

TOWN OF COEYMANS



POLICE REFORM

INITIATIVE

APRIL 2021

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BACKGROUND

On June 12, 2020, Governor Andrew M. Cuomo signed an Executive Order requiring each local government in the State to adopt a policing reform plan by April 1, 2021. The Governor further called for the New York State Police Reform and Reinvention Collaborative, meaning each local government had to convene stakeholders for a fact-based and honest dialogue about the public safety needs of their community. Each group of stakeholders were tasked with the following:

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

The goal of the collaborative initiative was “to foster trust, fairness and legitimacy” within communities and “to address racial bias and disproportionate policing of communities of color.” This initiative built upon existing changes to reform the New York State criminal justice system, including several directly corresponding to law enforcement agencies:

- Repealed Section 50-a of Civil Rights Law which previously prohibited disclosure, except under very limited circumstances, of personnel records for police officers, corrections officers, firefighters, and paramedics employed by the State or political subdivisions.
- Created the “Eric Garner Anti-Chokehold Act”, which amended the penal law by adding the crime of Aggravated Strangulation. This new law makes it a Class C felony for a police officer to commit the crime of

criminal obstruction of breathing or blood circulation and cause serious physical injury or death to another person. The lone exception is if the police officer would otherwise be justified to use force in making an arrest or in preventing an escape from custody as outlined in Section 35.30 of the Penal Law.

- Appointed the NYS Attorney General as Independent Prosecutor for police involved deaths.
- Required Videotaping of Interrogations and Permitted Photo Identifications into Evidence, which means law enforcement must video-record custodial interrogations for serious offenses and set out a procedure to allow properly conducted witness identification of suspects using photo arrays into evidence at trial.

COEYMANS INITIATIVE

Understanding the requirements set forth by the Governor's Executive Order, the Town of Coeymans Supervisor began a review of candidates to serve as part of a police reform committee. Looking for representation from different areas of the Town, as well as different backgrounds, from the roughly 7,500 residents was a challenge. Ultimately, a diverse group of six individuals who either reside or work in the town volunteered to lend their time and make recommendations to the Town Board and Town of Coeymans Police Chief. All of the committee members were supportive of the Police Department but believed there were possibilities for improvement in the areas of community policing, transparency, training, and staffing. There were several virtual meetings conducted by the Supervisor and Chief of Police which led to 10 different recommendations.

COEYMANS POLICE DEPARTMENT

The Coeymans Police Department is not a DCJS accredited agency and is currently comprised wholly of part-time officers, with the exception of the Chief

and a Secretary. Some of the officers work for other law enforcement agencies full-time, while others have occupations unrelated to police work. They all have one thing in common however – they enjoy working in and serving the community. **While the department has had vast racial diversification in the past, it only has one minority officer at this time.**

A historical review of enforcement activity within the police department revealed that the racial makeup of people arrested or issued tickets generally aligns with the racial makeup of the community. While the non-white segment of the population is only 5%, there is a slightly higher rate of arrests amongst the non-white community at 12% (Figure 1). A review of 2019-2020 traffic enforcement activity revealed that of those who received a Uniformed Traffic Ticket, 77% were white, 13% were black, 5% were Hispanic, 1% were Asian and 1% were Native American and 3% were Other (Figure 2).

***The Town of Coeymans Police Department
strives to rigorously prevent and
investigate crime, provide for safe travel of
motorists on the town's roadways, and
foster outstanding community relations in
a fair and impartial manner.***

