

Town of East Fishkill Police Reform & Modernization Collaborative Plan

**A Plan to Reform, Modernize and Reinvent
Law Enforcement and Policing in the Town
of East Fishkill**



POLICE DEPARTMENT TOWN OF EAST FISHKILL

2468 ROUTE 52 HOPEWELL JCT., N.Y. 12533-6639 • (845) 221-2111 • (845) 221-3840 FAX

December 21, 2020

Residents of the Town of East Fishkill:

On June 12th, 2020, Governor Andrew Cuomo signed Executive Order No. 203, The New York State Police Reform and Reinvention Collaborative. The goal of Executive Order No. 203 is to build mutual trust and respect between police and the communities they serve.

The Town Council of East Fishkill and The Members of the Town of East Fishkill Police Department recognize that its citizens, as well as the commuters from the surrounding municipalities, consist of a large diverse group.

Therefore, The Town of East Fishkill Police Department recognizes its requirement to develop an inclusive, comprehensive Police Reform and Reinvention Collaborative by soliciting suggestions, concerns or experiences from the Community, also known as Stakeholders.

The Town of East Fishkill Police Department has participated in the Dutchess County Police Reform and Modernization Collaborative which was formed with the goals of improving and reforming policing, building on efforts already underway throughout the county, and meeting the requirements of Executive Order No. 203 issued by Governor Andrew Cuomo. The collaborative consisted of members of the community, leaders of non-profits, law enforcement, elected leaders, government officials, and mental health practitioners. These individuals were placed into two groups — the Community Stakeholders Workgroup and the Municipal Leaders (Including Nicholas D'Alessandro, East Fishkill Town Supervisor) and Police Chiefs (Including Christopher A. Bellino, East Fishkill Chief of Police) Workgroup.

The Community Stakeholders, Municipal Leaders and the Police Chiefs have all been working together on this effort from the summer — holding meetings, conducting research, soliciting public opinion, and having in-depth conversations. These activities have culminated in what we think is a comprehensive document to help guide local municipalities in creating their reform plans required by New York State. More importantly, these efforts have catalyzed necessary reforms and engaged the community in a critical discussion at a critical moment about improving policing and building stronger relationships between the community and law enforcement.

The Dutchess County Police Reform and Modernization Collaborative Report can be found here:

<https://www.dutchessny.gov/departments/county-executive/docs/A-Plan-to-Reform-and-Modernize-Law-Enforcement-and-Policing-in-Dutchess-County.pdf> and will be utilized as a guild for the Town of



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East Fishkill and the Town of East Fishkill Police Department.

The Town of East Fishkill Police Reform & Modernization Collaborative will also utilize the New York State Police Reform and Reinvention Collaborative Resources & Guide for Public Officials and Citizens Booklet that was published in August of 2020. The Guild can be found Here:

<https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/PoliceReformWookbook81720.pdf> .

Throughout this process we have all worked to find ways to advance major reforms with broad support as quickly as possible and as such the Town of East Fishkill Police Department is participating in a shared services initiative with the Dutchess County Sheriffs Office and other law enforcement agencies to jointly purchase body-worn cameras and identify centralized shared data storage. There are several other initiatives underway such as co-locating HELPLINE with 911 to improve our capacity to properly target services to those in crisis and reduce the overreliance of police officers in providing mental health and substance use services. Additionally, we will continue to participate in Procedural Justice and Implicit Bias awareness training for members of law enforcement. These are but a few of the efforts underway. More can be found in our plan.

The public may and is encouraged to view the Town of East Fishkill Police Reform & Reinvention Collaborative Plan at: <http://www.eastfishkillny.gov/Government/police.htm>

It is our hope that the Town of East Fishkill Police Reform & Reinvention Collaborative Plan will not only strengthen bonds with the community we serve but also make our policing efforts more effective. The Town of East Fishkill Municipality and The Town of East Fishkill Police Department will move forward to draft its own plan, seek public comment, incorporate public comment into the plan, ratify a plan, and submit certification to the New York State Division of the Budget by April 1, 2021.

The Board Members of the Town of East Fishkill and the Members of the Town of East Fishkill Police Department are dedicated to finding solutions that will build on the existing strong foundation already in place.

Nicholas D'Alessandro
Town Supervisor

Christopher A. Bellino
Chief of Police

Acknowledgements:

Any success of the collaborative is in large part owed to the dedication and commitment of community volunteers, who took time out of their lives to attempt to build a safer, fairer, and freer Dutchess County. These individuals and the other members of the Dutchess County Police Reform and Modernization Collaborative have worked hard to better their community and their home — thank you.

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Executive Order No.203

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

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

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

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

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

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

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

Rose Jr., Ahmaud Arbery, Breonna Taylor, and George Floyd, amongst others,

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

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

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

WHEREAS, black lives matter; and

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

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

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

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

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

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

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

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

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

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

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

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

G I V E N under my hand and the Privy Seal of the State in the City of Albany this twelfth day of June in the year two thousand twenty.

BY THE GOVERNOR

Secretary to the Governor

The purpose of the New York State Police Reform and Reinvention Collaborative is:

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

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

The Collaborative:

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1. Procedural Justice and Community Policing.
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https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/Police_Reform_Workbook81720.pdf

This has not been the first step in New York State's journey of criminal justice reform. Recently, New York State has enacted meaningful changes to reform our criminal justice system including:

Repealed 50-a: Section 50-a of Civil Rights Law previously prohibited disclosure, except under very limited circumstances, of personnel records for police officers, corrections officers, firefighters, and paramedics employed by the State or political subdivisions. This privilege, not granted to other public employees, shielded records from being disclosed that involved serious misconduct or disciplinary actions to the detriment of transparency and accountability for law enforcement officers. The repeal of 50-a will increase transparency by allowing the disclosure of personnel records involving serious misconduct or criminality and building trust between law enforcement and the communities they serve.

***Further, the Town of East Fishkill Police Department will continue to comply with the repeal of Section 50-a of the Civil Rights Law.

Banned Chokeholds: This law bans the practice of using chokeholds by law enforcement, by making use of a chokehold a criminal offense if it causes serious physical injury or death.

***Further, the Town of East Fishkill Police Department has updated its Use of Force Policy to include the banishment of chokeholds. The department has also begun a defensive tactics training program that will allow officers to be more proficient with the principles of control.

Appointed the Attorney General as Independent Prosecutor for Police Involved Deaths: In 2015, Executive Order 147 designated the Attorney General as a special prosecutor for cases where police officers are involved in deaths of unarmed civilians. This year, legislation created a permanent Office of Special Investigation within the Office of the Attorney General, empowered to investigate and, where appropriate, prosecute cases where the death of a person follows an encounter with a law enforcement officer.

