

Town of Chester

Orange County New York

Police Reform and Reinvention Plan

Police Reform Content

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COMMITTEE MEETINGS OUTLINE

Police Reform and Reinvention Collaborative Meeting #1 – January 18, 2021

The first meeting of the Town of Chester Police Reform and Reinvention Collaborative took place on January 18, 2021 at the Chester Town Hall. The meeting was recorded and later posted to the town's YouTube page and also live-streamed on the Chester Recreation Department's Facebook page. The first meeting was an organizational meeting to identify the collaborative members, discuss the Executive Order and establish the basic goals for the collaborative. This meeting was open to the public.

Before the meeting, all collaborative members were emailed an electronic copy of the New York State Police Reform and Reinvention Collaborative Resources and Guide for Public Officials and Citizens published by the governor's office.

Each collaborative member was given the opportunity to introduce themselves and provide their affiliation and/or reasons for joining the group. A portion of the Executive Order was distributed to the members and the items to be evaluated were discussed. The members had the opportunity to ask questions about the collaborative and the operations of the police department, which were answered by the councilmen, the police chief and Executive ADA Conflitti. The next two meeting dates and locations were discussed. Village of Chester Mayor Thomas Bell was also present and requested to join the future meetings as part of their compliance with the executive order, as there were many village residents participating in the town's collaborative already. This meeting lasted about one hour.

Police Reform and Reinvention Collaborative Meeting #2 – January 25, 2021

The second meeting of the Town of Chester Police Reform and Reinvention Collaborative took place on January 25, 2021 at the Chester Senior/Recreation Center. The meeting was recorded and later posted to the town's YouTube page and also live-streamed on the Chester Recreation Department's Facebook page. The meeting began with a PowerPoint presentation from Chief Doellinger to provide some background for the collaborative members on the ways that the department currently operates in the town.

The presentation started with an overview of the organizational structure of the town police department. Executive Order 203 was reviewed again with the relevant parts for the collaborative highlighted and discussed. The demographics of the town and the town police department were reviewed. The hiring process for both full-time and part-time police officers was explained. The School Resource Officer and the current agreement between the Chester Union Free School District and the Town of Chester was reviewed. An overview of the town police department's current in-service training program, including the recently attended Procedural Justice and Implicit Bias training classes, was provided.

Chief Doellinger discussed President Obama's Task Force on 21st Century Policing. In 2016, Chief Doellinger attended a briefing at the White House on the six pillars identified by the task force. He explained how he had already incorporated most of the pillars into the current department operations. The town police department's motto is Community Commitment and the department participates in many different community related events and communications annually. Some of these events were discussed.

The next topic of the presentation was on the Use of Force policy. Portions of the policy were reviewed, including the sections directing de-escalation of situations when circumstances reasonably permit and the section directing annually analysis reports on use of force incidents. It was noted that the analysis section was recently added to the policy in November 2020, so no annual review has been completed yet. The Use of Force policy is available on the town's website and a copy was also distributed to all collaborative members by email after the meeting. The Use of Force Review Board policy was also emailed to the collaborative members.

The Use of Force Review policy was also discussed. This policy requires convening the Use of Force Review Board when the use of force by a member results in very serious injury or death to another person. It was noted that as of April 1, 2021, the state Attorney General's office will have the primary responsibility to investigate these incidents. The departmental review will take place in addition to any other investigations and will be for the purpose of administratively determining whether the use of force was in accordance with department policies and training.

The state law requiring reporting of use of force incidents to the state was also discussed. The three incidents between July 2019 and October 2020 where this reporting was required were listed and reviewed.

This presentation lasted just over one hour, at which time the co-chairman opened the floor for comments from the public and collaborative members. After about a half hour of comments and questions from members of the public and the collaborative, the meeting was adjourned. The next meeting was scheduled for the same time and place on February 1st.

Police Reform and Reinvention Collaborative Meeting #3 – February 1, 2021

The third meeting of the Town of Chester Police Reform and Reinvention Collaborative was scheduled for February 1, 2021 at the Chester Senior/Recreation Center. Because there was an ongoing Nor'easter, the meeting was changed to a Zoom conference. The meeting was also live-streamed on the Chester Recreation Department's Facebook page. The meeting began with a PowerPoint presentation from Chief Doellinger on some remaining operational information about the department and to address some of the requests for more information on other topics that were made at the previous meeting.

The town's Crisis Intervention Incidents and Personnel Complaints policies were emailed to collaborative members on January 29th to allow review before the meeting.

The first topic discussed in the presentation was the town police department's response to mental health incidents. Several portions of the Crisis Intervention Incidents policy were reviewed, including the section on de-escalation. The town police department currently has eleven (of eighteen officers assigned to patrol duties) who have completed the 40-hour Crisis Intervention Team training. These CIT members work with the Orange County Department of Health to handle and report responses to mental health emergencies.

The next topic discussed was the Personnel Complaints policy. Portions of the Personnel Complaint policy were discussed including how complaints can be made, who can make them and who investigates

them once they are made. The form to make a personnel complaint is already available on the town's website.

The NYS Law Enforcement Accreditation Program was explained. Currently about 1/3 of police agencies in NYS are accredited. The town police department recently completed a review and re-issue of all of the department policies in late 2020. The rollout of these new policies is a big step towards applying for accreditation and it is hoped that the application will be made within one year.

Patrol vehicle dash cameras and body cameras were the final topic of Chief Doellinger's presentation. The town currently has dash cameras in all six primary patrol vehicles. The dash camera system includes a wireless microphone worn by the officer and a dash camera and rear seat camera. Body cameras were researched during the 2021 budget preparation and funding was included in the 2021 budget for the purchase of body cameras for each officer in the department.

The chairmen opened the floor for discussion from the collaborative members. Following the discussion, written proposals were requested from each collaborative member by February 10th to be evaluated for inclusion in the plan. It is anticipated that the draft plan will be adopted and presented for public comment along with a public hearing held on March 10th, during the regular town board meeting. The third meeting lasted about ninety minutes.

Police Reform Webinar with the Governor's Office – February 4, 2021

On February 4, 2021, Councilman Becker and Chief Doellinger participated in a webinar presented by Chatodd Floyd, Director of Legislative Affairs and Policy Office of Governor Cuomo and Jeremy Shockett, Deputy Secretary for Public Safety. The purpose of the webinar was to explain and answer questions on the Reform and Reinvention Collaborative on Policing. The webinar was made available through the NYS Association of Towns.

Written comments and/or suggestions were received from many of the collaborative members. A draft reform plan is included below.

TOWN OF CHESTER
POLICE REFORM AND REINVENTION PLAN

Town of Chester Police Reform and Reinvention Plan

1. The Town of Chester will implement a comprehensive Police Body-Worn Camera program, utilizing state of the art camera technology and incorporating policies and procedures that maximize officer accountability and transparency.
2. The Town of Chester Police Department will pursue accreditation from the New York State Law Enforcement Accreditation Program. Accredited agencies must meet minimum standards, considered “best practices” in the field, which promote a high degree of professionalism and public confidence.
3. The Town of Chester and the Town of Chester Police Department will work closely with local, county and state entities to develop a plan to better address mental health and substance abuse issues in the town. The Town of Chester and Town of Chester Police Department will fully support any efforts to make reforms to the mental health system, including increasing funding and reallocating resources that can better assist individuals who require care and support. The Town of Chester Police Department recognizes that it’s officers are not licensed or trained as social workers and do not possess the most adequate training to deal with the significant challenges associated with persons experiencing mental health issues. These interactions can be highly volatile and unpredictable and can pose significant risks to all of the parties involved. The town police department will work with available partner agencies to increase training and better facilitate the delivery of appropriate care through the organizations that specialize in this type of treatment and service.
4. The Town of Chester will establish a Police & Community Relations Committee. Committee members from the community will be appointed by the town board. The board will also include the police chief and other command staff members. The board will meet quarterly, or when needs arise, to discuss any issues of concern involving the police department.
5. The Town of Chester Police Department will strive to include Procedural Justice and Implicit Bias training in the existing annual in-service training program. Inclusion of this training is dependent on the availability of outside instructors and/or the NYS Division of Criminal Justice Services train-the-trainer course. The police department has numerous state certified instructors who would be eligible to become instructors in these topics if the certification course was made available by the state.
6. The Town of Chester Police Department will strive to include Crisis Intervention Training in the existing annual in-service training program. The department will contact professionals from the mental health field to request instruction in this topic, as it is recognized that this training should be delivered by properly trained and certified personnel from outside of the law enforcement profession.

POLICE REFORM COMMITTEE MEMBERS

Police Reform Committee Member Affiliation

Susan Bahren (Kiwanis)

Orlando Perez (Knights of Columbus) (Retired Police Officer)

Rev. Erin Moore (Chester Presbyterian Church)

Father John Bonnici (St Columba Church)

Robert J. Conflitti (District Attorney)

Patricia Miller (Local Resident)

Robert Favaro (Member Chester Fire District)

David Collins (Local Resident)

Brandon Holdridge (Local Resident)

Jacob Mott (Local Resident)

Stephen Keahon (Preserve Chester)

Carol Baltimore (Local Resident)

Arron Baltimore (Local Resident)

Veronica Mott (Local Resident)

Daniel Doellinger (Chester Chief of Police)

Robert Courtenay (Chester Town Councilmen)

Thomas Becker (Chester Town Councilmen)

No Response from the Following

Local Public Defenders Office

Orange County Health Dept.

Local Schools in the Chester School District

COMMITTEE MEMBER RECOMMENDATIONS

Thomas Becker

From: veronica mott <v_dawn_mott@hotmail.com>
Sent: Tuesday, February 2, 2021 4:26 PM
To: sbahren1974@gmail.com; baltc@hotmail.com; Thomas Becker; jsbon@mac.com; rconflitti@orangecountygov.com; rconflitti@orangecountygov.com; Robert Courtenay; davidcollins333@gmail.com; ROBERT FAVARA; brandonholdridge97@gmail.com; Stephen Keahon; Patricia Miller; Erin Moore; jacobmott625@gmail.com; onainc@optonline.net; veronica mott; tmcguire@villageofchesterny.com; Daniel Doellinger
Subject: Questions ??
Attachments: Crisis_Intervention_Incidents 409 01292021.pdf; Personnel_Complaints 1010 01292021.pdf

Questions I would like to see addressed in th next meeting and in the format for the public hearing.

1. Who makes up the committee for Review of Use of Force, s/b mental health expert and community members.
2. Review of complaints should be outside committee, easily available numbers for community members in reporting of racial bias, etc.
3. Yearly Crisis Intervention Trainings. OPWDD mandates Direct Support Professionals yearly.
4. DA and Legal Aid reps have not been present for meetings.
5. Full Custodial Arrest vs. Citation review.
6. What is the DAs role here?
7. How is Hope not Handcuffs program being utilized?
8. How do we get Social Workers on the force for every shift?

