

## **Police Reform Plan**

### **Village of Adams, NY**

#### **Purpose for this Document**

On June 12, 2020, Governor Andrew M. Cuomo signed Executive Order No. 203 entitles “New York Police Reform and Reinvention Collaborative,” which requires each local government in the State with a police force to adopt a policing reform plan by April 1, 2021. This is the Village of Adams plan prepared to comply with the Executive Order.

#### **Description of the Village of Adams**

The Village of Adams on the Edge of New York State’s Tug Hill Region in close proximity to Lake Ontario, Ft. Drum, home of the United States Army’s 10<sup>th</sup> Mountain Division, and the Canadian border. It is on the southern end of Jefferson County and has a population of approximately 1,714 according to 2015-2019 American Community Survey (ACS) 5-year Estimates.

The Village’s population is approximately .74 percent Black or African American, 97.91 percent Non-Hispanic White, .25 percent Native American, 1.11 percent Hispanic or Latino, and .6 percent Asian.

The Village of Adams has 825 housing units, a small percentage of which are rental units. The median income for the Village of Adams is \$53,629 with approximately 16.1 percent of the households below the poverty line.

#### **Description of Police Department**

The Village of Adams Police Department (APD) is a part time police agency, with Officers working varying shifts throughout the week. The department is staffed with 7 sworn officers, 6 Patrol Officers and a Senior Officer.

#### **Collaboration Effort**

Community stakeholders and the public at-large were engaged to provide input for this plan.

The stakeholders engaged during the County-wide stakeholders meeting and gave input. Public input has been requested through the Village of Adams website. All comments, concerns, and suggestions could be sent to the 3 email

addresses provided on the site or by calling the phone numbers also provided on the website.

A public hearing was held for any interested person(s) to attend and express their suggestions, questions, and/or concerns. A draft of the plan is available on the website until March 30, 2021.

## **Functions of the Police Department**

The Police Department currently serves the community through proactive patrols, the enforcement of traffic laws, maintaining peace and order, responding to emergency and non-emergency calls, conducting investigations into criminal activity, property checks, and notifying the public of ongoing scams or emergency conditions.

APD does provide security, traffic, and crowd control for community events throughout the year. It does not have the manpower nor the gear to perform significant crowd control. The department has not “militarized”. It does have some basic proactive equipment that some might say is military in appearance. It does not have any equipment obtained from the military.

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

### Procedural Justice and Community Policing

Procedural justice is a set of principles that encourage police to consider how they interact with the public rather than focusing solely on the law enforcement outcomes. The Task Force on 21<sup>st</sup> Century Policing outlined 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 methods.

Community Policing provides another set of organizing principles for establishing a successful policing model. The premise of community policing is that community participation and assistance are crucial for maintaining public safety and building a police force responsive to the public. According to the U.S. Department of Justice Civil Rights Division, it focuses on strong relationships and collaboration between police and the community they serve; the application of modern management practices and organizational structures to create a culture

of community partnership; transparency and accountability to the community and democratic government; and decentralized, proactive, community-based solutions to community-based solutions to community public safety priorities.

U.S. Department of Justice's Office of Community Policing Services recommends the following best community policing practices:

1. Create a comprehensive community policing strategy plan
2. Train all personnel on community policing-including overcoming distrust
3. Foster an atmosphere of openness and transparency.
4. Adapt procedural justice as a guiding principle.
5. Prioritize law enforcement personnel safety and wellness.
6. Engage the community in a true partnership to address crime and Disorder issues.
7. Treat every contact as an opportunity to engage positively with a Community policing success.
10. Incorporate community policing measures into the performance evaluation process.

There are several strategies used by some police departments that have raised concerns among the public, including:

“Broken windows” and “stop and frisk”

Discriminatory or bias-based stops, searches, and arrests

Chokeholds and other restrictions on breathing

Use of Force for punitive or retaliatory reasons

Pretextual stops

Informal quotas for summonses, tickets, or arrests

Shooting at moving vehicles and high speed pursuits

Use of SWAT teams and no-knock warrants

Less-than lethal weaponry such as tasers and pepper spray

Facial recognition technology

APD generally does not utilize these practices, except for a couple of them on a limited basis.