***Further, the Town of East Fishkill Police Department will update the Department Polices to include notification to the Attorney General's Office for any police involved deaths.

● **Bail Reform:** New York overhauled our bail and pre-trial detention system. The previous bail system failed to recognize that freedom before trial should be the rule, not the exception, and by tying freedom from incarceration to money, it created a two-tiered system that puts an unfair burden on the economically disadvantaged. Among other reforms, the law eliminated cash bail for misdemeanors and non-violent felonies.

***Further, the Town of East Fishkill Police Department has conformed to the new Bail Reform requirements established by New York State Legislators and the New York State Unified Court System.

● **Discovery Reform:** New York was previously one of only 10 states that enabled prosecutors to withhold basic evidence until the actual day a trial begins. Under the previous system, people accused of a crime could be denied access to information that makes it possible for them to make decisions about their case and build an adequate defense. We reformed the discovery process, requiring the sharing of information well before a trial takes place, restoring fairness and equality before the law.

***Further, the Town of East Fishkill Police Department has allocated the necessary resources to comply with the New York State Discovery Reform.

● **Raised the Age and Juvenile Justice Reform:** New York raised the age of criminal responsibility to 18-years-old, ensuring that young people in New York who commit non-violent crimes receive the intervention and evidence-based treatment they need. We have also invested millions to support this reform through a continuum of effective prevention, diversion, treatment, re-entry and supervision services for youth at the state and local level.

***Further, the Town of East Fishkill Police Department fully complies with and has conducted several training sessions regarding Raise the Age and Juvenile Justice Reform.

• **Required Videotaping of Interrogations and Permitted Photo Identifications into Evidence:**

We now require law enforcement to video-record custodial interrogations for serious offenses and set out a procedure to allow properly-conducted witness identification of suspects using photo arrays into evidence at trial.

***Further, the Town of East Fishkill Police Department has allocated the necessary resources to comply with the required video recording of custodial interrogations of suspects for serious offenses. The department also complies with the new Photo Array requirements.

What Functions Should the Police Perform?

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

***Further, upon completion of the Dutchess County Police Reform and Modernization Collaborative, the Town of East Fishkill's Chief of Police or his designee will, but not limited to, continue with an open dialog with its community by attending the monthly town board meetings in order to listen to any complaints or suggestions during the Public Comment Session.

It's the department's sincere desire that these monthly Public Comment sessions will allow the citizens of the Town of East Fishkill a continuing opportunity to share information.

Dutchess County Police Reform & Modernization Collaborative Summery

The formation of the Town of East Fishkill Police Reform and Modernization Collaborative Plan in part to meet the requirements of Executive Order No. 203 issued by Governor Andrew Cuomo on June 12th, 2020. The order required local governments with police agencies to engage the community in a reform effort to “eliminate racial inequalities” by reforming and modernizing police procedures, strategies, and tactics to meet those ends. At the end of this process, the pertinent local governments would be required to submit a plan to New York State or risk losing State funding.

Therefore, the Town of East Fishkill participated in the Dutchess County Police Reform and Modernization Collaborative. The Collaborative was comprised of two groups, the Community Stakeholder workgroup made up of members of the community, County government and the Municipal Leader and Police Chiefs workgroup comprised of elected officials from municipalities with police agencies and the leaders of those agencies.

In addition to bringing together a diverse and driven group of stakeholders to form the County’s collaborative, seven public forums were held, and an online public comment forum was created to solicit input from Dutchess County residents on their ideas for reform.

The Most Common Recommendations from Public Forums and Online Comment Forum:

- Have social workers and other professionals trained to deal with crises like drug overdoses or mental health issues either replace or accompany police on calls addressing those or similar issues. Provide additional funding for these resources.
- Create a civilian review board at the municipal or inter-municipal level to oversee the police and handle allegations of misconduct to create accountability and trust.
- Make data available regarding the police’s interaction with the public to identify if they are engaging in discriminatory practices to improve transparency.
- Remove police from schools, invest in mental health resources for students.
- Provide additional information to the public about how to file a complaint in a confidential manner against the police to improve communication.
- Diversify the police force to build trust.
- Clearly communicate resources available to the community to reduce dependence on calling 911.

- Have more diversity, sensitivity, and implicit bias awareness training, as well as providing resources for tools like body cameras and trauma support for officers. Over the past several months, the collaborative met to discuss needs, priorities, and various topics related to police reform. Throughout that discussion a number of themes became evident:

- Building a law enforcement workforce that is representative of the community it polices
- Reconnecting law enforcement to the community
- Creating better mechanism for addressing mental health and substance use issues in the community
- Creating better lines of communication between the police and the community
- Ensuring law enforcement officers are held accountable for their actions

Just as these themes became evident through our discussions, so did a number of reform priorities.

Community Stakeholder Group Priorities:

- Requiring law enforcement officers in Dutchess County to wear body worn cameras, create clear policies to require their operation, and set guidelines for the release of footage.
- Increase the number of positive non-enforcements contacts law enforcement officers have with residents of their community, improving community relations, and expanding their involvement in community events and activities (e.g. sports leagues, non-profit programs, etc.).
- Increase transparency regarding use of force incidents and collect and publish data on such incidents as well as traffic stops, arrests, and searches, including demographic data of the individual involved.
- Require agencies to adopt internal/external procedural justice as their guiding principle.
- Adopt a community-engaged policy making process which elicit the help of a group of community member to review and/or revise general or special orders that substantially impact the community.
- Increase the diversity of the law enforcement workforce by improving recruitment tactics, removing barriers, and eliminating other unnecessarily restrictive hiring practices or policies.
- Increase local law enforcement members' connection to the community by requiring or incentivizing residency in the communities they police.
- Identify training deficiencies, require in-service training, and ensure officers are trained in procedural justice (also referred to as Principle Policing), implicit bias awareness, deescalation, and Crisis Intervention Team (CIT) training.
- Ensuring that the efficacy of training is evaluated routinely, and that experiential and scenario-based training are utilized whenever possible.
- Create alternative or co-responder programs to address social and medical issues, and augment mental health services, Mobile Crisis Intervention Team, dispatch mental health professionals through 911 dispatcher to achieve this goal.

Over the years Dutchess County has invested heavily in jail diversion and mental health. In addition, several of the larger local police agencies are accredited through the New York State Law Enforcement Accreditation Program and therefore have incorporated several best practices into their policies and procedures. Due to these efforts, the community is well positioned for meaningful reform. Early in the process, it became apparent that a few key reforms were both generally agreed upon and necessary.

