business owners and patrons.

## **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. Beyond this requirement, police departments should have clear policies regarding documenting the use of force. Consider what other incidents, including other uses of force, your department should require be reported.

**Response:** The Stony Point Police Department requires an officer to report every use of force incident. These incidents even include types of force that may not meet the threshold of reporting as established by **Executive Law 845-t “Use of Force Reporting”**.

### **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. 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. 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.

**Response:** All uses of force by Stony Point Police Officers are investigated. The process is explained in SPPD General Order 413, IV, H, 3 &4:

#### **IV. PROCEDURE**

##### **H. Reporting and Reviewing the Use of Force:**

##### **3. Responsibilities of Supervisors:**

- a. When practicable, a supervisor will respond to the scene of the incident after learning of the use of physical force.
- b. Supervisors will ensure that employees receive any necessary assistance, including medical treatment. They shall also ensure that any injuries to employees shall be properly documented and reported.
- c. Supervisors will determine if a Detective will respond to the scene of an incident involving the use of physical force and along with the Detective, will determine what level of the Detective's service will be utilized; including photos, measurements and diagrams.
- d. Supervisors will determine if the Executive Officer and the Chief should be notified immediately based on the level of force used or injury. In all instances where serious injury or a discharge of firearm occurs, immediate notification to the Executive Officer and Chief is required.
- e. Supervisors will ensure that a thorough investigation of the use of force incident is conducted. Whenever possible this investigation will be conducted at the scene. The supervisor should identify police and civilian witnesses to the incident and conduct interviews of them. The supervisor will include a written report documenting his actions and summarizing his findings after investigation of the incident.
- f. In the event that an employee is unable to complete reports due to injuries, the supervisor will prepare or cause them to be prepared and submit them through the chain of command. The reports will be copied and forwarded as per current directives.
- g. The investigating supervisor will forward all reports, including the Use of Force Report, any and all memorandums, injured prisoner report(s), investigative report, incident report, etc., to the Executive Officer for review.
- h. Should further investigation be required, after the fact, the Executive Officer shall direct such investigation utilizing whatever department resources are required. The Executive Officer will also be responsible for securing any audio or video tapes and for the downloading of the record of use on the department Taser. The Executive Officer will report the Use of Force to NYS DCJS as required (See section II J of this order). After review by the Executive Officer, the report shall be forwarded to the Chief of Police for adjudication.



#### **4. Adjudication of Report:**

- a. The Chief of Police will classify completed use of force investigations as follows:
  - (1) Unfounded – no undue use of force.
  - (2) Justified – definite use of force, but in adherence to proper and appropriate police procedures and techniques.
  - (3) Not sustained – unable to verify improper use of force.
  - (4) Sustained – improper use of force.
- b. Completed investigations classified as unfounded, justified or not sustained will be maintained in the Use of Force files in the Chief's office. Sustained complaints will be filed in the individual employee's department personnel file with a copy in the Use of Force files.
- c. The Chief of Police, upon receipt of the completed investigation, will review the material pertaining to the incident, the involved member's work record, disciplinary history and service record, and then, if the incident is deemed sustained, recommend appropriate disciplinary action.
- d. The employee will be notified of the results of the investigation and the recommended disciplinary action, including scheduled implementation of said action.

### **Does Your Department Review Officers Use of Force and/or Misconduct During Performance Interviews?**

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.

**Response:** The Stony Point Police Department conducts annual performance evaluations. As a smaller police department, we have the advantage of having our supervisors being familiar with all of our officers and their traits and patterns, due to working so closely together. During the evaluation process the supervisor would be aware of any uses of force or other issues concerning a particular officer. If the supervisor needed to obtain information beyond his personal knowledge he could get any use of force investigation findings from the Executive Officer for review, as long as the investigation has been closed.

## **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.

**Response:** Following an investigation by the Executive Officer, all investigative findings would be turned over to the Chief of Police. The Chief would then classify the investigation as Unfounded, Justified, Not Sustained or Sustained. Then, if found to be Sustained, and depending on the level of corrective measures to be administered to the officer, the Chief could forward findings to the Police Commission for Review and final recommendation for corrective measures. Additionally, the SPPD is an NYS Accredited Police Agency who is independently audited by the NYS Department of Criminal Justice Services on all aspects of our operation including our use of force policy and procedures. We have adopted many of the DCJS model policies and passed their most recent full inspection and audit in June 2018.

## **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. 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.

**Response:** Our policy mandates that a supervisor is working on every shift. Aside from the obvious advantage of having a supervisor available to answer questions, provide guidance and assure that policies and procedures are being adhered to, the supervisor has direct communication with, and observations of the officers. This provides an opportunity to interact with officers and be familiar with what their normal is, making the abnormal easier to see and address. Policies and procedures are in place to report problems or address identified problems. Yearly evaluations can also assist in identifying and offering solutions for burgeoning issues or problems.

## **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. Sentinel review consists of non-punitive peer review of critical incidents that resulted in or came close to undesirable outcomes.

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. 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.

**Response:** The Stony Point Police Department would respond to a “sentinel” or “near miss” event by counseling the officer or officers involved, to explain possible consequences and alternate tactics to be used in the future. The process of peer intervention and guidance could be used by an officer who may be an “informal leader” in the absence of a supervisor being aware of the incident. All use of force incidents are reviewed as part of a process which starts at the officer level all the way to the Chief of Police. Counseling session could occur at any level along the way, if warranted.

## **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. 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 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?

**Response:** All members of the Stony Point Police Officers, whether it’s a patrolman or supervisor, who is aware of misconduct, is obligated to report same to their superior. Once reported, proper action would be taken, as set forth in our Rules of Conduct.

### **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. Should your department adopt this practice?

**Response:** Internal Affairs addresses policies and procedures for handling the transparency process for investigating reports of misconduct. **General Order 607, I, A-D and III, G, 1-4;**

## **I. POLICY**

The image of the Department depends on the personal integrity and discipline of all Departmental employees. To a large degree, the public image of this Department is determined by the professional response of the Department to allegations of misconduct by the Department or its employees.

The Stony Point Police Department shall;

- A. Promptly, competently, professionally and impartially investigate all complaints relative to the Department's, or its employees, response to community needs.
- B. Take appropriate disciplinary action in all cases, where an investigation substantiates, a violation of law, orders, rules, regulations, policies or procedures of the Stony Point Police Department.
- C. Seek appropriate remedy for false allegations.
- D. Establish rules, regulations, policies and procedures in order to direct and control the means by which law enforcement services are delivered in the most efficient and effective manner.

## **III. PROCEDURES**

### **G. Disposition of Complaints**

The Chief of Police shall;

- 1. Notify the complainant, as soon as practical, that the department acknowledges receipt of the complaint, that the complaint is under investigation, that the investigation will be completed within thirty (30) days. If the investigation exceeds thirty (30) days, the Chief of Police shall notify the complainant.
- 2. Maintain complaint files separate from personnel files.
- 3. When the investigation substantiates the allegation, take appropriate disciplinary action.
- 4. Upon completion of the investigation, notify the complainant of the adjudication.

## **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? 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.

**Response:** The Stony Point Police Department utilizes the concept of progressive discipline to address misconduct. This process starts at the supervisory level and can rise up to the Chief of Police and ultimately the Town Board operating as the Police Commission. Internal Affairs addresses policies and procedures for handling Officer misconduct with appropriate disciplinary measures. **General Order 607, III, K, 1, a-g;**

### **III. PROCEDURES**

#### **K. Adjudication of complaints**

1. The Chief of Police will classify completed internal investigations as follows:
  - a. Unfounded – no truth to allegations.
  - b. Exonerated – allegations true, but are a result of adherence to proper and appropriate police procedures and techniques.
  - c. Not sustained – unable to verify the truth of the matters under investigation.
  - d. Sustained – allegations true.
  - e. Completed investigations classified as unfounded, exonerated or not sustained will be maintained in internal affairs files in the Chief's office. Sustained complaints will be filed in the individual employees department personnel file with a copy in the Internal Affairs files.
  - f. The Chief of Police, upon receipt of the completed investigation, will review the material pertaining to the incident, the involved person's work record, disciplinary history, and service record and then recommend a disciplinary action if the allegations are sustained.
  - g. The employee will be notified of results of the investigation and the recommended disciplinary action including scheduled implementation of said action.

## **What Procedures are in Place to Ensure That Substantiated Complaints of Misconduct and Settlements or Adverse Verdicts in Lawsuits are used to Reduce 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.

**Response:** The Stony Point Police Department keeps data on all misconduct investigations, inclusive of lawsuits and hearings, so that data from these investigations can be reviewed to uncover or develop a pattern of conduct should future investigations require this review. This information could be used to establish new policy and procedures from identifying past shortcomings.

## **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 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.

**Response:** The Stony Point Police Department will refer cases to the Rockland County District Attorney or NYS Attorney General where appropriate. General Order 607 addresses policies and procedures for ensuring impartiality when reviewing potential misconduct or complaints and when appropriate cases are referred to outside agencies. **General Orders 607, III, H, 1-5 Internal Affairs and 413, II, A-J Use of Force**

### **III. PROCEDURES**

#### **H. Internal Investigations Files**

The Chief of Police shall;

1. Record or register or cause to be recorded or registered the internal investigation.
2. Maintain confidential records of internal investigations.
3. Ensure that the investigation is conducted according to established policies and procedures.
4. Maintain close liaison with the District Attorney investigating alleged criminal conduct. Where liability is an issue, the Chief shall maintain contact with the Town Attorney.
5. After review by the Chief of Police or his designee the complaint will be investigated by either the Internal Affairs process or by the officer's immediate supervisor. Normally complaints of a serious nature, i.e. corruption, brutality, serious injury, criminal misconduct, etc. would be handled as an Internal Affairs function. Less serious complaints such as officer rudeness, insensitivity, tardiness, insubordination, etc. would be handled by the immediate supervisor. The Chief of Police or his designee will make this decision.

### **II. POLICY**

- A. The federal and state standards by which use of force is measured are both founded in the basic premise of objective reasonableness. The amount of force that is used by the officers shall be the amount of force that is objectively reasonable under the circumstances for the officer involved to effect an arrest, prevent an escape, or in defense of themselves or others. The standard of objective reasonableness, established by the United States Supreme Court in Graham v. Connor, 490 U.S. 386 at 396 (1989), is used in this policy and is intended to provide officers with guidelines for the use of force, including deadly physical force.
- B. The Supreme Court has recognized this reasonableness inquiry embodies "allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation."
- C. Officers may only use that level of physical force necessary in the performance of their duties, within the limits established by Article 35 of the New York State Penal Law and other applicable laws, and consistent with the training given by the Stony Point Police Department.
- D. It is the responsibility of each officer to be aware of the requirements of Article 35 and to guide his/her actions based upon that law and Department policy and training.

- E. Force which is objectively reasonable is insulated from criminal liability through Article 35 of the NYS Penal Law and civil liability by the 4th Amendment standard of objective reasonableness.
- F. This policy is consistent with Article 35 of NYS Penal Law, (Defense of Justification Sections 35.00 – 35.30) and with the Municipal Police Training Council Use of Force Model Policy pursuant to Executive Law 840 (4)(d)(3), Executive Law 837-t and 9 NYCRR 6058.
- G. All use of force incidents will be documented, reviewed, investigated, and reported as laid out in this policy.
- H. This policy is written in recognition of the value of all human life and dignity without prejudice to anyone. As members of the Stony Point Police Department we are sworn to protect human life. It is the responsibility of each officer to ensure that they are constantly aware of their duty with regard to the use of force and the limitations for the use of that authority.
- I. This policy will be posted on the Stony Point Police Department website.
- J. Reporting to DCJS:
  - 1. Section 837-t of the New York Executive Law has been amended to add a new section requiring the chief of every police department, each county sheriff, and the superintendent of state police to report to DCJS any instance in which a police officer or a peace officer, as defined in the criminal procedural law, uses force in any manner enumerated in the new legislation.
  - 2. The Executive Officer will report the incident to DCJS through the Use of Force Reporting Interface accessible through the e-Justice New York Integrated Justice Portal (IJ Portal).

## **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.



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."

**Response:** Stony Point Police officers are expected to uphold our department's values and culture both on and off duty, as stated in our "Rules of Conduct". Any violation of our Rules of Conduct are subject to disciplinary action, which would be commensurate with the violation.

## **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. 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, 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. Some entities also have the power to weigh in on key policy decisions. 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 "studies show that white Americans are far more likely than Black Americans to believe that the police use an appropriate amount of force." The New Era of Public Safety also recommends empowering such review boards by giving them the necessary resources to fully evaluate complaints. This includes giving oversight entities the power to weigh in on pertinent policy, the requisite financial resources, and access to investigative information. 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. 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.
- 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.
- 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.
- 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.

**Response:** The Stony Point Town Board serves as the Civilian Oversight Committee as well as the Police Commission for the Stony Point Police Department. The Board would have the same authority as any duly appointed Police Commission or Civilian Oversight Committee. They have no investigative powers but would have the authority to level punishment as a result of internal affairs investigations in the police department that determine an officer is in violation of department rules and regulations or other offenses.

## **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.<sup>135</sup> 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. Newly enacted legislation authorizes the New York State Attorney General to investigate allegations of misconduct against local police agencies.

**Response:** As a response from our “Reform Committee” the Stony Point Police Department will be making our “Complaint Against a Police Officer” form available on our website. After some discussion it was agreed that the form would be available on the website to make it available to someone with a complaint who may be reluctant to come to police station. Until this time this form was readily available to anyone who requested one, but it would need to be obtained by coming to our police desk and asking for same.

## **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.

**Response:** The Stony Point Police Department policy requires that complainants who file a complaint against a police officer, be notified of the results of the investigation. We do not report findings to the general public, but if the complaint is substantiated the results may be made available by “foil” due to the adjustments and amendments to 50-a of the NY Civil Rights Law.

## **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. 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.

**Response:** The Stony Point Town Board is our local legislative board. They also serve as our Police Commission and our Civilian Oversight Board. They are responsible for approving our budget, hiring officers, making promotions, disciplinary hearings, and oversight of police operations.

## **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 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. 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](mailto: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.

**Response:** The Stony Point Police Department was initially accredited in 1991 under, now retired, Chief Stephen G. Scurti. During the period of 1997 – 2003 our agency allowed our accreditation to lapse. In 2003 then Chief Daniel M. Ricci renewed our commitment to the New York State Accreditation Program and on June 3, 2003 the agency was reaccruited. The agency was reaccruited again on June 5, 2008 under Chief Patrick Brophy. It was reaccruited again on June 13, 2013 and June 7, 2018 under Chief Brian J. Moore. **(Our agency’s Compliance Audit Report from March 5, 2018 is attached as Appendix 2)**

## **Does Your Police Department Do and 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.

**Response:** The Stony Point Police Department does not currently conduct annual surveys to track the level of trust within our community. Consideration would be given to the possibility of conducting such surveys in the future, should we become aware of a decrease in the level of trust.

# **Data, Technology and Transparency**

## **What Police Incident and Complaint Data Should be Collected? What Data Should be Available to the Public?**

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. 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.

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

**Response:** The Stony Point Police Department views openness in matters of public interest an issue of importance. The SPPD publicizes the following data on our Department website: Use of Force Policy, D.W.I Discovery, Radar Certificates, Scale Documents, Project Lifesaver, Silver Alert Program along with several Department forms which can be downloaded by the public.

With regard to the analysis of “stop data”, we believe that the proper way for this data to be collected would be to have NYS DMV collect this data when someone applies for a NYS driver’s license. If this data is collected and retained by DMV then the data would be readily available without officers having to obtain same during a traffic stop, which could turn a routine traffic stop, confrontational. This data would then be made available through the TRACs system for download and statistics tracking and reporting. Furthermore, as a result of discussions with our stakeholders and public input from our public zoom meeting, the Stony Point Police Department will be initiating an annual report, consisting of crime, arrest, traffic tickets, calls for service, and other data, that will be published to our website.

## **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. 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.

**Response:** As stated in other areas of this report, the Stony Point Police Department is a smaller police department, serving a community of approximately 15,500 residents. We do not cover an area with a large population, nor do we have multiple precincts. Our crime data is readily available through our records management system and available to all levels of the department. To employ a crime analyst would not be a prudent expenditure of taxpayer money when the discussed data is already available and down loadable. This data is often analyzed to aid administration in directing patrols and details as needed.

## **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 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 it’s “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. 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.

**Response:** The Stony Point Police Department does not employ “stop and frisk” strategies nor do we employ body cameras. All officers wear a name tag with their first initial and last name in bold lettering. This name tag is worn directly under their badge, on which their badge number is clearly visible. Detectives and officers in plain clothes carry business cards.

## **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 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](mailto: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?

**Response:** The policies and procedures of the Stony Point Police Department are written in the form of General Orders. These General Orders are guided by the NYS DCJS Law Enforcement Accreditation Program, which was outlined earlier in this report. The accreditation standards ensure that an accredited department adhere to the high standard set forth by the aforementioned accreditation program.

## **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. 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. 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. Unlike other policing resources, new technologies have not had decades of established practice to refine attendant policies and procedures. 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. Law enforcement may want to review resources from or consult with civil liberties and privacy experts, non-profit 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? 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?
- 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. 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 it 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, 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.

**Response:** The Stony Point Police Department does not utilize biometric technologies, public surveillance systems, unmanned aerial systems, data mining tools, or geofencing tools. If we were going to procure technology tools in the future, ample research would be conducted to assure that the technology would not be infringing on the rights of our citizens.

## **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. 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.

Governor Cuomo recently signed legislation requiring New York State Police patrol officers to use BWCs while on patrol. 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 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. 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?

**Response:** The Stony Point Police Department does not use In-car or body-worn cameras (BWCs). Considering the extremely low number of complaints against police officers received by our department, the expense on our taxpayers would not be justified. Our department would be open to utilizing in car and body worn cameras if funding could be procured without impacting our taxpayers.

## **Recruiting and Supporting Excellent Personnel**

### **Recruiting a Diverse Workforce**

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

- 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.

**Response:** The Stony Point Police Department works with the County of Rockland to promote programs that attempt to recruit a diverse pool of candidates to apply for and take the exam. These groups targeted for recruitment include people of color, females, Spanish and Creole speaking individuals, etc. SPPD also interacts with potential future police candidates in our community by introducing individuals to positive police contact and training through several youth programs and participating in job fairs which the school district hosts. We have also deployed officers to Rockland Community College to assist the Rockland County Sheriff’s Department with the recruitment drive.

## **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. 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. 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.” 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.

**Response:** The Stony Point Police Department considers all candidates who meet the minimum criteria set forth by NYS Civil Service Law and Rockland County Civil Service Law, for hiring eligibility. We have participated in a statewide revamping of the police test conducted by NYS Civil Service. We have also participated in a county wide recruitment effort to underrepresented communities and the program to make free testing materials available to those in need.

## **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. They provide the opportunity for a young person to explore a career in law enforcement and obtain relevant training and skills. 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 school students to participate, but are typically less comprehensive. Upon completion of a Police Cadet program, participants are often eligible to become police officers, subject to testing and other requirements. These programs are useful recruiting tools because they engage young community members who have not yet settled on a specific vocation.

**Response:** The Stony Point Police Department Youth Bureau, in conjunction with the Haverstraw Police Department runs the North Rockland Youth Police Academy, annually. Its purpose is to expose students, ages 14 to 18, to the requirements, duties, drawbacks and rewards of a law enforcement career. Students attend one night per week for 10 weeks. Instructors are police officers selected for their expertise in various fields and offer the cadets a perspective of the law enforcement and emergency services profession. Topics such as emergency first aid, defensive tactics, vehicle and traffic stops, court room testimony and other topics are covered. At the conclusion of the academy it is our hope that the cadet will have a better understanding and appreciation for the law enforcement profession and possibly consider it as a potential career.

## **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 enforcement. 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.

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

**Response:** Officers hired by the Stony Point Police Department historically remain with our department until their retirement. We do not have a retention issue.

## **Training and Continuing Education**

### **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. 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.

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

- 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. 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.
- 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, and lawsuits have resulted in police departments implementing training programs on this issue. 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. 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.
- 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 engage with the LGBTQIA+ community around training and other policing issues that impact LGBTQIA+ individuals.
- 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. By bringing these perspectives into the conversation, you can show your commitment to procedural justice and to building up relationships of trust.

