Members of the Town of Deerpark EO203 Panel
Town of Deerpark, Town Hall
420 Route 209, P.O. Box 621
Huguenot, New York 12746

March 25, 2021

To the Members of the Town of Deerpark Town Board:

On June 12, 2020, in response to nationwide protests against police brutality and other perceived constitutional rights violations, New York Governor Andrew Cuomo signed an Executive Order requiring all police agencies in New York State to develop a comprehensive plan for the reform and modernization of police strategies and programs. The goal of the Executive Order recognizes that in some communities there is a loss of community confidence in their local police agencies, while also recognizing that our law enforcement officers are essential to ensuring public safety. It is the goal of the Executive Order and its requirements that the newly developed comprehensive plans will help rebuild that confidence and restore trust between police and the communities they serve by development of a new plan for policing in the community based on fact-finding and meaningful community input.

An essential component of Governor Cuomo's Executive Order was the requirement for each police agency to solicit input and participation from representatives from within their communities. In order to attempt to develop meaningful solutions to the potentially complex problems facing our society today, community members with diverse knowledge and experience must be included in the decision-making process for how departments will police their neighborhoods. These individuals are tasked with helping elected officials and police administrators in reevaluating police department policies, with the primary intent of building trust, mutual respect, and legitimacy. In developing a local response, the parties must 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-orientated 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." (Executive Order #203).

Immediately after the official announcement of Governor Cuomo's executive order on police reform, Town of Deerpark Supervisor Gary I. Spears, and Deerpark Police Department's Chief of Police, Richard Sztyndor, sought to work together to begin formulating the Town's response. Supervisor Spears solicited volunteers interested in serving on the Committee, and thereafter commissioned a diverse panel of community leaders and stakeholders, who expressed a strong desire and commitment to work closely with police department staff to evaluate the agency's service to the Deerpark community. An aggressive schedule was developed that would allow the

panel to examine police policies and procedures with a specific focus on those areas identified by Governor Cuomo, and also solicit input from the public on other areas of concern that might require changes in strategy or enforcement. A summary of the results obtained during the community panel's analysis and assessment is contained below. The Town of Deerpark Town Board and the Town of Deerpark Police Department are committed to working quickly to address the concerns identified by the panel, and to continue to provide Deerpark residents and business owners with the highest level of professional police services.

Town of Deerpark EO203 Panel

Panel Members:
Supervisor Gary I. Spears – Chairman
Stewart A. Rosenwasser o/b/o David M. Hoovler – Orange County District Attorney
Richard Sztyndor – Chief of Police, Deerpark Police Department

- 40 years as a Police Officer
- 17 years with DPD
- 7 years as Chief of Police

Robert Pratti – Member, Deerpark Police Department; President of Deerpark PBA

- 37 years as a Police Officer
- 14 years with DPD
- Current President of the Town of Deerpark Police Benevolent Association

Adhara Jimenez-Banse, B.A. – Community Member **

Has lived in Sparrowbush for the last Fifteen years; Has Two boys currently attending the Port Jervis School District., one with disabilities; Works in social services; Working on her Master's Degree in Social Work; member of an Afro-Latino family

Thomas Faggione – Community Member and Business Owner, also Orange County Legislator

Scott Glynn – Community Member

Has a background in criminal justice and emergency services, including an Associates Degree in Criminal Justice; Has worked in the emergency services for over 28 years, in which he has served as a volunteer firefighter, fire chief with the Sparrowbush Engine Co. and as a EMT and EMS captain for Port Jervis Volunteer Ambulance Corps; 18 years working for the County of Orange as a public safety dispatcher, and currently serving in the position of PSD Supervisor for the past 9 years

Margaret Spring – Community Member

A community member eager to be part of Deerpark's committee; committed to encourage and be part of community involvement in local policy; has been reaching out in Deerpark to raise awareness and solicit feedback from the community members interested in coordinating with other local groups and in continuing to expand this type of outreach. It would be great to collaborate with other community members and government officials to craft a proposal that can increase everyone's sense of safety in our community while also providing clear and actionable policies.

Burton Thelander – Community Member

45-year resident of Town of Deerpark; several decades experience as RN and senior leader in NYS OMH/behavioral health services and urban medical centers; currently works part-time evaluating quality/safety of care provided at hospitals within the US.

Michael Witt – Community Member

deeply committed to help with plans to continue showing how Deerpark gently handles their service calls and how they handle the use of force when needed; understands the frustrations and concerns that both our law enforcement personnel and our community share; concerned about the future of our town and desires to contribute to the team that helps Deerpark move forward and make it even better

Robert Zeller – Community Member

35 years as a Director for school districts I am conversant in many different issues and have served on many committees such as this. Ihave the time to commit to such a project; previously served as a Town Council member; very supportive of our police department,

Glen A. Plotsky, Esq. – Town Attorney, Town of Deerpark, also Criminal Defense Attorney

** **Ms. Jimenez-Banse** indicated a desire to participate on the Committee but also identified conflicts with her education that would result in her missing any sessions that were conducted on Thursday evenings or meetings that conflicted with her exam schedule.