Early Dutchess County Reform Efforts

- To support creating more procedurally just law enforcement agencies, the County, in partnership with the Dutchess County Sheriff's Office and trainers from local agencies, including the City of Poughkeepsie Police Department, is offering procedural justice and implicit bias awareness training to all law enforcement agencies. Funding is proposed in the 2021 Budget and training will begin late 2020 and continue with the goal of having every officer in Dutchess County trained by the end of 2021.
- The County will establish a Dutchess County Criminal Justice Council (CJC) subcommittee dedicated to developing and monitoring equitable policing strategies and reforms.
- Dutchess County and the Sheriff's Office have taken early steps to ensure greater accountability and transparency by purchasing and requiring the use of body cameras for all patrol officers. The 2021-2025 Capital Plan includes the purchase of body cameras. Further, the County is working with interested local governments and police agencies to coordinate a joint purchase.
- Beginning in 2021, the Dutchess County HELPLINE operations will be co-located with the Department of Emergency Response's 911 Call Center. This more integrated approach will allow for better targeted services to those in need and divert calls away from law enforcement that are more appropriately handled by mental health professionals.
- The Dutchess County Criminal Justice Council (CJC) subcommittee on police reform will be tasked with examining building on current programs such as the County's HELPLINE, 911 Call Center, and Mobile Crisis Intervention Team (MCIT) to create a formalized alternative/co-responder program to divert calls related to social and mental health issues to trained social workers and mental health professionals.
- In hopes of increasing the size and diversity of the local police officer candidate pool, the County is waiving the 60 college credit requirement to qualify for the appropriate civil service exam. Instead, the County is requiring all new hires to complete 60 credits within in five years and Crisis Intervention Training (CIT) within two years of their appointment.
- The County has formed a working group to explore the implementation of a Law Enforcement Assisted Diversion (LEAD) program. LEAD is a "harm-reduction oriented process for responding to low-level offenses such as drug possession, sales, and prostitution" that diverts such offender to critical services.
- The Sheriff's Office has evaluated all local police agencies' Use of Force policies and provided guidance on meeting the New York State Law Enforcement Accreditation Program standard.

The second half of this report delves into the guidance provided by the State and incorporates many of the ideas and research included in the briefs created to support the focus groups. This section of the report includes many best practices, ideas, and solutions being discussed throughout the nation and developed by various experts and institutions. It is important to note that these reforms may not meet the needs of every community, while other communities may already be implementing many of practices included. The purpose of this section is to provide ways in which municipalities with police agencies may meet the needs identified by their communities or to comply with the pertinent sections of the state guidance. Although a number of these reforms will require significant resource investment, many of these reforms, including some of the most consequential, are low to no cost.

What Functions Should the Police Perform?/ Highlight

Determining the Role of the Police

- Police agencies should adopt procedural justice as their guiding principle for interacting with the public and internal management of their organization. Procedural Justice is “the practice of ensuring that the outcomes of civilian interactions with police are perceived as fair and as providing civilians with the opportunity to be heard, regardless of the outcome.”
- The document provides a number of examples of co-responder and alternative responder programs (e.g. Eugene’s Crisis Assistance Helping Out On the Streets (CAHOOTS) and the local Behavioral Evaluation & Assistance Team (BEAT) Patrols). Municipalities looking to reduce the reliance on law enforcement for addressing social and mental health issues should examine these alternatives.
- Agencies with School Resource Officer (SRO) programs in their contracts or memorandums of understanding prohibit their officers from getting involved with school disciplinary matters or non-criminal offenses. Staffing, Budgeting, and Equipping Your Police Department
- Law enforcement agencies should create policies and procedures for policing mass demonstrations that employ a continuum of managed tactical resources that are designed to minimize the appearance of a military operation and avoid using provocative tactics and equipment that undermine civilian trust.
- Municipalities wishing to restrict the use of such equipment should pass local laws requiring approval from local governing bodies prior to a police agency receiving grants and military equipment from programs such as the 1033 program or federal grant funding – OR – prohibit police agencies from obtaining military equipment or using federal funds to purchase such equipment.
- Localities interested in reducing other forms of militarization should consider requiring agencies with Special Weapons And Tactics (SWAT) Teams or their equivalent to put in place detailed protocols about when and how said teams should be deployed and limiting the use of or banning “no knock” warrants.

Employing Smart and Effective Policing Standards and Strategies Highlights

Procedural Justice and Community Policing

- Agencies should prioritize providing training in procedural justice and include procedural justice principles in department policies such as requiring officers to identify themselves by their full name, rank, and command (as applicable) and provide written reasons for the stop (including traffic stops) and searches. Agencies across the nation provide officers with business cards that include the information noted above as well as directions on how to file a complaint.
- Policies, mission statements, and job descriptions should include language regarding the critical nature of community policing and procedural justice in each agency and the methods and purpose of meeting goals related to these foundational concepts.
- Agencies should consider engaging all officers not just subsets in community policing.
- Agencies should be encouraged to create programs and/or refocus patrols to increase nonenforcement interactions between officers and members of the community including regular interaction with community organizations, local business, faith-based organizations, organizations that specifically represent marginalized groups (people of color, immigrant communities, Limited English Proficiency (LEP) citizens, individuals with disabilities, and the LGBTQIA+ community). Community surveys using accepted sampling protocols (Potentially task to the CJC subcommittee).
- Law enforcement agencies should place a priority on sharing their community policing successes with the wider community through media and social media.
- Agencies should consider providing officer implicit bias awareness training and use processes which minimize the influence of officer bias, including double-blind line-up presentations and information-gathering interrogation approaches.
- Law enforcement agencies should screen police officer candidates throughout the hiring and probationary period for explicit bias and create clear policies that those with explicit biases do not share the vision of the law enforcement agency.
- Agencies should adopt bias-free policing policies to send a clear message to employees and the community about the agencies commitment to fair and equal treatment.
- Agencies should refrain from using formally or informally sanctioned practices such as quotas for traffic or pedestrian stops, tickets, and summonses that are not directly related to improving public safety.
- Agencies should consider putting in place policies to restrict the use of investigatory stops to only circumstances in which they promote public safety and do not unnecessarily harm police–community relations.
- Police agencies should make clear in policies and orders that when dealing with youth, the goal is always to divert them out of the criminal justice system whenever possible.

