



Village of Afton Police Reform and Reinvention Collaborative Response

New York State Executive Order # 203

NYS Executive Order 203 Summary

On June 12th 2020 Governor Cuomo signed Executive Order 203 requiring each local government in the State to adopt a policing reform plan by April 1, 2021. The order empowers the Director of the Division of the Budget to restrict State aid to localities on the adoption of such plan. In order to ensure the development and adoption of such plans the Governor's Office has called for the New York State Police Reform and Reinvention Collaborative.

The Collaborative is meant to rebuild the police-community relationship by organizing stakeholders for a fact based and open dialogue about the safety needs of their community. The goal of the Collaborative is to create a plan of what the appropriate role of the police will be for their community. "Policies must be developed to allow the police to do their jobs to protect the public and adopt policies that meet the communities' acceptance" (Governor Cuomo, 8/17/2020)

The Collaborative process should:

- Review the needs of the community served by its police agency, and evaluate the department's current policies and practices;
- Establish policies that allow police to effectively and safely perform their duties;
- Involve the entire community in the discussion;

- Develop policy recommendations resulting from this review;
- Offer a plan for public comment;
- Present the plan to the local legislative body to ratify or adopt it, and; Certify adoption of the plan to the State Budget Director on or before April 1, 2021.

Response Summary

In response to Governor's Executive Order #203, the Board of Trustees of the Village of Afton assembled a board of representatives (Civilian Police Review Board) of the community to review Village of Afton Police Department Procedures and Practices, and other related policing practices to study their applicability to the Village of Afton "to address any racial bias and disproportionate policing of communities of color" (NYS Police Reform and Reinvention Collaborative, 2020). This report contains a plan for implementing 6 policing recommendations for the Village of Afton Police Department. The plan was presented for public comment on March 25th, 2021 [and was approved on March 25th, 2021 by the Village Board.]

The Village of Afton History and Demographics

The Village of Afton was first settled in 1786. It is seated in southern Chenango County with an approximate total area of 1.6 square miles. The Susquehanna River flows through the village and separates Main Street, to the north and East Main Street to the south. There is one major highway, Interstate 88 that passes just east of the city limits. There are several businesses in the village ranging from restaurants, gas stations, a hardware store, privately owned fair grounds utilized for public events, and several other small businesses.

According to the 2019 United States Census the estimated population of the village is 933. Since 2015 data from the Census suggests the total approximate village population has been on a steady decline.

Please reference table 1 below depicting the approximate total population of the village from 2015-2019. The demographics in table 1 and table 2 are based on persons that identify as one race (not more than one).

Table 2 refers to the percent of population by race. The majority of the population is white maintaining between 97% and 98% from 2015-2019. From 2015 to 2019 the black population has increased in percentage from 0.2% to 0.7%. American Indian population and Asian population have been on a steady decline of percentage per population from roughly 1% to 0.5% of the population.

Table 1: 2015-2019 Village of Afton Population and Demographics based on persons that identify as one race

Year	Total Population	Identify as One Race	White	Black	American Indian	Asian
2019	933	922	903	6	7	6
2018	986	971	940	7	17	7
2017	991	970	946	2	14	8
2016	1079	1062	1038	2	12	10
2015	1086	1066	1037	2	11	14

Table 2: 2015-2019 Village of Afton Population and Demographics % based on persons that identify as one race

Year	Identify as One Race	% White	% Black	% American Indian	% Asian
2019	922	98%	0.7%	0.75%	0.65%
2018	971	97%	0.7%	1.75%	0.72%
2017	970	97.50%	0.2	1.44%	0.82%
2016	1062	98%	0.2%	1.12%	0.94%
2015	1066	97%	0.2	1.03%	1.31%

Village of Afton Police Department Mission Statement

Personnel joining this agency must remember that you take on a responsibility to make this agency one of the best as if it is your own. Members are expected to carry out their responsibilities and to take pride in the profession they provide to the public we serve.

The principle law enforcement mission of the Village of Afton Police Department is to preserve the rights of the citizens and reduce fear in the community through the prevention of crime, protection of persons, property, and the maintenance of order in public areas. To anticipate and respond to events that threatens public order and the protection of life and property.

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

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

In joining this agency, members make the agency's responsibilities their own. They are expected to carry out these responsibilities and to take pride in the services they provide.