**Response:** All Stony Point Police officers are trained in accordance with NYS DCJS guidelines. As part of our department’s In-Service training, each officer attends annual procedural justice training. In addition to the In-Service training, recruits who attend the Rockland County Police Academy, also receive training in procedural justice. The Stony Point Police department will

continue to work with the Rockland County Police and Public Safety Academy to bring the most updated and relevant training to our officers.

## **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.

- 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. The New York State Law Enforcement Accreditation Program, for example, establishes a standard of at least 21 hours of in-service training per year.
- 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. As a result, law enforcement trainers have been encouraged to adopt models focused on experiential learning. 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 roleplaying 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.

**Response:** In order to ensure that training remains a continuous process throughout a member's career, the Stony Point Police Department has established the In-Service Training Program. In cooperation with of the Rockland County Police Academy, this program will incorporate In-Service Training at the Academy and Firearms Training, providing a minimum of 48 hours of instruction annually. The Stony Point Police department will continue to work with the Rockland County Police and Public Safety Academy to bring the most updated and relevant training to our officers. **General Order 204, III, D, 1- 2 and E, 1-4.**

**III.** Attendance is mandatory by members of **ALL** other ranks for the following;

D. Managerial Skills.

1. This Managerial training will be held for officers holding the rank of Sergeant or higher. The purpose will be to enhance their supervisory skills.
2. The training may be part of the in-service training held at the Police Academy or it may be obtained elsewhere, i.e.
  - a. Executive Development seminars.
  - b. Private vendors.
  - c. Videotapes approved by the Chief of Police.

E. Training can also be accomplished “in house” with the use of video training tapes, approved by the Chief of Police. All training whether, “in house: or elsewhere will be given by or under the direction of one or more of the following:

1. A Bureau for Municipal Police Instructor.
2. A licensed attorney
3. An expert in a given field, recognized and acceptable to either the Chief of Police or the Rockland County Police Academy Training Director.
4. A Federal Law Enforcement certified instructor.

## **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. Leadership training can also promote diversity at the executive level of law enforcement agencies.

- Police departments should consider providing ongoing leadership training to all officers throughout their careers. 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. 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.



**Response:** In order to ensure that training remains a continuous process throughout a member's career, the Stony Point Police Department has established the In-Service Training Program. In cooperation with the Rockland County Police Academy, this program will incorporate In-Service Training at the Academy, providing a minimum of 32 hours of instruction annually. Managerial training will be held for officers holding the rank of Sergeant or higher. The purpose will be to enhance their supervisory skills. All members promoted to the position of Sergeant shall successfully complete a three-week Municipal Police Training Council course in Police Supervision within 12 months of their appointment.

## **How Can Your Police Department use its Training Programs to Avoid Incidents Involving Unnecessary Use of Lethal and Nonlethal Force?**

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. 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.” 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. 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 trainings utilize scenario-based training practices in interactive training environments.
- 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.
- Agencies should consider developing use of force training simulations that include scenarios in which police officers are expected not to resort to using force. 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.
- 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.
- Law enforcement agencies should also consider training officers on the effects of violence not only on communities and individual victims but also on police officers themselves.

**Response:** Our officers receive yearly training at the Rockland County Police Academy which is intended to update police officers on contemporary police issues and techniques. De-escalation training includes 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. Officers participate in tactical training days in which reality-based training (RBT), using non-lethal training ammunition puts the officers through various types of scenarios.

## **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. 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 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. 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. Implicit bias 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.

- 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. You may consider also partnering with advocacy and community groups that can enhance these trainings by sharing the experience of the community.
- 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.
- 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.

**Response:** The Rockland County Police Academy includes the DCJS certified cultural competency curriculum in their training and partners with the Center for Safety and Change, a local advocacy group, to convey an understanding of populations that are traditionally under-represented in our community. Rockland County has a diverse population that includes Orthodox Jewish, Muslim, Arab and other culturally diverse groups and the academy brings personal experiences into the training by having recruits from diverse backgrounds discuss their experiences and personal stories. In the past year there have been recruits from Caribbean, Haitian, Hasidic, Sikh, Chinese, Vietnamese and Russian backgrounds who have contributed their personal experiences to the other recruits. Cultural diversity is discussed and a crime victim from a local culture who had trouble assessing police services is brought in as part of the training, to present the issues encountered. Procedural Justice is a major part of training and the 8 hours of recruit training quadruples the state requirements, while procedural justice encompasses an entire block of In-Service training.

## **How Can Your Training Program Help Officers Effectively and Safely Respond to Individuals Experiencing Mental Health Crisis 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 judgments and decisions about how to safely resolve such situations, 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. 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. 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.
- 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. This may include training and equipping officers with overdose-reversal drugs like Naloxone.

- Police departments should consider training dispatchers to recognize these types of crises, ask the right questions, and dispatch the appropriately trained personnel to respond to the scene.
- 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.

**Response:** Mental health and substance abuse are two of the most prominent issues facing Law enforcement today. With the budget cuts and closures of several mental health facilities that were once available to law enforcement, we have had to adapt and institute training to address this issue. Our officers receive training in mental health during In-Service training and our officers are often assisted by Rockland County's Department of Mental Health's Behavioral Health Response Team (BHRT), when we respond to calls for service to assist those in crisis. This team consists of mental health professionals with the ability to treat on scene as well as the authority to commit someone for treatment, based on their evaluation. Additionally, there is the Behavioral Health Center at Montefiore Nyack Hospital, which offers an inpatient psychiatric unit. In response to the heroin epidemic that soared into suburban America several years ago, our officers began to receive medical training in the administering of Naloxone. All of our medical bags that are carried in the patrol cars are equipped with Naloxone, and our officers have saved countless lives by administering Naloxone prior to EMS arrival.

## **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.

- 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.
- 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.
- 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.

**Response:** The Administrative Lieutenant of the Stony Point Police Department works closely with the Rockland County Police Academy Director and the In-Service training coordinator. Meetings are conducted to discuss and go over current and newly proposed training, in line with NYS DCJS standards. The Stony Point Police Department also maintains a training folder for each member of our department that is current and frequently updated during the course of the member's career.

## **Support Officer Wellness and Well Being**

### **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.

**Response:** Police officers can be frequently exposed to things the general public may not see in a lifetime. Some of these instances can be traumatic and leave a lasting impression. Each officer may respond differently, so it is important to monitor officer's behavior to ensure any assistance needed is provided. Being a smaller department, in which all members closely interact, changes in behavior can be readily observed. If a change in behavior is observed, it can be addressed to determine if assistance is needed. If assistance is required, it is immediately available through our Rockland County PBA Employee Assistance Program, which will provide professional mental health assistance. If a particular call for service results in an extremely traumatic situation, all officers that responded to that incident can be counseled in a post incident "debriefing" at which counselors and other first responders who have experienced similar traumatic events would be present to discuss and counsel as needed. SPPD will make any Rockland County Mental Health services available to our members.

## **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. 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.

**Response:** The Department understands the stress level of an Officer could be correlated with shift lengths. Stony Point Police Departments schedule are negotiated by the union and Town. SPPD observes a rule in which an officer is not allowed to work sixteen (16) hours consecutively (Double Shifts). In addition, Officers are allowed to request shifts that work best for them and these requests are accommodated to the greatest extent possible. Officers can also request shift changes or pass day changes and they are normally granted.

## **How Can You Effectively and Proactively Address the Mental Health Challenges Experienced by Many 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, and deaths by suicide among officers may have outnumbered those caused by fatal line-of-duty incidents in recent years. Your agency should consider providing training to 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.

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.

**Response:** Members of the Stony Point Police Department have access to counseling and an Early Assistance Program, available upon request from the Police Benevolent Association. Part of In Service training includes EAP assistance awareness and discussion on services available to officers and their families if needed.

## **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 formal and informal intervention systems to provide meaningful assistance to those officers in need.

**Response:** During the course of a career in law enforcement, an Officer may be exposed to a traumatic event. In this case we can call on an Emergency Response Team known as a Critical Incident Stress Management Team who responds to scenes and/or hospitals and other locations as needed. The team is made up of peers both active and retired, psychologists, social workers, mental health professionals and clergy. There two types of responses are, an immediate response known as a “diffusing”, or a debriefing which could take place a day or several days after the event occurred and both are confidential. This is available twenty-four (24) hours a day, seven (7) days a week to our Officers.

## **Conclusion and Summary of Recommendations**

The Stony Point Police Department has learned a lot through the engagement of our stakeholders, the public, completing a thorough review of department policies and feedback from our staff. Through this process, we have identified some areas that could be modified or improved, to better serve our community. Comments from our public “zoom” meeting were discussed by the committee and are also reflected here as well.

**The details of the following recommendations/changes/modifications are addressed in the plan. Below is a summary of those recommendations:**

- Rockland County currently has one Behavioral Health Response Team (BHRT) to respond to people in need of mental health assistance. This team responds both independently and together with law enforcement throughout Rockland County. Mental health was a large part of our discussions and during these discussions there was support for a second team in Rockland County. We will work with other agencies, including the Office of Mental Health to see if a second team could be added if State or Federal funding could be procured.
- We will be researching the possibility of adding a police officer(s) in our schools. There were committee discussions regarding our very successful past SRO and DARE programs. The group discussed the benefits and past success stories. We all agreed that putting police officers in our schools, was instrumental in promoting positive youth/police interaction. The programs received wide support from our community. We will be exploring ways to put officers back in our schools and will work with the Town and the School District to explore options to achieve this goal.
- Our department will direct officers to stop and interact with our local business owners and citizens by encouraging “park, walk and talk” initiative. We believe these interactions will enhance and promote positive police/community relationship. This initiative has been impacted by COVID-19 but will be picked up again in the foreseeable future.
- We will add our “Complaint Against a Police Officer” form to our website to make it readily available to anyone.
- In reviewing the “Data Collection” areas of the Executive Order 203 guidelines, the question of the best method for collecting data on car stops was proposed. It is our view that the best method for collecting pedigree/demographic data would be best served through the NYS Department of Motor Vehicles. This data could be collected when someone applies for or renews their driver’s license, which would make the information readily available through the TraCS System. Once in the system it would be easy to download this information to create demographic data without the officers conducting



the vehicle stops and having to engage in a form of questioning to collect that data, which may offend some motorists.

- The Stony Point Police Department will publish an annual report with statistical data such as arrest, vehicle and traffic, accidents, calls for service, etc.
- Our department plans to participate in the “Hope not Handcuffs” program. This will allow us to work with individuals, families, and community organizations to find viable treatment options for individuals seeking help for addiction.

## **APPENDIX 1**

# **Accreditation**

New York was the first state in the country to sponsor a law enforcement accreditation program. Community leaders embraced the initiative from the outset, and the program was immediately endorsed by leading statewide organizations of law enforcement and elected officials.

Accreditation is a progressive and contemporary way of helping police agencies evaluate and improve their overall performance. It provides formal recognition that an organization meets or exceeds general expectations of quality in the field. Accreditation acknowledges the implementation of policies that are conceptually sound and operationally effective. The New York State program became operational in 1989 and encompasses four principle 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 of the criminal justice services;
3. To ensure the appropriate training of law enforcement personnel; and
4. To promote public confidence in law enforcement agencies.

The Accreditation Program is comprised of a set of standards developed to further enhance the capabilities of an agency, and is divided into three categories. Standards in the Administrative section have provisions for such topics as agency organization, fiscal management, personnel practices, and records management. Training standards encompass basic and in-service instruction, as well as training for supervisors and specialized or technical assignments. Operations standards deal with such critical and litigious topics as high-speed pursuits, roadblocks, patrol, and unusual occurrences.

The Stony Point Police Department was initially accredited in 1991 under, now retired, Chief Stephen G. Scurti. During the period of 1997 – 2003 our agency allowed our accreditation to lapse. In 2003 then Chief Daniel M. Ricci renewed our commitment to the New York State Accreditation Program and on June 3, 2003 the agency was reaccredited. The agency was reaccredited again on June 5, 2008 under Chief Patrick Brophy. It was reaccredited again on June 13, 2013 and June 7, 2018 under Chief Brian J. Moore.

The accreditation program has had a significant impact on law enforcement in the years since its inception. As of 2020, there are 160 agencies out of 514 agencies located all over the state that are currently accredited, ranging in size from a small handful of full-time officers to more than 4,000 sworn personnel. Insurance benefits, enhanced community support, and a greater overall standard of professionalism are just a few of the many tangible benefits that accredited agencies enjoy. The positive impact of the Accreditation Program stems from the profound commitment that New York's law enforcement executives have made to excellence and professionalism in the field of law enforcement, and from their desire to provide the best possible services to the communities that they serve. The Accreditation Program continues to provide a comprehensive blueprint for effective, professional law enforcement.

## **APPENDIX 2**

### **COMPLIANCE AUDIT REPORT**

March 5, 2018

TO: The NYS Law Enforcement Accreditation Council

FROM: Deputy Commissioner (Ret.) Daniel Hickey  
White Plains Department of Public Safety

SUBJECT: Compliance Audit of the Stony Point Police Department

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#### **I. Synopsis**

On February 28, 2018, the on-site portion of a Compliance Audit was conducted for the Stony Point Police Department.

The Stony Point Police Department consists of 25 full-time and 5 part-time sworn officers. The Department serves the Town of Stony Point, New York located in Rockland County in the lower Hudson region of the State. The city comprises 22 square miles and has a population of approximately 15,000 people.

The Compliance Audit consisted of an off-site review of 40 file folders comprised of 20 Critical Standards and 20 Essential Standards; and an on-site review of 5 additional standards. The on-site phase of the assessment required 31 interviews and 9 observations to complete the compliance audit. Of the 45 standards reviewed, 3 standards required additional documentation. Standard 2.3 required a minor additional verification, Standards 33.1 and 34.2 required additional training records. Changes were made while on-site. The agency was in compliance with all reviewed standards prior to the end of the assessment.

While conducting the on-site phase of the Compliance Audit, the agency's 110 revised standard file system was observed to have been established.

The Stony Point Police Department has done an excellent job in its efforts to maintain program standards. It is recommended that the department be favorably considered for accreditation.

<b>II. Agency Information</b>	Stony Point Police Department 79 Route 210 Stony Point, NY 10980
<b>Date of Initial Accreditation:</b>	1991
<b>Chief Executive Officer:</b>	Chief Brian J. Moore (845) 786 2422
<b>Program Manager:</b>	Sergeant Gregory Becker
<b>Personnel:</b>	Full-time sworn: 25 Part-time or seasonal sworn: 5 Civilians: 1 Full Time and 2 Part Time

The Stony Point Police Department provides services 24 hours a day. It participates in the Civil Service System, the North Rockland Youth police academy, North Rockland Explorer Post, Police Athletic Program and Community Awareness Program. There are no satellite stations. The department is housed in a 2-story building built in the 1980s.

### III. Compliance Auditor Information

Deputy Commissioner (Ret) Daniel Hickey  
City of White Plains Department of Public Safety  
(914) 391-6490

### IV. Community Information

The Stony Point Police Department serves the Town of Stony Point that covers 22 square miles. Approximately 15,000 people live within the town limits. The town is predominately a rural bedroom community with little industry.

### V. Compliance Audit Process

The first phase of the audit began with the agency sending the auditor copies of the 20 Critical Standards. Of the 20 Critical Standards submitted, 18 were found to demonstrate full compliance following the first review. The remaining 2 standards (2.3, 33.1) required additional documentation or an on-site interview/observation to confirm compliance. The program manager did provide additional documentation and clarification on those standards.

The second phase of this compliance audit commenced with the assessor communicating to the agency his choice of 20 Essential Standards. The 20 Essential Standards selected are as listed below.

#### **20 Essential Standards**

3.1 Infectious Diseases	34.1 First Line Supervisors
7.2 Evidence Custodian training	34.2 Annual Supervisors Training
8.1 Calls for Service	42.4 Special Purpose Vehicles
8.11 Sealing Orders	44.3 Missing Persons
12.1 Physical and Psychological Fitness Requirements	50.4 Juvenile Operations
16.1 Grievance Procedure	50.7 Intel Collecting and Sharing
18.1 Death or Serious Injury of Agency Personnel	55.4 Comm. With Patrol Officers
28.4 Social Media	55.5 Intra Agency Cooperation
29.4 Crime Victims	58.3 Continuity of Ops. Plan
29.5 Sex Offense Victims	64.1 Prisoner Transport & Safety

After an initial off-site review of the essential standards selected for this audit, the assessor determined that one standard (34.2) required additional verification. Section VIII Audit of Standards contains specific details for each standard.

#### **Additional Standards Reviewed (optional)**

42.1 Patrol Vehicles	44.2 Hate Crimes
43.2 Recording Officers Status	50.6 Aids for Detecting Deception
43.5 Roadblocks	

## **VI. Compliance Audit Procedures**

This compliance auditor followed the strategy described below to verify compliance with program standards:

1. The compliance auditor (or auditor) reviewed a standard file to make an initial determination of whether or not the agency had complied with the standard.
2. If the auditor determined that the policies and procedures were in order, the file folder was approved and the Standard Compliance Report completed.
3. If the auditor did not believe that the file supported a finding of compliance, then he or she attempted to ascertain the reason for the noncompliance. If the noncompliance was an issue of inadequate documentation, the agency was asked for additional information. If the noncompliance stemmed from a lack of information that the agency chose not to send through the mail, a notation was made and further observations or interviews were deferred to the on-site portion of the compliance audit.
4. If the auditor's concerns were resolved through the addition of extra documentation or through consultation with the program manager, the file folder was approved and the Standard Compliance Report completed.
5. If the concerns could not be resolved during the off-site portion of the audit, a notation would be made to follow-up during the on-site.
6. In cases where compliance could not be ascertained through any of the above means, the program manager was consulted, advised of the corrective action needed, and given the opportunity to take those corrective actions.

## **VII. Verification Activities**

Methods of verification included a formal tour of the entire department; review of agency files, scheduled and unscheduled interviews with departmental personnel, escorted visit to work areas and chance meetings with sworn and civilian members of the department

This assessor conducted a total of 31 interviews with sworn and civilian members. The following members of the department were interviewed:

Chief Brian More	Detective Andrew Kryger
Lieutenant Edward Finn	Detective Michael Anderson
Sergeant Gregory Becker	Police Officer Robert Bertrand
Sergeant Daniel Schoales	Mr. Doug Mann Records Manager
Sergeant Keith Hanson	

## **VIII. Audit of Standards**

### **Administrative Standards**

#### **Administration - Organization**

- 2.3 **Written Directives\*** – General Order 405 covers each of the elements of the standard. Documentation in the file established both the method for developing written directives and that all directives have been reviewed during the 5-year period of accreditation. Interviewed Sgt. Becker. Agency is compliant.
- 2.7 **Responsibility and Authority\*** – Reviewed GO 106 regarding Authorization and Responsibility. GO covers the accountability of all ranks in the department. Interviewed Sgt. Becker and PO Robert Bertrand. Agency is compliant.

#### **Administration - Health and Safety**

- 3.1 **Infectious Diseases** – Reviewed GO 302 regarding Infectious Diseases. Documents in the file indicate for the past 5 years the proper precautions were taken when officers became exposed to infectious material. Inspected a police vehicle for proper infectious disease equipment. Interviewed PO Bertrand. Agency is compliant.

#### **Internal Administration - Fiscal Management**

- 5.3 **Safeguarding Cash\*** – Reviewed General Order 409 regarding the Safeguarding of Agency Cash. Observed the different types of cash, the security of same and management for the past 5 years. Interviewed Chief Moore, Lt. Finn and Sgt. Schoales. Agency is compliant.

#### **Internal Administration - Agency Property**

- 6.2 **Safeguarding Agency Weapons\*** – Reviewed GO 415 regarding Safeguarding Agency Weapons. Reviewed several monthly inventory storage records of agency weapons for the past 5 years. Observed locked room used for the storage and security of agency weapons. Interviewed Det. Michael Anderson. Agency is compliant.