Employing Smart and Effective Policing Standards and Strategies Highlights

Law Enforcement Strategies to Reduce Racial Disparities and Build Trust

- Localities and their police agencies should examine how focused deterrence, hot-spots policing, and problem-oriented policing could meet the needs of their communities.
- Agencies should have formal use of force policies that at minimum meet the requirements of the New York State Law Enforcement Accreditation Program. Agencies should also consider amending their use of force policies to:
 - o Include a principled commitment to preserving human life
 - o Require officer to de-escalate situations when circumstances permit
 - o Establish a duty to intervene if another officer is using excessive or unnecessary force
 - o Require officers to render medical aid for individuals injured as a result of police actions
 - o Prohibit shooting at moving vehicle, strangleholds, the use of deadly force on individuals who pose a risk only to themselves, and the use of retaliatory force.
 - o Require officers to issue a verbal warning before the use of force, to exhaust all alternatives prior to the use of deadly force, and that force is proportional to the threat posed.
- Agencies should consider having supervisors respond to crises involving a weapon, a person experiencing a mental health crisis, or if a dispatcher/member of department believes there to be a potential for significant use of force.
- Agencies should require officers to report every time they draw their weapon
- Training on the use of force and firearms should include scenarios where officers are not required to use force or discharge their weapon.
- Agencies should train and support the use of the Distance, Cover, and Time concept.
- Agencies should have detailed pursuit policies that give priority to the safety of the public, officer, and subject.

Community Engagement

- Municipalities with police agencies should consider establishing a community-engaged policymaking is a process where policies and policy changes are created and/or vetted in partnership with community members (especially those in areas with high rates of enforcement activities) through a formalized process and structure.
- Law enforcement hold two-way communication sessions for youth (adolescents and teenagers) to discuss police relations and concerns with police leadership and officers.
- Agencies should organize and consistently hold Executive-level Listening Sessions with the community to engage in honest dialogue and receive feedback in small group settings.
- Agencies should consider creating policies and participating in trainings to address the need of marginalized communities such as requiring officers to recognize the preferred name and gender of an individual, specific training to address barriers with individuals with a disability that impacts their ability to communicate, and eliminating language barriers whenever practicable.

Fostering Community-Oriented Leadership, Culture, and Accountability Highlights

Leadership and Culture

- Agencies should evaluate their performance management and evaluation systems. Criteria for hiring and promotion and align them with the principles of procedural justice and community policing.
- Agencies should consider using up-to-date evaluation tools capable of evaluating new hires' community policing skills and develop tools for evaluating promotions that focus on community policing skills and outcomes as opposed to arrests or tickets issued, in addition to other policing skills.
- Municipalities and agencies should consider creating awards and commendations that recognize officers committed to community policing, procedural justice, and advancing other reform goals.

Tracking and Reviewing Use of Force and Identifying Misconduct

- Police departments should put in place clear policies regarding reporting and documenting the use of force.
- Agencies should consider adopting clear disciplinary policies for those who fail to report use of force or who falsify such reports.
- Agencies should review all use of force incidents, including as part of performance evaluations. Said reviews should be used to also evaluate the effectiveness of policies, procedures, and training.
- Agencies should utilize use of force and administrative review findings as the basis for proactive, nonpunitive interventions
- Municipalities and police agencies should consider providing the public with an annual summary of all use-of-force incidents including basic details of force incidents and the findings of internal or external investigations or reviews.
- Agencies should consider prohibiting supervisors involved in a use of force incident from taking part in the investigation of said incident.
- Larger agencies should consider implementing data driven Early Intervention Systems that identify and prevent problematic and dangerous behavior. Smaller agencies may consider creating a committee of first-line supervisors to review subordinates' work behavior quarterly.

Citizen Oversight and Other External Accountability

- Municipalities and agencies should evaluate the need and feasibility of establishing a community review board including what model you will choose to implement.

- Agencies should consider becoming accredited by the New York State Law Enforcement Accreditation Program.

Internal Accountability for Misconduct

- Agencies should consider implementing a standalone “duty to intervene” policy that requires members to intervene if witnessing a fellow officer engage in an act that is unethical, in violation of any law or policy, or when force is being inappropriately applied.
- Agencies should consider providing training on peer intervention and developing internal affairs policies in conjunction with employee representatives and community stakeholders.
- Law enforcement agencies should adopt an open and accessible complaint registry system and complaint investigation process/policy, with multiple access points and various means for accepting complaints.
- Departments and/or Municipalities should consider putting in place anti-retaliation policies to protect both internal and external complainants, establishing an “Inspector General,” generating and distributing internal memos regarding official findings of misconduct to all police agency employees, and establishing and managing a database of data related to the investigation of misconduct complaints.
- Departments should consider the use of a discipline matrix and the principles of procedural justice to guide internal disciplinary procedures.
- Local agencies should consider adopting a process by which departments regularly review lawsuit data, among other processes, to identify problematic officers, units, policies, and practices.
- Agencies should establish a written Standard of Conduct that pertains to both on and off-duty behavior that is inconsistent with the mission and ethical code of their law enforcement agency.

Data, Technology and Transparency

- Local law enforcement agencies should comply with the Death in Custody Reporting Act (DCRA), participate in the FBI’s National Use-of-Force Data Collection, and consider participating in Nation Decertification Index or any index created by the US Department of Justice.
- Agencies should consider putting in place policies about the timely release of information to the public after the use of deadly force.
- Agencies should consider collecting traffic stop data and publishing aggregate data annually.
- Agencies should consider publishing all general and special orders on their website within 24 hours of the issuance of said orders.
- Agencies should consider requiring officers to wear body cameras and create clear policies governing their use, including disciplinary measures for failing to adhere to said policies, and retention and storage of data.

The Dutchess County Police Reform and Modernization Collaborative can be viewed at:

<https://www.dutchessny.gov/County-Government/Police-Reform-and-Modernization-Collaborative.htm>

New York State Division of Criminal Justice Services Accreditation Program

Introduction to the Accreditation Program

Accreditation is a progressive and contemporary way of helping police agencies evaluate and improve their overall performance. It provides formal recognition that an organization meets or exceeds general expectations of quality in the field. Accreditation acknowledges the implementation of policies that are conceptually sound and operationally effective.

The New York State program became operational in 1989 and encompasses four principle goals:

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

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

The Town of East Fishkill Police Department recognizes the need for police agencies to follow a set of standards in order to police effectively, protect the community and its officers. Currently, the Town of East Fishkill Police Department participates in and is in full compliance with the New York State Law Enforcement Accreditation Program Standards and Compliance Verification Manual 8th, Edition September 2015, Revision 8.5, December 3rd, 2020.

The Town of East Fishkill Police Department has been an accredited Agency since 1992 and plans on applying for recertification in 2022.

https://www.criminaljustice.ny.gov/ops/docs/accred/standards_compliance_verification_manual.pdf

Policy & Procedure Reviews

Purpose:

It has become apparent that periodic review of the department's policies and procedures is necessary to allow its members to police effectively and safely perform their duties.