The Department does not have a “zero tolerance” policy, which has been negatively associated with the “broken windows” theory. All stops require reasonable suspicion that a crime has been, is currently, or is about to be committed by the person who is stopped. Frisks are conducted only when an officer has a reasonable suspicion that the subject may be armed with some sort of weapon. All stops do not warrant a frisk, which is a pat-down of the outer clothing for weapons and does not include searching inside the pockets, wallets, or purses ect.

Stops, searches and arrests are based on a reasonable suspicion and probable cause, which is developed through investigation, not through profiling of any sort.

“Chokeholds” (carotid restraints) have been against department policy for years and are now illegal.

Force is never used as punishment or for retaliation by members of the department.

Pre-textual stops, which are the use of legitimate V&T violations as a reason for an initial stop, so that further investigation of a more serious crime may be conducted are used as approved by the US Supreme Court.

Shooting at a moving vehicles is prohibited by the Department and high-speed pursuits are only for more serious crimes.

Tactical teams are used for high-risk calls and to assist in the execution of high-risk search warrants.

Less-than-lethal weaponry such as tasers and pepper spray are used to reduce injury to officers and arrestees.

APD does not use facial recognition technology.

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

There are some strategies that are considered ways to reduce racial disparities and build trust, including:

Using summonses rather than warrantless arrests for specified offenses

Diversion programs

Restorative justice programs

Community-based outreach and violence interruption programs

Hot-spot policing and focused deterrence

De-escalation strategies

Identify, investigate, and prosecute hate crime

Summonses are issued by a court and they are used sometimes instead of warrantless arrests.

Diversion and restorative justice programs are set up and operated between the court system and the District Attorney's Office.

There are no community-based outreach and violence interruption programs in Adams. The village has a very low amount of violent crime.

Adams is not large enough to have "hot spots", however officers do give extra attention to areas where call rates, drug activity, noise complaints, and/or V&T violations are moderately high. More frequent patrols, observation details, and foot patrols in an area are believed to have a proactive effect for limited times.

De-escalation has been a part of policing for years. The department recently started de-escalation training, along with implicit bias training, on-line. Everyone in the department will complete the training within a few weeks.

The Village of Adams has a very low rate of "hate crimes," which are defined under state law as being committed when the suspect "selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding the race, age, disability or sexual orientation of (that) person, regardless of whether the belief of perception is correct. (NY Penal Law Section 485.05)

## Community Engagement

The police department does not have a written community outreach plan or citizen advisory board. It does have relationships with a neighborhood watch program and Clergy/Community Leaders Group.

We do not have any schools within our jurisdiction.

The military population stationed at Ft. Drum represents a unique situation in New York State. They are younger, more diverse, and more transient than the indigenous population. Local law enforcement has a good relationship with law enforcement on the base. Monthly meetings are held, the respective law enforcement agencies cooperate, and military officers and NCO's do have courtesy patrols during some of our special events.

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

### Leadership and Culture

The APD is a small, part time agency and is headed by a Senior Officer. The Village of Adams Board and Mayor are responsible for the selection of the Senior Officer. The selection is based upon but not limited to time and experience in law enforcement, knowledge of State, Federal, and local laws, ability to supervise veteran officers, favorable checks with the recipients primary law enforcement agency, time with the APD, recommendations of prior Senior Officers, and relationship with the community.

The department can work to get alignment with policing goals during bi-annual evaluations.

### Tracking and reviewing Use of Force and Identifying Misconduct

Officers are required to report use of force to the Senior Officer in all cases. The Senior Officer will review the use of force.

Use of force is reviewed internally, except when an officer involved shooting/death occurs, then the NY State Police will investigate. Current law requires that the NY State Attorney General's Office will investigate all officers' involved in-custody deaths.

The APD does deploy body cameras. The Senior Officer does review footage to identify and prevent problematic behavior. Non-punitive training measures are used in any case where improvements can be made.

#### Internal Accountability for Misconduct

Officers who know of misconduct by another officer are expected to report it to a supervisor. There is a clear and transparent process for investigating reports of misconduct. The department will respond to officer misconduct with appropriate disciplinary measures.