#### **Internal Administration - Non-Agency Property**

- 7.1 **Evidence and Non-Agency Property Management\*** – Reviewed GO's 410, 429 and 604 regarding Evidence and non-agency Property management. Assessor observed the property room, records and labeling system. Interviewed Det. Anderson and Sgt. Becker. Agency is compliant.
- 7.2 **Evidence Custodian Training** – Reviewed GO 410 regarding Evidence Custodian Training. GO 410 covers the provisions of the standard. Training Certificates observed in the file for PO Kurt Mulligan and Michael Anderson. Interviewed Det. Anderson. Agency is compliant.
- 7.3 **Property Audit and Inventory Management\*** – Reviewed GO 410 sub 4 regarding the safeguarding property. Records in the file indicate a complete audit is done annually by a member other than the property clerk. Interviewed Sgt. Becker and Det. Anderson. Observed the property room and separate storage shed. Agency is compliant.

### **Internal Administration - Records**

- 8.1 Calls for Service – Reviewed GO 411 regarding Calls for Service. GO and other documents in the file confirm procedure being followed for the past 5 years. Interviewed Sgt. Keith Hanson, the officer on duty in communications. Agency is compliant.
- 8.7 Records Management System\* – The Department complies with this standard by their General Order 411 Documentation in the file for the past 5 years indicate procedures have been followed. Observed the records room and filing system. Interviewed Sgt. Becker and records clerk Mr. Doug Mann. Agency is compliant.
- 8.11 Sealing Orders – Reviewed GO 411 regarding the sealing of records. Standard and documents in the file confirm procedure is being followed. Observed the locked filing containing the sealing orders. Interviewed Doug Mann. Agency is compliant.

### **Personnel - Selection**

- 12.1 Physical and Psychological Fitness Requirements – Reviewed GO 306 regarding the Physical and Psychological Fitness Requirements. Documents in the file include the most recent Rockland County Civil Service test announcement which includes the physical and psychological testing. Notices in the file also include the most recent hires undergoing the successful testing. Agency is compliant.
- 12.5 Background Investigation\* – The agency requires background investigations of all candidates, including a fingerprint-based criminal history. Supporting documentation included blank copies of background packages. Interviewed Sgt. Daniel Schoales who explained the process and the training that background investigations receive. A completed background investigation was provided for inspection. Agency is compliant.

### **Personnel - Performance Evaluations**

- 13.1 Performance Evaluations\* – Reviewed GO 307 regarding Personnel Evaluations. The file contained evaluations for the past 5 years for both officers and supervisors. Lesson plans were in the file and documentation confirming supervisors received the proper training to evaluate subordinates. Agency is compliant.

### **Personnel - Discipline**

- 14.1 Rules of Conduct\* – Reviewed GO 308 and documents in the file regarding Rules of Conduct. Observed officers in uniform and their demeanor. Interviewed Chief Moore who stated they had no discipline complaints in the past 5 years. Agency is compliant.
- 14.4 Disciplinary System\* – Reviewed GO 412 regarding the Disciplinary System. Included in the file is the Rockland County Police Act establishing the authority to establish a police agency and disciplining authority. Agency is compliant.
- 14.7 Sexual Harassment\* – Reviewed General Order 303 regarding Sexual Harassment and Work Place Violence. Order addresses all forms of harassment. Interviewed Chief Moore and Sgt. Becker who stated they had no complaints in the past 5 years. Agency is compliant.

#### **Personnel - Grievances**

- 16.1 Grievance Procedures – The agency is in full compliance with this standard. Reviewed the Collective Bargaining Agreement related to this standard. The file includes a closed grievance dated 5/1/14 that was referred to the town board in accordance with the CBA. Interviewed PBA president Sgt. Hanson and Chief Moore. Agency is compliant.

#### **Personnel - Death or Serious Injury of Agency Personnel**

- 18.1 Death and Serious Injury of Agency Personnel - Reviewed GO 317 regarding Death or Serious Injury to Agency Personnel. Order covers all provisions of the standard. There have been no incidents in recent years. Agency is compliant.

#### **Use of Force**

- 20.1 Necessary Force\* –Reviewed GO 410 sub. I and IV regarding the use of force. Completed reports for the past 5 years were in the file to confirm policy is being adhered to. Agency is compliant.

#### **Use of Force - Agency Review**

- 21.2 Review of Force Causing Injuries\* – Reviewed GO's 413 and 414 regarding both deadly and Physical use of force. The file contains reports for the past 5 years indicating the procedures were being followed. Agency is compliant.

#### **Internal Affairs**

- 25.1 Internal Affairs Function\* – Reviewed GO 607 regarding Internal Affairs functions in the agency. The GO includes all provisions of the standard. The Chief oversees all complaints against officers and civilians. Interviewed Chief Moore. Agency is compliant.

#### **Public Relations - Public Information**

- 28.4 Social Media – Reviewed GO 316 regarding Social Media. GO covers all provisions of the standard. Documents in the file contain acceptable social media blogs. Interviewed Sgt. Becker. Agency is compliant.

#### **Public Relations - Community Relations**

- 29.4 Crime Victims – Reviewed GO 427 and GO 420 regarding Crime Victims. File contained various crime victim pamphlets etc. Observed several pamphlets in the lobby for public use. Interviewed Det. Sgt. Schoales. Agency is compliant
- 29.5 Sex Offense Victims – Reviewed GO 407 regarding Sexual Crime Victims. File includes NY Exec. Law 642 and pamphlets regarding sexual assault and where to get assistance. Pamphlets also observed in lobby. Interviewed Sgt. Becker. Agency is compliant.



## **Training Standards**

### **In-Service Training**

- 33.1 In-Service Length and Content\* – Reviewed GO 204 regarding the Length and Content of annual In-service training. Records for the past 5 years indicate each member exceeded the required 21 hours of training annually. IST training is conducted at the Rockland County Police Academy by County Police trainers. Training records for the Rockland County firearms instructors were added to the file. Agency is compliant.

### **Supervisory Training**

- 34.1 First-Line Supervisors– Reviewed GO 414 regarding First Line Supervisors Training. Training records From Rockland County Police Academy for the past 5 years were enclosed in the file for all Sergeants. Certificate for the latest Sgt., Garcia observed in the file. Agency is compliant.
- 34.2 Annual Supervisory Training – Reviewed GO 204 regarding Annual Supervisor Training. The file contained training records from Rockland County Academy for the past 4 years. The training records for the year 2017 were added to the file. Interviewed Sgt. Becker. Agency is compliant.

## **Operational Standards**

### **Patrol – Vehicles**

- 42.1 Patrol Vehicles – Reviewed GO 503 regarding Patrol Vehicles. Observed vehicle 604 that was conspicuously marked and fully equipped. Interviewed PO Robert Bertrand. Agency is compliant.
- 42.4 Special Purposes Vehicles – Reviewed GO 503 regarding Special Purposes Vehicles. General order regarding special purpose vehicles indicates compliance with the standard. The only special Purpose Vehicle is a Commercial Vehicle Enforcement /Command Vehicle. Interviewed Sgt. Becker and Det. Anderson Agency is compliant.

### **Patrol - Activities**

- 43.2 Recording Officer Status – Reviewed GO 511 regarding the monitoring of officers' status. Interviewed Sgt. Hanson who stated officers are contacted every 30 minutes if contact was not otherwise made. Agency is compliant.
- 43.4 Vehicle Pursuits\* – Reviewed GO 506 regarding Pursuit Driving. GO covers all the requirements of the standard. Documents in the file contain several reports of pursuits by officers over the past 5 years. Interviewed PO Robert Bertrand. Agency is compliant.
- 43.5 Roadblocks – Reviewed GO 506 regarding roadblocks. Interviewed Sgt. Becker and PO Bertrand who stated the department has not utilized roadblocks in the past 5 years. Agency is compliant.

### **Patrol – Specialized Incidents**

- 44.1 Domestic Incidents\* –Reviewed GO 406 regarding Domestic Violence. Documents in the file for the past 5 years confirm compliance with the standard. Interviewed Sgt. Becker. Agency is compliant.
- 44.2 Hate Crimes -. Reviewed GO 611 regarding Hate Crimes. There have been no complaints of hate crimes in the past 5 years. Interviewed Sgt. Becker and Chief Moore.
- 44.3 Missing Persons – Reviewed GO's 404, 434, and 612 regarding Missing Persons. GO's cover all the requirements in the standard. Documents in the file of missing person cases indicate procedure is being followed. Agency is compliant.

### **Criminal Investigations - Methods**

- 50.1 Criminal Investigations\* – Reviewed GO's 505 and 601 regarding Criminal Investigations. Documents in the file confirm policy is being adhered to. Cases are well documented and copies of Miranda warnings were enclosed. Interviewed Det. Sgt. Daniel Schoales. Agency is compliant.
- 50.4 Juvenile Operations – Reviewed GO's 315, 411 sub. 6, 427 sub 4, and 606 sub A&C regarding Juvenile Operations. Letter in the file from the Commissioner of Corrections acknowledging the room used for interview and detention of juveniles meet JJDPa requirements. Interviewed Youth Officer Det. Andrew Kryger. Agency is compliant.
- 50.6 Aids for Detecting Deception – Reviewed GO regarding the Use of Deception. Department does not have trained polygraph operators. If the need arises they use the Rockland Co. PD. No cause for use in the past 5 years. Interviewed Sgt. Becker and Sgt. Schoales. Agency is compliant.
- 50.7 Intelligence Collection and Sharing – Reviewed GO 608 sub. II and IV regarding Intelligence Sharing. Observed the intelligence log that is kept in a secure cabinet. Interviewed Sgt. Schoales. Agency is compliant.

### **Communications**

- 55.4 Communication with Patrol Officers – Reviewed GO 423 regarding Communications with Patrol Officers. Observed Communications room and interviewed with Sgt. Hanson. Observed the communications room operation. Agency is compliant.
- 55.5 Intra-Agency Cooperation – Reviewed GO 423 regarding Intra-agency communications. Information is constantly shared between units. Patrol is included in the monthly COMSTAT meetings. Agency is compliant.

### **Unusual Occurrences**

- 58.2 Disaster Plans\* – Reviewed GO 525 regarding Disaster Plans. GO covers all the requirements of the standard. Chief Moore provided the County Plan information when the police department becomes activated in the disaster. Agency is compliant.

- 58.3 Continuity of Operations Plan (COOP) –Reviewed GO 437 regarding Continuity of operations. GO and documents in the file confirms compliance. Interviewed Chief Moore and Sgt. Becker. Agency is compliant.

#### **Prisoner Transport**

- 64.1 Prisoner Transport and Safety – Reviewed GO 427 regarding Prisoner Transport and Safety. The GO addresses all provisions of the standard. Observed the transport and detention area where prisoners are brought to headquarters and the process of booking. Interviewed Chief Moore and Sgt. Becker. Agency is compliant.

### **IX. Labor/Contractual Issues**

In addition to the interviews listed above, I also met with Sgt. Keith Hanson, president of the union that represents officers of the Stony Point Police Department. We discussed accreditation standards that impacted labor and contractual issues. He stated that the accreditation process did not adversely impact members of the union, and in fact, the accreditation process was a valuable tool that opened a positive flow of communication between union and management. The program is very well acceptable by the members. Sgt. Hanson spoke of the positive impact that the accreditation process has had, specifically in the areas of training, performance evaluations, and how valuable it is to have a standardized set of procedures that officers on all shifts can follow.

### **X. Standard Compliance**

This compliance audit was conducted in three phases. The first involved a review of the agency's 20 Critical Standards. The second was a review of 20 Essential Standards, and the final phase was the on-site visit which also allowed a review of 5 additional standards, for a total of 45 standards reviewed. Of the 45 standards reviewed, 3 standards – 2.3, 33.1 and 34.2 required additional documentation. Standard 2.3 required a minor addition of documentation and Standard 33.1 and 34.2 required additional training records. The agency was in compliance with all reviewed standards prior to the end of the assessment.

### **XI. Overall Assessment**

The Stony Point Police Department have done an excellent job of maintaining their accreditation status.

After careful consideration, I recommend that the Stony Point Police Department be favorably considered for reaccreditation.

  
Deputy Commissioner (Ret.) Daniel Hickey  
Compliance Auditor

### **APPENDIX 3**

#### **As per Executive Order 203. (Goals of reform and guidelines to help reach them)**

Each Police Agency must perform a comprehensive review of the current police forces:

- Deployments.
- Strategies.
- Policies.
- Procedures.
- Practices.

Then develop a plan to improve the above categories 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.

The police agency and stakeholders in the community should develop such plan, which will consider evidence based policing strategies, including but not limited to:

- Use of Force.
- Procedural justice.
- Racial bias or racial justice in policing.
- 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 spot policing.
- Focused deterrence.
- Crime prevention.
- Violence prevention and reduction interventions.

The above initiatives should be modeled using the guidelines promulgated by the NYS Municipal Police Training Council and standards promulgated by the NYS Law Enforcement Accreditation Program. **(SPPD is one of 158 accredited agencies out of 514 agencies in NY State)**

The political subdivision in coordination with the police agency should consult with stakeholders who are:

- Members of the community.
- Business owners.
- Elected officials.
- Non-profit community groups.

Faith based community groups.  
Members of the District Attorney's Office.  
Members of the Public Defender's Office.

After the meetings are held and discussions are had leading to a consensus, a plan should be created which adopts any modifications, modernization and innovations in police deployments, strategies, policies, procedures and practices. These adopted or amended strategies, policies, procedures and practices should lead to the general promotion of improved police-community relations, based on trust, fairness, accountability and transparency, and which seek to reduce any racial disparities in policing.

Upon completion of the plan it will be offered for public comment to all citizens in the locality, and after consideration of such comments, shall be presented to the legislative body, which shall ratify or adopt the plan by local law or resolution, no later than April 1, 2021.

## **APPENDIX 4**

# **POLICE DEPARTMENT**

**Town of Stony Point  
79 Route 210  
Stony Point, NY 10980**

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***Brian J. Moore, Chief of Police***

<b>GENERAL ORDER</b>  <b>413</b>	<b>SUBJECT</b>  <b>USE OF FORCE</b>		<b>EFFECTIVE DATE</b>  <b>12/30/2020</b>
<b>RESCINDS</b>	<b>AMENDS</b> GO-413 <b>Dated 10/31/19</b>	<b>CROSS REFERENCE</b>	<b>PAGE</b>  <b>1 of 10</b>

## **I. PURPOSE**

The purpose of this policy is to establish guidelines for the use of force by members of the Town of Stony Point Police Department. Law enforcement officers around the country and in New York State are authorized to use reasonable and legitimate force in specific circumstances. Federal and state constitutional as well as state statutory standards dictate when and how much force can be used. This policy is founded in these standards but is not intended to be an exhaustive recitation of the state and federal legal framework governing use of force.

## **II. POLICY**

- a. The federal and state standards by which use of force is measured are both founded in the basic premise of objective reasonableness. The amount of force that is used by the officers shall be the amount of force that is objectively reasonable under the circumstances for the officer involved to effect an arrest, prevent an escape, or in defense of themselves or others. The standard of objective reasonableness, established by the United States Supreme Court in Graham v. Connor, 490 U.S. 386 at 396 (1989), is used in this policy and is intended to provide officers with guidelines for the use of force, including deadly physical force.
- b. The Supreme Court has recognized this reasonableness inquiry embodies “allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation.”
- c. Officers may only use that level of physical force necessary in the performance of their duties, within the limits established by Article 35 of the New York State Penal

Law and other applicable laws, and consistent with the training given by the Stony Point Police Department.

- d. It is the responsibility of each officer to be aware of the requirements of Article 35 and to guide his/her actions based upon that law and Department policy and training.
- e. Force which is objectively reasonable is insulated from criminal liability through Article 35 of the NYS Penal Law and civil liability by the 4th Amendment standard of objective reasonableness.
- f. This policy is consistent with Article 35 of NYS Penal Law, (Defense of Justification Sections 35.00 – 35.30) and with the Municipal Police Training Council Use of Force Model Policy pursuant to Executive Law 840 (4)(d)(3), Executive Law 837-t and 9 NYCRR 6058.
- g. All use of force incidents will be documented, reviewed, investigated, and reported as laid out in this policy.
- h. This policy is written in recognition of the value of all human life and dignity without prejudice to anyone. As members of the Stony Point Police Department, we are sworn to protect human life. It is the responsibility of each officer to ensure that they are constantly aware of their duty, with regard to the use of force and the limitations for the use of that authority.
- i. This policy will be posted on the Stony Point Police Department website.
- j. Reporting to DCJS:
  - 1. Section 837-t of the New York Executive Law has been amended to add a new section requiring the chief of every police department, each county sheriff, and the superintendent of state police to report to DCJS any instance in which a police officer or a peace officer, as defined in the criminal procedural law, uses force in any manner enumerated in the new legislation.
  - 2. The Executive Officer will report the incident to DCJS through the Use of Force Reporting Interface accessible through the e-Justice New York Integrated Justice Portal (IJ Portal).

### III. DEFINITIONS

- A. **Objectively Reasonable:** An objective standard used to judge an officer's actions. Under this standard, a particular application of force must be judged through the perspective of a reasonable officer facing the same set of circumstances, without

the benefit of 20/20 hindsight, and be based on the totality of the facts that are known to that officer at the time that the force was used.

- B. **Deadly Physical Force:** Physical force which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury.
- C. **Physical Injury:** Impairment of physical condition or substantial pain.
- D. **Serious Physical Injury:** Physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ.
- E. **Less-Lethal Force:** Any use of force other than that which is considered deadly force, or that involves physical effort to control, restrain, or overcome the resistance of another.
- F. **Excessive Force:** Any force which is not reasonably necessary.
- G. **Reasonably Necessary:** An action or response which is reasonable given the circumstances present at the time and which is necessary to accomplish a lawful objective.
- H. **De-Escalation:** Taking action or communicating, verbally or non-verbally, during a potential use of 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. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion or tactical repositioning.
- I. **Exigent Circumstances:** Those circumstances that would cause a reasonable person to believe that a particular action is necessary to prevent physical harm to an individual, the destruction of relevant evidence, the escape of a suspect, or some other consequence improperly frustrating legitimate law enforcement efforts.
- J. **Choke Hold:** A physical maneuver that restricts an individual's ability to breathe for the purposes of incapacitation.
- K. **Warning Shot:** Discharge of a firearm for the purpose of compelling compliance from an individual, but not intended to cause physical injury.



## **IV. PROCEDURE**

### **A. General**

1. Officers must be aware that each individual situation will dictate the level of force ultimately utilized. Beginning with the officer's presence at the scene, the officer will determine the appropriate level of force to control the situation based upon what is objectively reasonable and meets the guidelines of the Department's "FORCE Options Chart," found in this General Order.
2. In general terms, force is authorized to be used when reasonably believed to be necessary to affect a lawful arrest or detention, prevent the escape of a person from custody, or in defense of one's self or another.
3. Under the 4<sup>th</sup> Amendment, a police officer may use only such force as is "objectively reasonable" under the circumstances. The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene.
4. Use of physical force should be discontinued when resistance ceases or the when the incident is under control.
5. Only issued or approved equipment will be carried on duty and used when applying physical force, except in exigent circumstances when an officer must use any resources at his disposal. The use of the Expandable Baton, Advanced Taser, or Oleoresin Capsicum ("OC Spray") is considered use of force.
6. Physical force shall not be used against individuals in restraints, except as objectively reasonable to prevent their escape or prevent imminent bodily injury to the individual, the officer, or another person. In these situations, only that amount of force reasonably necessary to control the situation shall be used.
7. Once the scene is safe and as soon as practical, an officer shall provide appropriate medical care, consistent with his or her training, to any individual who has visible injuries, complains of being injured, or requests first aid. This may include providing first aid, requesting emergency medical services, and/or arranging for transportation to an emergency medical facility.

### **B. Determining the Objective Reasonableness of Force**

1. When used, force should be only that which is objectively reasonable given the circumstances perceived by the officer at the time of the event.

2. Factors that may be used in determining the reasonableness of force include, but are not limited to:

- a. The severity of the crime or circumstance.
- b. The level and immediacy of threat or resistance posed by the suspect.
- c. The potential for injury to citizens, officers, and suspects.
- d. The risk or attempt of the suspect to escape.
- e. The knowledge, training, and experience of the officer.
- f. Officer/subject considerations such as age, size, relative strength, skill level, injury or exhaustion, and the number of officers or subjects.
- g. Other environmental conditions or exigent circumstances.