Figure 1. 20-Year Arrest by Race

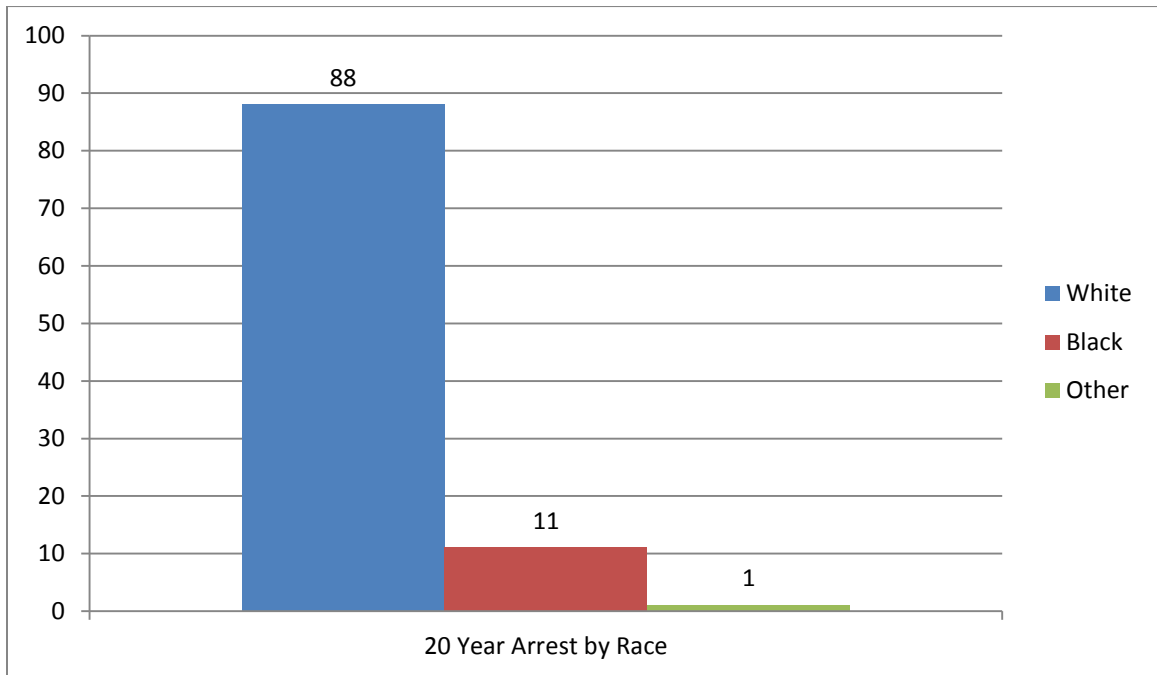
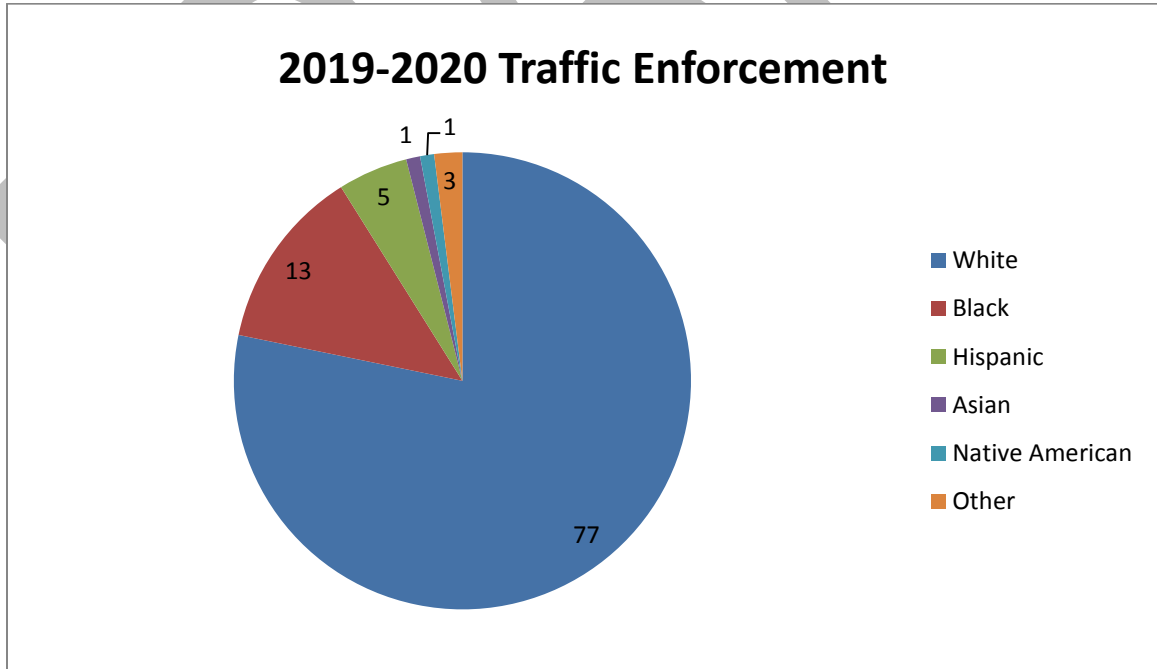


Figure 2. 2019-2020 Traffic Enforcement



RECOMMENDATIONS

As indicated above, there were a total of 10 recommendations that the committee agreed upon. Some of the recommendations were simple changes that the Chief of Police was able to make with the simple stroke of a pen, while others need further discussion, research, funding and approval from the Town of Coeymans Town Council.