Policies are adjusted if needed after receiving substantiated complaints of misconduct and settlements or adverse verdicts in lawsuits.

There are controls in place to ensure impartiality when reviewing potential misconduct or complaints. If there is a conflict of interest, the reviewing officer will transfer the investigation to the Mayor's Office or another investigating agency. If a criminal investigation is warranted, then the case would be referred to the New York State Police and the Jefferson County's District Attorney's Office.

An officers actions, whether on or off-duty, must not bring discredit upon the Police Department or the Village of Adams.

#### Citizen Oversight and Other External Accountability

The Village of Adams Board and Mayor's Office has oversight of the police department. The Village of Adams website is available to make direct contact with the Mayor, Village Board members, and/or the Senior Officer.

The investigation outcomes are reported to the complainant. Anonymous complaints are not accepted, because they would become part of the officer's personnel file. Anonymous complaints would give persons the ability to damage an officer's reputation by filing false complaints without being subject to charges for falsely reporting an incident or perjury.

#### Data, Technology and Transparency

APD does deploy on-dash patrol cameras, body cameras, and in office cameras all of which ensure law enforcement accountability and increased transparency.

## **Recruiting and Supporting Excellent Personnel**

### Recruiting a Diverse Workforce

The APD is a small part-time agency comprised of veteran officers from larger departments. Because of the department dynamics officers with less than 4 years of continual full time law enforcement experience are not considered for employment. Each officer is scrutinized prior to employment, things such as performance evaluations, ability to work with minimal supervision, and recommendations from the prospects immediate full time supervisors and Chief/Sheriff are all taken into account for the hiring process.

### Training and Continuing Education

The Department has implemented a mandatory training regimen, but there is always a need to evaluate its effectiveness and the need for additional subjects. The training program needs to reflect the community values and build trust between police officers and the communities they serve. It needs to ensure that officers continuously receive high-quality, relevant in-service training sessions.

It needs to ensure that leadership training improves community policing and strengthen relationships between your police department and members of the public. Training programs need to be used to avoid incidents involving unnecessary use of lethal and nonlethal force. It also needs to help avoid potential bias incidents and build stronger connections with communities of color and vulnerable populations.

Crisis intervention training is very much needed to help officers effectively and safely respond to individuals experiencing mental health crises or struggling with substance abuse. Jefferson County is exploring the possibility of implementing a virtual mental health response program and a mental health law enforcement referral system that would complement CIT and help officers in the field.

### Support Officer Wellness and Well-being

APD does not have a comprehensive wellness program. Assistance can be sought through various EAP programs to include the City of Watertown and State Police EAP programs.



These wellness programs would address physical and mental health well-being especially after a traumatic event.

Because APD officers are employed part-time they are only available to work a maximum of 20 hours a week. Our officers seldom work the allotted 20 hours.

Officers employed by APD are, in a large part, from the community which they serve and either know or are familiar with a large percentage of the community. This attributes to a lower stress work environment, a more community oriented style of policing, better community relations and more transparency.

### **Conclusion and Recommendations**

The Village of Adams Police Department has not had the problems of serious misconduct that has come to national attention from other communities. Our ability to hire veteran officers from other officers whom are “time tested” in the field, the updating and introduction of new policies and procedures some of which are highly recommended by State and Federal governing bodies have enabled APD to be a well-functioning police department that has the communities well-being as a top priority. This does not mean, however, that there is not room for improvement. The following are recommended changes.

#### Recommendations

1. Fostering a program which encourages public outreach to give a community perspective to the police department, particularly people of all races, active duty and retired military persons and their families, and younger people.
2. Implicit Bias, Diversity, and De-escalation Training should be provided to all officers. That training should be presented and updated periodically during in-service training. APD is currently participating in two on-line training courses; Policing in Black and White; Implicit Bias and Racial Profiling, and, Crisis Response; De-Escalation Techniques. We expect the training to be complete prior to April 1, 2021
3. Crisis Intervention training for at least two of our officers initially with a goal of 100% training in the next 5 years. This type of training is designed for officers to better prepare our officers respond better and more appropriately to mental health crisis.