Thank you all for your time and patience, Veronica

From: Daniel Doellinger <didoellinger@thetownofchester.org>
Sent: Friday, January 29, 2021 11:02 AM
To: sbahren1974@gmail.com <sbahren1974@gmail.com>; baltc@hotmail.com <baltc@hotmail.com>; Thomas Becker <tbecker@thetownofchester.org>; jsbon@mac.com <jsbon@mac.com>; Conflitti, Robert <RConflitti@orangecountygov.com>; Robert Courtenay <rcourtenay@thetownofchester.org>; davidcollins333@gmail.com <davidcollins333@gmail.com>; bobby8950@aol.com <bobby8950@aol.com>; brandonholdridge97@gmail.com <brandonholdridge97@gmail.com>; stephkeah19@gmail.com <stephkeah19@gmail.com>; tmjdisorder2@yahoo.com <tmjdisorder2@yahoo.com>; erinmoore@chespresny.com <erinmoore@chespresny.com>; jacobmott625@gmail.com <jacobmott625@gmail.com>; onainc@optonline.net <onainc@optonline.net>; v_dawn_mott@hotmail.com <v_dawn_mott@hotmail.com>; tmcguire@villageofchesterny.com <tmcguire@villageofchesterny.com>
Subject: Info for 2/1/21 meeting

Good morning,

The remaining ten slides in my PowerPoint presentation discuss Response to Mental Health Incidents, Personnel Complaints, Accreditation, and In-Car/Body Cameras. I thought it might help to speed up my explanation if everyone had the opportunity to view some of our policies before the meeting, so I have attached our current Personnel Complaints and Crisis Intervention Incidents policies to this email.

----- Forwarded message -----

From: **Optimum** <pnainc@optonline.net>

Date: Mon, Feb 1, 2021, 8:33 PM

Subject: Police reform committee

To: Robert Courtenay <Ctrybob@gmail.com>

1. In reference to police contact with persons in crisis. More funds for training should be available to police departments, when officers encounter situation with people who Have mental illness, breakdowns or attempted suicides. Most officers when responding to a call do not have the luxury of prior knowledge that the person they are about to make contact with is in mental distress. Knowing what to look for, knowing the signs of mental distress or depression people who might have stopped taking the medication etc, could help save lives.
2. Orange County has a growing number of Spanish speaking only residence in the community. I think it's important for police departments to actively seek to hire bilingual police officers. The lack of communication between a victim and the police could result in death or injury. If an officer has a call and counters a Spanish-speaking person, that person cannot properly convey the emergency at hand. The Spanish speaking person can't let the police know that there is A person with a gun in the house. Etc.
3. the school resource officer program should be built upon. Building a strong relationship with the children in the school district at a very young age is vitally important. Building relationships will instill confidence and respect in the elementary school up to the high school age students. If a young student looks at a police officer as a role model, and someone they can rely on to not only protect them, but also someone they can trust. This will ensure long lasting respect for law-enforcement into their adult years.
4. Strengthen the model of community policing. Where offices on their daily patrols can stop by and check in with Civic groups. Groups Like the Knights of Columbus and Kiwanis during their meeting times. To address any issues or concerns can be achieved in just a few minutes Of time. A dialogue should also be created and cultivated with minority segments of Chester's diverse community to Strengthen in community relations.

Orlando Perez.

Sent from my iPad

Thomas Becker

From: Susan Bahren <sbahren1974@gmail.com>
Sent: Saturday, February 6, 2021 3:34 PM
To: Mayor John Tom Bell; Deputy Mayor Christopher Battiato; Robert Courtenay; Thomas Becker; baltc@hotmail.com; rconflitti@orangecountygov.com; V_dawn_mott@hotmail.com; Tmjdisorder2@yahoo.com; Bobby8950@aol.com; Davidcollins333@gmail.com; sbahren1974@gmail.com; Brandonholdridge97@gmail.com; Jacobmott625@gmail.com; onainc@optonline.net; erinmoore@chespresny.com; Stephkeah19@gmail.com; jsbon@mac.com; Daniel Doellinger
Subject: Police Reform
Attachments: NYS Police Reform and Reinvention Collaborative Resource Guide.PDF

To All:

I've been having conversations with Veronica Mott regarding the Police Reform initiative. She found a great document put out by the International Association of Chiefs of Police. Although this project was a big undertaking, and not possible to be accomplished by the time you need to submit your report to the State of New York, it is well worth the read, for possible use as we move forward.

I further believe and agree that the Town and Village, in preparing their documents, need to concentrate on:

1. Possibility of Social Worker on every shift (hopefully to cover both locations, possibly grants can be obtained to handle the monetary structure)
2. I agree with Veronica, who makes up the committee on Use of Force, would it be similar to a citizens complaint review board?
3. The entire department(s) should attend Yearly Crisis Intervention training.
4. Thought should be given to the Full Custodial Arrest vs. citation review.
5. Does the DA play a role in our development of a plan?

I believe the Department(s) were 'part of the community' and participated in community events (other than those scribed by the municipality) it might assist in better community understanding.

I understand that our communities have been very fortunate in not having Use of Force Issues and Confrontational Issues, but we all must see that the world is changing rapidly around us and we need to look at all we can to be ahead of this curve.

Sue Bahren

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Susan Bahren
845-222-2163

Thomas Becker

From: John Bonnici <jsbon6591@gmail.com>
Sent: Monday, February 8, 2021 10:45 AM
To: sbahren1974@gmail.com
Cc: Mayor John Tom Bell; Deputy Mayor Christopher Battiato; Robert Courtenay; Thomas Becker; baltc@hotmail.com; rconflitti@orangecountygov.com; V_dawn_mott@hotmail.com; tmjdisorder2@yahoo.com; bobby8950@aol.com; davidcollins333@gmail.com; brandonholdridge97@gmail.com; jacobmott625@gmail.com; onainc@optonline.net; erinmoore@chespresny.com; stephkeah19@gmail.com; jsbon@mac.com; Daniel Doellinger
Subject: Re: Police Reform

To all:

First, allow me to express my gratitude to all for their presentations and recommendations regarding the task at hand. I agree with those suggesting that department look into the possibility of engaging qualified social workers in their overall plan. Solicitation of available grants would be helpful to cover the costs associated with such an initiative.

I also concur with those recommending that the department implement annual crisis intervention training for all personnel. Annual training would allow the department to remain up-to-date on and readily receptive to New challenges confronting the community.

Finally, I would suggest that the department consider assigning one police officer to become the community liaison. This officer could reach out to specific groups in the community on a regular basis seeking input and offering assistance where necessary. The addition of a community liaison officer could be implemented in the short term at no or little additional cost.

Thank you to all for your continued work in helping nurture our local community and law enforcement.

Sincerely, Rev. John Bonnici

Sent from my iPhone

On Feb 6, 2021, at 3:34 PM, Susan Bahren <sbahren1974@gmail.com> wrote:

To All:

I've been having conversations with Veronica Mott regarding the Police Reform initiative. She found a great document put out by the International Association of Chiefs of Police. Although this project was a big undertaking, and not possible to be accomplished by the time you need to submit your report to the State of New York, it is well worth the read, for possible use as we move forward.

Thomas Becker

From: Erin Moore <erinmoore@chespresny.com>
Sent: Monday, February 8, 2021 11:32 AM
To: Mayor John Tom Bell; Deputy Mayor Christopher Battiato; Robert Courtenay; Thomas Becker; baltc@hotmail.com; rconflitti@orangecountygov.com; V_dawn_mott@hotmail.com; Tmjdisorder2@yahoo.com; Bobby8950@aol.com; Davidcollins333@gmail.com; sbahren1974@gmail.com; Brandonholdridge97@gmail.com; Jacobmott625@gmail.com; onainc@optonline.net; Stephkeah19@gmail.com; jsbon@mac.com; Daniel Doellinger
Subject: Police Reform

Thank you all for your deep engagement with this process. I agree with what many have stated previously about the hopes of a social worker added to the departments, regular implicit bias training, adding civilian members to the review board (including people of color), the evaluation of officers after traumatic events, and more community engagement.

In regards to other questions about what anti-racism training might be done in addition to implicit bias training, I struggle with what this would look like. More and more research shows that "one and done" trainings aren't very successful and that you need more continual training or engagement (noting that the best way is through small group settings that intentionally meet regularly).

With that said, I wonder what could be done to improve the demographics of our police force to match the demographics of our community. For the town police (I don't believe the demographics were listed for the Village), we have an almost 100% white police force with a 75% white community. Only one Hispanic police officer in a community that identifies as over 21% Hispanic/Latinx and no other officers of color. I am wondering what could be done to ensure more diversity in the department, and I'm thankful for Veronica sharing Putnam's reform in which they also added demographics to reflect the LGBTQIA+ community.

Again, thank you all for your work and commitment towards this reform for our community and law enforcement.
Rev. Erin Moore

Thomas Becker

From: David Collins <davidcollins333@gmail.com>
Sent: Wednesday, February 10, 2021 7:10 PM
To: Optimum
Cc: erinmoore@chespresny.com; Mayor John Tom Bell; Deputy Mayor Christopher Battiato; Robert Courtenay; Thomas Becker; balte@hotmail.com; rconflitti@orangecountygov.com; veronica mott; tmjdisorder2@yahoo.com; bobby8950@aol.com; sbahren1974@gmail.com; brandonholdridge97@gmail.com; Jacob Mott; stephkeah19@gmail.com; jsbon@mac.com; Daniel Doellinger
Subject: Re: Police Reform Committee Orlando Perez.

Good evening everyone,

I share some of the sentiment that has been expressed by many members of this committee. As a manager I have come to know one thing is assured and that is that people do what you INSPECT and what you EXPECT.

With that in mind my suggestions are as follows:

- Community based group/ committee that works with the Chester police departments on a regular basis and provides input (can members of this committee be added to the use of force review board)
- Annual training (implicit bias/ anti-racism/ privilege erasure/ allyship/ microaggression/ de-escalation/ procedural justice)

Regards,

David

On Wed, Feb 10, 2021 at 3:29 PM Optimum <onainc@optonline.net> wrote:

I would like to thank the committee and all involved for coming together and addressing these issues that affect our community. Everyone's ideas are right on point. Continued implicit bias training and community involvement is a must. I've been a Police Officer for almost 30 years. I was born and raised in New York City and have a unique perspective on both sides of the fence, as a kid growing up in Brooklyn. I have worked through many different policing models in my time, but the one that I think works the best is community policing.

Members of our departments need to create relationships with our diverse community and community groups. The Chiefs and supervisors should initiate and help create community groups that can help with any issues before they develop.

Having members of our departments that represent our community is vitally important.