Role of the Police in the Village of Afton

The Village of Afton Police Department (APD) operates as a part time police force. The department currently consists of an Officer in Charge and five sworn officers. All department members are certified with the Basic Course for Police Officers (BCPO) and certified through DCJS. The training consists of a minimum standard of over 700 hours established by the Municipal Police Training Council (MPCT). The course covers a wide range of topics ranging from Ethics & Professionalism, Cultural Diversity, Bias Related

Incidents, Professional Communication, Persons with Disabilities, Crisis Intervention, Use of Force and Deadly Force, Active Shooter Response and Decision Making.

The goal of the department is provide safety and security to the residents of the village as well as the local community that comes to enjoy the splendors that the village has to offer including several small businesses and community events. The police department attempts to achieve this goal by actively patrolling the village and engaging with the public. Department members perform vehicle and traffic stops by enforcing NYS V&T law as well as educating the public in motor vehicle safety. APD responds to calls for service as well as provides mutual aid to surrounding agencies including the Chenango County Sheriff's Office, NYS Police, Village of Bainbridge Police and Village of Greene Police Departments. APD responds to calls for service that range from incidents involving domestic violence, mental health, larceny, burglary, motor vehicle accidents, etc. The department provides traffic details for events such as the Christmas Parade, and events held at the Village fair grounds located inside the village limits. Property and business checks are a priority for the department to help in deterring property crime. More recently with the incline in drug related incidents, drug interdiction has also become a priority.

Proposed Plan

After reviewing the guide book and resources set forth by the Governor's office, to address any racial bias and disproportionate policing of communities of color the Village of Afton has created the following plan to restore the relationship between the community and the police.

1. Ensure law enforcement accountability and increase transparency of the police department by implementing Body Worn Cameras (BWCs)

- In order to restore relationships between the community and police it can be difficult for the public to understand what police do and how they react to an incident. Body worn cameras have become a tool, over the past two decades, to assist in providing transparency and accountability of how police conduct themselves. Body worn cameras (BWCs) have been a topic

of discussion in the village community; the village board has secured funding to purchase two BWCs to be worn. Research will be conducted on what BWCs the village will purchase as well as policies to be adopted and technology required to store video footage. The Village of Afton Police Department OIC will be in charge of reviewing footage and maintaining records. BWCs have a measurable outcome. They also have the potential to result in future policy changes that benefit both the public and police alike.

2. Increase Community Policing Efforts

- “Community-oriented policing seeks to address the causes of crime and to reduce fear and social disorder through problem-solving strategies and police-community partnerships” (NYS Police Reform and Reinvention Collaborative, 2020).
- The Village of Afton has a number of community groups, events, and activities that attract not only village residents but members of local communities. The police department has historically been involved in community activities such as the Christmas Parade, Afton fair grounds events, and village board meetings. The extent of involvement has not been a primary task of the police department due to lack of engagement with community leaders. It is a goal of the police department to develop closer ties with the community leaders to be a part of the planning process to help assist with safety concerns, provide traffic control for events, and to refocus efforts on more face-to-face interactions with the public.
- The village setting allows for a more personal interaction with the public to establish and maintain a safe and orderly social environment.
- Acting OIC of the police department will attend monthly village meetings to increase awareness of public concerns and community events.
- Suggestions for discussion with the community and village board
 - i Introduce a bike patrol

- ii Youth engagement events
- iii Create an internship program

3. Community Outreach Plans

The three programs listed below will be offered to the community upon request. In some instances they may be offered on a specific date and time with a sign up.

- Risk Assessment Program
 - Law enforcement has a unique perspective due to their job duties therefore risk assessment is a typical function of their day to day activities. The Village of Afton Police Department will offer risk assessments to local businesses, religious organizations, and schools to help identify and mitigate risk. This type of community outreach encourages face-to-face interaction with the community as well as helps to deter crime and civilian liability.
- Women's Self Defense Program
 - Acting OIC has training in Rape Aggression Defense (R.A.D) a nationally recognized women's self-defense program. The techniques used provide a basic skill level and building blocks for women to better protect themselves in situations of violent encounters. The program also promotes confidence and overall general safety.
- Active Shooter Program
 - Active shooter incidents have become more prevalent in recent years. The reality is that active shooter training has become a common training in the workplace among larger organizations and businesses. Law enforcement, again, has a unique perspective and skills to educate people on how to react in the event of an active shooter event and understand a police response.