1. The policies and procedures must be regularly updated in order to comply with any changes put into the law by the New York State Legislators and the Governor.
2. Policy & Procedure reviews should take into considerations of the needs of the community served by the Town of East Fishkill Police Department.
3. Present Policies to the local legislative body, The Town of East Fishkill Board Members, to ratify or adopt it.
4. A Review the department's Use of Force Policy was conducted in August / September of 2020 by the Dutchess County Police Reform & Modernization Collaborative. The existing Policy was submitted to the Collaborative's Use of Force Policy subcommittee overseen by Chief Deputy Jason W. Mark of the Dutchess County Sheriff's Office. The Town's Use of Force Policy was compared to the New York State Municipal Police Training Council's June 2019 Model Policy, the recent New York State Penal Law addition of Section 121.13-A Aggravated Strangulation, the New York State Division of Criminal Justice Services Accreditation Standard, the August 2020 New York State Police Reform and Reinvention Collaborative Resource & Guide for Public Officials and Citizens and the Governor's Executive Order Number 203.
5. The Dutchess County Police Reform & Modernization Collaborative's Use of Force Subcommittee reviewed the following fourteen standards:

Agency Name: Town of East Fishkill PD

-Clear purpose outlined in policy.	Meets Standard
-Definitions of Terms-Objectively Reasonable, Physical Injury, Serious Physical Injury, Deadly Physical Force.	Meets Standard
-Policy outlines when force is authorized.	Meets Standard
-Policy outlines when force is prohibited.	Meets Standard
-Policy outlines how force is determined to be "Objectively Reasonable".	Meets Standard

-Policy mandates a duty to intervene	Meets Standard
-Policy outlines the use of deadly physical force.	Meets Standard
-Policy outlines the use of less than lethal weapons.	Meets Standard
-Policy outlines the use of firearms.	Meets Standard
-Policy outlines a procedure to report use of force Incidents.	Meets Standard
-Policy has a procedure for investigating use of force incidents.	Meets Standard
-Choke Holds addressed properly.	Meets Standard
-Policy outlines training frequency and methods for the use of force and related topics.	Meets Standard
-Policy posted on agency website for public view.	Does Not Meet Standard

The Dutchess County Police Reform & Modernization Collaborative Use of Force sub-committee suggested the following additions or changes to our current policy:

*The policy does not indicate that the Use of Force Policy is posted on the agency website.

*While the Policy addresses what less than lethal weapons are not authorized, it does not address what less than lethal weapons are authorized.

In order to comply with the Dutchess County Police Reform & Modernization Collaborative Use of Force sub-committee, the following sections were added to our Use of Force Policy:

Publicize

The Town of East Fishkill Police Department will make the Use of Force Policy readily available upon request and post the policy on its Website.

Authorized Non-Lethal Weapons

Examples of authorized weapons include, but not limited to the following:

Impact Weapon (Police Baton)

Chemical Agent (O.C. Spray)

Electronic Control Weapon (Tazer)

Compliance Techniques (Come-alongs, takedowns, use of hands, arms, feet, legs)

Finally, the revised Use of Force Policy will be submitted in January of 2021 to the East Fishkill Town Board and legal counsel for review, ratification and/or adoption.

6. **Health of Persons in Custody Policy**

In September of 2020, The New York State Division of Criminal Justice Services Law Enforcement Accreditation Council met and adopted an additional Standard, Section 43.8, Health of Persons in Custody. As an Accredited Agency, The Town of East Fishkill Police Department was required to have a written directive that outlines a response to medical and mental health of persons in custody pursuant to New York Civil Rights Law Article 3-28 and submitted to DCJS by January 1st, 2021.

The directive has been completed and submitted to DCJS in November 2020. The new policy outlines the procedures that shall be utilized to ensure the health, safety and security of detainees, officers, staff members and the public when a person is taken into custody. The new policy addresses considerations for ensuring both the physical and mental well-being of persons in custody.

Finally, the new Health of Persons in Custody Policy will be submitted in January of 2021 to the East Fishkill Town Board and legal counsel for review, ratification and/or adoption.

Training and Continuing Education

Purpose:

The Town of East Fishkill Police Department recognizes the need to create a comprehensive training program to reduce the need to use force, recognize the sanctity of life, protect officers from harm, reduce injuries to subjects and develop officer training programs that reflect our community values and build trust between its officers and the communities they serve.

1. Evaluate current training policies and procedures and ensure they align with a guardian mindset by ensuring it is developmental and academic in nature.
2. Allowing for a more even power distribution and collegial relationship between training staff and officer candidates.
3. Incorporating training on civil rights, procedural justice, communication, crisis intervention, cultural competency, leadership, de-escalation, and other progressive policing trainings
4. Focusing on developing critical thinking skills and independence. • Creating a minimum training standard, in addition to basic state requirements, across agencies that includes:

*** Crisis Intervention Training (CIT):**

It has become common place for police officers to be called to the scene to help individuals in crisis. Therefore, the Town of East Fishkill Police Department will maintain a goal that 100% of its officers participate in the 40 hour Crisis Intervention Training. As of October 2020, full compliance has been achieved.

***Procedural Justice Training:**

The Town of East Fishkill Police Department supports creating a more procedurally just law enforcement agency. It is the goal of the Town of East Fishkill Police Department to have every officer trained in Procedural Justice by the end of 2021. As of December 2020, the Town of East Fishkill Police Department has over 90% of its officers trained in Procedural Justice. The Town of East Fishkill Police Department will maintain a goal of having an instructor of Procedural Justice on its staff by the end of 2021.

***Implicit Bias Training:**

The Town of East Fishkill Police Department recognizes that bias based policing occurs when an officer makes decisions or takes action based upon his or her own personal or societal biases or stereotypes, rather than relying on facts and observed behaviors. It is the goal of the department to participate in the County wide training initiative to have all officers trained by the end of 2021.

***Regular Use of Force Training:**

The Town of East Fishkill Police Department recognizes the New York State Division of Criminal Justice Services Accreditation's required annual training on New York State Penal Law section Article 35 Defenses in Justification.

The department also recognizes the need for regular Defensive Tactics Training for its officers creating an ability to protect themselves in a dangerous encounter with violent or resistant subjects while complying with United States Civil Rights Laws and New York State Penal Law Justification Sections. Regular training and refresher training should increase an officer's ability to control the resistant subject and reduce injuries for both the officer and subject.

With this in mind, the Town of East Fishkill Police Department has conducted two such training sessions during 2020 and will attempt to increase the refresher training to three per year.

***Firearms Training:**

The Town of East Fishkill Police Department recognizes the need to expand the firearms training to include proficiency in *** Shoot / Don't Shoot De-Escalation** scenarios. This and ***Crowd Control** was incorporated into our annual ***Active Shooter Training** held in July 2020. The department will continue with ***Basic Firearms Qualifications** held in April of 2020 and ***Low-Light Levels Firearms Qualifications** held in October of 2020.

This continuous progressive firearms training should assist with an officer's ability to safely control a situation and reduce injuries to the public.