Spanish speaking officers are a must in communities that have Spanish only speaking residents. This might be hard to believe, but I am the first Spanish-speaking Police Officer to work for the village of Goshen Police Department. I am the liaison between the Police Department and the Mexican/Spanish speaking only community in the Village of Goshen. After many years, that community now has trust in the Police Department to be able to address issues and make complaints without fear of their immigration status. I would be willing to volunteer my time to both Police Departments if they ever need help in translating Spanish to English and I hope others will add their names to the list. Implicit bias training should be mandatory every year.

Restorative justice can help individuals heal after traumatic events.

Grants for training and social workers in the field can be extremely helpful.

The School resource officer in the schools should interact and role-play with the older students to see how they would react placed in Police Officers shoes. This can create a better understanding of how we can all do our part in building

Police Reform Committee Thoughts

From: Brandon Holdridge (brandonholdridge97@gmail.com)

To: tbecker610@yahoo.com

Date: Wednesday, February 10, 2021, 12:49 PM EST

Hey Tom,

My top two items for reform would be adding civilian member(s) to the Use of Force Review Board and appointing one of the officers as a community liaison to strengthen ties with the town residents. Adding civilian members to the review board would further legitimize it as a non-bias committee to ensure justice is always being served correctly. A community liaison could be a big step in the right direction of making the police department less alienated from the community at large.

Another possibility worth looking into would be seeing if our budget allows for the hiring of a social worker part-time to assist the police department on cases that would be applicable to that position. It is more often than not a good thing to have a diverse set of experience and opinion in all cases.

Brandon Holdridge

Thomas Becker

From: Patricia Miller <tmjdisorder2@yahoo.com>
Sent: Saturday, February 6, 2021 5:46 PM
To: sbahren1974@gmail.com
Cc: Deputy Mayor Christopher Battiato; Tom Bell; Robert Courtenay; Thomas Becker; Veronica Mott; Daniel Doellinger; brandonholdridge97@gmail.com; Erin Moore; Stephen Keahon; davidcollins333@gmail.com; jsbon@mac.com; onainc@optonline.net; ROBERT FAVARA
Subject: Police Reform Collaborative.

To Everyone,

I have considered four major areas and agree with Veronica and Susan on what they have presented.

- 1, Implicit Bias/Procedural Justice should be addressed by annual training for all officers on the force. Bias was one of the main issue that initiated this whole reform process, so every effort should be made to improve training in this area regardless of cost.
2. How are 911 call center staff trained ? Are they allowed to make decisions on where to direct calls, so that the police is not called for all emergencies. When there are issues with the mentally ill, the homeless and substance abusers, who makes the decision as to who is called ? Are the police called first, then they make that decision. In situations like this, then a Psychologist/Social worker, would take pressure off the police as would be able to step in. Also the call center staff should be trained in this area if its not being done already.
3. The Use Of Force Review Board consist only of law enforcement individuals. I think this board should also have civilian members for more transparency.
4. How are police officers evaluated after traumatic events ? Are they given the help and privacy that they need ? What does the debriefing process include ? If these situations are not addressed then they may build up and create anger or more serious issues. Not too long ago NYPD officers were committing suicide so as not to appear weak mentally to their peers.

Patricia e. Miller

1/24/2021

Jacob Mott

Dear Chief Daniel J. Doellinger of the Town of Chester Police Department,

Below, I have enumerated a series of questions which I personally believe would greatly further the quality and quantity of the research I have been conducting as a member of the (Town of Chester, N.Y. sanctioned) police reform bill committee. If there are any questions which you are unable to answer because of legal restraints, and/or scarcity of information, I completely understand. I hope to contribute to the already blossoming relationship between the Town of Chester Police Department and all whom you serve to the best of my ability; I look forward to working with you in this great endeavor.

- In regards to traffic stops:
 - What is the racial and gender makeup of the 4,000 traffic stops carried out by the Town of Chester Police department in 2019?
 - What is the racial and gender makeup of the 2,770 uniform traffic tickets handed out by the Town of Chester Police department 2019?
- In regards to technology:
 - Does the Town of Chester Police Department utilize any data mining tools If so, Is there any chance it creates unintended bias/discrimination?
 - Does the Town of Chester Police Department utilize facial recognition technology? If so, Is there any chance it creates unintended bias/discrimination?
 - Does the Town of Chester use "dash" or "body" cameras? Does the department feel that such technology is worth the expenditure (especially in reference to body cameras)?
- Could it be reasonably presumed that having more or less DWI checkpoints held on Friday evening June 14th on state route 17M and Kings Highway decrease motor vehicle crashes? Would increased checkpoints unreasonably increase congestion on the roadways and/or strain the Department's budget?
- How many (if any) summons were issued by the department, and for what reason(s)?
- Twenty-six (26) people were charged with Unlawful Possession of Marijuana. What punitive measures (if any) were issued to those charged?
- ✕ Are any of the officers within the Town of Chester Police Department authorized to be equipped with, carry and use Naloxone, or any other overdose-reversal drugs
- How often does the Town of Chester have hiring opportunities within the police department?
- ✕ What are the standards/requirements for hiring?
- How are promotions within the department decided?
- Does the Town of Chester Police Department use any form of Early intervention systems (EIS)?
- ✕ Where can people lodge complaints with the Department? Do people have to go to town hall to complete this action
 - Would you be able to provide me with any history of past complaints, anonymous or otherwise?

1/24/2021

- How do town officers attempt to establish a rapport during non-lethal situations when they confront or are confronted with individuals?
- Do officers convey what the rights of individuals are even when they are not legally required to do so (Ex: When someone is being asked questions and is not legally required to continue the current conversation with law enforcement)?
- Are counseling services, or any other form of psychological/mental support provided by the Department, Town, or insurance in order to support officers at the Department if they're under duress or affected by any other potentially damaging factors?
- Would you be able to provide me with a more thorough and detailed report of the budget than the one provided in the Town of Chester Police Department Annual Report of 2019?
- Are there any additional procedures not pre-required by law that the Town of Chester Police Department has enacted for interaction with people with mental and or physical handicaps?

Sincerely,

A handwritten signature in black ink, appearing to be "J. M. [unclear]", written in a cursive style.

Daniel Doellinger

From: Daniel Doellinger
Sent: Friday, January 29, 2021 12:16 PM
To: jacobmott625@gmail.com
Cc: Daniel Doellinger
Subject: Response to Questionnaire
Attachments: Communications_with_Persons_with_Disabilities 333 01292021.pdf

Good morning,

Here are some brief responses to your questions in the order that they were presented.

- We don't keep statistics gender or race for people contacted on traffic stops or issued UTTs.
- We don't have any data mining or facial recognition software.
- Cameras will be discussed at the next meeting.
- I don't think that DWI checkpoints unreasonably increase congestion. Most of the personnel costs associated with the DWI checkpoints we have held were reimbursed through a grant from the NYS Stop DWI Foundation and/or the Orange County STOP-DWI program.
- We don't issue anything called a summons. We issue Uniform Traffic Tickets for traffic offenses and generate Informations or Complaints for criminal and Town Code offenses.
- All of our officers are trained and issued Naloxone.
- We hire on an "as needed" basis. Our new hires and our retirements/resignations are detailed in my monthly reports to the town board, as well as our annual report. The qualifications/standards were discussed at the 1/25 meeting.
- We do not have any Early Intervention Programs. We are a relatively small department where all of the employees regularly interact with supervisors and administrators and problem behaviors are not likely to go unnoticed.
- Personnel Complaints will be discussed at the 2/1 meeting.
- There is no standard answer for this question due to the wide variety of encounters and the potential for each one to be unique. Officers are trained in de-escalation and need to be adaptable to provide the best solution to every encounter.
- The standard Miranda warning is provided when required by law and by department policy. Failure to provide the warning when necessary can result in statements of admission to guilt being disallowed in a court proceeding, potentially resulting in the work done on an investigation and arrest being rendered moot. But no, to directly answer your question, we do not begin every encounter with a disclaimer statement that someone isn't required to talk to us.
- We have access to the Employee Assistance Program through the NY State Police. I have also been asking the town board during each budget process for several years to consider participating in an EAP through our local

Catholic Charities organization. I recently had a follow-up conversation with Councilman Courtenay about this program so there may be some movement on this agreement in the near future. I believe it would be a valuable partnership.

- I have attached a copy of our policy on Communications with Persons with Disabilities.

Chief Daniel J. Doellinger
Town of Chester Police Department
79 Laroe Road
Chester, NY 10918
Phone: (845) 469-7000 ext. 306
Fax: (845) 469-7983
Dispatch: (845) 469-9311
Tip Line: (845) 469-7000 ext. 370
ddoellinger@thetownofchester.org



nixle



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POWER POINT PRESENTATION

TOWN OF CHESTER POLICE REFORM & REINVENTION COLLABORATIVE

January 25, 2021

Town of Chester Senior/Recreation Center



TOWN OF CHESTER POLICE DEPARTMENT MISSION STATEMENT

The principal mission of the Town of Chester Police Department is to preserve the rights of citizens and reduce fear in the community through the prevention of crime, protection of persons, property, and the maintenance of order in public places; and to anticipate and respond to events that threaten public order and the protection of life and property.

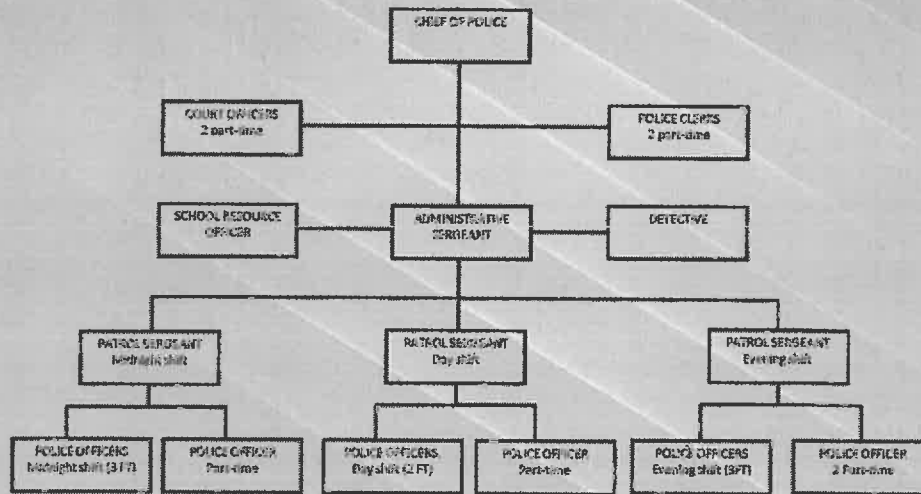
It is essential that all members remember that in the execution of their duties they act not for themselves but for the good of the public. They shall respect and protect the rights of individuals and perform their services with honesty, zeal, courage, discretion, fidelity, and sound judgment.

Police officers must seek and preserve public confidence by demonstrating impartial service to law and by offering service and trust to all members of the public.