The recommendations were as follows:

- 1) Establishing a Community Engagement Unit
- 2) Expanding the availability of the Police Ride-Along program to all members of the community
- 3) Modifying the Use of Force Policy to reflect current legislative requirements
- 4) Reviewing and updating the Police Department's Operation Manual on a consistent basis
- 5) Re-establishing full-time positions in the Patrol Division
- 6) Making an Officer Complaint form more accessible to the public
- 7) Including the Faith-based Community in police operations where feasible
- 8) Establish a Civilian Review Board to hear complaints and make hiring recommendations
- 9) Update training in the areas of bias-free policing, sexual harassment, de-escalation techniques, and mental health
- 10) Procure body cameras for patrol officers

RECOMMENDATION 1: COMMUNITY ENGAGEMENT UNIT

Positive interaction with the community has been a focus of the Coeymans Police Department since its establishment in the 1960's. However, a renewed sense of engagement is required. The tragedies across the country, which led to the current police reform movement, dictate that law enforcement becomes more

of a partner in the development of relationships with communities of color. To that end, a heavier focus will be placed on foot and bike patrols in the hamlet of Coeymans, which has the largest population of minorities in the town, as well as other areas where there are heavy concentrations of residents. Direct dialogue with residents will help officers better understand what is transpiring in those areas, both positive and negative. The Police Department will also continue to be involved in special events where the presence of a law enforcement officer would be beneficial to community engagement. A thorough review of the Department's Community Relations policy was conducted and determined that it sufficiently places an emphasis on this topic.

RECOMMENDATION 2: RIDE-ALONG PROGRAM

Prior to this initiative, not every member of the community could participate in our Ride-Along Program. That has been changed, with certain limitations, i.e. felony arrest is an automatic disqualifier, to allow local residents the opportunity to witness first-hand the challenges Coeymans police officers face every day. The application and criteria for this program has been simplified and will be placed on the official Town of Coeymans website.

RECOMMENDATION 3: USE OF FORCE

The Use of Force Policy has been updated to reflect that "chokeholds" are banned as an acceptable form of restraint. The only exception, as outlined in the "Eric Garner Anti-Chokehold Act", is when physical force is justified under Section 35.30 of the New York State Penal Law. Even then, officers will continue to be instructed to only use that level of force necessary to gain control over an individual. The Coeymans Police Department's Use of Force policy is aligned with the current NYS Municipal Police Training Council Use of Force Model Policy.

RECOMMENDATION 4: REVIEW OF OPERATIONS MANUAL

The ever-changing landscape of law enforcement demands that agency leaders keep policies and protocols updated. Certainly with recent legislation and executive orders coming out from Governor Cuomo's administration, modifications are necessary. Along with the Use of Force policy being updated as previously discussed, other changes to the Coeymans Police Department Operations Manual have already been implemented - the Mission Statement was updated on January 4, 2021, to reflect a more inclusive philosophy. The Chief of Police is in the process of reviewing the Operations Manual in its entirety and will update it to reflect best practices and procedures, as well as legislative mandates. The members of the Police Reform Committee will have the opportunity to review the publicly available sections of the operations manual and provide the Chief of Police with recommendations for improvement. This will be an ongoing process.

RECOMMENDATION 5: FULL-TIME POSITIONS

During the past several years, the Police Department has undergone numerous changes in the Chief of Police and the Town of Coeymans has had several different Supervisors and Town Board members. This has not always had a favorable impact on the Police Department. The ability to provide quality service on a consistent basis is hampered when officers are not working regularly. As previously mentioned, there are no full-time officers currently working in the Police Department. This is changing in 2021, as the Town Board has approved a request to hire two full-time officers. This will be refreshing for the community and a start to bringing the Police Department back to a level of professionalism it once enjoyed.

RECOMMENDATION 6: OFFICER COMPLAINT FORMS

Complaints about a police officer's performance are inevitable the nature of police work. Not everyone will be satisfied with the outcome of a case and may find fault with an officer's action. A thorough investigation of those complaints is necessary to either hold an officer accountable for violations of Department regulations or New York State laws, or exonerate the officer from any wrongdoing. In either case, the responsibility to ensure a full and complete review of the complaint falls to the Chief of Police.