Overview of EO203 Panel Meetings

EO203 Panel Meeting #1 – January 5, 2021:

The first meeting of the Deerpark EO203 Panel took place on Tuesday January 5, 2021 at 7:00 PM in the Town of Deerpark Senior Center, next door to Town Hall. This initial date served as an organizational meeting, identifying all of the participants, and establishing the goals and objectives for the panel members. The meeting was administered by the panel chairman, Supervisor Spears, with Chief Sztyndor presenting a significant portion of the discussion. All members of the Committee were present except Ms. Jimenez-Banse who had a prior commitment and was excused.

In anticipation of the first meeting, Supervisor Spears tasked Chief Sztyndor with developing a detailed presentation for the panel, which would provide an overview of the Deerpark Police Department and highlight many of the key issues that would need to be analyzed and discussed.

Stewart A. Rosenwasser, Esq., Special Counsel for Policy, Research, and Legal Development, representing Orange County District Attorney David M. Hoovler, gave an over-view of EO203 and provided handouts relative to the Executive Order. As part of the over-view, there was a brief discussion of the possibility of having some form of oversight, (e.g., Police Commission or Police Advisory Board), that would continue after the EO203 Committee has completed its work and submitted its Report.

Chief Richard Sztyndor then made a presentation regarding the Town of Deerpark Police Department. He identified the membership of the Department, indicating that there are:

24 Sworn Members consisting of the Chief of Police, 1 Civilian Member,
3 Full-time Police Officers, and
19 Part-Time Police Officers;
20 of the officers are Male, 3 of the officers are Female; and
22 of the officers are White/Caucasian; 1 of the officers is Hispanic.

Chief Sztyndor reported that there were 2311 Calls for Service in calendar year 2020. He advised that the Town of Deerpark consists of approximately Seventy (70) Square Miles. The Police Department provides service Sixteen (16) Hours per day, Seven (7) Days a Week. There is no police coverage, (by the Town of Deerpark Police Department), between 12:00 a.m. and 8:00 a.m. Coverage during those hours is provided by the New York State Police.

Police Officers are hired to the Town of Deerpark Police Department from a List generated by the Orange County Department of Civil Service after/subject to a Background Investigation. Said employees are initially interviewed by the Chief or his designee and are then proposed for employment to the Town Board of the Town of Deerpark. The Town Board ultimately hires/appoints the Police Officers employed by the Town.

The Chief reported that there were ZERO (0) Formal Personnel Complaints during calendar

years 2019 and 2020.

The Chief discussed Use of Force incidents and how they are processed. Essentially, Use of Force incidents are reported to and reviewed by the Chief of Police.

In addition to their police duties enforcing laws of the State of New York and/or Town of Deerpark, the Chief reported that the Town of Deerpark Police Department interacts with and provides non-emergency services such as:

DARE;
Child Car Seat installation;
Career Day;
Read Across America;
Hunter Safety Courses;
National Night Out; and
Other Similar Activities.

After the presentation by Chief Sztyndor, Committee Members inquired about and discussed with him, (and amongst themselves):

Focus of Enforcement;
Training
Particularly as it pertains to Mental Health Issues and Domestic Violence;
A "Typical" Deerpark Law Enforcement Day;
Drug Use and Involvement/Prosecution within the Town;
Domestic Violence (Including Partnership with the Domestic Violence Prevention Organization now known as FEARLESS);
Medical Calls;
Dispatching Services (provided by Orange County 911);
DARE vs. Law Enforcement Policies at the Local Schools;
Comparison of the Ethnic Makeup[of the Town of Deerpark vs the Ethnic makeup of the Town of Deerpark Police Department;
Tracking of Incidents – "Stat Act" link to DCJS/OCS Records from the Town of Deerpark Website;
Upgrading websites to promote accessibility to information; and
Goals of the Town of Deerpark, Town of Deerpark Police Department and the EO203 Committee.

Chief Sztyndor reviewed the Deerpark Police Department's policies as they pertain to internal investigations, personnel complaints, and disciplinary procedures. These matters are rare in the Town of Deerpark Police Department, and when required they are primarily conducted by the Chief of Police pursuant to requirements of Civil Service and/or the Police Union Contract. Chief Sztyndor stressed that all personnel complaints are readily accepted and fully investigated by the police department. He reiterated that there were NO Personnel Complaints filed in the preceding Two (2) Years. Similarly, there were NO allegations of improper use of force by

Deerpark police officers. Chief Sztyndor also detailed the policy's requirement that all uses of force be reported to him as supervisor as soon as possible after an incident.