**C. Duty to Intervene**

1. 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.

2. An officer who observes another officer use force that exceeds the degree of force as described in subdivision A of this section shall promptly report these observations to a supervisor.

**D. De-Escalation**

1. An officer shall use de-escalation techniques and other alternatives to higher levels of force consistent with his or her training, whenever possible and appropriate, before resorting to force and to reduce the need for the use of force.

2. Whenever possible, and when such delay will not compromise the safety of the officer or another, and will not result in the destruction of evidence, escape of a suspect, or commission of a crime, an officer shall allow an individual time and opportunity to submit to verbal commands before force is used.

**E. Use of Less-Lethal Force**

1. When de-escalation techniques are not effective or appropriate, an officer may consider the use of less-lethal force to control a non-compliant or actively

resistant individual. An officer is authorized to use agency-approved, less lethal force techniques and issued equipment

- a. to protect the officer or others from immediate physical harm;
- b. to restrain or subdue an individual who is actively resisting or evading arrest; or
- c. to bring an unlawful situation safely and effectively under control.

#### **F. Use of Deadly Physical Force**

1. Deadly physical force may be used by an officer to protect himself or herself or another person from what the officer reasonably believes is an imminent threat of serious physical injury or death.

2. Under the 4<sup>th</sup> Amendment and as delineated by the United States Supreme Court's 1985 decision in Tennessee v. Garner, police officers are not authorized to utilize deadly physical force to prevent the escape of an unarmed, non-dangerous fleeing suspect. Consistent with law and this policy, the use of deadly physical force to prevent the escape of a fleeing felon is only authorized when:

- a. First, an officer must have probable cause to believe that the fleeing suspect has committed a felony involving the infliction or threat of serious physical injury or death, and poses a significant threat of death or serious physical injury to the officer or others; and
- b. Second, the use of deadly force must be reasonable and necessary to affect the arrest.
- c. Where feasible, some warning should be given prior to the use of deadly physical force.

#### **G. Prohibited Uses of Force**

- 1. Force shall not be used by an officer for the following reasons:
  - a. To extract an item from the anus or vagina of a subject without a warrant, except where exigent circumstances are present.
  - b. To coerce a confession from a subject in custody.

- c. To obtain blood, saliva, urine, or other bodily fluids or cells from an individual for the purposes of scientific testing, in lieu of a court order where required.
- d. Against persons who are handcuffed, or restrained, unless it is used to prevent injury, escape, or otherwise overcome active or passive resistance posed by the subject.
- e. Choke holds are only authorized when officers reasonably believe there is an imminent threat of serious physical injury or death to an officer or other person, and no other force options may be available.
- f. Warning shots are prohibited.
- g. Firearms shall not be discharged at a moving vehicle unless
  - i. a person in the vehicle is using or threatening the officer or another person with deadly force by means other than the vehicle; or
  - ii. the vehicle is operated in a manner deliberately intended to strike an officer or another person, and all other reasonable means of defense have exhausted (or are not present or practical), which includes moving out of the path of the vehicle.
- h. Firearms shall not be discharged from a moving vehicle except in exigent circumstances. In these situations, an officer must have an articulable reason for this use of deadly force.

## **H. Reporting and Reviewing the Use of Force**

1. Any officer who uses physical force pursuant to his/her duties as a police officer (whether on or off duty), shall complete a Use of Force report, a detailed memorandum on the incident and enter the incident into the CAD system.
  - a. If the incident occurs outside the geographical confines of the Town of Stony Point, the officer shall make a full report to the police agency having jurisdiction thereat, and as soon as possible complete a Stony Point Police CAD entry, listing the type of complaint as an assist to an outside agency, complete a detailed Memorandum of the incident and complete a "Use of Force Report."

2. Members involved in use of force incidents as described below shall notify their supervisor as soon as practicable and shall complete a departmental use of force report.

- a. Use of force that results in a physical injury to a suspect, an officer or a third party.
- b. Use of force incidents that a reasonable person would believe is likely to cause an injury.
- c. Incidents that result in a complaint of pain from the suspect except complaints of minor discomfort from compliant handcuffing.
- d. Incidents where a conducted energy device (CED) was intentionally discharged or accidentally discharged after being displayed.
- e. Incidents where OC Spray is used to control a subject.
- f. Incidents where an Expandable Baton is used to control a subject.
- g. Incidents where a firearm was discharged at a subject.

3. Responsibilities of Supervisors:

- a. When practicable, a supervisor will respond to the scene of the incident after learning of the use of physical force.
- b. Supervisors will ensure that employees receive any necessary assistance, including medical treatment. They shall also ensure that any injuries to employees shall be properly documented and reported.
- c. Supervisors will determine if a Detective will respond to the scene of an incident involving the use of physical force and along with the Detective, will determine what level of the Detective's service will be utilized, including photos, measurements and diagrams.
- d. Supervisors will determine if the Executive Officer and the Chief should be notified immediately based on the level of force used or injury. In all instances where serious injury or a discharge of firearm occurs, immediate notification to the Executive Officer and Chief is required.

- e. Supervisors will ensure that a thorough investigation of the use of force incident is conducted. Whenever possible this investigation will be conducted at the scene. The supervisor should identify police and civilian witnesses to the incident and conduct interviews of them. The supervisor will include a written report documenting his actions and summarizing his findings after investigation of the incident.
- f. In the event that an employee is unable to complete reports due to injuries, the supervisor will prepare or cause them to be prepared and submit them through the chain of command. The reports will be copied and forwarded as per current directives.
- g. The investigating supervisor will forward all reports, including the Use of Force Report, any and all memorandums, injured prisoner report(s), investigative report, incident report, etc., to the Executive Officer for review.
- h. Should further investigation be required, after the fact, the Executive Officer shall direct such investigation utilizing whatever department resources are required. The Executive Officer will also be responsible for securing any audio or video tapes and for the downloading of the record of use on the department Taser. The Executive Officer will report the Use of Force to NYS DCJS as required (See section II J of this order). After review by the Executive Officer, the report shall be forwarded to the Chief of Police for adjudication.

4. Adjudication of Report:

- a. The Chief of Police will classify completed use of force investigations as follows:
  - (1) Unfounded – no undue use of force.
  - (2) Justified – definite use of force, but in adherence to proper and appropriate police procedures and techniques.
  - (3) Not sustained – unable to verify improper use of force.
  - (4) Sustained – improper use of force.
- b. Completed investigations classified as unfounded, justified or not sustained will be maintained in the Use of Force files in the Chief's office. Sustained complaints will be filed in the individual employee's department personnel file with a copy in the Use of Force files.

- c. The Chief of Police, upon receipt of the completed investigation, will review the material pertaining to the incident, the involved member's work record, disciplinary history and service record, and then, if the incident is deemed sustained, recommend appropriate disciplinary action.
- d. The employee will be notified of the results of the investigation and the recommended disciplinary action, including scheduled implementation of said action.

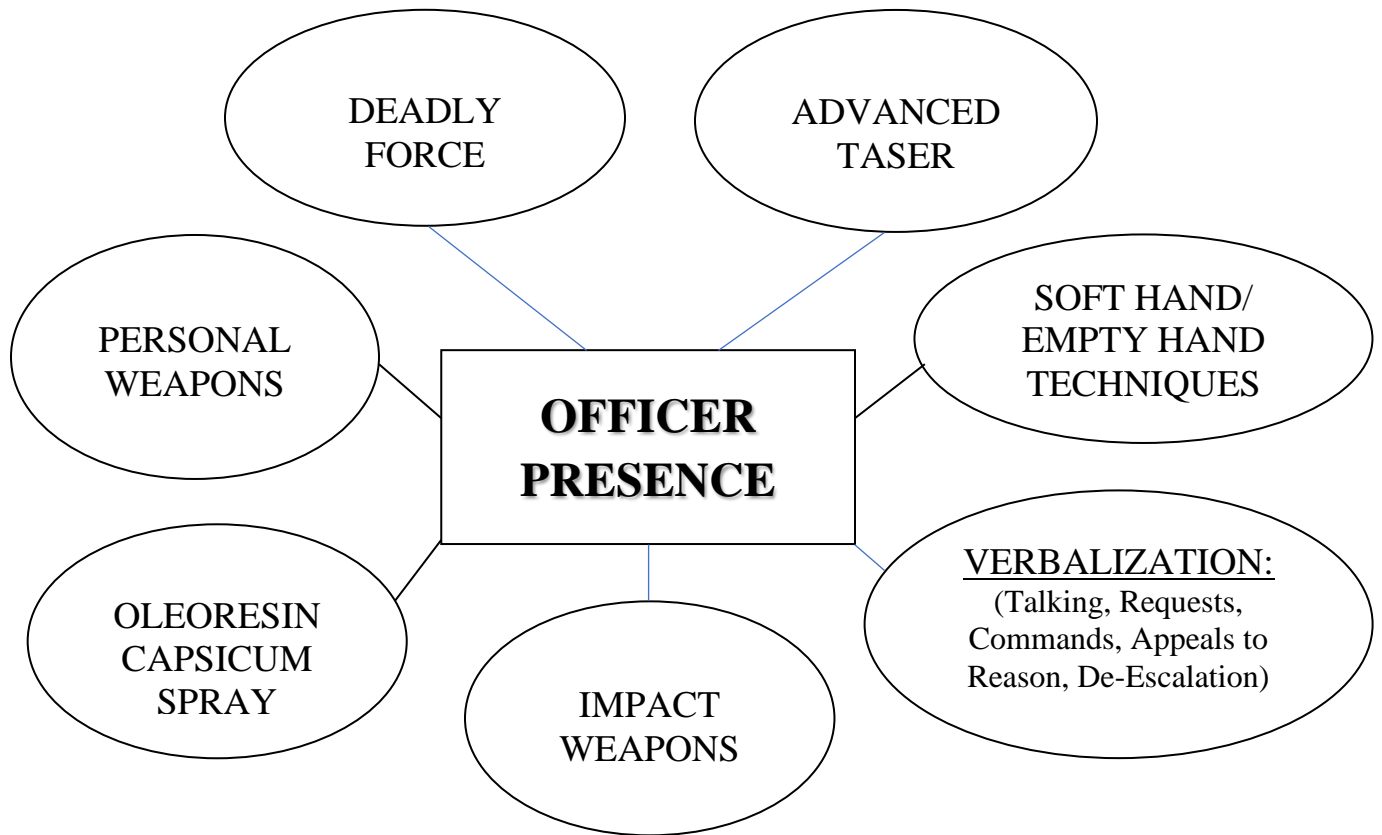
## **I. Training**

- 1. All officers shall receive training and demonstrate their understanding on the proper application of force. Training topics may include, but are not limited to, use of force, conflict prevention, conflict resolution and negotiation, and de-escalation techniques and strategies, including, but not limited to, interacting with persons presenting in an agitated condition as well as the duty to intervene and prohibited conduct.

## **J. Force Options Chart**

When the use of force is reasonable and necessary, officers shall, to the extent possible, utilize an escalating scale. The officer shall determine the level of force necessary to control or subdue a subject by utilizing the least amount of force necessary to gain their compliance. The Force Options Chart starts with Officer Presence and escalates as necessary. However, an officer is not required to utilize each force option during escalation, as the level of force used by the officer will depend on the level of force presented by the subject. For example, an officer immediately presented with deadly physical force from the subject, shall immediately be authorized to use deadly physical force in response.

## FORCE OPTIONS CHART



Approved by,

Brian J. Moore  
Chief of Police



## APPENDIX 5

### **POLICE DEPARTMENT**

**Town of Stony Point  
79 Route 210  
Stony Point, NY 10980**

-----  
*Brian J. Moore, Chief of Police*

<b>GENERAL ORDER</b>  <b>418</b>	<b>SUBJECT</b>  <b>COMMUNITY RELATIONS</b>		<b>EFFECTIVE DATE</b>  <b>03/14/18</b>
<b>RESCINDS</b>	<b>AMENDS</b>  <b>GO-031</b> <b>Dated 11/19/08</b>	<b>CROSS REFERENCE</b>	<b>PAGE</b>  <b>1 OF 5</b>

### **POLICY**

The Stony Point Police Department recognizes the importance of maintaining an atmosphere of openness with the community we serve. We actively seek to establish a cooperative relationship and keep the community informed on matters of public interest.

The Chief of Police or his designee is the Community Relations Officer for the Stony Point Police Department.

The Community Relations function is a responsibility of all Stony Point Police Department members.

All personnel in the Department should project a positive image and become involved in community needs. The conduct of each employee reflects on the agency as a whole, and the burden of achieving the agency's community relation's objectives should be shared. Every employee must be aware of the different programs that the agency has so they can inform the community.

Under certain circumstances the Community Relations functions will be exercised only by the Chief of Police. The Chief of Police may designate another member of the department.

### **II. PURPOSE**

The purpose of this policy is to define the Department's policy and procedures for community relations and related activities.

### **III. PROCEDURES**

#### **A. Relations with the Public**

##### **1. Courtesy**

Employees shall be courteous to the public in person, or when on the telephone. Employees shall be tactful in the performance of their duties, control their tempers, exercise the utmost patience and discretion, and shall not engage in argumentative discussions, even in the face of extreme provocation. In the performance of their duties, employees shall not use coarse, violent, profane, or insolent language or gestures, and shall not express any prejudice concerning race, religion, politics, national origin, lifestyle or similar circumstances.

##### **2. Request for Assistance**

When any person requests assistance or advice, makes a complaint or report, either by telephone or in person, all pertinent information will be obtained in an official and courteous manner and will be properly and judiciously acted upon consistent with established department procedures.

##### **3. Citizen Complaint**

Employees shall refer all complaints made by a citizen against any employee of the department to the Chief of Police. Supervisors may attempt to resolve the complaint, but shall never attempt to dissuade any citizen from lodging a complaint against any employee of the department. Employees shall follow established Departmental procedures for processing complaints.

#### **B. INTERPERSONAL COMMUNICATIONS**

1. To promote understanding and cooperation there must be interpersonal communication between members of the community and employees at all levels of the Department.

2. Each employee must be aware of the law enforcement needs of the community and their particular assigned area of responsibility.

3. Guided by policy, employees must tailor their performance to obtain the objectives of the Department.

4. The Department will establish programs that encourage productive dialogue with the public at all levels and to ensure that the unity of the police and the people is preserved.

C. IDENTIFICATION

1. All employees shall carry their issued badge and police identification on their person at all times, except when impractical or dangerous to their safety in an investigation.
2. All employees shall furnish their names and exhibit their badge and police identification to any person requesting that information, when they are on duty or holding themselves out as having an official capacity, except when the withholding of such information is necessary for the performance of police duties, or is authorized by proper authority.

D. REQUEST FOR DEPARTMENTAL SPEAKERS

1. All request for department personnel to speak at public gatherings, luncheons, service clubs, civil associations, etc., will be referred to the Chief of Police.
2. The Chief of Police will evaluate their request and if appropriate, identify the department member best suited to respond to the request.
3. If an employee receives a request for his/her personal appearance, the employee will complete an inter-departmental memo to the Chief of Police.
4. An employee receiving a request to speak before any group on a specific topic or activity must first obtain approval from the Chief of Police.

E. MEETINGS ATTENDED

1. Whenever any member is asked to attend any meeting, as a representative of the Stony Point Police Department or owing to their status as a member of this Department, he/she must first obtain permission from the Chief of Police prior to attending such meeting. This is to include, but not limited to any meetings held with any Federal, State, County, City, Town, Village department or governmental representatives either appointed or elected, civic or social groups/organizations.
2. On conclusion of any meeting relative to police department affairs, an inter-departmental memo must be submitted to the Chief of Police and include the following information:
  - a. Number of people attending
  - b. Purpose of the meeting
  - c. Group leaders of the meeting
  - d. Press Coverage, if any and whom
  - e. Date, time and location

- f. Topic of discussion
- g. Action proposed or follow up needed by the Department
- h. Names of police personnel attending
- i. Statements by police personnel (if any needed)
- j. Final outcome of the meeting
- k. Any other pertinent information

F. INDIVIDUAL DIGNITY

- 1. All persons have a right to dignified treatment under the law and the protection of this right is a duty that is binding on all members of the Department.
- 2. Employees must treat persons with as much respect as that person will allow and be mindful that the people with whom they are dealing are individuals with human emotions and needs.

G. EQUALITY OF ENFORCEMENT

- 1. Consistency in application is a primary and fundamental element of uniform enforcement of the law.
- 2. The Department services a community comprised of individuals with varied ethnic and social composition, having unique life-styles or particular crime problems. All people have a right to the protection and security that is afforded by fair and impartial law enforcement.
- 3. All persons must be able to maintain flexibility in their demeanor and enforcement methods, in order to properly respond to the varying law enforcement problems. The Department must be able to maintain flexibility in deployment and enforcement methods.

H. RESPONSIVENESS TO THE COMMUNITY

- 1. The Department must be responsive to the needs and problems of the community. This regard for the community must be shown plainly at all levels of the department by an obvious willingness to listen and a genuine concern for the problems of individuals or groups.

I. COMMUNITY ACCESS TO POLICE INFORMATION

- 1. It is necessary that there be full public disclosure of policies and an openness in matters of public interest.
- 2. The Department will disseminate accurate and factual accounts of occurrences of public interest, consistent with the safety and protection of

victims, witnesses and the constitutional rights of the accused and with consideration of the necessity for maintaining the confidentiality of Department records.

3. The Department will strive to make known and accepted its objectives and policies.

#### J. COMMUNITY RELATIONS PROGRAMS

All members of the Department, both sworn and civilian are to be aware of the Police Department's Community Relations programs and are encouraged to promote them through the town. The following Community Relations and Crime Prevention Programs are offered by the Stony Point Police Department:

1. Crime Prevention & Property
  - a. Security lighting
  - b. Alarms
  - c. Security hardware
  - d. Home security surveys
2. Crime Prevention & Business
  - a. Robbery prevention
  - b. Shoplifting prevention
  - c. Internal theft prevention
  - d. Security surveys
3. Crime Prevention & the Person
  - a. Rape prevention
  - b. Crime prevention and children
  - c. Crime prevention and senior citizens
  - d. Confidence games prevention
  - e. Domestic violence
  - f. Substance abuse prevention
4. Crime Prevention & the Community
  - a. Neighborhood watch
  - b. North Rockland Youth Police Academy
  - c. North Rockland Youth Court
  - d. Stony Point Police Athletic League
  - e. Traffic Safety – Bicycle & ATV
  - f. Public speaking

Approved by,

Brian J. Moore  
Chief of Police

## APPENDIX 6

### **POLICE DEPARTMENT**

**Town of Stony Point  
79 Route 210  
Stony Point, NY 10980**

-----  
*Brian J. Moore, Chief of Police*

<b>GENERAL ORDER</b>  <b>607</b>	<b>SUBJECT</b>  <b>INTERNAL AFFAIRS</b>		<b>EFFECTIVE DATE</b>  <b>03/14/18</b>
<b>RESCINDS</b>	<b>AMENDS</b>  <b>GO-607</b> <b>Dated 11/19/08</b>	<b>CROSS REFERENCE</b>	<b>PAGE</b>  <b>1 OF 7</b>

#### **I. POLICY**

The image of the Department depends on the personal integrity and discipline of all Departmental employees. To a large degree, the public image of this Department is determined by the professional response of the Department to allegations of misconduct by the Department or its employees.

The Stony Point Police Department shall;

- A. Promptly, competently, professionally and impartially investigate all complaints relative to the Department's, or its employees, response to community needs.
- B. Take appropriate disciplinary action in all cases, where an investigation substantiates, a violation of law, orders, rules, regulations, policies or procedures of the Stony Point Police Department.
- C. Seek appropriate remedy for false allegations.
- D. Establish rules, regulations, policies and procedures in order to direct and control the means by which law enforcement services are delivered in the most efficient and effective manner.

This General Order is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven can only form the basis of a complaint within this department, and then only in a non-judicial administrative setting.

## **II. PURPOSE**

To define policy and procedures for receiving, reporting and investigating allegations of misconduct by Department members.