It is the expressed policy of this department that police officers will use force only when the exercise of persuasion, advice and warning is found to be insufficient to obtain public cooperation to an extent necessary to secure observance of law or to restore order and to use only the minimum degree of physical force which is necessary upon any particular occasion for achieving a police objective.



TOWN OF CHESTER POLICE DEPARTMENT ORGANIZATION CHART



TOWN OF CHESTER POLICE DEPARTMENT NYS GOVERNOR'S EXECUTIVE ORDER 203 POLICE REFORM AND REINVENTION COLLABORATIVE

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

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

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



TOWN OF CHESTER POLICE DEPARTMENT NYS GOVERNOR'S EXECUTIVE ORDER 203 POLICE REFORM AND REINVENTION COLLABORATIVE

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



TOWN OF CHESTER POLICE DEPARTMENT TOWN DEMOGRAPHICS 2019

POPULATION: 12,165

51.8% FEMALE, 48.2% MALE

RACE:	75.8%	White
	7.4%	Black or African American
	0.5%	American Indian and Alaska Native
	3.6%	Asian
	0.0%	Native Hawaiian or Pacific Islander
	3.9%	Two or more races
	21.3%	Hispanic or Latino
	65.9%	White, not Hispanic or Latino

www.census.gov/quickfacts/fact/table/chester-town-oranger-county-new-york/PE02119



TOWN OF CHESTER POLICE DEPARTMENT DEPARTMENT DEMOGRAPHICS 2021

20 sworn members

- 15 full-time & 5 part-time
- 19 White & 1 Hispanic
- 18 male & 2 female
- 7 town residents



TOWN OF CHESTER POLICE DEPARTMENT HIRING PROCESS

All applicants:

- Two department interviews
- Background investigation
- Psychological examination
- Recommended by chief – interviewed and hired by town board



TOWN OF CHESTER POLICE DEPARTMENT HIRING PROCESS – FULL-TIME OFFICERS

Full-time officers must come from civil service list or be an eligible transfer

Orange County gives exam every 2-4 years

- Between 21-35 years of age (military +4)
- 3 years military OR 60 credits OR 30 credits & work experience
- Must pass written exam, physical agility test and medical exam

Town can use resident list or general list

3 of last 7 full-time hires are residents

4 of last 7 full-time hires were already working here as part-time officers

- the other 3 had 8+ years of full-time experience



TOWN OF CHESTER POLICE DEPARTMENT HIRING PROCESS – PART-TIME OFFICERS

Part-time officers must meet county requirements

Applications continually accepted

Prefer to hire already certified candidates

Prefer to hire potential future full-time candidates



TOWN OF CHESTER POLICE DEPARTMENT SCHOOL RESOURCE OFFICER

Agreement with Chester UF School District annually

Section 11(d) Under no circumstances shall the SRO be a school disciplinarian. The SRO will not be involved in the enforcement of disciplinary infractions that do not constitute violations of law.

One officer assigned – Officer R. Perez

40 hour state training course for certification

Implementing an SRO Program	Keys Elements of the SRO
Advisor and Communication Skills	NYS Juvenile Laws
SRO in the Classroom	The Teen Brain and Trauma
Social, Emotional and Mental Health	School Security Surveys



TOWN OF CHESTER POLICE DEPARTMENT IN-SERVICE TRAINING

Monthly departmental training

- Firearms (semi-annual)
- Use of Force/Article 35
- Bloodborne pathogens
- Workplace violence
- Sexual harassment awareness
- Active shooter response
- LEIS refresher
- HazMat awareness
- Narcari refresher
- OC spray refresher
- TASER refresher (bi-annual)
- CPR/AED refresher (bi-annual)
- Legal updates
- Other topics as needed



TOWN OF CHESTER POLICE DEPARTMENT IN-SERVICE TRAINING

- Officers attend other training usually upon request, sometimes assigned
- All sworn officers* attended two state sponsored Procedural Justice classes in 2020
- PJ focuses on the way police interact with the public and how these interactions influence crime rates, public view of the police and willingness to obey the law. Practicing PJ can have a significant impact on compliance, cooperation, public safety and officer safety.
 - Procedural Justice 1 - Police Legitimacy
 - Public views the police as entitled to exercise authority in order to maintain social order, manage conflict, and solve problems in the community – how to gain it and keep it, every encounter is a deposit or a withdrawal
 - Procedural Justice 3 – Tactical Perception and the Science of Justice
 - Implicit Bias – awareness of the facts that go into decision making, how to make better choices with awareness of biases and stereotypes that exist

**Two officers have not completed PJ3 yet due to scheduling issues, will be attending in early 2021*



TOWN OF CHESTER POLICE DEPARTMENT PRESIDENT'S TASK FORCE ON 21ST CENTURY POLICING

SIX PILLARS FRAMEWORK

1. Building Trust and Legitimacy
2. Policy and Oversight
3. Technology and Social Media
4. Community Policing and Crime Reduction
5. Training and Education
6. Officer Safety and Wellness



TOWN OF CHESTER POLICE DEPARTMENT COMMUNITY COMMUNICATION

SOCIAL MEDIA – Facebook, Nixle
MORNING ROLL CALL – Seniors
SRO – Chester Schools
COFFEE WITH A COP/COFFEE WITH THE CHIEF
VARIABLE MESSAGE BOARD
TOWN WEBSITE



TOWN OF CHESTER POLICE DEPARTMENT COMMUNITY EVENTS

- COMMUNITY DAY
- EASTER EGG HUNT (PBA)
- HOLIDAY LIGHTS PARADE
- CHESTER LITTLE LEAGUE
- BICYCLE PATROLS
- SUGAR LOAF FESTIVALS/EVENTS
- CHESTER CLEAN SWEEP
- NEIGHBORHOOD BLOCK PARTIES
- COMMUNITY ASSIGNMENTS (seniors, scouts, Bruderhof, Sugar Loaf, FD/EMS)
- CHILD SAFETY SEAT CHECKPOINTS



TOWN OF CHESTER POLICE DEPARTMENT USE OF FORCE POLICY

300.2 POLICY

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Town of Chester Police Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.

300.2.1 DUTY TO INTERCEDE AND REPORT

Any officer present and observing another law enforcement officer or a member using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force.

Any officer who observes another law enforcement officer or a member use force that is potentially beyond that which is objectively reasonable under the circumstances should report these observations to a supervisor as soon as feasible.



TOWN OF CHESTER POLICE DEPARTMENT USE OF FORCE POLICY

300.3 USE OF FORCE

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by this department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.



TOWN OF CHESTER POLICE DEPARTMENT USE OF FORCE POLICY

300.3.4 ALTERNATIVE TACTICS - DE-ESCALATION

When circumstances reasonably permit, officers should use non-violent strategies and techniques to decrease the intensity of a situation, improve decision-making, improve communication, reduce the need for force, and increase voluntary compliance (e.g., summoning additional resources, formulating a plan, attempting verbal persuasion).



TOWN OF CHESTER POLICE DEPARTMENT USE OF FORCE POLICY

300.10 USE OF FORCE ANALYSIS

At least annually, the Administrative Sergeant should prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects, or case numbers, and should include:

- a. The identification of any trends in the use of force by members.
- b. Training needs recommendations.
- c. Equipment needs recommendations.
- d. Policy revision recommendations.



TOWN OF CHESTER POLICE DEPARTMENT USE OF FORCE POLICY

301.1 PURPOSE AND SCOPE

This policy establishes a process for the Town of Chester Police Department to review the use of force by its members.

This review process shall be in addition to any other review or investigation that may be conducted by any outside or multi-agency entity having jurisdiction over the investigation or the evaluation of the use of force.

301.4 REVIEW BOARD

The Use of Force Review Board will be convened when the use of force by a member results in very serious injury or death to another person.

The Use of Force Review Board will also investigate and review the circumstances surrounding every discharge of a firearm, whether the member was on- or off-duty, excluding training, termination of sick or injured wildlife, or recreational use.

The Chief of Police may request the Use of Force Review Board to investigate the circumstances surrounding any use of force incident.

The Administrative Sergeant will convene the Use of Force Review Board as necessary.

301.4.1 COMPOSITION OF THE BOARD

The Chief of Police should staff the Use of Force Review Board with up to five individuals from the following, or as appropriate:

- Administrative Sergeant
- Patrol Sergeant assigned to supervise the involved member
- A peer officer/department member
- A law enforcement officer from an outside law enforcement agency, as appropriate
- Department instructor for the type of weapon, device or technique used



TOWN OF CHESTER POLICE DEPARTMENT USE OF FORCE POLICY

State law requires every police department and county sheriff's office to report any occurrence in which a police officer or peace officer employs the use of force under the following circumstances:

- When an officer engages in conduct which results in the death or serious bodily injury of another person. Serious bodily injury is defined as bodily injury that involves a substantial risk of death, unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

In the absence of either death or serious bodily injury, when one of the following is initiated by an officer:

- brandishes, uses or discharges a firearm at or in the direction of another person;
- uses a chokehold or similar restraint that applies pressure to the throat or windpipe of a person in a manner that may hinder breathing or reduce intake of air;
- displays, uses or deploys a chemical agent, including, but not limited to, oleoresin capsicum, pepper spray or tear gas;
- brandishes, uses or deploys an impact weapon, including, but not limited to, a baton or billy; or
- brandishes, uses or deploys an electronic control weapon, including, but not limited to, an electronic stun gun, flash bomb, or long range acoustic device.

JULY 2019 – OCTOBER 2020

Chester Town PD	TC-001916-20	8/29/2020	Chester Town	Orange	Response to unlawful or suspicious activity	Firearm (Brandished, Used or Discharged)
Chester Town PD	tc-009246-19	12/19/2019	Chester Town	Orange	Escorting Arrest	Brandished Firearm
Chester Town PD	tc-001967-20	9/3/2020	Warwick Town	Orange	Response to unlawful or suspicious activity	Impact or Electronic Control Weapon (Brandished, Used or Deployed)



TOWN OF CHESTER POLICE REFORM & REINVENTION COLLABORATIVE

February 1, 2021

Town of Chester Senior/Recreation Center

Zoom webinar due to snow



TOWN OF CHESTER POLICE DEPARTMENT RESPONSE TO MENTAL HEALTH INCIDENTS

409.5 FIRST RESPONDERS

Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer's authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that mental health issues, mental health crises and unusual behavior are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

An officer responding to a call involving a person in crisis should:

- a. Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.
- b. Request available backup officers and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.
- c. If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.
- d. Attempt to determine if weapons are present or available.
- e. Take into account the person's mental and emotional state and potential inability to understand commands or to appreciate the consequences of his/her action or inaction, as perceived by the officer.
- f. Secure the scene and clear the immediate area as necessary.
- g. Employ tactics to preserve the safety of all participants.
- h. Determine the nature of any crime.
- i. Request a supervisor, as warranted.
- j. Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.
- k. If circumstances reasonably permit, consider and employ alternatives to force.