***Hate Crime Investigations Training:** The Town of East Fishkill Police Department recognizes the serious possible consequences of Hate Crimes. They cannot be tolerated by a civil society and the Town of East Fishkill Police Department will dedicate resources necessary to fully investigate all incidents of Hate Crimes.

In July of 2020, all Officers of the Town of East Fishkill Police Department participated in Hate Crime Investigation Training.

***De-Escalation Training:**

The Town of East Fishkill Police Department recognizes that under certain circumstances police officers are faced with situations that may be resolved utilizing de-escalation tactics.

In August of 2020, all Officers of the Town of East Fishkill Police Department participated in De-Escalation Training.

***Trauma Informed Victim Response Training:**

Trauma can be defined as an overwhelming event or sequence of experiences that threaten bodily harm and/or sanity, or bring about a permanent loss. Overwhelming feelings of fear, helplessness, and loss of control are present.

Trauma informed-investigations must recognize the needs of a survivor to be respected, informed, and hopeful regarding their interview. A trauma informed sexual assault investigator's perspective asks the survivor "What happened?" instead of asking "What's wrong?" or focusing on the problems or symptoms to be "fixed." It focuses on individual strengths and doesn't over-emphasize symptoms.

Trauma-informed investigator understands the relationships between trauma and the variety of trauma symptoms as they may be presented in rape crisis.

Trauma-informed investigations involve working collaboratively with survivors, their support network, and other service providers in a manner that empowers and does not re-traumatize the survivor.

In February of 2020, the Town of East Fishkill Police Department had two detectives and an officer attend Trauma Informed Victim Response Training.

***Background Investigation for Police Applicants:**

The Town of East Fishkill Police Department recognizes that quality candidates and a diverse police force can be beneficial for building trust between its members and the community it serves.

In August of 2020, The Town of East Fishkill Police Department had an additional officer attend a three day session of Background Investigation for Police Applicants.

The Town of East Fishkill Police Department has greatly increased the training for the 2020 year in order to comply with the New York State Police Reform and Reinvention collaborative. The Department further recognizes the need to continue with periodic training and periodic review of training programs.

Accountability

The Town of East Fishkill Police Department has the obligation to provide professional law enforcement service to the community. To achieve its stated goals the department must depend upon the proper work performance from all members. Performance evaluation is one measure of a person's ability to perform assigned duties as directed by supervisors and in accordance with departmental policies and procedures. The process of performance evaluation is a serious supervisory function that should accomplish (but not limited to) the following goals.

1. To allow fair and impartial decisions by management.
2. To maintain and improve performance.
3. To provide a medium for personnel counseling.
4. To facilitate proper decisions regarding probationary employees.
5. To provide an objective and fair means for recognition and measurement of individual performance in accordance with prescribed guidelines.
6. To identify training needs.
7. To assist in ascertaining and encouraging improvement in services rendered, and provide for more effective supervision.
8. To provide data for consideration in selection for assignments, transfers, promotions and other personnel action.
9. To provide data for consideration in disciplinary actions.
10. To provide insight to a supervisor's ability to recognize strengths and weaknesses in subordinates and to effectively maximize subordinates strong points while minimizing weaknesses through professional supervision.

The following persons shall perform the rating of employee performance.

- 1. Squad Sergeants will rate the Officer assigned to them. The Patrol Lieutenant or Chief of Police will endorse that rating.**
- 2. The Patrol Lieutenant will rate the Sergeants.**
- 3. The Detective Sergeant will rate the detectives. The Chief of Police will endorse that rating.**

All permanent personnel will be rated (but not limited to) annually. Probationary police officers will be rated three times during their probationary period. Lateral transfer police officers will be rated a minimum of one time. The Chief, at his discretion, may direct additional evaluations on any member of the department at any time.

All Officers will be rated in the follow areas on their written Evaluation Reports:

- A. Demeanor / Professionalism**
- B. Interpersonal Relations**
- C. Public Relations**
- D. Motivational/Organizational Contribution**
- E. Acceptance of Feedback**
- F. Knowledge of Laws, Statutes and Ordinances**
- G. Adherence to Policy and Procedures for Use of Firearms, Use of Force, Driving/Vehicle Operation & Administrative Policies and Procedures**
- H. Investigative Skills**
- I. Protection of Crime Scene**
- J. Dependability**
- K. Self-Initiated Productivity**
- L. Written Communications**
- M. Officer Safety**
- N. Attendance**
- O. Punctually**

For each performance factor in which the officer received a low rating, a specific performance improvement goal must be described in the Evaluation.

These Evaluations will be utilized as an early Intervention System (EIS) that is a data-based police management tool designed to identify officers whose behavior is problematic and provide a form of intervention to correct that performance.

That department intervention can be but not limited to:

Training

Re-Training

Counseling

Referral to an Employee Assistance / Intervention Program

Community Policing

The Town of East Fishkill Police Department is committed to involving ALL of its personnel in community relations. It is critical that its members recognize all civilians are treated with dignity and receive an equality of enforcement. However, in an effort to improve relations with the community, the department has created a community Oriented policing squad consisting of five officers designated by the Chief of Police.

Currently, officers are participating in, but not limited to:

- *Too Good for Drugs & Violence Programs conducted in the Elementary Schools.
- *Certified Child Seat Installation and Inspection Technicians.
- *Hope Not Handcuffs.
- *School Resource Officer in the High School.
- *Resource Connections and Referrals.
- *Transportation to Services.
- *Work side by side with the Dutchess County Mobil Crisis Team or Social Services.
- *Career Day at local high schools and colleges.
- *Safety & Security lectures for senior citizens groups.
- *Participate in the annual Coffee with a Cop Program.
- *Providing resources to the Town of East Fishkill Police Benevolent Association for community oriented events (Raising money for charity like Sparrow's Nest, Police Vs. School Teachers Basketball Game, Food Drives for Saint Vincent DePaul Food Pantry, Lunches with Unshattered, etc.).
- *Business Emergency Contact Information & visitation.
- *Requests for Departmental Speakers.
- *Attend Town Board & Town Recreation Board Meetings.
- *Supervisor attends the monthly Recreation Board Meeting.
- *Chief of Police or his designee attends monthly Town Board Meeting.

Public Input

The Town of East Fishkill Police Department welcomes public input and agreed to participate in the Dutchess County Police Reform & Modernization Collaborative. The collaborative consisted of Police Administrators, County Administrators and Community Stakeholders. The public input has and will come from three civilian groups/formats:

1. Dutchess County Stakeholders Committee.
2. Public forum on Zoom.
3. Town of East Fishkill public forum to be held in early February 2021.