The Deerpark Police Department has had great success in training personnel in the proper and appropriate use of force, which can be measured by the negligible percentage of calls for service that result in a complaint regarding police use of force. Overwhelmingly, Deerpark police officers resolve incidents peacefully. Chief Sztyndor presented the use of force statistics pertaining to arrests for the years 2017-2019, which revealed that NO arrests resulted in the use of force. Once again, this demonstrates the ability of Deerpark Police Officers to perform their jobs effectively, without resorting to the use of force. De-escalation is a critical component to limited police use of force, and department training strongly emphasizes those techniques designed to encourage cooperation and voluntary submission to police authority.

In addition to identifying the Deerpark Police Department's use of force statistics, Chief Sztyndor also presented general statistics on the police department and Town demographics. Chief Sztyndor recognized that a police department should be representative of the community it serves. The
Deerpark Police Department has gone to great lengths in an effort to diversify its ranks through the hiring of black and Hispanic police officers, but the desired results have not yet been achieved. Chief Sztyndor has worked closely with the Deerpark Town Board and the Orange County Civil Service Commission to try and attract more minority candidates. These efforts have been only mildly effective due to a variety of reasons, but primarily due to a lack of available candidates who are taking the police officer civil service examination coupled with Deerpark Police Department being almost exclusively part-time.

A significant discussion regarding the hiring process and recruitment took place among the members of the panel. All participants agreed that it was desirable to increase diversity within the ranks of the Deerpark Police Department, without lowering the standards to a level that would lead to undesirable candidates being considered. Many in the room believed that the police department needs to work more closely with students within the schools to educate the youth about law enforcement. There was discussion suggesting that more needs to be done about opening up opportunities for students and police officers to interact in a constructive and supportive environment. Chief Sztyndor highlighted the fact that Deerpark Police Department has School Resource Officers, (identified as "School Police Officers" in the current contract), within schools of the Port Jervis School District located within the Town of Deerpark Town limits, and these officers were hand selected for those positions based upon their ability to have a positive impact on the school community. The police department remains open to any additional opportunities that can bring together the community and attract individuals to the field of law enforcement.

Another topic for discussion during the first panel meeting was the demographics for arrests made by police officers in the Town of Deerpark. Chief Sztyndor indicated that this information was largely unavailable, as ethnicity was not tracked by the New York State Department of Criminal Justice and was therefore not present in the data that was provided to the panel. This topic brought about substantial conversation regarding how police officers conduct vehicle stops.

Individuals on the panel had concerns regarding the conversations and actions that police officers have with members of the public while conducting vehicle stops. There was discussion that officers utilizing body cameras would be beneficial in providing oversight for an officer's conduct during these interactions. Body cameras were discussed in greater detail in the second panel meeting, which will be covered below.

Chief Sztyndor acknowledged certain advantages of community policing, and highlighted some of the many activities that the police department participates in to foster positive relationships with the Deerpark community. The police department has a strong working relationship with Fearless, a domestic violence support organization to provide additional information to victims of domestic violence. The police department also works with the Deerpark Recreation and Parks Department as well as the Port Jervis City School District to provide activities to the youth.

Prior to the conclusion of the meeting, various Committee members asked for specific statistics and numbers from the Chief for production at the next meeting.

EO203 Panel Meeting #2 – February 2, 2021

For the second panel meeting, the meeting was conducted virtually. All Committee Members were present throughout the course of the meeting. There was some re-cap of the topics/information presented at the first meeting. Several members of the Committee raised concerns about the ability of the Public to Participate. They expressed a desire that the Public be provided information similar to that being provided to the Committee Members. The procedure that would be utilized, including public participation sessions, was discussed identifying opportunities for members of the public to receive information and to also have their concerns and voices heard.

Chief Sztyndor provided additional information. Committee members had inquired as to who, at the Town, analyzes the data related to police activities and arrests. There was discussion about the format of the information provided to the Committee Members – pdf vs spreadsheet form.

Chief Richard Sztyndor provided statistics to the Committee as requested at the initial meeting of the Committee. Specifically, there was extensive discussion relative to the differences between the ethnic makeup of the constituents/residents within the Town of Deerpark and the ethnic makeup of the Town of Deerpark Police Department. There was further discussion about the aspects of the Police Department that made hiring of certain individuals difficult, particularly Civil Service Requirements as well as the part-time nature of the majority of the Police Department.