To facilitate the personnel complaint process, a form that the public can use to voice their displeasure with an officer's performance was placed on the official Town of Coeymans website on February 5, 2021. The form is easy to complete and will go directly to the Chief of Police for review, assignment and investigation. This will be in addition to the option of the public to email or call the Chief of Police. The Police Reform Committee will be advised of any serious allegations of misconduct

RECOMMENDATION 7: INCLUSION OF FAITH-BASED GROUPS

There are many instances where the presence of a religious figure would be beneficial to a Coeymans Police Officer and make them more effective in their position. Whether it's the loss of a loved one at a traffic accident or a domestic dispute situation, the ability of an officer to offer residents a source of guidance is critical to outstanding service. The RCS Association of Churches is an excellent place to start dialogue with religious leaders about when their services would be most beneficial to the Coeymans Police Department. Coincidentally, two members of the Association serve on the Police Reform Committee and one serves on the Coeymans Town Board. They are natural avenues to discuss future partnerships and ways to improve services to the community. The Chief of Police has begun those discussions already and will continue to do so.

RECOMMENDATION 8: CIVILIAN REVIEW BOARD

Civilian Review Boards have become increasingly popular as a mechanism to monitor activities of law enforcement agencies. The committee recommended consideration of a formalized Civilian Review Board for the purposes of reviewing hiring practices and hearing complaints against officers. A review of the Coeymans Police Department enforcement activity does not indicate that there is any bias towards one particular segment of the community. Also, there has been a dearth of officer complaints over the past several years which would point to the need for a formal Review Board. However, the Chief of Police is open to sustaining dialogue with the members of the Police Reform Committee when it comes to the topics of hiring and personnel complaints. Differing opinions often lead to better decisions.

RECOMMENDATION 9: TRAINING

Sustained and sufficient training is an issue for a department the size and structure of Coeymans Police Department. While we have been able to meet required training such as firearms qualification, expanding the pool of training is difficult due to only having part-time officers and a limited budget. However, there are opportunities for web-based training on the topics that the committee recommended. The International Association of Chiefs of Police (IACP) is one venue that is already being explored for information specifically related to the areas of bias-free policing, sexual harassment, de-escalation techniques, and mental health. As appropriate training is discovered, the Police Reform Committee will be asked to review it and provide comments. Once a determination is made that the training will be beneficial to the officers in the police department, each officer will be required to attend it. As is already being done, records of attendance will be maintained by the Chief of Police.

RECOMMENDATION 10: BODY CAMERAS

The benefits of officers wearing body cameras are clear. In some instances, they protect the officer from false claims of misbehavior. In others, they shed light on instances of police abuse or neglect. In either case, they allow a police department to more fully investigate allegations of wrongdoing. Having a more thorough investigation hopefully leads to greater trust from a community in their police department.

The issue for police departments, and Coeymans Police Department is among them, is funding. Not only is there the up-front costs of the cameras themselves, but there are costs associated with storage, training and maintenance. The Coeymans Town Board requested an estimate from the Chief of Police for the cost of body cameras for their consideration. It is anticipated that this decision will come over the course of the coming months. If approved, the Chief of Police will ensure a detailed policy regarding the use of the cameras is in place, following the model policy available from the Municipal Police Training Council. Specific details in the policy would dictate when officers are required to activate the camera, when they would have the latitude to record interactions where a legitimate law enforcement interest outweighs an individual's privacy, storage and retention parameters, individual police officer access to recordings, and public disclosure of data.

MOVING FORWARD

As we embark on what is surely going to be another difficult year due to the ongoing pandemic, we will face challenges fully implementing a greater community policing model. The ability to regularly interact with members in the Town in positive situations is critical to maintaining trust and confidence in our police department. Be assured, we will do as much as we can, as often as we can, to improve our relationships with all members of the community.

The Task Force on 21st Century Policing, established under President Barack Obama, outlined the four pillars of procedural justice: treating individuals with dignity and respect; giving individuals a voice during law enforcement interactions; being neutral and transparent in decision making; and conveying trustworthy motives. These are attainable when police officers care about their community and the people who reside there. There is no doubt this is the case with the members of the Coeymans Police Department.

The four pillars above will be continually emphasized as we move forward. The Coeymans Town Board and the Chief of Police are committed to having the Police Reform Committee remain a vital feedback mechanism for future decisions regarding personnel complaints, training, and hiring of new officers. Transparency will be key.

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