The following is a summary of the Dutchess County's Police Reform & Modernization Collaborative's public input:

From the beginning of this process, public input in addition to the input offered by the Community Stakeholders was critical to developing reform ideas and priorities. To create opportunities for this feedback, a comment form was created and placed on the County's website, to allow for the public to submit anonymous or named comments on reforming police and policing in Dutchess County. In addition, The Dutchess County Commission on Human Rights hosted seven public forums on Zoom. Six of the meetings gave preference to speakers from a different set of municipalities and one Spanish language forum was held, ensuring that voices throughout Dutchess County were heard.

- Saturday, September 12: Town of Washington including Village of Millbrook, Towns of Stanford, Pine Plains, and Amenia, Town of North East including Village of Millerton.
- Thursday, September 17: Town of Pawling including Village of Pawling; Towns of Dover, Union Vale, Beekman, LaGrange and Pleasant Valley.
- Tuesday, September 22: Town of Wappingers including Village of Wappingers Falls, Town of East Fishkill, Town of Fishkill including Village of Fishkill, City of Beacon.
- Wednesday, September 23: Town of Poughkeepsie and Town of Hyde Park.
- Saturday, September 26: Town of Rhinebeck including Village of Rhinebeck, Town of Red Hook including Villages of Red Hook and Tivoli, Towns of Milan and Clinton.
- Tuesday, Sept 29: City of Poughkeepsie.
- Saturday, October 3: Spanish language forum.

Recordings of said meetings can be found here:

<https://www.dutchessny.gov/CountyGovernment/Community-Forums.htm>.

There were clear themes in the public input received — Improving Communication, Increasing Accountability and Transparency, and Building Trust and Legitimacy. More illuminating yet were the

most common recommendations received. The following is a brief summary of the most common police reform recommendations received from both the public forums and the online comment form:

- Have social workers and other professionals trained to deal with crises like drug overdoses or mental health issues either replace or accompany police on calls addressing those or similar issues. Provide additional funding for these resources.
- Create a civilian review board at the municipal or inter-municipal level to oversee the police and handle allegations of misconduct (to create accountability and trust).
- Make data available regarding the police's interaction with the public to identify if they are engaging in discriminatory practices (improve transparency).
- Remove police from schools, invest in mental health resources for students.
- Provide additional information to the public about how to file a complaint in a confidential manner against the police (improve communication).
- Diversify the police force (to build trust).
- Clearly communicate resources available to the community to reduce dependence on calling 911.
- Have more diversity, sensitivity, and implicit bias awareness training, as well as providing resources for tools like body cameras and trauma support for officers.

A full summary of the public input broken down by source is contained within the Dutchess County Police Reform & Modernization Collaborative Plan to Reform and Modernize Law Enforcement and Policing in Dutchess County report's appendix. <https://www.dutchessny.gov/County-Government/Police-Reform-and-Modernization-Collaborative.htm>

The themes identified fit very closely with the topics considered by the Community Stakeholder workgroup and provide a guide for developing plans at both the county and municipal levels. Further, many of the recommendations made by the public were also part of the Collaborative's discussions, the briefs provided to the focus groups, and the State guidance.

Social workers & other professionals

Public Input item 1: • Have social workers and other professionals trained to deal with crises like drug overdoses or mental health issues either replace or accompany police on calls addressing those or similar issues. Provide additional funding for these resources.

-The Town of East Fishkill Police Department will attempt to utilize the Dutchess County Mobile Crisis Team to evaluate an individual during a mental health issue more often when possible.

-The Town of East Fishkill Police Department will attempt to share information about the Dutchess County Stabilization Center and the services they offer more often when possible. The department will continue with an offer of transportation to the facility when possible.

-The Town of East Fishkill Police Department has trained and authorized its officers to carry and administer Naloxone Nasal Spray. Since its inception several years ago, dozens of lives has been saved. Officers will continue a practice of yielding to arriving emergency medical personnel and their presents at the scene will be a roll of live saving. Officers will offer the patient information for immediate assistance with their drug addiction or information on drug rehabilitation. The Town of East Fishkill Police Department has partnered with Hope not Handcuffs, an organization that will vet, secure and transport a patient to a rehabilitation center.

Training for Public Input Item 1:

- *Crisis Intervention Training
- *De-Escalation Training
- *NARCAN Training
- *Procedural Justice Training
- *Implicit Bias Training
- *First Responder Emergency Medical Assistance

Oversee of the Police

Public Input Item 2:

- Create a civilian review board at the municipal or inter-municipal level to oversee the police and handle allegations of misconduct (to create accountability and trust).

Town of East Fishkill Police Department maintains a policy (Directive 92-25) for civilian complaints and departmental investigations. The department encourages citizens to bring forward legitimate complaints regarding misconduct by employees. Department members shall receive complaints courteously and shall explain to complainants departmental procedures for the filing of said complaints utilizing the "Citizen's Complaint Form". All such contact must be reported to the Chief of Police.

Further, The East Fishkill Town Board meets every month and has an "open floor for public comment". The Members of the East Fishkill Town Board encourage its citizens to express any concerns, issues or complaints. This offers the community an additional opportunity to voice a complaint.

The Chief of Police or his designee attends regular Town Board Meetings and may be able to assist with any complaints that are brought forward.

Transparency

Public input 3:

- Make data available regarding the police's interaction with the public to identify if they are engaging in discriminatory practices (improve transparency).

The Town of East Fishkill Police Department recognizes the need for keeping detailed records of calls for service and police activity. Therefore, a Records Policy, Directive 92-8.1 is in place.

The Town of East Fishkill Police Department's Records Clerk will continue to complete Incident Based Reports and submit to the New York State Division of Criminal Justice.

Individuals can make requests for certain data by contacting the Police Department @ 845-221-2111. Requests for data will be forwarded to the records department.

The department will also add this information to its website.

School Resource Officer

Public input Item 4:

- Remove the police from schools, invest in mental health resources for students.

The definition of a School Resource Officer (SRO): Sworn law enforcement officers responsible for safety and crime prevention in our schools.

The public has addressed concerns that police officers in schools can or are utilized as a disciplinary tool for school administrators.

The Town of East Fishkill Police Department requires that all School Resource Officers attend a New York State Division of Criminal Justice Services School Resource Officer Course. All Town of East Fishkill Police School Resource Officers will not be utilized as a disciplinary tool. Their main priority is the safety of the children, the staff and deterrence of criminal activity.

The Town of East Fishkill Police Department's School Resource Officer is a member and a resource to the Safety Teams of:

- John Jay High School
- Van Wyck Junior High School
- Saint Columba Elementary School
- Gayhead Elementary School
- Fishkill Plains Elementary School

Finally, the Town of East Fishkill Police Department supports strong mental health resources for students administered by the school district.

Filing a Complaint

Public Input Item 5:

- Provide additional information to the public about how to file a complaint in a confidential manner against the police (improve communication).