TOWN OF CHESTER POLICE DEPARTMENT RESPONSE TO MENTAL HEALTH INCIDENTS

409.6 DE-ESCALATION

Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

- Evaluate safety conditions.
- Introduce themselves and attempt to obtain the person's name.
- Be patient, polite, calm and courteous and avoid overreacting.
- Speak and move slowly and in a non-threatening manner.
- Moderate the level of direct eye contact.
- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (i.e., summarize the person's verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding officers generally should not:

- Use stances or tactics that can be interpreted as aggressive.
- Allow others to interrupt or engage the person.
- Corner a person who is not believed to be armed, violent or suicidal.
- Argue, speak with a raised voice or use threats to obtain compliance.



TOWN OF CHESTER POLICE DEPARTMENT RESPONSE TO MENTAL HEALTH INCIDENTS

Eleven officers trained in Crisis Intervention Training (CIT)

Police officers are not social workers, counselors, therapists, etc.

Basic identification of mental health issues

2019-20 – over 25 transports to treatment facilities

Multiple other referrals (family doctor, OCCMRT, etc.)

Rely on Crisis Mobile Response Team

Lack of services available in the county



TOWN OF CHESTER POLICE DEPARTMENT PERSONNEL COMPLAINTS

1010.2 POLICY

The Town of Chester Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law and municipal and county rules and the requirements of any collective bargaining agreements.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.



TOWN OF CHESTER POLICE DEPARTMENT PERSONNEL COMPLAINTS

Personnel complaints may be generated internally or by the public.

Personnel complaint forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the department website.

The following applies to the source of complaints:

- Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.
- Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.
- Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
- Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
- Tort claims and lawsuits may generate a personnel complaint.



TOWN OF CHESTER POLICE DEPARTMENT NYS LAW ENFORCEMENT ACCREDITATION PROGRAM

Over 500 police departments in NY, 160 are accredited

110 standards

Most up to date and current police practices

Reaccreditation every five years

Annual reporting and evaluation

Plans to apply within one year



TOWN OF CHESTER POLICE DEPARTMENT IN-CAR CAMERAS

Cameras currently in all six primary patrol vehicles

Dash camera and rear seat camera

Body worn microphones

Installed in 2014



TOWN OF CHESTER POLICE DEPARTMENT BODY CAMERAS

DA Hoovler will fund body cameras, bias training

Times Herald-Record, June 12, 2020

Heather Yaklin hyakin@th-record.com

GOSHEN - Orange County District Attorney David Hoovler announced Friday that his office will provide funding for police agencies in Orange to buy body-worn cameras, and will provide training on implicit bias.

Funding for the program will come from assets forfeited by defendants in the 2019 "Bread, White & Blues" drug prosecution.

Hoovler said the funds will go toward the purchase of the cameras for any police agency that wishes to equip its officers with them. Town, village or city councils or boards would have to approve the purchases in advance, would have to agree to pay for maintenance and data storage, which will not be covered by the DA's funding.

Hoovler said his own staff will also go through the training.

"The use of body-worn cameras has been shown to enhance that transparency and trust, as well as to provide evidence and clarity about what happens in some volatile situations," Hoovler said in a news release. "In addition, there are those who believe that law enforcement exhibits racial bias against citizens. Implicit bias training is designed to make officers aware of any unconscious biases that they might have, and to train them to avoid any discriminatory behavior that those unconscious biases might cause. Through these two funding programs, we hope to help our police agencies maintain transparency in their operations, and to address any racial issues that might arise in policing."



TOWN OF CHESTER POLICE DEPARTMENT BODY CAMERAS

2021 Budget included \$37,560 for body cameras

Cameras about \$700 each

Biggest costs are licenses for storage of video (annual)

Redaction software

Other add-ons available (sensors, GPS, live-streaming, etc.)

May become mandatory statewide soon

Always recording, auto back recording when activated



TOWN OF CHESTER POLICE DEPARTMENT OTHER TOPICS, QUESTIONS, DATA?

What other topics would the collaborative like information about?

Are there any other questions or requests for data?

What is our plan?



TOWN OF CHESTER POLICE DEPARTMENT

"The police at all times should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police; the police are the only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the intent of the community welfare."

-Sir Robert Peel, "Principles of Law Enforcement", 1829



TOWN OF CHESTER
POLICE DEPARTMENT USE OF FORCE POLICY



Use of Force

300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner (Executive Law § 840).

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Control Devices and Conducted Energy Device policies.

300.1.1 DEFINITIONS

Definitions related to this policy include:

Deadly force - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury. This includes force that, under the circumstances, is readily capable of causing death or serious physical injury (Executive Law § 840).

Feasible - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person.

Force - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed, or restrained.

Imminent - Ready to take place; impending. Note that imminent does not mean immediate or instantaneous.

Totality of the circumstances - All facts and circumstances known to the officer at the time, taken as a whole, including the conduct of the officer and the subject leading up to the use of force.

300.2 POLICY

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Town of Chester Police Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.

Town of Chester Police Department

Policy Manual

Use of Force

300.2.1 DUTY TO INTERCEDE AND REPORT

Any officer present and observing another law enforcement officer or a member using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force.

Any officer who observes another law enforcement officer or a member use force that is potentially beyond that which is objectively reasonable under the circumstances should report these observations to a supervisor as soon as feasible.

300.2.2 PERSPECTIVE

When observing or reporting force used by a law enforcement officer, each officer should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject.

300.3 USE OF FORCE

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by this department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

300.3.1 USE OF FORCE TO EFFECT AN ARREST

A police officer or a peace officer may use reasonable physical force to effect an arrest, prevent escape of a person from custody, or in defense of self or others from imminent physical force (Penal Law § 35.30).

Force shall not be used by an officer to (Executive Law § 840):

Town of Chester Police Department

Policy Manual

Use of Force

- (a) Extract an item from the anus or vagina of a subject without a warrant, except where exigent circumstances are present.
- (b) Coerce a confession from a subject in custody.
- (c) Obtain blood, saliva, urine, or other bodily fluid or cells from an individual for scientific testing in lieu of a court order where required.

300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include but are not limited to:

- (a) Immediacy and severity of the threat to officers or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
- (c) Officer/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The effects of suspected drug or alcohol use.
- (e) The individual's mental state or capacity.
- (f) The individual's ability to understand and comply with officer commands.
- (g) Proximity of weapons or dangerous improvised devices.
- (h) The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.
- (i) The availability of other reasonable and feasible options and their possible effectiveness.
- (j) Seriousness of the suspected offense or reason for contact with the individual.
- (k) Training and experience of the officer.
- (l) Potential for injury to officers, suspects, and others.
- (m) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
- (n) The risk and reasonably foreseeable consequences of escape.
- (o) The apparent need for immediate control of the individual or a prompt resolution of the situation.
- (p) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (q) Prior contacts with the individual or awareness of any propensity for violence.
- (r) Any other exigent circumstances.

Town of Chester Police Department

Policy Manual

Use of Force

300.3.3 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the individual can comply with the direction or orders of the officer.
- (c) Whether the individual has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

300.3.4 ALTERNATIVE TACTICS - DE-ESCALATION

When circumstances reasonably permit, officers should use non-violent strategies and techniques to decrease the intensity of a situation, improve decision-making, improve communication, reduce the need for force, and increase voluntary compliance (e.g., summoning additional resources, formulating a plan, attempting verbal persuasion).

300.3.5 USE OF FORCE TO SEIZE EVIDENCE

In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration, or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Officers are encouraged to use techniques and methods taught by the Town of Chester Police Department for this specific purpose.

300.3.6 CAROTID CONTROL HOLD

A carotid control hold is a technique designed to control an individual by temporarily restricting blood flow through the application of pressure to the side of the neck and, unlike a chokehold, does not restrict the airway. The proper application of the carotid control hold may be effective in restraining a violent or combative individual. However, due to the potential for injury, the use of the carotid control hold is limited to those circumstances where deadly force is authorized and is subject to the following:

- (a) At all times during the application of the carotid control hold, the response of the individual should be monitored. The carotid control hold should be discontinued when circumstances indicate that the application no longer reasonably appears necessary.
- (b) Any individual who has had the carotid control hold applied, regardless of whether he/she was rendered unconscious, shall be promptly examined by paramedics or other qualified medical personnel and should be monitored until such examination occurs.

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- (c) The officer shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to the carotid control hold and whether the individual lost consciousness as a result.
- (d) Any officer attempting or applying the carotid control hold shall promptly notify a supervisor of the use or attempted use of such hold.
- (e) The use or attempted use of the carotid control hold shall be thoroughly documented by the officer in any related reports.

300.3.7 STATE RESTRICTIONS ON THE USE OF OTHER RESTRAINTS

Any application of pressure to the throat, windpipe, neck, or blocking the mouth or nose of a person in a manner that may hinder breathing or reduce intake of air is prohibited unless deadly physical force is authorized (Exec. Law § 840).

This application is subject to the same guidelines and requirements as a carotid control hold.

300.4 DEADLY FORCE APPLICATIONS

When reasonable, the officer shall, prior to the use of deadly force, make efforts to identify him/herself as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.

Use of deadly force is justified in the following circumstances involving imminent threat or imminent risk:

- (a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury.
- (b) An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the individual has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the individual is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes that the individual has a weapon or is attempting to access one and intends to use it against the officer or another person. An imminent danger may also exist if the individual is capable of causing serious bodily injury or death without a weapon, and the officer believes the individual intends to do so.

300.4.1 MOVING VEHICLES

Shots fired at or from a moving vehicle involve additional considerations and risks, and are rarely effective.

When feasible, officers should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants.

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An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

300.5 REPORTING THE USE OF FORCE

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances.

To collect data for purposes of training, resource allocation, analysis, and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure, or law (Executive Law § 840).

See the Report Preparation Policy for additional circumstances that may require documentation.

300.5.1 NOTIFICATIONS TO SUPERVISORS

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual indicates intent to pursue litigation.
- (e) Any application of the TASER (TM) or control device.
- (f) Any application of a restraint device other than handcuffs, shackles, or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.
- (i) An individual alleges unreasonable force was used or that any of the above has occurred.

300.6 MEDICAL CONSIDERATIONS

Once it is reasonably safe to do so, medical assistance shall be obtained for any person who exhibits signs of physical distress, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed. Individuals should not be placed on their stomachs for an extended period, as this could impair their ability to breathe.

Based upon the officer's initial assessment of the nature and extent of the individual's injuries, medical assistance may consist of examination by an emergency medical services provider or

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medical personnel at a hospital or jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Individuals who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain (sometimes called "excited delirium"), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away.

See the Medical Aid and Response Policy for additional guidelines.