## **III. PROCEDURES**

- A. All employees are to assume the duties and obligations of their position. They shall adhere to all Department policy, procedure, rules and regulations.
- B. The Department encourages citizens to bring forward legitimate grievances regarding misconduct by employees. All employees are obligated to explain to inquiring citizens the complaint procedures.
- C. The Department recognizes that its personnel are often subject to intense pressures in the discharge of their duties. The employee must remain neutral under the circumstances that are likely to generate tension, excitement and emotion. In such situations, words, actions, or events frequently result in misunderstanding and confusion. It is to the advantage of all employees and citizens to have a procedure for the investigation of the more serious allegations and underlying circumstances so that complaints can be resolved taking into account the complicated pressures of Law Enforcement services.
- D. Upon request any person may be given a copy of the instructions explaining how to report a complaint about police department employees or police department services.
- E. Responsibility for handling complaints;
  - 1. As a rule, complaints regarding law enforcement personnel or operations will be handled by the Chief of Police. Complaints will normally be investigated and handled by the Executive Officer at the direction of the Chief of Police. The Chief of Police may ask for assistance from another agency to participate in or undertake the investigation.
- F. Receipt of complaints
  - 1. Complaints, regardless of their nature, can be lodged in person, by mail or by phone at any time. As part of the follow-up investigative activity, persons making complaints by mail or phone will normally be interviewed and a written, signed complaint prepared. Anonymous complaints will be followed up to the extent possible.
  - 2. Every effort will be made to facilitate the convenient, courteous and prompt receipt and processing of citizen complaints. An employee in the

Department, who interferes with, discourages or delays the making of such complaint shall be subject to disciplinary action.

3. Normally, a citizen with a complaint will be referred to the Chief of Police or Lieutenant who will assist the citizen in recording pertinent information. The Lieutenant will, if appropriate, conduct a preliminary investigation.
4. If the complainant is apparently under the influence of an intoxicant or drug, or is apparently suffering from a mental disorder, or displays any other trait or condition bearing on his credibility, this information shall be noted on the complaint form. Any visible marks or injuries relative to the allegation shall be noted and photographed.
  - a. Prisoners or arrestees may also make complaints. Circumstances may require a department representative to meet the complainant at a jail or prison for an interview. If appropriate, the police representative will have photographs taken of any injuries.
5. Department employee receiving a citizen complaint through United States mail shall forward it to the Chief of Police who will determine investigative responsibility.
6. Complaints received by telephone will be courteously and promptly referred to the Chief of Police. If the Chief of Police or his designee is unavailable the employee shall record the name and telephone number of the complainant and state that the Chief of Police or his designee shall call back as soon as practical.
7. Complaints will not normally be accepted more than thirty (30) days after the alleged incident, with the following exceptions;
  - a. When the act complained of is a criminal violation in which case the criminal statute of limitations will prevail.
  - b. When the complaining person can show good cause for not making a complaint earlier.
8. The preceding procedures may also be used when department employees desire to enter a complaint against any other employee governed by this order.

G. Disposition of Complaints

The Chief of Police shall;

1. Notify the complainant, as soon as practical, that the department



acknowledges receipt of the complaint, that the complaint is under investigation, that the investigation will be completed within thirty (30) days. If the investigation exceeds thirty (30) days, the Chief of Police shall notify the complainant.

2. Maintain complaint files separate from personnel files.
3. When the investigation substantiates the allegation, take appropriate disciplinary action.
4. Upon completion of the investigation, notify the complainant of the adjudication.

#### H. Internal Investigations Files

The Chief of Police shall;

1. Record or register or cause to be recorded or registered the internal investigation.
2. Maintain confidential records of internal investigations.
3. Insure that the investigation is conducted according to established policies and procedures
4. Maintain close liaison with the District Attorney investigating alleged criminal conduct. Where liability is an issue, the Chief shall maintain contact with the Town Attorney.
5. After review by the Chief of Police or his designee the complaint will be investigated by either the Internal Affairs process or by the officer's immediate supervisor. Normally complaints of a serious nature, ie. corruption, brutality, serious injury, criminal misconduct, etc. would be handled as an Internal Affairs function. Less serious complaints such as officer rudeness, insensitivity, tardiness, insubordination, etc. would be handled by the immediate supervisor. The Chief of Police or his designee will make this decision.

#### I. Investigative Procedures

Two (2) types of investigations may take place: administrative or criminal, different rules govern interviews of employees in each case.

1. Interview for administrative purposes: If the Chief of Police wishes to compel an employee to answer questions directly related to his or her official duties and the Chief is willing to forgo the use of such answers in a

criminal prosecution, the Chief of Police or another interviewer shall advise the employee of the following;

- a. The purpose of the interview is to obtain information to determine whether disciplinary action is warranted. The answers obtained may be used in disciplinary proceedings resulting in reprimand, demotion, suspension, or dismissal.
- b. Any questions specifically related to employment must be fully and truthfully answered. Refusal to answer may result in disciplinary action.
- c. No answers given or any information obtained by reason of such statements may be admissible against the employee at any criminal proceeding.
- d. The employee shall read or have read to them the following:
  - (i) I wish to advise you that you are being questioned as part of an official investigation of the Police Department. You will be asked questions specifically directed and narrowly related to the performance of your official duties or fitness for office. You are entitled to all the rights and privileges guaranteed by the laws and the constitution of the United States, including the right not be compelled to incriminate yourself. I further wish to advise you that if you refuse to testify or to answer questions relating to the performance of your official duties or fitness for duty, you will be subject to Departmental charges, which could result in your dismissal from the Police Department. If you do answer, neither your statement nor any information or evidence that is gained by reason of such statements can be used against you in any subsequent criminal proceeding. However, these statements may be used against you in relation to subsequent departmental charges.
- e. In an interview for administrative purposes, no Miranda Rights are required. Further the foregoing rules are inconsistent with Miranda in that employee's statements cannot be used as evidence. Further, as the interview does not serve criminal prosecution the employee has no Sixth Amendment right to counsel. However, the employee may have right to counsel and other rights pursuant to the collective bargaining agreement between the Town of Stony Point and the Stony Point PBA.

2. Interviews for Criminal Investigative Purposes:

If the Chief of Police believes criminal prosecution is a possibility and wishes to use statements against the employee in a criminal proceeding, or at least wishes to maintain the option of their use, he or another interviewed shall:

- a. Give the employee Miranda Rights.
- b. Advise the employee that if he asserts his right not to answer questions, no adverse administrative action will be taken based upon the refusal.

If the employee decides to answer questions at this point, the responses may be used in both criminal and disciplinary proceedings.

Note that Miranda includes the provision that a lawyer may be present at an interview. Although technically the employee has no right to counsel until the employee has been criminally charged or his or her freedom of action has been deprived, the Department wishes the employee to have the option. The Department wishes no possibility to arise in which its actions may be construed as coercive.

I. Photographs

Photographs of employees may be maintained for the purpose of identification by complainants who have made allegations of misconduct.

K. Adjudication of complaints

1. The Chief of Police will classify completed internal investigations as follows:
  - a. Unfounded – no truth to allegations
  - b. Exonerated – allegations true, but are a result of adherence to proper and appropriate police procedures and techniques.
  - c. Not sustained – unable to verify the truth of the matters under investigation.
  - d. Sustained – allegations true.
  - e. Completed investigations classified as unfounded, exonerated or not sustained will be maintained in internal affairs files in the Chief's office. Sustained complaints will be filed in the individual

employees department personnel file with a copy in the Internal Affairs files.

- f. The Chief of Police, upon receipt of the completed investigation, will review the material pertaining to the incident, the involved person's work record, disciplinary history, and service record and then recommend a disciplinary action if the allegations are sustained.
- g. The employee will be notified of results of the investigation and the recommended disciplinary action including scheduled implementation of said action.

Approved by,

Brian J. Moore  
Chief of Police

## **APPENDIX 7**

### **NYS Police Reform & Reinvention Collaborative Citizen Committee**

<b><u>James Monaghan:</u></b>	Town Supervisor
<b><u>Joan Skinner:</u></b>	Generational resident, former T/Clerk, Sunday School teacher
<b><u>Ralph Heavner:</u></b>	Resident, father/grandfather, business owner, involved in boy scouts, defense attorney, former town attorney
<b><u>George Salters:</u></b>	Longtime resident/ father of two and former RC corrections officer
<b><u>Christine Miles:</u></b>	Long-time resident of the community, parent, active in the community and formerly served as a library trustee.
<b><u>Rahsaan (Rocky) Alexander:</u></b>	Long-time resident, parent, business owner.
<b><u>Father Yacoub Ghaly:</u></b>	Clergy, Virgin Mary & St Pachomius Coptic Orthodox Church
<b><u>Reverend Peter Brayda:</u></b>	Pastor, “Living Hope Fellowship Church”, resident, parent
<b><u>Deacon Phil Marino:</u></b>	Deacon, Immaculate Conception Church, resident, parent, former schoolteacher, former Town Supervisor, Wayne Hose FD member
<b><u>Richard Fernandez:</u></b>	NRCS Board of Ed President, Board of Directors for Bridges of Rockland - Disability resource, services & advocacy center, parent, longtime resident and former law enforcement
<b><u>Bentchico (Ben) Augustin:</u></b>	Business owner, resident, parent
<b><u>Kathleen Devlin:</u></b>	Senior Assistant District Attorney, Rockland County DA’s Office

### **Police representatives of the Stony Point Police Department.**

Chief Brian J Moore  
Lieutenant Edward Finn  
Lieutenant Gregory Becker  
Sergeant Pedro Garcia  
Detective Andrew Kryger

## **APPENDIX 8**

### **Stony Point Police Reform and Reinvention Collaborative Meeting Agenda (Meeting 1)**

Subject: NYS Police Reform and Reinvention Collaborative

Date: October 15, 2020

Time: 7:00PM

Location: Stony Point Police Department (EOC Room)

#### **AGENDA ITEMS**

- Pledge of Allegiance
- Welcome by Chief of Police and Town Supervisor
- Introduction of Committee Members (First Meeting)
- Brief Explanation/Goals of NYS Executive Order 203
- Brief Explanation of NYS Law Enforcement Accreditation Program
- Introduction to Youth Programs and Community Programs
- Open Discussion in Reference to Aforementioned Items
- Police Hiring and Promotion Practices
- Mental Health
- Domestic Violence
- Miscellaneous

**Stony Point Police Reform and  
Reinvention Collaborative Meeting Agenda (Meeting 2)**

Subject: NYS Police Reform and Reinvention Collaborative

Date: November 5, 2020

Time: 7:00PM

Location: Stony Point Police Department (EOC Room)

**AGENDA ITEMS**

- Pledge of Allegiance
- Welcome and Field Questions With Regard To Prior Meeting
- District Attorney Tom Walsh- Remote Via “Teams”
- Diversion Programs- Remote Presentation by Executive DA Charles Apotheker/Public Defender Victor Daly
- Domestic Violence
- 911 Dispatch
- Design of Public Spaces
- Law Enforcement in Schools
- Staffing and Budgeting
- Crowd Control and Equipment
- Arrest Demographics
- Internal Quotas
- Stop & Frisk
- Swat Team (REACT

## **Stony Point Police Reform and Reinvention Collaborative Meeting Agenda (Meeting 3)**

Subject: NYS Police Reform and Reinvention Collaborative

Date: December 10, 2020

Time: 7:00PM

Location: Stony Point Police Department (EOC Room)

### **AGENDA ITEMS**

- Pledge of Allegiance
- Welcome and Field any Questions from the 11/5/20 Meeting
- Use of Force:
  - Chokeholds
  - Shooting at Moving Vehicles
  - Less Lethal Options
  - De-escalation
- Tracking and Reviewing Use of Force/Use of Force Misconduct
- Internal Accountability
- Civilian Oversight
- Summonses and Warrantless Arrests
- Hot Spot Policing
- Hate Crimes

### **Restorative Justice Open Discussion**

\*Updated calendar and addition of Zoom Meeting



**Stony Point Police Reform and  
Reinvention Collaborative Meeting Agenda (Meeting 4)**

Subject: NYS Police Reform and Reinvention Collaborative

Date: January 7, 2021

Time: 7:00PM

Location: Stony Point Police Department (EOC Room)

**AGENDA ITEMS**

- Pledge of Allegiance
- Welcome and Field any Questions from the 12/10/20 Meeting
- Hate Crimes—Sgt Garcia
- Community Outreach
- Partnering with Schools
- Use of Website, Facebook, Social Media
- Data Driven Police Strategies
- Training and Continuing Education
- Officer Wellness:
  - Employee Assistance Program
  - Incident Debriefing

**Restorative Justice Open Discussion**

**Discussion on Upcoming Zoom Meeting**

**Stony Point Police Reform and  
Reinvention Collaborative Meeting Agenda (Meeting 5)**

Subject: NYS Police Reform and Reinvention Collaborative

Date: February 16, 2021

Time: 7:00PM

Location: Stony Point Police Department (EOC Room)

**AGENDA ITEMS**

- Pledge of Allegiance
- Welcome and Field any Questions from the 1/7/2021 meeting
- Discuss public Zoom meeting and suggestions from callers
- Discuss what will be newly adopted, changed, or improved areas based on our meetings and committee/public input
- Discuss the draft for our “plan”
- Discuss the process for public input, modifications and Town Board approval

## **APPENDIX 9**

### **Police Reform and Reinvention Collaborative Plan** **Rockland County Department of Mental Health Comments**

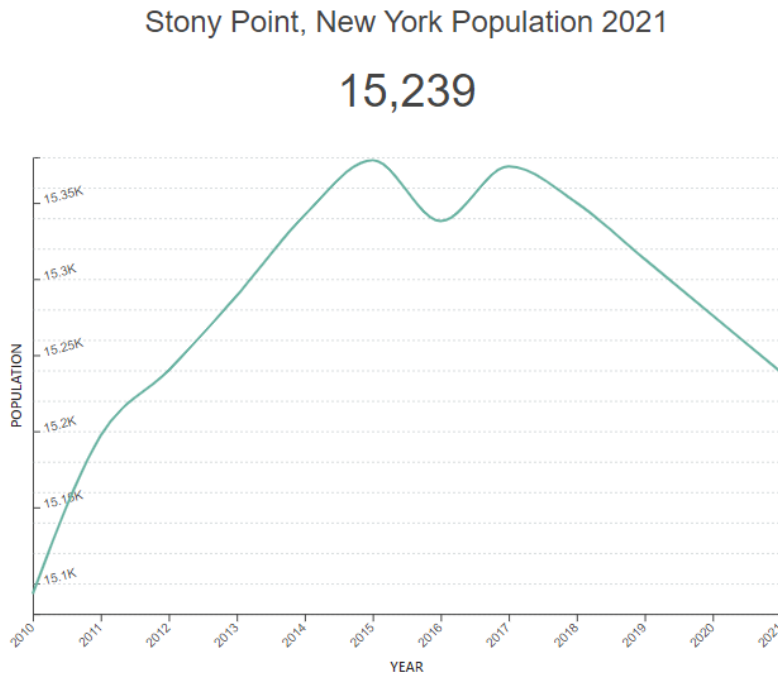
Over the last several years, the Rockland County Department of Mental Health (RCDMH) has transitioned away from service provision and now functions primarily as the Local Governing Unit (LGU). As the LGU, RCDMH oversees and coordinates the provision of behavioral health services in the county, both through local services planning and contracting. Contracts are typically between the county and not-for-profit community providers, often utilizing state aid dollars. As the LGU, RCDMH is invested in meeting the needs of the community by working with residents and providers to continually assess and improve our behavioral health services system of care. RCDMH is pleased to be included in the Police Reform and Reinvention Collaboration Plan and to have the opportunity to provide recommendations regarding the interface of mental health and law enforcement. After our meeting with the principals of the project and review of the draft document, we offer the following comments and recommendations:

- The Behavioral Health Response Team (BHRT) is a contract agency, meaning it is an agency that RCDMH contracts with for behavioral health service provision. BHRT began in 2015 and employs a unique model in which the responding team consists of a behavioral health clinician and medical personnel (typically an EMT). BHRT and the police can both respond to a call and the pathway to that dual response is varied: BHRT can request police accompaniment, the police can request BHRT to respond with them, and any 911 calls that may involve BHRT must, by protocol, include police. We have received feedback from the community that BHRT too often responds with police and the most common pathways to that police co-response are not clear. To clarify the source of police and BHRT co-responding, BHRT will begin tracking the origin of police involvement which will then allow for process review and improvement. Additional recommendations regarding BHRT include the following:
  - o Increasing the range of acuity to which BHRT responds so that they also respond to less acute situations, which may decrease the percentage of calls involving police.
    - This will be addressed for children via the Children's CARE Team, which allows for families to determine whether a situation is a crisis.
  - Additional trainings in de-escalation for the BHRT staff to increase confidence in being able to respond independently
  - Addressing the diversity and language capabilities of the BHRT team to better reflect the demographics of the communities most commonly served
  - If sustainable, adding a peer to the BHRT team, preferably from the communities most commonly served

- Recommendations to address the interface between mental health and law enforcement:
  - o Increase training of police cadets and officers in de-escalation and CIT
  - o Transition the training of police cadets and officers from the Westchester
  - o Transition the training of police cadets and officers from the Westchester Department of Community Mental Health to the Rockland County Department of Mental Health, which may help with ongoing communication between police and mental health staff
  - o If sustainable, consider the addition of a plain clothes police officer to the BHRT team
  - o If feasible during police cadet training, have cadets complete a time-limited rotation of responding to calls with the BHRT team to increase familiarity with mental health presentations
  - o Consider having police cadets and officers trained in Undoing Racism

## APPENDIX 10

Stony Point, New York Population 2021



State	New York
County	Rockland County
Land Area	27.6 sq mi
Density	551.50/sq mi
2020 Growth Rate	-0.24%
Growth Since 2010	0.97%

The current population of Stony Point, New York is **15,239**, based on our projections of the latest US Census estimates. The US Census estimates the 2018 population at **15,350**. The last official US Census in 2010 recorded the population at **15,093**.

Stony Point is a city located in **New York**. Stony Point has a 2020 population of **15,239**. Stony Point is currently declining at a rate of **-0.24%** annually but its population has increased by **0.97%** since the most recent census, which recorded a population of **15,093** in 2010. Stony Point reached it's highest population of 15,378 in 2015.

The average household income in Stony Point is \$127,389 with a poverty rate of 5.56%. The median rental costs in recent years comes to \$1,614 per month, and the median house value is \$381,400. The median age in Stony Point is 44.1 years, 40.7 years for males, and 46 years for females. For every 100 females there are 92.9 males.

### Stony Point Demographics

According to the most recent ACS, the racial composition of Stony Point was:

- White: 79.69%
- Black or African American: 9.15%
- Other race: 5.25%
- Asian: 3.06%
- Two or more races: 2.59%
- Native American: 0.27%
- Native Hawaiian or Pacific Islander: 0.00%

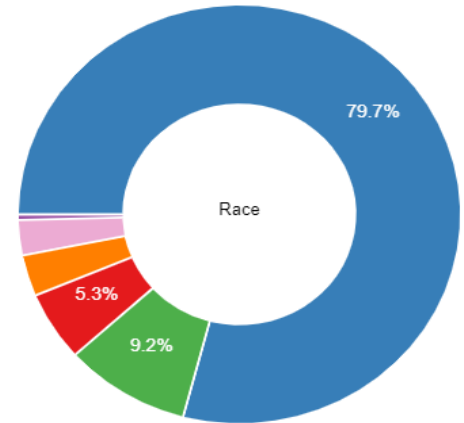
Population by Race ?

Total

Hispanic

Non-Hispanic

Race	Population ▼	Percentage
White	12,233	79.69%
Black or African American	1,405	9.15%
Some Other Race	806	5.25%
Asian	469	3.06%
Two or More Races	397	2.59%
American Indian and Alaska Native	41	0.27%



White Black or African American  
American Indian and Alaska Native Asian  
Some Other Race Two or More Races

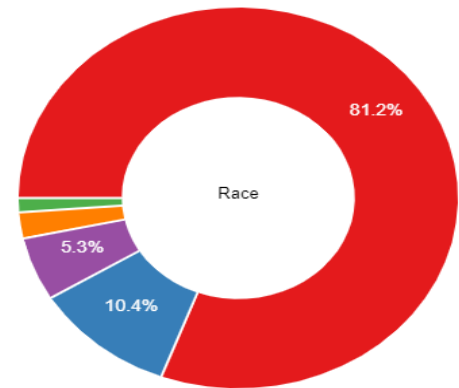
Population by Race ?