4. Annual De-Escalation Training

- De-escalation involves verbal and non-verbal tactics meant to diffuse a situation to reduce the risk of an incident becoming violent. Law enforcement is taught de-escalation in several forms throughout the Basic Course for Police Officers however DCJS does not have a specific course on de-escalation.
- The main principle of de-escalation is that an officer should exhaust all available methods of resolving a situation before using force.
- De-escalation training will be incorporated into the annual training program

5. Annual Procedural Justice Training

- a. Procedural justice focuses on the way police interact with the public and how that interaction shapes the public's views of the police. There are four principles of procedural justice: fairness, transparency, voice and respect. Fairness means no one will be treated differently because of their race, class, or social standing. Transparency ensures accountability and honesty. Procedural justice gives everyone involved a voice so that they may have the opportunity to tell their side of the story. All parties are treated with respect ensuring that the officer is impartial in the decision making process.
- b. Procedural Justice training will be incorporated into the annual training program

6. Establish a Civilian Police Review Board (CPRB) that promotes Transparency on Policy Reform:

A Civilian Police Review Board has been established and consists of local community members including Chris Kehoe (business owner), Charles Torres (community member), Deanna Lawrence (village board member), and (formerly) Ronald Swislosky (APD). The CPRB was tasked with reviewing the current Village of Afton Police Department policies and procedures. They reviewed the policies and made suggestions and changes to

previous policy. CPRB met on September 8th, 2020, October 8th, 2020, and November 5th, 2020.

The meetings were open to the public and meant to gain public input and recommendations on current policy. The review board was available for suggestions and recommendations to update current policy. Acting OIC at the time, Ronald Swislosky then formed the new policies and procedures and presented them to the members of the board.

The Village of Afton Police Department adopted new policy effective December 14th 2021. The updated policy is reflective of recent criminal justice reform ("Say Their Name" Reform Package).

Public Comments

The proposed police reform plan was presented to a public forum for comment on March 25th, 2021 at 5:30 pm. The public hearing was announced on March 19th via the village webpage to be held on the Jack D. Bolster Community Center located at 105 Main Street, Afton, NY. There were 3 people in addition to the board in attendance. The proposed plan was available for download on the village website prior to the meeting. A print copy was also available for every person in attendance.

Questions raised by attendees pertaining to the police reform plan?

1. How many officers will be trained in the annual training and how will it be conducted?
 - a. All officers (5 patrolmen) will be trained either in a classroom setting or virtual setting. The Officer In Charge has already been trained in de-escalation and procedural justice training as of this year (2021). OIC will create a program to implement and train the department.
2. Can the department incorporate a citizen welfare check program for the community's elderly who may have health concerns and/or live alone?

- a. A suggestion was made to make this a community program with assistance from local churches.

Final Statement

The Village of Afton Police Reform and Reinvention Collaborative Response Plan appears to be well received from those who attended the public forum. Meaningful suggestions were made in the public comment section and the Village Government will look into incorporating those suggestions to better serve the community. It is the goal of the Village Government and the Village Police Department to implement the changes suggested in the proposed plan to help rebuild the police-community relationship to better protect the public and meet the community's needs.

Appendix

- I. **Executive Order 203 (p. 12-15)**
- II. **Letter from the Public (p. 16)**
- III. **New York State Police Reform and Reinvention Collaborative Plan
Certification Form (p. 17-18)**

EXECUTIVE ORDER

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; deescalation 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

Mr. Charles Torres
2 Court Street
Afton, New York 13730

March 25th, 2021

Village of Afton Board
Afton, New York 13730

RE: Police Reform & Reinvention Collaborative Response Public Statement

I would like to take this time to thank; former Officer in Charge, Ronald Swislosky for his dedication and hard work on Afton's Police Department Policies and our current Officer in Charge Angelica Stanko for her dedication and hard work on Afton's Police Reform & Reinvention Collaborative Plan. Both these Officers have not only demonstrated their commitment and service to our community but also to it's future. Officer Stanko has brought to the table many initiative suggestions to make Afton Village Police Department a part of this Village and it's events. Thank you both for your service.

Sincerely,


Charles Torres

cc/ file (CT)

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, Jamice Duckerson as the Chief Executive of Village of Afton
(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.

Jance Nickerson
Name

Jance Nickerson
Signature

Mayor
Title

3/25/2021
Date