300.6.1 ADDITIONAL STATE REQUIREMENTS

An officer should take steps to obtain medical attention for a person who reasonably appears to be mentally ill and is behaving in a manner that is likely to result in serious harm to the person or to others.

Officers should document requests for medical or mental health treatment as well as efforts to arrange for such treatment.

300.7 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to a reported application of force resulting in visible injury, if reasonably available. When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to (Executive Law § 840):

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.
- (c) When possible, separately obtain a recorded interview with the individual upon whom force was applied. If this interview is conducted without the individual having voluntarily waived his/her *Miranda* rights, the following shall apply:
 1. The content of the interview should not be summarized or included in any related criminal charges.

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2. The fact that a recorded interview was conducted should be documented in a property or other report.
3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.
 1. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports, including any officers present at the incident.
- (f) Review and approve all related reports.
 1. Supervisors should require that officers who engaged in the use of force submit the appropriate report.
- (g) Determine if there is any indication that the individual may pursue civil litigation.
 1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.
 1. Disciplinary actions will be consistent with any applicable disciplinary guidelines and collective bargaining agreements.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

300.7.1 SUPERVISOR RESPONSIBILITIES

The Administrative Sergeant shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to address any training issues.

300.7.2 ADDITIONAL SHIFT SUPERVISOR RESPONSIBILITIES

The Shift Supervisor should ensure that the Chief of Police is provided with enough information to meet the use of force reporting requirements for the DCJS (Executive Law § 837-t; 9 NYCRR 6058.3). See the Records Division Policy for additional guidelines.

300.8 TRAINING

Officers will receive periodic training on this policy and demonstrate their knowledge and understanding.

Subject to available resources, officers should receive periodic training on:

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- (a) Guidelines regarding vulnerable populations, including but not limited to children, elderly, pregnant persons, and individuals with physical, mental, or intellectual disabilities.
- (b) De-escalation tactics, including alternatives to force.
- (c) Applications of use of force and conflict strategies as required by the state Use of Force Model Policy (Executive Law § 840).

300.9 POLICY AVAILABILITY

This policy shall be readily available to the public upon request and shall be posted on the department website (Executive Law § 840).

300.10 USE OF FORCE ANALYSIS

At least annually, the Administrative Sergeant should prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects, or case numbers, and should include:

- (a) The identification of any trends in the use of force by members.
- (b) Training needs recommendations.
- (c) Equipment needs recommendations.
- (d) Policy revision recommendations.

TOWN OF CHESTER
POLICE DEPARTMENT
USE OF FORCE REVIEW BOARD



Use of Force Review Boards

301.1 PURPOSE AND SCOPE

This policy establishes a process for the Town of Chester Police Department to review the use of force by its members.

This review process shall be in addition to any other review or investigation that may be conducted by any outside or multi-agency entity having jurisdiction over the investigation or the evaluation of the use of force.

301.2 POLICY

The Town of Chester Police Department will objectively evaluate the use of force by its members to ensure that their authority is used appropriately and consistent with training and policy.

301.3 REMOVAL FROM LINE DUTY ASSIGNMENT

Generally, whenever a member's actions or use of force in an official capacity, or while using department equipment, results in death or very serious injury to another, that member will be placed in a temporary administrative assignment pending an administrative review. The Chief of Police may exercise discretion and choose not to place a member in an administrative assignment.

301.4 REVIEW BOARD

The Use of Force Review Board will be convened when the use of force by a member results in very serious injury or death to another person.

The Use of Force Review Board will also investigate and review the circumstances surrounding every discharge of a firearm, whether the member was on- or off-duty, excluding training, termination of sick or injured wildlife, or recreational use.

The Chief of Police may request the Use of Force Review Board to investigate the circumstances surrounding any use of force incident.

The Administrative Sergeant will convene the Use of Force Review Board as necessary. It will be the responsibility of the Shift Supervisor or supervisor of the involved member to notify the Chief of Police of any incidents requiring board review. The involved member's Shift Supervisor or supervisor will also ensure that all relevant reports, documents and materials are available for consideration and review by the board.

301.4.1 COMPOSITION OF THE BOARD

The Chief of Police should staff the Use of Force Review Board with up to five individuals from the following, or as appropriate:

- Administrative Sergeant
- Patrol Sergeant assigned to supervise the involved member
- A peer officer/department member

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Use of Force Review Boards

- A law enforcement officer from an outside law enforcement agency, as appropriate
- Department instructor for the type of weapon, device or technique used

The Administrative Sergeant will serve as chairperson.

301.4.2 RESPONSIBILITIES OF THE BOARD

The Use of Force Review Board is empowered to conduct an administrative review and inquiry into the circumstances of an incident.

The board members may request further investigation, request reports be submitted for the board's review, call persons to present information and request the involved member to appear. The involved member will be notified of the meeting of the board and may choose to have a representative through all phases of the review process.

The board does not have the authority to recommend discipline.

The Chief of Police will determine whether the board should delay its review until after completion of any criminal investigation, review by any prosecutorial body, filing of criminal charges, the decision not to file criminal charges or any other action. The board should be provided all relevant available material from these proceedings for its consideration.

Absent an express waiver from the involved member, no more than two designated board members may ask questions of the involved member. Other board members may provide questions to the designated board members.

The review shall be based upon those facts which were reasonably believed or known by the officer at the time of the incident, applying any legal requirements, department policies, procedures and approved training to those facts. Facts later discovered but unknown to the involved member at the time shall neither justify nor call into question a member's decision regarding the use of force.

Any questioning of the involved member conducted by the board will be in accordance with Town of Chester Police Department disciplinary procedures, the Personnel Complaints Policy, the current collective bargaining agreement and any applicable state or federal law.

The board shall make one of the following recommended findings:

- (a) The member's actions were within department policy and procedure.
- (b) The member's actions were in violation of department policy and procedure.

A recommended finding requires a majority vote of the board. The board may also recommend additional investigations or reviews, such as disciplinary investigations, training reviews to consider whether training should be developed or revised, and policy reviews, as may be appropriate. The board chairperson will submit the written recommendation to the Chief of Police.

The Chief of Police shall review the recommendation, make a final determination as to whether the member's actions were within policy and procedure, and determine whether any additional actions, investigations or reviews are appropriate. Those findings will be forwarded to the involved

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member's Shift Supervisor for review and appropriate action. If the Chief of Police concludes that discipline should be considered, a disciplinary process will be initiated.

At the conclusion of any additional reviews, copies of all relevant reports and information will be filed with the Chief of Police.



Crisis Intervention Incidents

409.1 PURPOSE AND SCOPE

This policy provides guidelines for interacting with those who may be experiencing a mental health or emotional crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires an officer to make difficult judgments about a person's mental state and intent in order to effectively and legally interact with the individual.

409.1.1 DEFINITIONS

Definitions related to this policy include:

Person in crisis - A person whose level of distress or mental health symptoms have exceeded the person's internal ability to manage his/her behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; noncompliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive or dangerous behavior that may be accompanied by impaired judgment.

409.2 POLICY

The Town of Chester Police Department is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Department will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members' interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.

409.3 SIGNS

Members should be alert to any of the following possible signs of mental health issues or crises:

- (a) A known history of mental illness
- (b) Threats of or attempted suicide
- (c) Loss of memory
- (d) Incoherence, disorientation or slow response
- (e) Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas
- (f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt
- (g) Social withdrawal
- (h) Manic or impulsive behavior, extreme agitation or lack of control
- (i) Lack of fear
- (j) Anxiety, aggression, rigidity, inflexibility or paranoia

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Crisis Intervention Incidents

Members should be aware that this list is not exhaustive. The presence or absence of any of these signs should not be treated as proof of the presence or absence of a mental health issue or crisis.

409.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS

The Chief of Police should designate an appropriate Shift Supervisor to collaborate with mental health professionals to develop an education and response protocol. It should include a list of community resources to guide department interaction with those who may be suffering from mental illness or who appear to be in a mental health crisis.

409.5 FIRST RESPONDERS

Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer's authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that mental health issues, mental health crises and unusual behavior are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

An officer responding to a call involving a person in crisis should:

- (a) Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.
- (b) Request available backup officers and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.
- (c) If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.
- (d) Attempt to determine if weapons are present or available.
- (e) Take into account the person's mental and emotional state and potential inability to understand commands or to appreciate the consequences of his/her action or inaction, as perceived by the officer.
- (f) Secure the scene and clear the immediate area as necessary.
- (g) Employ tactics to preserve the safety of all participants.
- (h) Determine the nature of any crime.
- (i) Request a supervisor, as warranted.
- (j) Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.
- (k) If circumstances reasonably permit, consider and employ alternatives to force.

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Crisis Intervention Incidents

409.6 DE-ESCALATION

Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

- Evaluate safety conditions.
- Introduce themselves and attempt to obtain the person's name.
- Be patient, polite, calm and courteous and avoid overreacting.
- Speak and move slowly and in a non-threatening manner.
- Moderate the level of direct eye contact.
- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (i.e., summarize the person's verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding officers generally should not:

- Use stances or tactics that can be interpreted as aggressive.
- Allow others to interrupt or engage the person.
- Corner a person who is not believed to be armed, violent or suicidal.
- Argue, speak with a raised voice or use threats to obtain compliance.

409.7 INCIDENT ORIENTATION

When responding to an incident that may involve mental illness or a mental health crisis, the officer should request that the dispatcher provide critical information as it becomes available. This includes:

- (a) Whether the person relies on drugs or medication, or may have failed to take his/her medication.
- (b) Whether there have been prior incidents or suicide threats/attempts, and whether there has been previous police response.
- (c) Contact information for a treating physician or mental health professional.

Additional resources and a supervisor should be requested as warranted.

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409.8 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene of any interaction with a person in crisis. Responding supervisors should:

- (a) Attempt to secure appropriate and sufficient resources.
- (b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care (see the Handcuffing and Restraints Policy).
- (c) Consider strategic disengagement. Absent an imminent threat to the public and, as circumstances dictate, this may include removing or reducing law enforcement resources or engaging in passive monitoring.
- (d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.
- (e) Conduct an after-action tactical and operational debriefing, and prepare an after-action evaluation of the incident to be forwarded to the Shift Supervisor.
- (f) Evaluate whether a critical incident stress management debriefing for involved members is warranted.

409.9 INCIDENT REPORTING

Members engaging in any oral or written communication associated with a mental health crisis should be mindful of the sensitive nature of such communications and should exercise appropriate discretion when referring to or describing persons and circumstances.

Members having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to department reporting procedures or other official mental health or medical proceedings.

Members should evaluate a subject in crisis to the best of their ability and direct or transport them to the appropriate help needed. Orange County Mobile Mental Health should be called for a phone evaluation with subjects that are not an immediate danger to themselves or others. A phone call to a mental health care provider may be enough to help a subject in crisis. Others may need direct intervention that could include emergency admittance to a hospital. Either way, any member who comes in contact with a person in crisis will fill out a CIT report and email it to the designated CIT supervisor. The CIT supervisor will then approve the report for dissemination to the appropriate county mental health agencies for follow on counseling.