Total

Hispanic

Non-Hispanic

Race	Population ▼	Percentage
White	1,604	10.45%
Some Other Race	806	5.25%
Two or More Races	317	2.07%
Black or African American	161	1.05%



White Black or African American Some Other Race  
Two or More Races Tot. Non-Hispanic

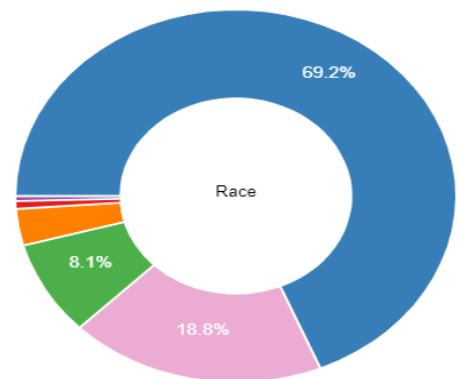
Population by Race ?

Total

Hispanic

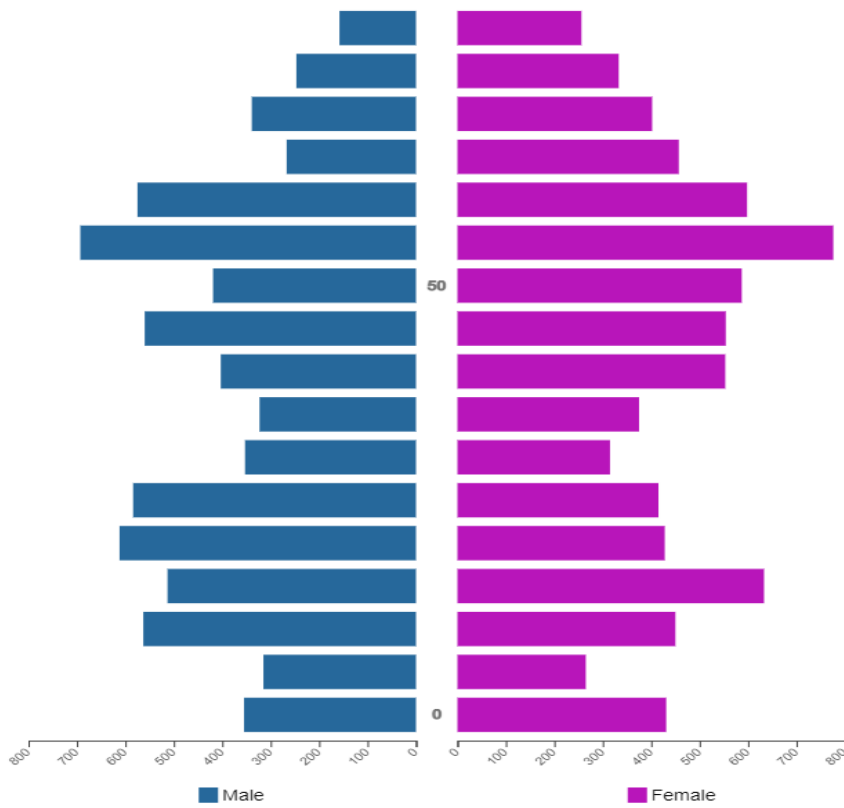
Non-Hispanic

Race	Population ▼	Percentage
White	10,629	69.24%
Black or African American	1,244	8.10%
Asian	469	3.06%
Two or More Races	80	0.52%
American Indian and Alaska Native	41	0.27%



White Black or African American  
American Indian and Alaska Native Asian  
Two or More Races Tot. Hispanic

## Stony Point Population Pyramid 2021



## Stony Point Median Age

44.1 40.7 46



Total



Male



Female

## Stony Point Adults

There are 12,367 adults, (2,703 of whom are seniors) in Stony Point.

## Stony Point Age Dependency

58.8 Age Dependency Ratio

28 Old Age Dependency Ratio

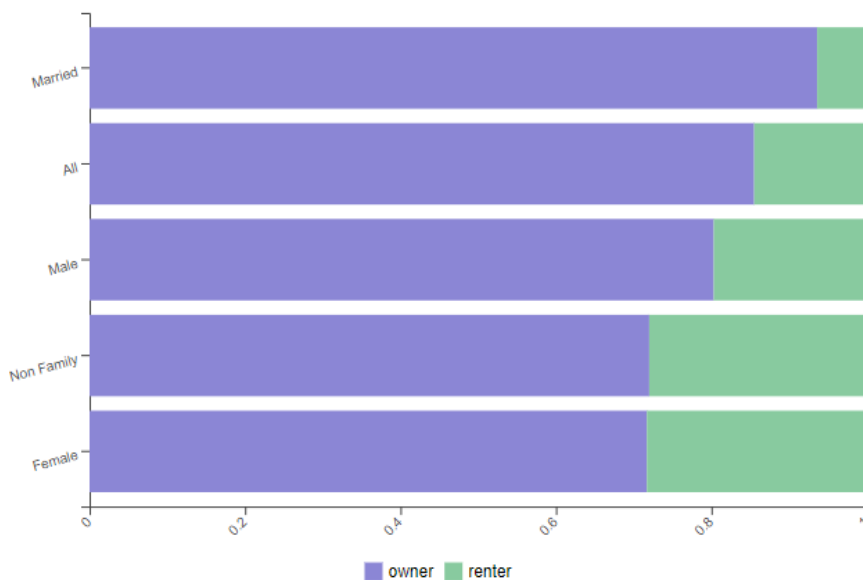
30.9 Child Dependency Ratio

## Stony Point Sex Ratio

Female 7,956 51.83%

Male 7,395 48.17%

## Stony Point Renter vs Owner Occupied by Household Type



## Stony Point Household Types

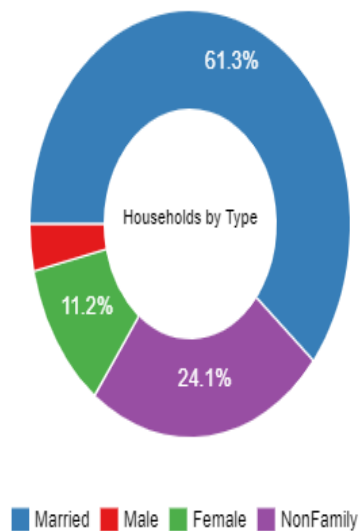
Type	Owner ▼	Renter
Married	93.6%	6.4%
All	85.5%	14.5%
Male	80.3%	19.7%
Non Family	72%	28%
Female	71.7%	28.3%

85.5% Rate of Home Ownership

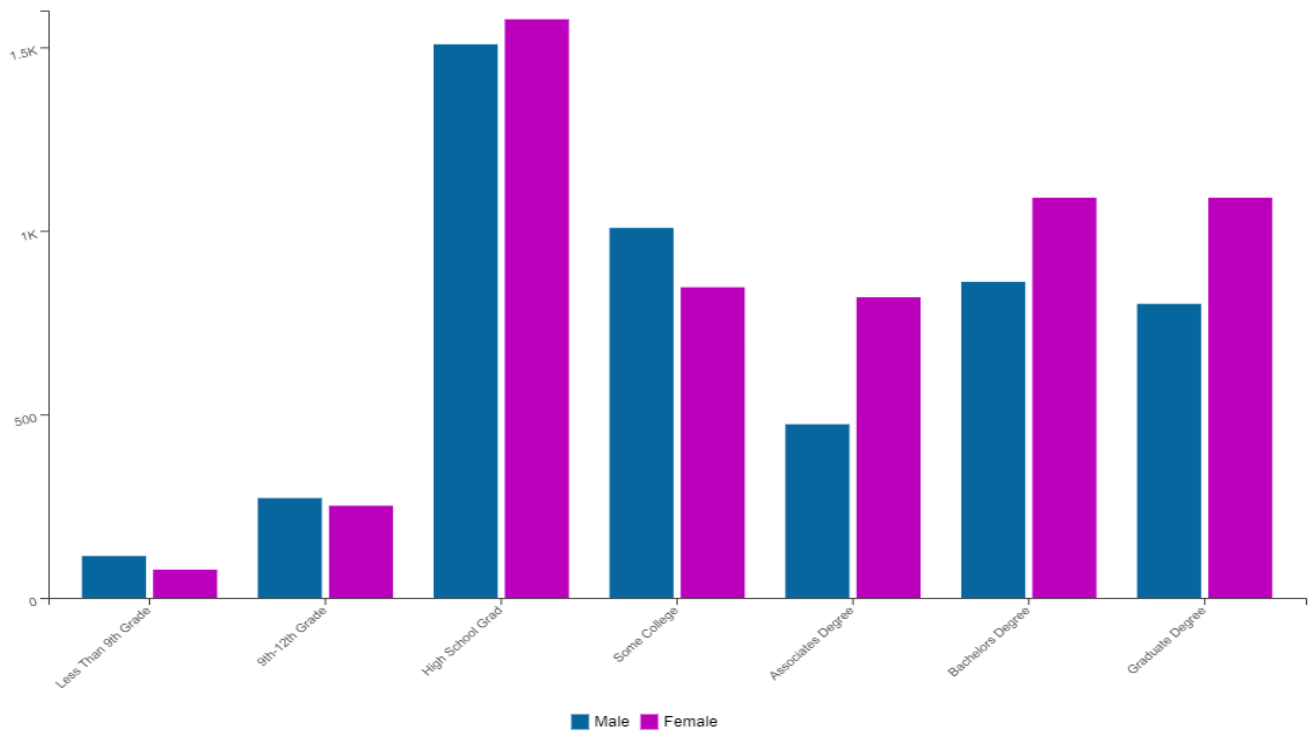
Type	Count ▼	Average Size	Owned
All	5,216	2.93	85.5
Married	3,196	3.48	93.6
Non Family	1,258	1.31	72
Female	584	3.18	71.7
Male	178	3.71	80.3

3.34 Average Family Size

2.93 Average Household Size

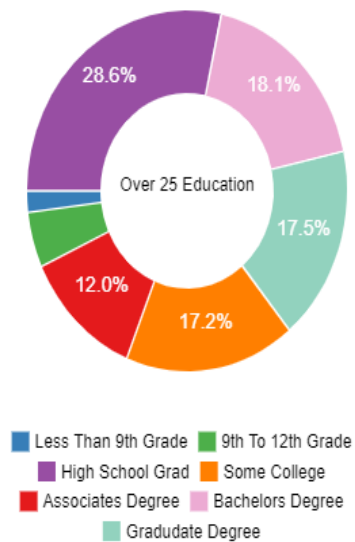






CSV
 JSON

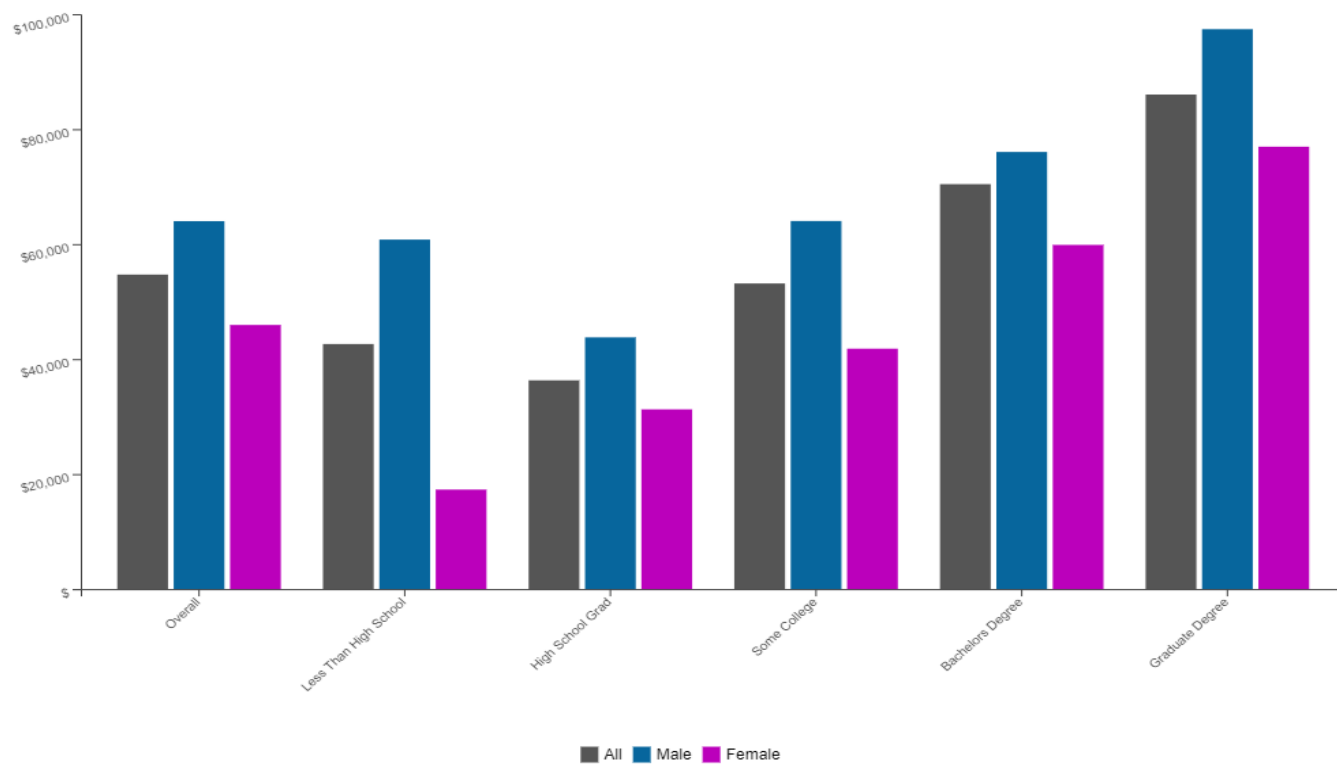
Education Attained	Count	Percentage
Less Than 9th Grade	191	1.77%
9th to 12th Grade	523	4.85%
High School Graduate	3,084	28.59%
Some College	1,854	17.19%
Associates Degree	1,292	11.98%
Bachelors Degree	1,951	18.09%
Graduate Degree	1,891	17.53%





The highest rate of high school graduation is among Native American people with a rate of 100.00%.

The highest rate of Bachelors' degrees is among Native American people with a rate of 100.00%.



Name	Average	Male	Female		
Overall	\$54,699	\$63,994	\$45,938		
Less Than High School	\$42,621	\$60,786	\$17,303		
High School Grad	\$36,300	\$43,779	\$31,250		
Some College	\$53,158	\$64,018	\$41,811		
Bachelors Degree	\$70,430	\$76,029	\$59,861		
Graduate Degree	\$86,018	\$97,386	\$76,944		

\$54,699 Average Earnings

\$63,994 Average Male

\$45,938 Average Female

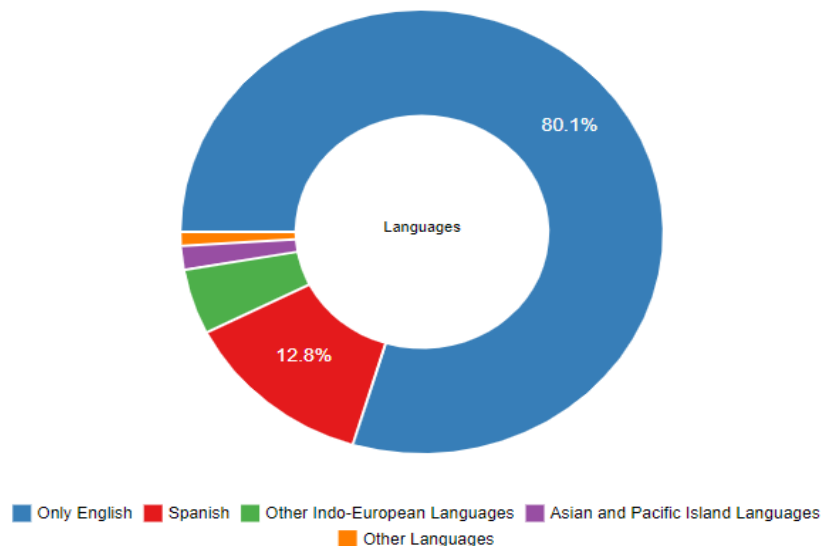
## Stony Point Language by Age

All Ages

5-17

18-64

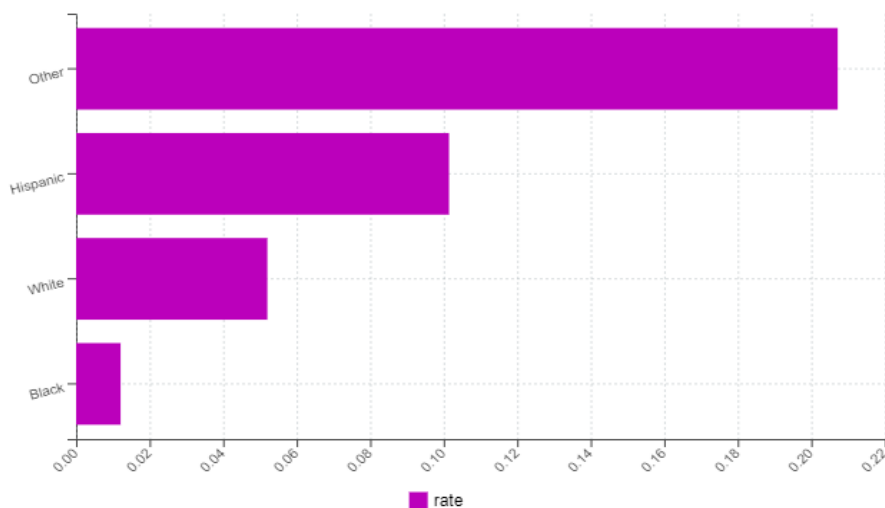
65+



## Stony Point Language

80.12% of Stony Point residents speak only English, while 19.88% speak other languages. The non-English language spoken by the largest group is Spanish, which is spoken by 12.83% of the population.

## Stony Point Poverty by Race



5.56%

Overall Poverty Rate

7.11%

Male Poverty Rate

4.11%

Female Poverty Rate

## Poverty in Stony Point

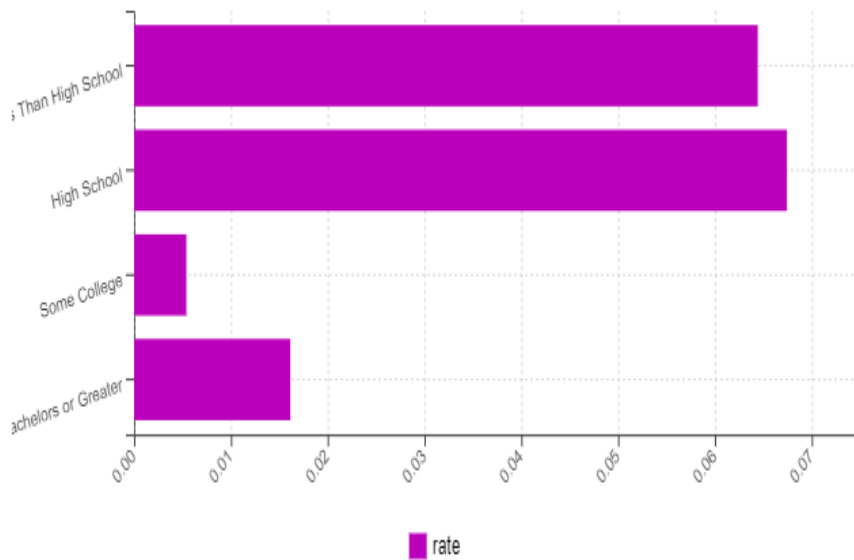
The race most likely to be in poverty in Stony Point is Other, with 20.72% below the poverty level.

The race least likely to be in poverty in Stony Point is Black, with 1.21% below the poverty level.

The poverty rate among those that worked full-time for the past 12 months was 0.37%. Among those working part-time, it was 9.06%, and for those that did not work, the poverty rate was 8.57%.