The Town of East Fishkill Police department recognizes that many individuals feel it necessary for an individual to file a confidential complaint about police misconduct. However, a proper investigation can be inhibited by an anonymous complaint. Civilians are encouraged to speak directly with a supervisor in person or by phone if necessary.

Civilians are welcomed and encouraged to complete a Civilian complaint form. The form can be completed in a private setting with a supervisor.

A Diversified Police Department

Public Input Item 6:

- Diversify the police force (to build trust).

The police officer hiring process is dictated by New York State Civil Service Law and the Dutchess County Division of Human Resources. This restricts the Town of East Fishkill Police Department's hiring process.

However, in an attempt to expand the field of eligible police officer candidates, the Town of East Fishkill Police Department has lobbied the Dutchess County Division of Human Resources to remove the 60 college credit requirement for an applicant to participate in the Police Officer Civil Service Exam.

The Town of East Fishkill Police Department currently offers a tuition reimbursement incentive for its officers creating an opportunity for a continuing education.

In 2020, the Town of East Fishkill Police Department had an officer attend a three day Police Officer Applicant Background Investigation Training Course in an attempt assist our Detective Division with narrowing down the field to the best possible candidates.

Finally, the Town of East Fishkill Police Department feels that it has a well qualified diverse and competent police force with the ability of communicating in three languages. The department will always strive to hire intelligent competent individuals with sound communication skills while complying with New York State Civil Service Laws.

Resources Available to the Public

Public Input Item 7:

- Clearly communicate resources available to the community to reduce dependence on calling 911.

The Town of East Fishkill Police Department recognizes a need to clearly communicate resources to the community. The department plans on expanding its website by listing available resources and the contact information associated with those resources. Some examples would be:

- Contacting the department directly at 845-221-2111
- Hope not Handcuffs
- Dutchess County Stabilization Center
- Homeless Shelters
- Dutchess County Department of Health
- Suicide Hotline

The department will also distribute the aforementioned list of resources and contacts to its members.

An Expansion in Training

Public Input 8:

- Have more diversity, sensitivity, and implicit bias awareness training, as well as providing resources for tools like body cameras and trauma support for officers.

Training:

The Town of East Fishkill Police Department recognizes the need to create a comprehensive training program to reduce the need to use force, recognize the sanctity of life, protect officers from harm, reduce injuries to subjects and develop officer training programs that reflect our community values and build trust between its officers and the communities they serve.

Currently, the Town of East Fishkill Police Department has been participating in the following training:

*** Crisis Intervention Training (CIT):**

***Procedural Justice Training:**

***Use of Force Training:**

***Hate Crime Investigations Training:**

***De-Escalation Training:**

***Implicit Bias Training:** Scheduled for 2021

See details in the Training Section

Body Worn Cameras / Transparency

Public Input 8 continued:

- Have more diversity, sensitivity, and implicit bias awareness training, as well as providing resources for tools like body cameras and trauma support for officers.

Body Worn Cameras / Transparency:

The Town of East Fishkill Police Department recognizes the usefulness of Body Worn Cameras to assist in a successful prosecution of crimes and their ability to create a necessary transparency for law enforcement and the community they serve.

Currently, the Town of East Fishkill Police Department is participating with the Dutchess County Police Reform and Modernization Collaborative Body Worn Camera Subcommittee. The subcommittee is conducting research and soliciting a county wide program with the hopes of consolidating costs with a shared services initiative with interested local municipalities and law enforcement agencies to jointly purchase body-worn cameras and identify centralized shared data storage.

The Town of East Fishkill Police Department has also been conducting its own research on Body Worn Cameras from Axon Enterprise, Inc.

The research consists of Licensing Fees, Storage Options, Side Arm Signal Activation Kits, Signal Kits, Docking Stations, Redaction and Evidence Software and a cost analysis with the hopes of securing a comprehensive equipment package.

Finally, the Town of East Fishkill Police Department is researching policy implementation with the hopes of allocating the necessary resources by 2022.

Police Officer Support Services

Public Input 8 continued:

- Have more diversity, sensitivity, and implicit bias awareness training, as well as providing resources for tools like body cameras and trauma support for officers.

See details in the Training Section

Trauma Support for Police Officers:

The Town of East Fishkill Police Department recognizes the need to assist its officers with any support necessary when they are involved in any traumatic ordeal. The Town of East Fishkill Police Department has partnered with The Work Place Services, Westchester Medical Center Health Network covering a comprehensive range of services in the following areas:

The Work Place Employee Assistance Program offers your organization:

- Coverage for employees and their immediate family members
- Supervisory training to help managers identify and refer troubled employees
- 24-hour availability through our crisis hotline
- Employee orientation and training addressing issues such as sexual harassment, workplace violence, and more
- Management and human resources consultation and coaching services
- Critical incident debriefing
- Healthy living seminars
- Policy consultation and development
- EAP posters, wallet cards and brochures

The Work Place Employee Assistance Program offers your employees assistance with:

- Relationship issues
- Substance dependency issues
- Critical incident debriefing
- Anger management
- Stress management, personal & job related

- Emotional issues
- Financial issues
- Eldercare issues
- Grief
- Work performance

The Town of East Fishkill Police Department and the Town of East Fishkill Human Resources Department are actively researching Employee Assistance Programs designed specifically for police officers to supplement our existing programs.

APPENDIX A

Important Links and Information

***For a list of members of the Collaborative visit:**

<https://www.dutchessny.gov/CountyGovernment/Police-Reform-and-Modernization-Collaborative-Workgroups.htm#Con1>

***Executive Order No.203:**

<https://www.governor.ny.gov/news/no-203-new-york-state-policereform-and-reinvention-collaborative>.

*** New York State Guidance:**

https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/Police_Reform_Workbook81720.pdf

***Executive Order Safe Policing for Safe Communities:**

<https://www.whitehouse.gov/presidentialactions/executive-order-safe-policing-safe-communities/>

***Police Reform and Modernization Community Forums:**

<https://www.dutchessny.gov/CountyGovernment/Community-Forums.htm>

*** Collaborative Meeting Summaries:**

<https://www.dutchessny.gov/County-Government/MeetingSummaries.htm>

*** Pertinent New Releases:**

<https://www.dutchessny.gov/County-Government/News-ReleasesPolice-Reform-Modernization-Collaborative.htm>

***Summary of State and Federal Action Related to Police Reform:**

<https://www.dutchessny.gov/County-Government/Executive-Orders-Regarding-PoliceReform.htm>

*** Frequently Asked Questions:**

<https://www.dutchessny.gov/County-Government/FrequentlyAsked-Questions-Police-Reform-Modernization-Collaborative.htm>

***New York State Accreditation Program:**

https://www.criminaljustice.ny.gov/ops/docs/accred/standards_compliance_verification_manual.pdf

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