409.9.1 DIVERSION

Individuals who are not being arrested should be processed in accordance with the Emergency Admissions Policy.

409.10 CIVILIAN INTERACTION WITH PEOPLE IN CRISIS

Civilian or clerical members may be required to interact with persons in crisis in an administrative capacity, such as dispatching, records request and animal control issues.

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- (a) Members should treat all individuals equally and with dignity and respect.
- (b) If a member believes that he/she is interacting with a person in crisis, he/she should proceed patiently and in a calm manner.
- (c) Members should be aware and understand that the person may make unusual or bizarre claims or requests.

If a person's behavior makes the member feel unsafe, if the person is or becomes disruptive or violent, or if the person acts in such a manner as to cause the member to believe that the person may be harmful to him/herself or others, an officer should be promptly summoned to provide assistance.

409.11 EVALUATION

The Shift Supervisor designated to coordinate the crisis intervention strategy for this department should ensure that a thorough review and analysis of the department response to these incidents is conducted annually. The report will not include identifying information pertaining to any involved individuals, officers or incidents and will be submitted to the Chief of Police through the chain of command.

409.12 TRAINING

In coordination with the mental health community and appropriate stakeholders, the Department will develop and provide comprehensive education and training to all department members to enable them to effectively interact with persons in crisis.

TOWN OF CHESTER
POLICE DEPARTMENT
PERSONNEL COMPLAINTS POLICY



Personnel Complaints

1010.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Town of Chester Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

1010.2 POLICY

The Town of Chester Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law and municipal and county rules and the requirements of any collective bargaining agreements.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

1010.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

1010.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which the Chief of Police is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

Formal - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to the Chief of Police, depending on the seriousness and complexity of the investigation.

Incomplete - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Chief of Police, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

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1010.3.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

- (a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.
- (b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
- (d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
- (e) Tort claims and lawsuits may generate a personnel complaint.

1010.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1010.4.1 COMPLAINT FORMS

Personnel complaint forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the department website. Forms may also be available at other Town facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

1010.4.2 ACCEPTANCE

All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall document the complaint as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

1010.5 DOCUMENTATION

Supervisors shall ensure that all formal and informal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints and inquiries should also be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint. On an annual basis, the Chief of Police should audit the log.

1010.6 ADMINISTRATIVE INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows.

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Personnel Complaints

1010.6.1 SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Chief of Police or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.
 - 1. The original complaint form will be directed to the assigned supervisor of the accused member, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.
 - 2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the Administrative Sergeant or the Chief of Police, who will initiate appropriate action.
- (b) Responding to all complaints in a courteous and professional manner.
- (c) Resolving those personnel complaints that can be resolved immediately.
 - 1. Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint when possible.
 - 2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Chief of Police.
- (d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Administrative Sergeant and Chief of Police are notified via the chain of command as soon as practicable.
- (e) Promptly contacting the Chief of Police for direction regarding the supervisor's role in addressing a complaint that relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination.
- (f) Forwarding unresolved personnel complaints to the Chief of Police, who will determine whether to contact the complainant or assign the complaint for investigation.
- (g) Informing the complainant of the investigator's name and the complaint number within three days after assignment.
- (h) Investigating a complaint as follows:
 - 1. Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.
 - 2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.

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- (i) Ensuring that the procedural rights of the accused member are followed.
- (j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

1010.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES UNDER CIVIL SERVICE LAW
When an administrative interview is conducted by a supervisor, the following applies to employees covered by Civil Service Law (Civil Service Law § 75):

- (a) Interviews of an accused employee shall be conducted during reasonable hours and preferably when the employee is on-duty. If the employee is off-duty, he/she shall be compensated.
- (b) Unless waived by the employee, interviews of an accused employee shall be at the Town of Chester Police Department or other reasonable and appropriate place.
- (c) No more than two interviewers should ask questions of an accused employee.
- (d) Prior to any interview, an employee should be informed of the nature of the investigation.
- (e) All interviews should be for a reasonable period and the employee's personal needs should be accommodated.
- (f) No employee should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers.
- (g) Any employee refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.
 - 1. An employee should be given an order to answer questions in an administrative investigation that might incriminate the employee in a criminal matter only after the employee has been given a *Garrity* advisement. Administrative investigators should consider the impact that compelling a statement from the employee may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).
 - 2. No information or evidence administratively coerced from an employee may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.
- (h) The interviewer should record all interviews of employees and witnesses. The employee may also record the interview. If the employee has been previously interviewed, a copy of that recorded interview should be provided to the employee prior to any subsequent interview.
- (i) All employees subjected to interviews that could result in discipline have the right to have a certified or recognized union representative present during the interview. However, in order to maintain the integrity of each individual's statement, involved employees shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

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1. The employee shall be informed in advance and in writing of the right to representation.
 2. If the employee is unable to find representation within a reasonable time, the interview will proceed.
- (j) All employees shall provide complete and truthful responses to questions posed during interviews.
- (k) No employee may be compelled to submit to a psychological stress evaluator examination, nor shall any refusal to submit to such examination be mentioned in any investigation (Labor Law § 735).

1010.6.3 ADMINISTRATIVE INVESTIGATION PROCEDURES OTHER EMPLOYEES

When an administrative interview is conducted by a supervisor, the following applies to employees:

- (a) Interviews of an accused employee shall be conducted during reasonable hours and preferably when the employee is on-duty. If the employee is off-duty, he/she shall be compensated.
- (b) Unless waived by the employee, interviews of an accused employee shall be at the Town of Chester Police Department or other reasonable and appropriate place.
- (c) No more than two interviewers should ask questions of an accused employee.
- (d) Prior to any interview, an employee should be informed of the nature of the investigation.
- (e) All interviews should be for a reasonable period and the employee's personal needs should be accommodated.
- (f) No employee should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers.
- (g) Any employee refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.
 1. An employee should be given an order to answer questions in an administrative investigation that might incriminate the employee in a criminal matter only after the employee has been given a *Garrity* advisement. Administrative investigators should consider the impact that compelling a statement from the employee may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).
 2. No information or evidence administratively coerced from an employee may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.
- (h) The interviewer should record all interviews of employees and witnesses. The employee may also record the interview. If the employee has been previously

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interviewed, a copy of that recorded interview should be provided to the employee prior to any subsequent interview.

- (i) All employees subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, in order to maintain the integrity of each individual's statement, involved employees shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
- (j) All employees shall provide complete and truthful responses to questions posed during interviews.
- (k) No employee may be compelled to submit to a psychological stress evaluator examination, nor shall any refusal to submit to such examination be mentioned in any investigation (Labor Law § 735).

1010.6.4 NOTICE OF CHARGES

Any charges brought against an employee shall be in writing and within the time frame prescribed by law (Civil Service Law § 75; Town Law § 155;).

1010.6.5 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete and essentially follow this format:

Introduction - Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

Synopsis - Provide a brief summary of the facts giving rise to the investigation.

Summary - List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

Evidence - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

Conclusion - A recommendation regarding further action or disposition should be provided.

Exhibits - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

1010.6.6 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

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Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1010.6.7 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation.

1010.6.8 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS

The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

1010.7 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

1010.8 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

- (a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.
- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.
- (d) May be on leave without pay pending the hearing of charges (Town Law § 155).

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1010.9 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be provided with all rights afforded to a civilian. The member should not be administratively ordered to provide any information in the criminal investigation.

The Town of Chester Police Department may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

1010.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, an investigation report should be forwarded to the Chief of Police through the chain of command. Each level of command should review the report and include their comments in writing before forwarding the report. The Chief of Police may accept or modify any classification or recommendation for disciplinary action.

1010.10.1 ADMINISTRATIVE SERGEANT RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Administrative Sergeant shall review the entire investigative file, the member's personnel file and any other relevant materials.

The investigating supervisor may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Chief of Police, the Administrative Sergeant may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Chief of Police, the Administrative Sergeant shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

1010.10.2 CHIEF OF POLICE RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendation and/or may return the file to the Shift Supervisor for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the Chief of Police shall provide the employee with a written

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notice that includes the reasons for the proposed disciplinary action and a copy of the charges (Civil Service Law § 75). Simultaneously, a copy of the notice shall be sent to the PBA President.

The employee or the Union shall be given an opportunity to respond in writing to the Chief of Police within fourteen days of receiving the notice. Upon a showing of good cause by the employee, the Chief of Police may grant a reasonable extension of time for the employee to respond.

Once the employee has completed his/her response, or if the employee has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. Hearing officers will be determined in accordance with the Collective Bargaining Agreement when there is a recommendation for disciplinary action or termination of an employee. Upon completion of the hearing, the Chief of Police shall review the record of the hearing and recommendations of the hearing officer and shall render a timely written decision to the employee and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police has issued a written decision, the discipline shall become effective.

1010.10.3 CHIEF OF POLICE RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendation and/or may return the file to the Shift Supervisor for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the Chief of Police shall provide the member with a written notice and the following:

- (a) Access to all of the materials considered by the Chief of Police in recommending the proposed discipline.
- (b) An opportunity to respond orally or in writing to the Chief of Police within five days of receiving the notice.
 - 1. Upon a showing of good cause by the member, the Chief of Police may grant a reasonable extension of time for the member to respond.
 - 2. If the member elects to respond orally, the presentation shall be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response, or if the member has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. The Chief of Police shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police has issued a written decision, the discipline shall become effective.

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1010.10.4 HEARING BY HEARING OFFICER

The hearing shall be conducted by the designated hearing officer as provided in Civil Service Law § 75 or as otherwise provided in the applicable collective bargaining agreement or personnel rules. The hearing officer shall make a record of the proceedings.

The employee, upon request, may be represented by counsel, or by a representative of a recognized or certified employee organization. The employee shall be allowed to summon witnesses on his/her behalf. Judicial rules of evidence do not apply.

The hearing officer shall consider all information received in regard to the recommended discipline and shall forward his/her recommendations to the Chief of Police.

If the employee is found guilty, a copy of the charges, the employee's written response to the charges, a transcript of the hearing and the determination shall be retained by the Department. A copy shall be filed with the civil service commission having jurisdiction over the employee. A copy shall also be provided to the employee upon request without charge.

1010.10.5 HEARING BY TOWN BOARD

A hearing shall be conducted by the Town Board or as prescribed by the rules and regulations of the Town Board as provided in Town Law § 155.

The employee shall be entitled to five days' notice of the hearing and have an opportunity to be heard in his/her defense. The employee has the right to a public hearing and to be represented by counsel (Town Law § 155).

1010.10.6 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT

The Chief of Police or the authorized designee should ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint.