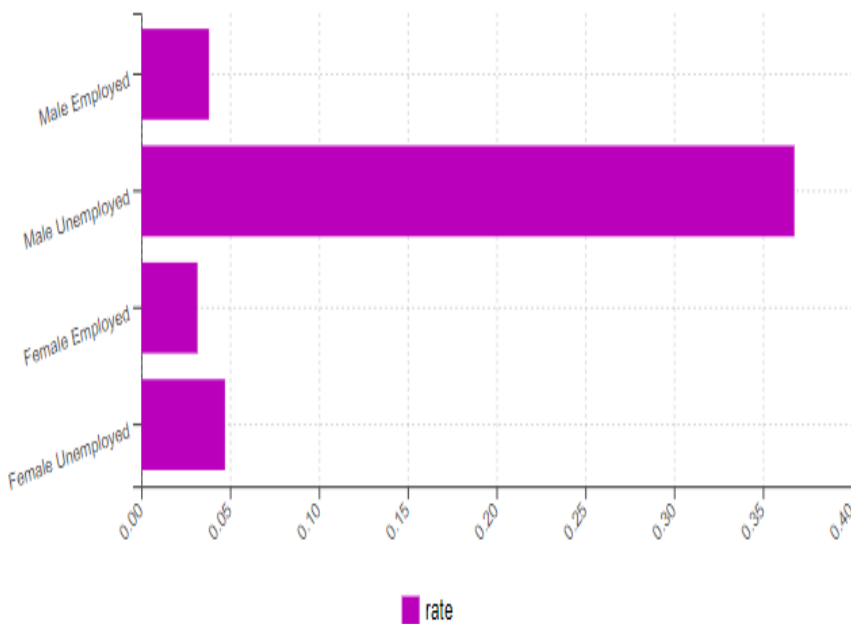
Name	Total	In Poverty ▾	Poverty Rate
White	10,610	552	5.20%
Hispanic	2,888	293	10.15%
Other	806	167	20.72%
Black	1,405	17	1.21%

## Stony Point Poverty Rate by Education

[Show Source](#)

[CSV](#) [JSON](#)

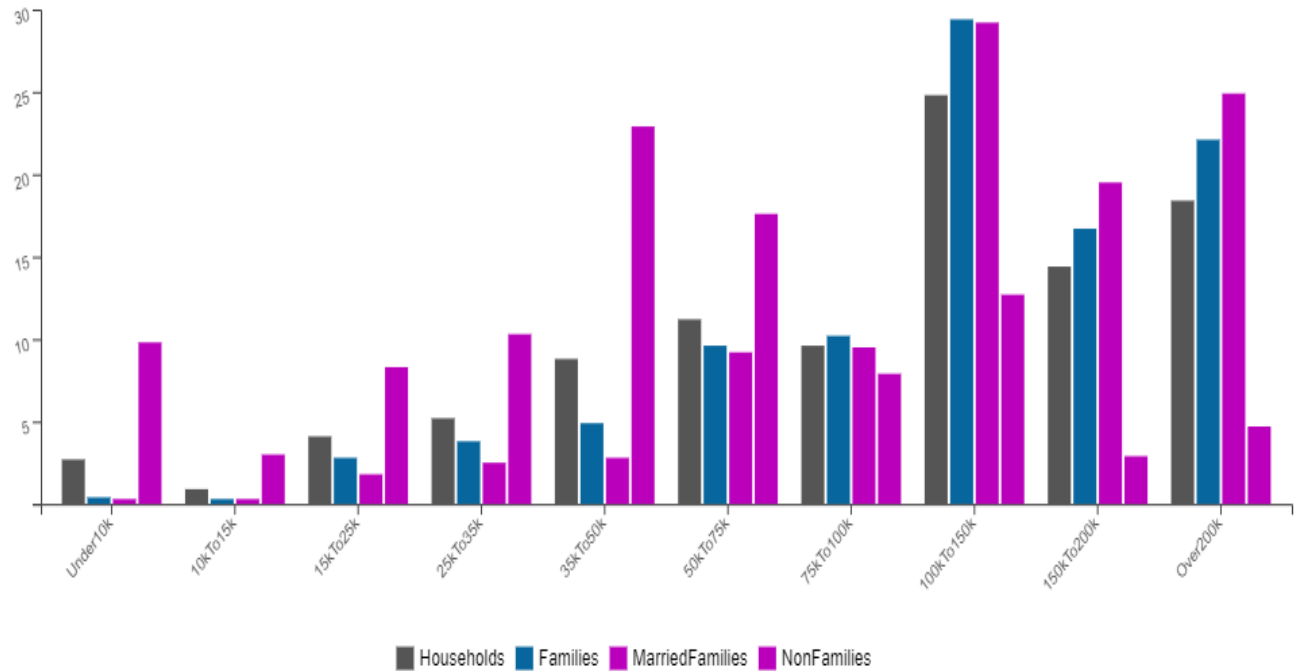
Name	Poverty ▼
High School	6.74%
Less Than High School	6.44%
Bachelors or Greater	1.61%
Some College	0.54%

## Stony Point Poverty Rate by Employment Status and Sex

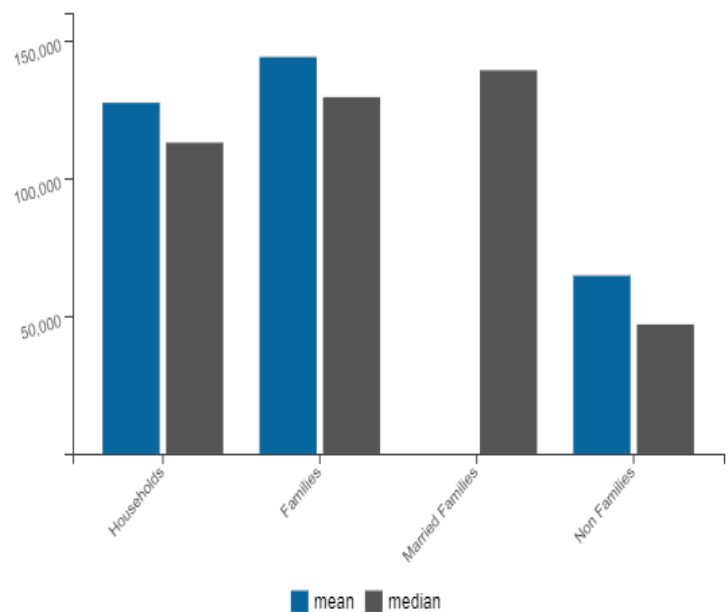
[Show Source](#)

[CSV](#) [JSON](#)

Name	Poverty ▼
Male Unemployed	36.78%
Female Unemployed	4.72%
Male Employed	3.82%
Female Employed	3.17%

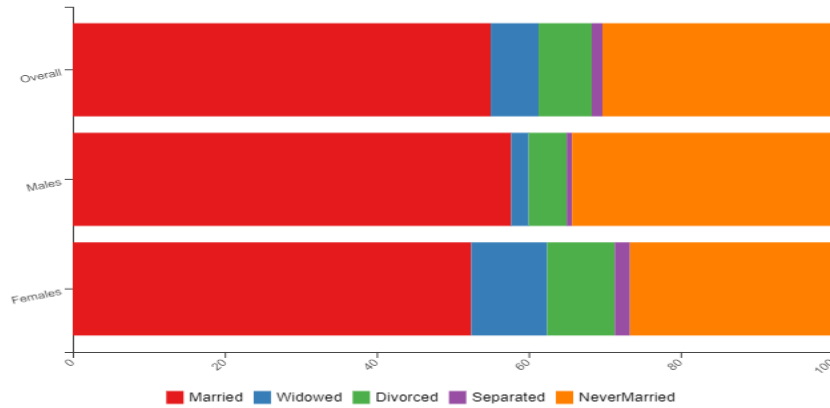
## Stony Point Income by Household Type



Name	Median	CSV	JSON
		Mean	
Households	\$112,893	\$127,389	
Families	\$129,435	\$143,991	
Married Families	\$139,167	-	
Non Families	\$46,900	\$64,638	



### Stony Point Marital Status



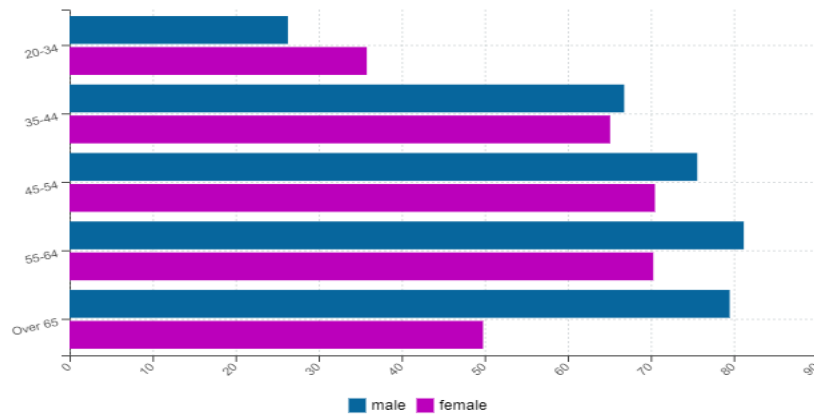
### Marriage Rates

55.0% Overall Marriage Rate

57.7% Male Marriage Rate

52.5% Female Marriage Rate

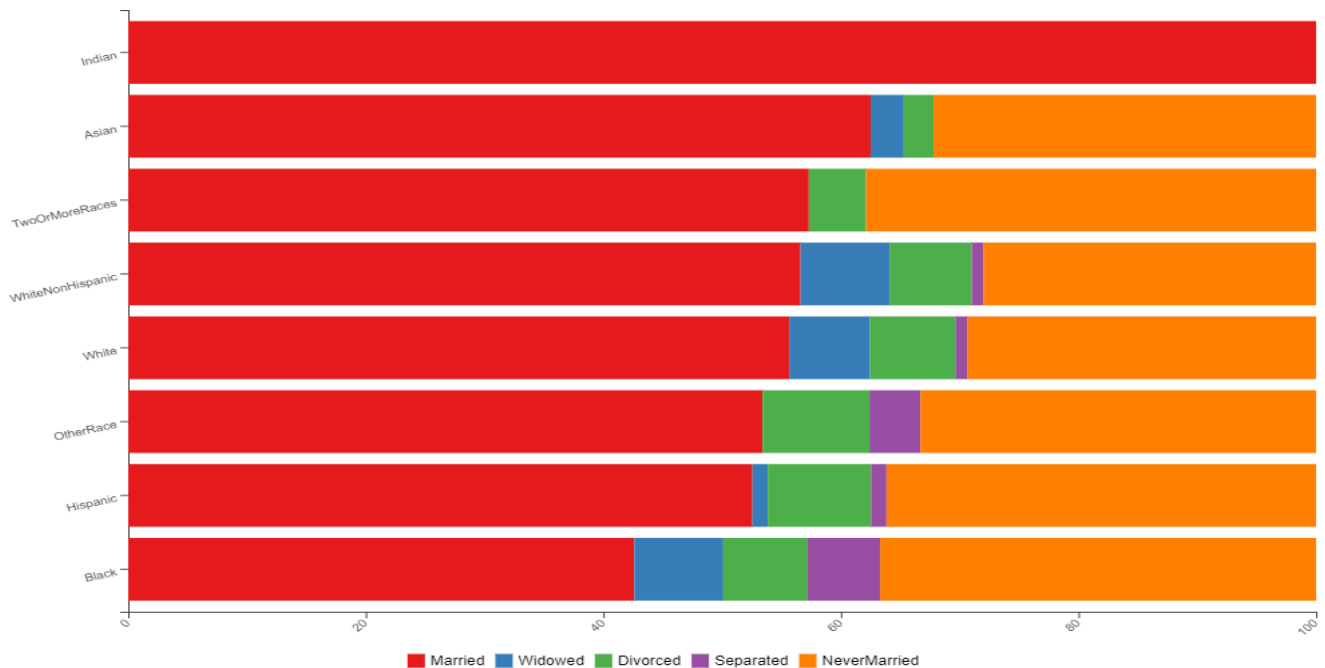
### Stony Point Married by Age and Sex

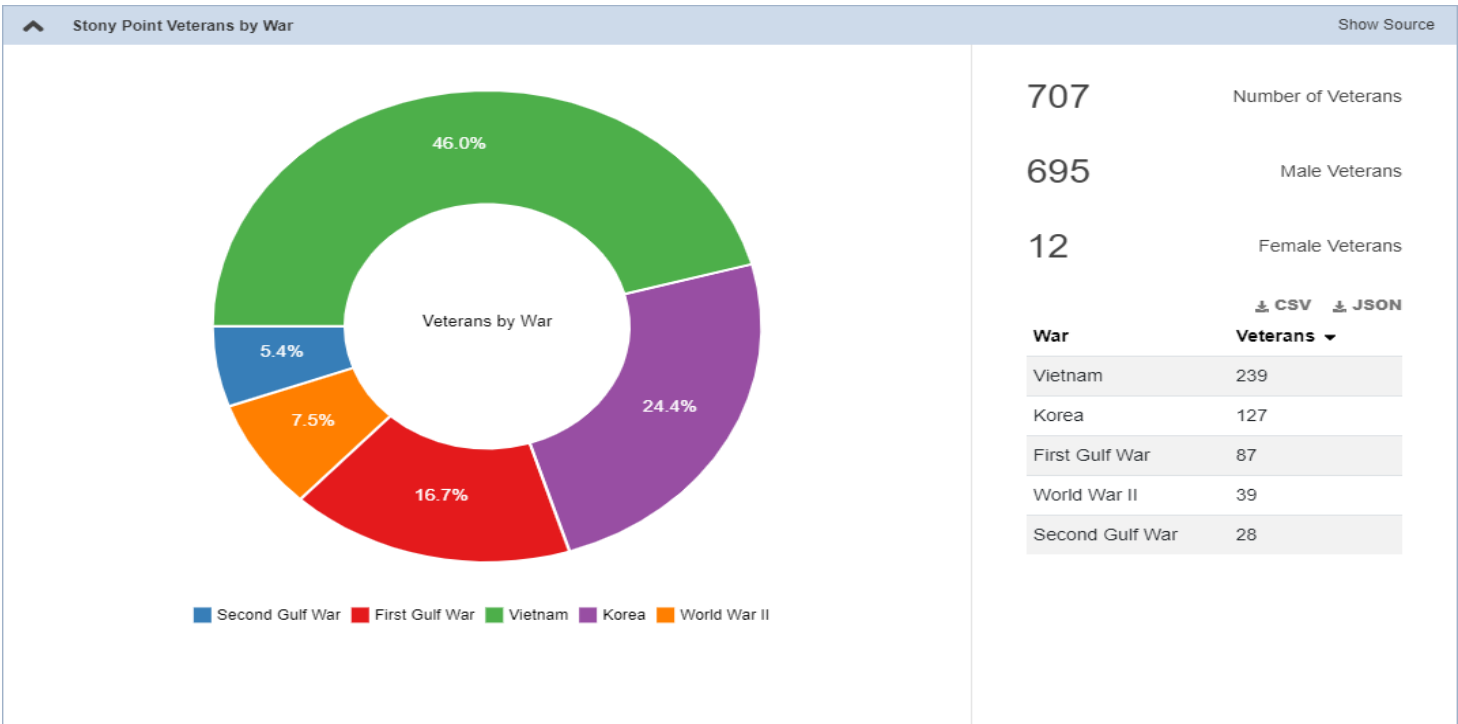


### Stony Point Marriage

The age group where males are most likely to be married is 55-64, while the female age group most likely to be married is 45-54.

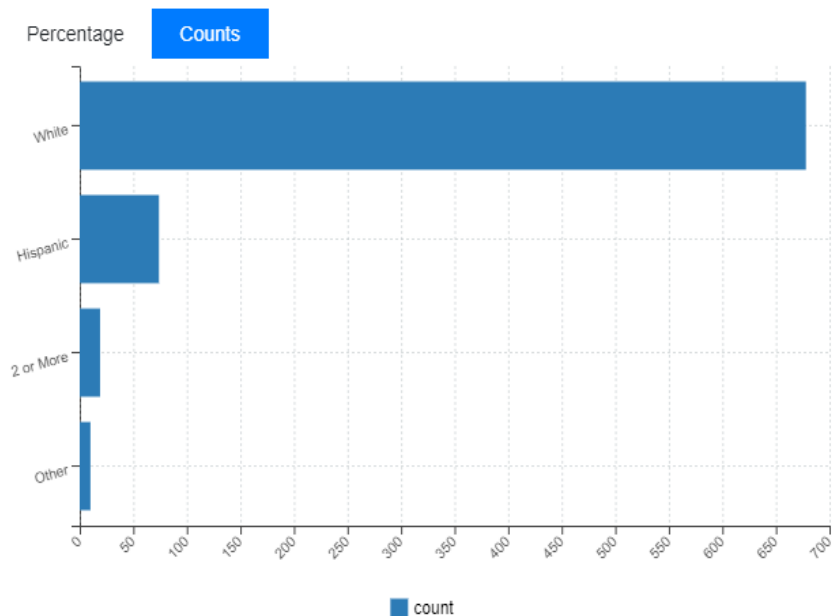
### Stony Point Marital Status by Race







## Stony Point Veterans by Race

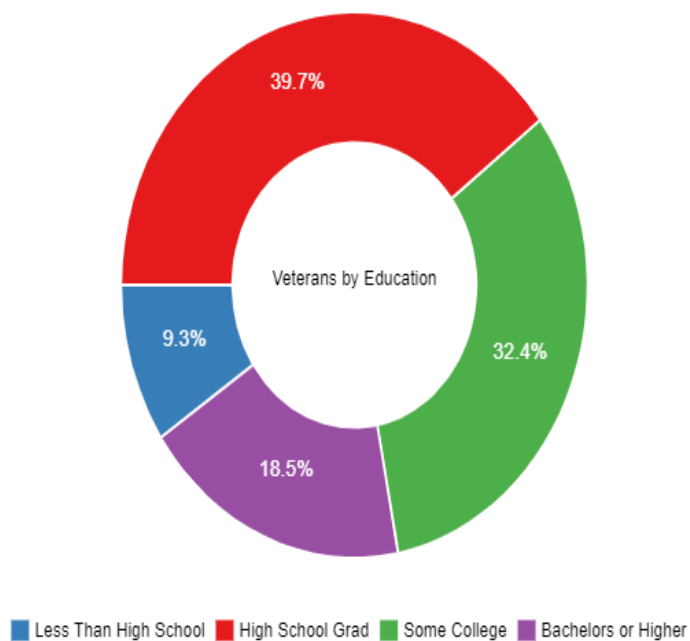
[Show Source](#)


Name	Veterans	% of Total
White	678	6.54%
Hispanic	74	3.66%
2 or More	19	7.17%
Other	10	2.72%

## Stony Point Veterans by Education

[Show Source](#)

### Stony Point Veterans by Education



1.13%

Veteran Poverty Rate

36.63%

Veteran Disability Rate

Labor Force Participation

Employment Rate

Unemployment Rate

67.3%

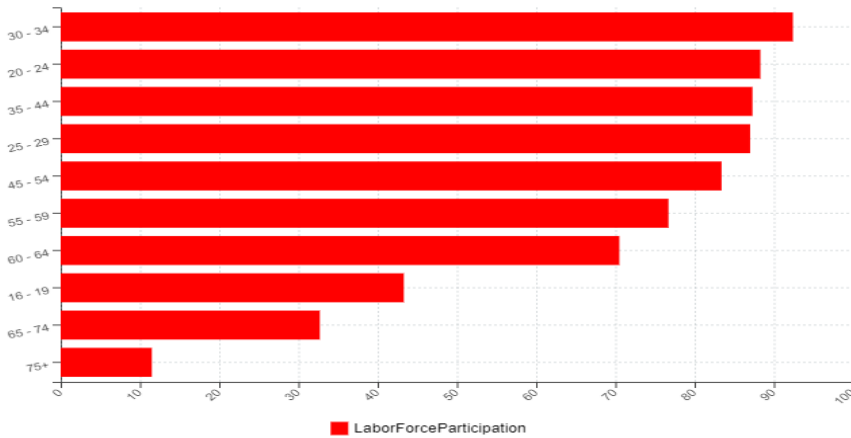
Labor Force Participation

63%

Employment Rate

6.3%

Unemployment Rate



Labor Force Participation

Employment Rate

Unemployment Rate

67.3%

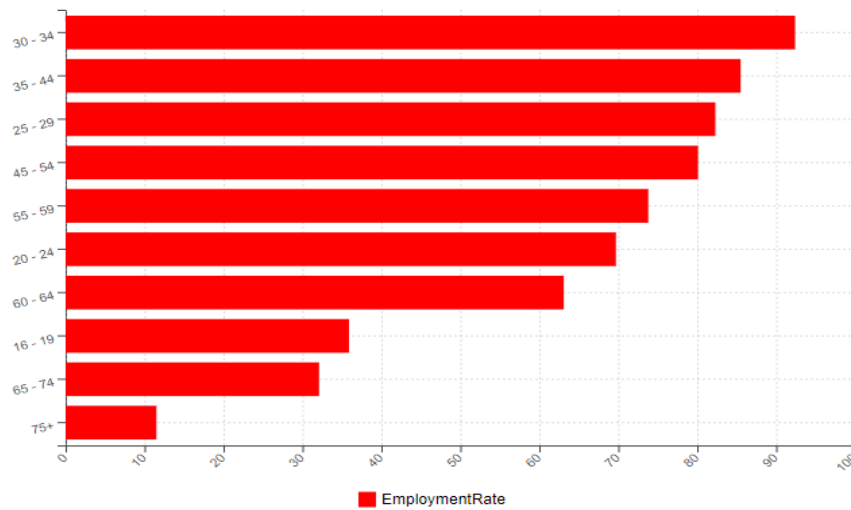
Labor Force Participation

63%

Employment Rate

6.3%

Unemployment Rate



Labor Force Participation

Employment Rate

Unemployment Rate

67.3%

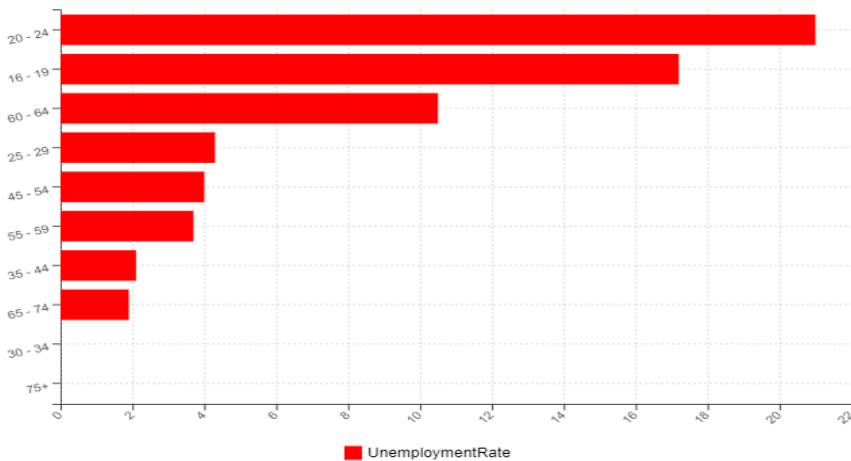
Labor Force Participation

63%

Employment Rate

6.3%

Unemployment Rate



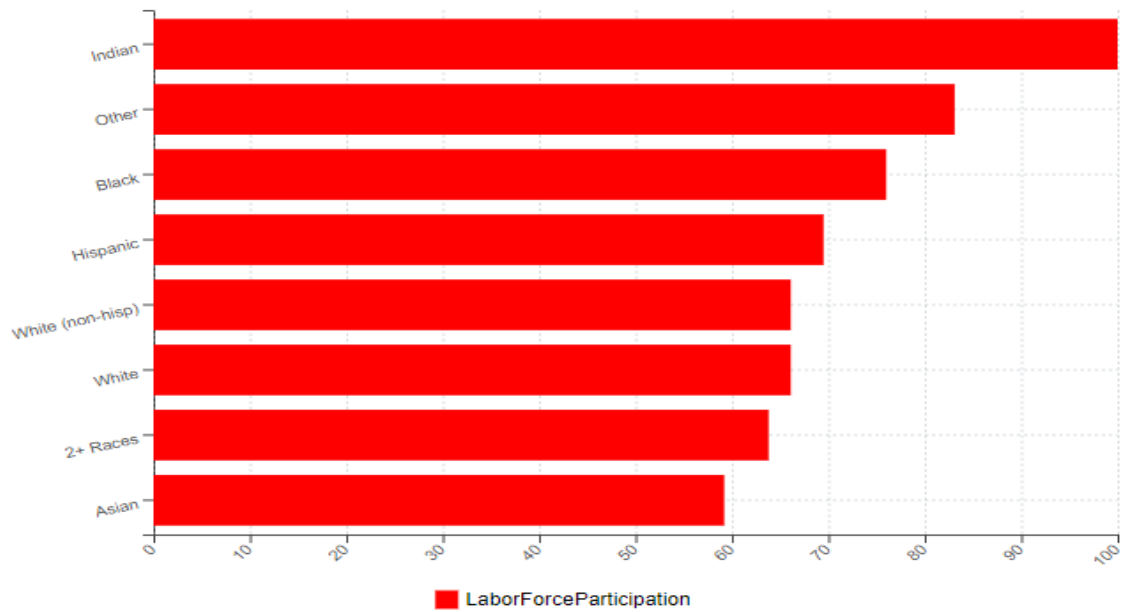


### Stony Point Employment by Race

Labor Force Participation

Employment Rate

Unemployment Rate

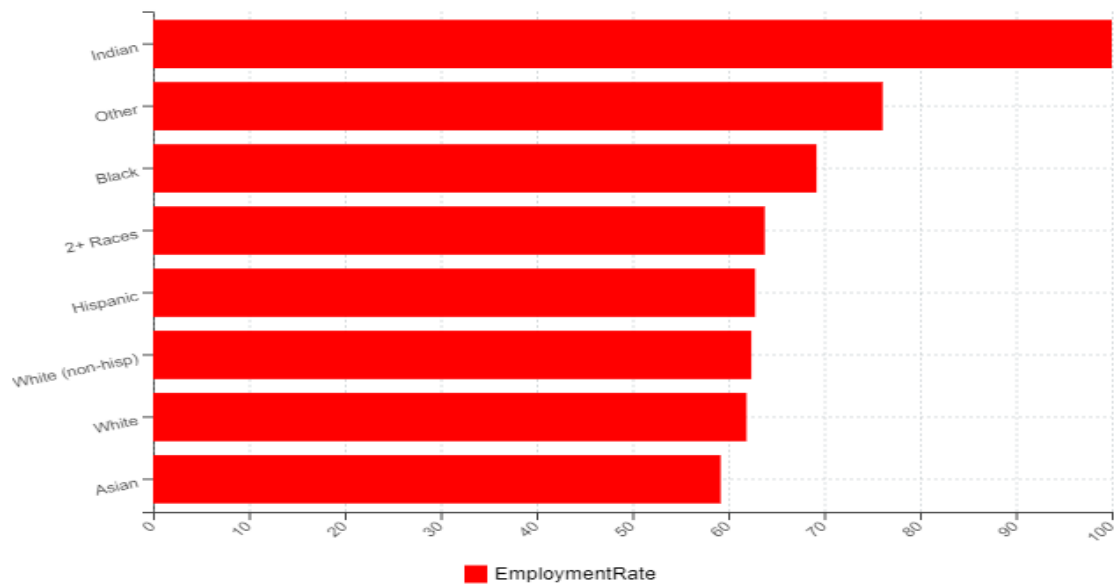


### Stony Point Employment by Race

Labor Force Participation

Employment Rate

Unemployment Rate



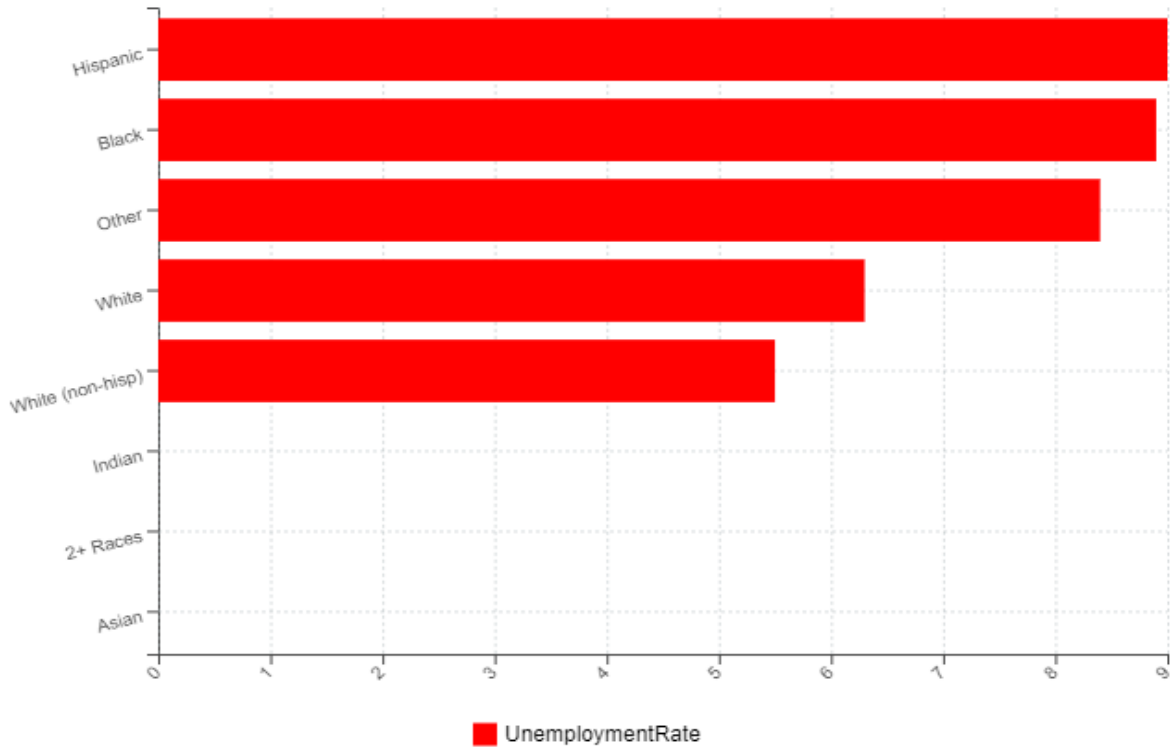


## Stony Point Employment by Race

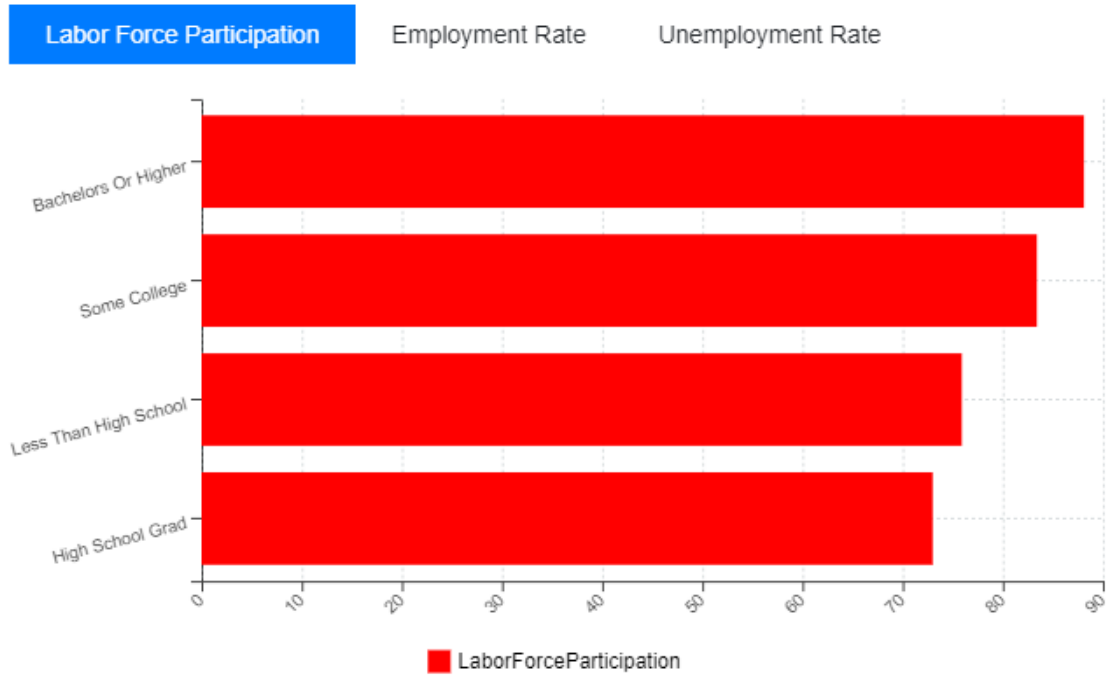
Labor Force Participation

Employment Rate

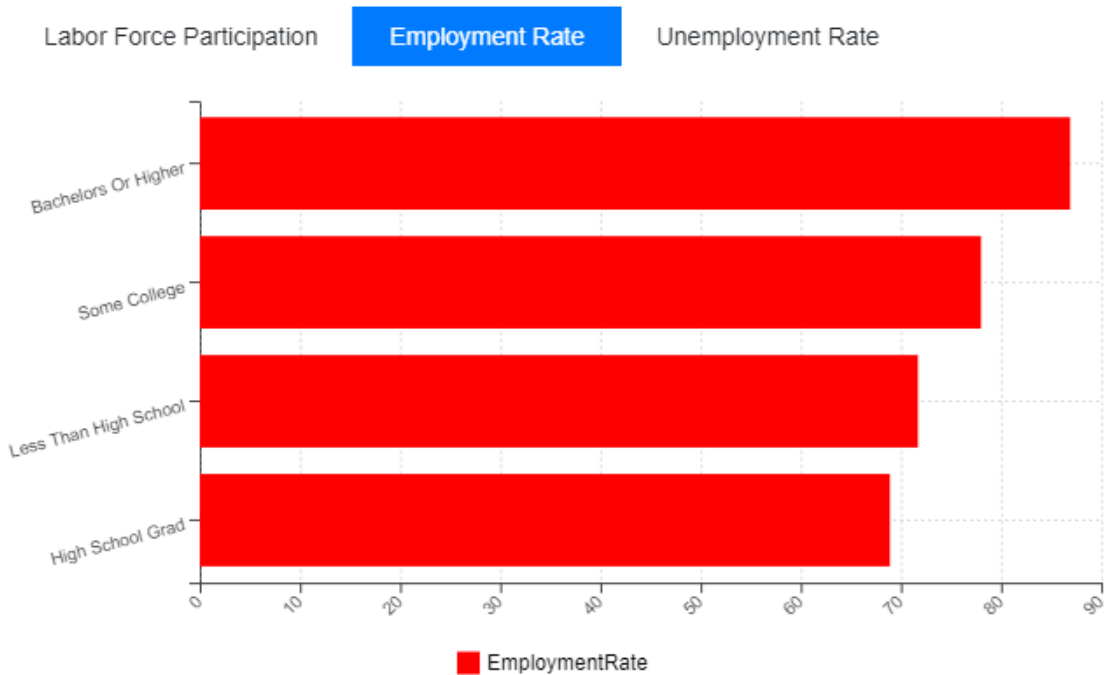
Unemployment Rate



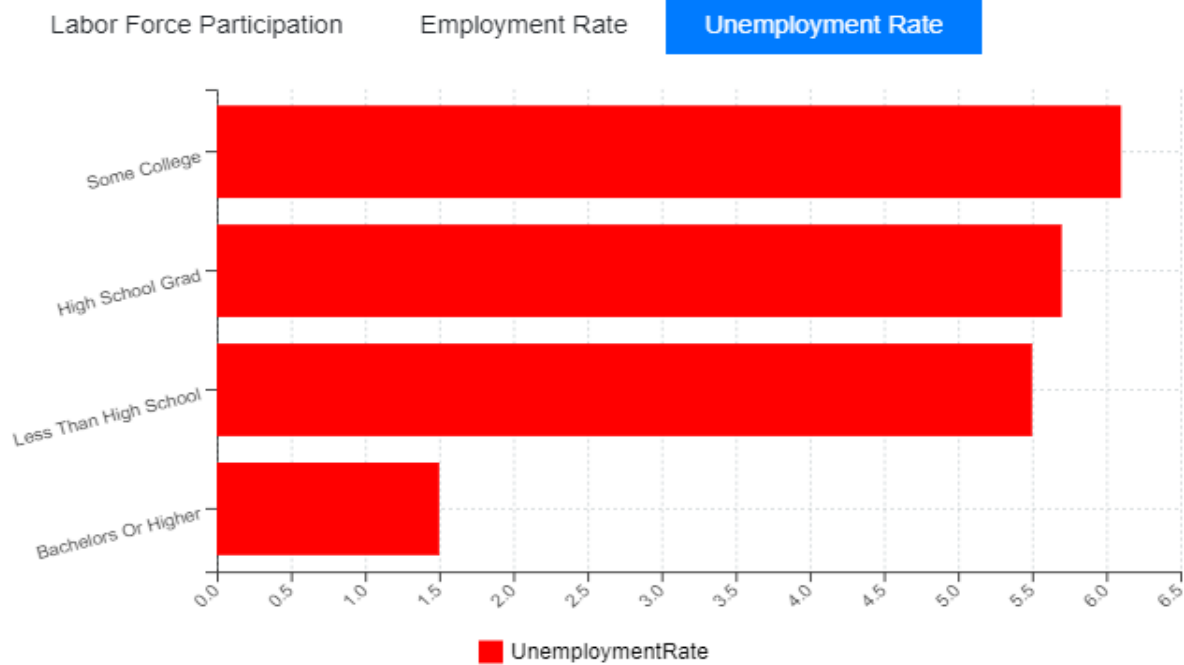
Stony Point Employment by Education



Stony Point Employment by Education



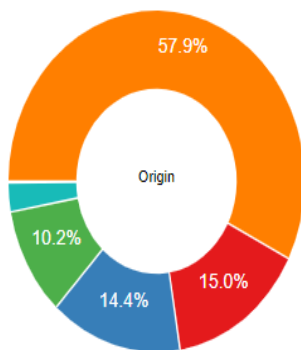
## Stony Point Employment by Education



## Stony Point Place of Birth

Show Source

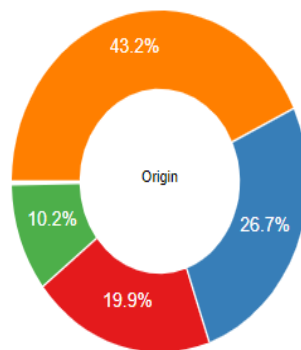
### Origin of Non-Citizens



■ Europe ■ Asia ■ Africa ■ Oceania  
■ Latin America ■ North America

Non citizens include legal permanent residents (green card holders), international students, temporary workers, humanitarian migrants, and illegal immigrants.

### Origin of Naturalized Citizens



■ Europe ■ Asia ■ Africa ■ Oceania  
■ Latin America ■ North America

75.73%

Born in New York ?

89.00%

Native Born

11.00%

Foreign Born

4.27%

Non Citizen

6.74%

Naturalized

### Place of Birth

89.00% of Stony Point residents were born in the United States, with 75.73% having been born in New York. 4.27% of residents are not US citizens. Of those not born in the United States, the largest percentage are from Latin America.

Year ▼	Population	Growth	Annual Growth Rate
2021	15,239	-37	-0.24%
2020	15,276	-37	-0.24%
2019	15,313	-37	-0.24%
2018	15,350	-24	-0.16%
2017	15,374	36	0.23%
2016	15,338	-40	-0.26%
2015	15,378	36	0.23%
2014	15,342	53	0.35%
2013	15,289	49	0.32%
2012	15,240	43	0.28%
2011	15,197	104	0.69%
2010	15,093		0.00%

## Stony Point, New York Population 2021

US Census City/Town Population estimates

2018 Annual Estimates of the Resident Population (PEPANNRES)

2015-2019 American Community Survey 5-Year Estimates (S0101 - Age and Sex)

2015-2019 American Community Survey 5-Year Estimates (S1101 - Households and Families)

2015-2019 American Community Survey 5-Year Estimates (DP03 - Selected Economic Characteristics)

2015-2019 American Community Survey 5-Year Estimates (DP04 - Selected Housing Characteristics)

2015-2019 American Community Survey 5-Year Estimates (B02001 - Race)