1010.11 PRE-DISCIPLINE EMPLOYEE RESPONSE

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

- (a) The response is not intended to be an adversarial or formal hearing.
- (b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.
- (c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.
- (d) In the event that the Chief of Police elects to conduct further investigation, the employee shall be provided with the results prior to the imposition of any discipline.

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- (e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.

1010.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

1010.13 POST-DISCIPLINE APPEAL RIGHTS

Non-probationary employees have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The employee has the right to appeal using the procedures established by Civil Service Law § 76, any collective bargaining agreement and/or personnel rules.

1010.14 POST-DISCIPLINE APPEAL RIGHTS

Non-probationary employees have the right to appeal a reprimand, withholding of salary, extra hours, suspension without pay or termination of employment. The employee has the right to appeal using the procedures established by Town Law § 155.

1010.15 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

At-will and probationary employees and members other than non-probationary employees may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy, and without notice or cause at any time. These individuals are not entitled to any rights under this policy. However, any of these individuals released for misconduct should be afforded an opportunity solely to clear their names through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

In cases where an individual has been absent for more than a week or when additional time to review the individual is considered to be appropriate, the probationary period may be extended at the discretion of the Chief of Police.

1010.16 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

OTHER COMMENTS

Thomas Becker

From: veronica mott <v_dawn_mott@hotmail.com>
Sent: Friday, February 12, 2021 6:43 PM
To: Thomas Becker
Subject: Re: OC Chester PD Reform

here are the two trainings I spoke about - thank you for your time today. Veronica
<https://opwdd.ny.gov/providers/praise>



PRAISE | Office for People With Developmental Disabilities

The goal of PRAISE (Promoting Relationships and Implementing Safe Environments) is to remind us all about our responsibilities to demonstrate OPWDD's core values, which include supporting human dignity, showing compassion, promoting honesty and providing for excellence in all that we do.

opwdd.ny.gov

<https://opwdd.ny.gov/providers/promote>



PROMOTE | Office for People With Developmental Disabilities

PROMOTE represents our emotional and behavioral experiences through the use of a "zones" model with green, yellow, and red zones. Green: The person is having a good day and is safe, confident, and connected to those around them. Yellow: The person is experiencing increased stress and is having trouble coping. Red: The person has lost emotional control and may be engaging in behavior that ...

opwdd.ny.gov

From: Thomas Becker <tbecker@thetownofchester.org>
Sent: Thursday, February 11, 2021 9:48 PM
To: veronica mott <v_dawn_mott@hotmail.com>
Subject: RE: OC Chester PD Reform

Hi Veronica

I have reached out to Bob about meeting with you.
He has a pretty busy schedule also.

Thanks again for all of your input Tom

From: veronica mott <v_dawn_mott@hotmail.com>

Sent: Wednesday, February 10, 2021 7:27 PM

To: rcourtenay@townofchester.org; Thomas Becker <tbecker@thetownofchester.org>; Deputy Mayor Christopher Battiato <cbattiato@villageofchesterny.com>; Timothy McGuire <chief@villageofchesterny.com>; Daniel Doellinger <ddoellinger@thetownofchester.org>; sbahren1974@gmail.com; Patricia Miller <tmjdisorder2@yahoo.com>; John Bonnici <jsbon6591@gmail.com>

Subject: Re: OC Chester PD Reform

Bob and Tom,

I had a productive meeting with the Village, I would love to sit down and speak with you as well, Thank you!

Veronica

From: veronica mott <v_dawn_mott@hotmail.com>

Sent: Tuesday, February 9, 2021 12:21 AM

To: rcourtenay@townofchester.org <rcourtenay@townofchester.org>; Thomas Becker <tbecker@thetownofchester.org>; Deputy Mayor Christopher Battiato <cbattiato@villageofchesterny.com>; Timothy McGuire <chief@villageofchesterny.com>; Daniel Doellinger <ddoellinger@thetownofchester.org>; Susan Bahren <sbahren1974@gmail.com>; Patricia Miller <tmjdisorder2@yahoo.com>; John Bonnici <jsbon6591@gmail.com>

Subject: OC Chester PD Reform

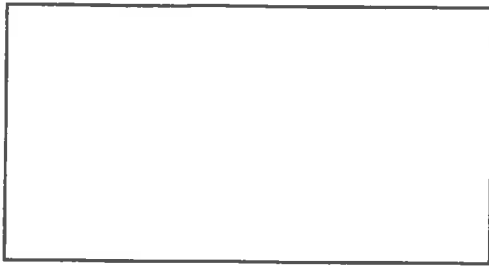
Hi Bob and Tom,

Please review attached doc, I am meeting with the Mayor and Chief McGuire on Wednesday and hope to meet with you both as well. I am not back in the area until 5p, so I am not sure what would work best. What I outlined is rude but hopefully makes some sense to you. I have been having many conversations with members in the community who provide services and look forward to the opportunities that are presented here. I also hope you have looked at the Putnam County Recommendations posted in an earlier email - I believe starting page 34 there is a much more comprehensive and elegant outlay of info.

Chief Doellinger, I thank you for your power point, I would like to meet with you as well at your convenience. I will be speaking with Sargent Slowick tomorrow regarding his role as CIT coordinator.

Looking forward to your responses. Thank you, Veronica Mott

https://docs.google.com/document/d/1-IqkAPLYU-Go9mTUFRTxmF0QJkB7ilAT8OkfTMeQ_7E/edit?usp=sharing



<https://www.EO203.OC.REFORM>

<https://www.dos.ny.gov/dcs/about.htm> NYS Division of Community Services MONITORING: Monitoring of CSBG-eligible entities is mandated by federal legislation governing CSBG. Monitoring is a comprehensive approach to reviewing, assessing, evaluating, and improving the quality of services provided...

docs.google.com

Looking forward to your responses. Thank you, Veronica Mott

Thomas Becker

From: Optimum <onainc@optonline.net>
Sent: Wednesday, February 17, 2021 4:01 PM
To: Thomas Becker
Subject: Fwd: Police Reform Committee Orlando Perez.

Sent from my iPad

Begin forwarded message:

From: Optimum <onainc@optonline.net>
Date: February 10, 2021 at 3:29:07 PM EST
To: erinmoore@chespresny.com
Cc: Mayor John Tom Bell <mayor@villageofchesterny.com>, Deputy Mayor Christopher Battiato <cbattiato@villageofchesterny.com>, Robert Courtenay <rcourtenay@thetownofchester.org>, Thomas Becker <tbecker@thetownofchester.org>, balte@hotmail.com, rconflitti@orangecountygov.com, V_dawn_mott@hotmail.com, tmjdisorder2@yahoo.com, bobby8950@aol.com, davidcollins333@gmail.com, sbahren1974@gmail.com, brandonholdridge97@gmail.com, jacobmott625@gmail.com, stephkeah19@gmail.com, jsbon@mac.com, "Dan Doellinger (ddoellinger@thetownofchester.org)" <ddoellinger@thetownofchester.org>
Subject: Re: Police Reform Committee Orlando Perez.

I would like to thank the committee and all involved for coming together and addressing these issues that affect our community. Everyone's ideas are right on point. Continued implicit bias training and community involvement is a must.

I've been a Police Officer for almost 30 years. I was born and raised in New York City and have a unique perspective on both sides of the fence, as a kid growing up in Brooklyn. I have worked through many different policing models in my time, but the one that I think works the best is community policing. Members of our departments need to create relationships with our diverse community and community groups. The Chiefs and supervisors should initiate and help create community groups that can help with any issues before they develop.

Having members of our departments that represent our community is vitally important.

Spanish speaking officers are a must in communities that have Spanish only speaking residents. This might be hard to believe, but I am the first Spanish-speaking Police Officer to work for the village of Goshen Police Department. I am the liaison between the Police Department and the Mexican/Spanish speaking only community in the Village of Goshen. After many years, that community now has trust in the Police Department to be able to address issues and make complaints without fear of their immigration status. I would be willing to volunteer my time to both Police Departments if they ever need help in translating Spanish to English and I hope others will add their names to the list.

Implicit bias training should be mandatory every year.

Restorative justice can help individuals heal after traumatic events.

Grants for training and social workers in the field can be extremely helpful.

The School resource officer in the schools should interact and role-play with the older students to see how they would react placed in Police Officers shoes. This can create a better understanding of how we can all do our part in building relationships. Thanks to the board members and both police departments for letting us be a part of the solution. Orlando Perez.

Sent from my iPad

On Feb 8, 2021, at 11:32 AM, Erin Moore <erinmoore@chespresny.com> wrote:

Thank you all for your deep engagement with this process. I agree with what many have stated previously about the hopes of a social worker added to the departments, regular implicit bias training, adding civilian members to the review board (including people of color), the evaluation of officers after traumatic events, and more community engagement.

In regards to other questions about what anti-racism training might be done in addition to implicit bias training, I struggle with what this would look like. More and more research shows that "one and done" trainings aren't very successful and that you need more continual training or engagement (noting that the best way is through small group settings that intentionally meet regularly). With that said, I wonder what could be done to improve the demographics of our police force to match the demographics of our community. For the town police (I don't believe the demographics were listed for the Village), we have an almost 100% white police force with a 75% white community. Only one Hispanic police officer in a community that identifies as over 21% Hispanic/Latinx and no other officers of color. I am wondering what could be done to ensure more diversity in the department, and I'm thankful for Veronica sharing Putnam's reform in which they also added demographics to reflect the LGBTQIA+ community.

Again, thank you all for your work and commitment towards this reform for our community and law enforcement.

Rev. Erin Moore

CERTIFICATION FORM

APPENDIX B

NEW YORK STATE POLICE REFORM AND REINVENTION COLLABORATIVE PLAN CERTIFICATION FORM

Instructions: The Chief Executive of each local government must complete and submit this certification and a copy of their Plan to the Director of the New York State Division of the Budget on or before April 1, 2021 at EO203Certification@budget.ny.gov.

I, _____, as the Chief Executive of _____
(the "Local Government"), hereby certify the following pursuant to Executive
Order No. 203 issued by Governor Andrew M. Cuomo on June 12, 2020:

- ☐ The Local Government has performed a comprehensive review of current police force deployments, strategies, policies, procedures, and practices;
- ☐ The Local Government has developed a plan, attached hereto, to improve such deployments, strategies, policies, procedures, and practices (the "Plan");
- ☐ The Local Government has consulted with stakeholders (including but not limited to: membership and leadership of the local police force; members of the community, with emphasis in areas with high numbers of police and community interactions; interested non-profit and faith-based community groups; the local office of the district attorney; the local public defender; and local elected officials) regarding the Plan;
- ☐ The Local Government has offered the Plan in draft form for public comment to all citizens in the locality and, prior to adoption of the Plan by the local legislative body, has considered the comments submitted; and
- ☐ The legislative body of the Local Government has ratified or adopted the Plan by local law or resolution.

Name

Signature

Title

Date