Questions were asked regarding an ability to analyze Equipment Citations issued and the ethnicity of the operators to whom those citations were issued. After discussion, it was determined that such an analysis IS NOT POSSIBLE. Primarily, the citation information is

catalogued and analyzed by the Division of Criminal Justice Services of the State of New York. DCJS does not require the information that would be necessary to develop such an analysis.

The Committee discussed the current mechanism for filing complaints against police officers. The Chief identified that there is a Complaint Form on the Town of Deerpark website. The Chief also explained the process of investigation if such a Complaint was received. Some members of the Committee indicated having anecdotal information about individuals that would have made a Complaint but for either a lack of knowledge as to how to file a complaint and/or a concern regarding retribution or other retaliatory actions should such a Complaint be made. There was NO firsthand knowledge presented to the Committee regarding such circumstances. The Committee discussed/requested upgrading the Complaint mechanism to make it more accessible to the Public as well endeavoring to ensure that retaliation or retribution would be prevented.

The Committee discussed the possible desirability of Body Cameras and/or Cameras on the police cars. There was a brief discussion about the potential significant costs involved in requiring said cameras. The Chief wis to investigate and report back to the committee. Similarly, there was discussion about Use of Force Policies and Investigations/Complaints. The Chief is to provide additional information at the next meeting of the Committee.

Committee members raised questions about the availability of interpreters for non-English-speaking individuals who had interactions with the members of the Police Department. Specific reference was made to Spanish and Chinese residents and non-residents of the Town. Chief Sztyndor indicated that there was currently no mechanism for interpreting available to the Town of Deerpark Police Department.

Chief Sztyndor had issues connecting to the meeting virtually, but was able to participate by telephone. He attempted to address concerns raised by the Committee Members and to answer Questions asked by the Committee Members. Specifically, the Chief answered questions and provided information regarding:

Data provided – Spreadsheet provided vs raw data; and

Organizations that interact with the Police Department, including the Methodology of Interactions as well as the frequency of interactions. There was also some discussion about the desirability of access to/cooperation with such agencies and organizations.

The Committee asked questions about specific training provided to the Police Officers. Training

inquiries related specifically to how officers are trained to deal with/respond to:

School Resource Officer (Officer assigned to schools, subsequently determined to be termed "School Police Officers" in the contract Between the Town of Deerpark, the Port Jervis School District and the City of Port Jervis);

Police Response to Complaints Called in From Schools (Police Officers responding to criminal complaints);

Students/Young People; and

Mental Health Issues.

The Chief identified that more training is a desirable goal and should be supported/provided. He indicated that, given the part-time nature of the officers, it was frequently difficult to schedule specific training for all officers. The Chief specifically acknowledged that additional training in the area of addressing individuals with Mental Health Issues is something that should be prioritized.

Virtually all of the training that is provided to Deerpark police officers is conducted free of charge to the officers. Some free training is provided by the New York State Division of Criminal Justice Services, the Orange County Police Chief's Association, and a number of other police related organizations. Some specialized training does cost money, and those are the classes that result in the police department having to expend funds. The Committee Members have suggested that future trainings focus on the concepts of implicit bias and other procedures that can improve the service provided to the public.

Supervisor Spears identified that significant costs are provided for within the Town of Deerpark Budget on behalf of the Town of Deerpark Police Department. He indicated that he does not support any reforms that would result in a decrease in funding to the Deerpark Police Department. Many of the members of the panel echoed Supervisor Spears's remarks, stating that the police department has an important role in providing security to residents and business owners, and in working to address other quality of life issues within the community. Chief Sztyndor acknowledged that police officers are not perfect, and there is always room for improvement in the service that the officers provide to the community.

The Members of the Committee specifically requested to view:

The Contract for "School Safety Officers" – specifically the contract between the Port Jervis City School District, the City of Port Jervis Police Department and the

Town of Deerpark; and

The Police Department Policy regarding Mental Health Calls, etc.

As part of the discussion related to mental health matters, it was stated that Police officers are not social workers, counselors, or therapists. They have only basic training regarding dealing with individuals with mental health problems, and therefore they cannot effectively manage these incidents alone. The resources available at the local level are minimal, and are therefore overburdened.

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Another topic for the second panel presentation was police car mounted and body-worn cameras. The program does not come without substantial costs, which were estimated at approximately $150,000 per year for the next 10 years. Those costs do not include the in-house personnel expenses to manage the program. Chief Sztyndor along with information provided by one of the Committee Members, provided a comprehensive overview of the benefits provided by the police car/body camera program as well as the anticipated costs of such a program

Members of the panel overwhelmingly supported investigating the possibility of implementation of body worn cameras as a means to increase trust and build legitimacy subject to budgetary considerations. The panel suggested that the policy for use of body cameras by police officers be carefully constructed so as to ensure that best practices are followed. Chief Sztyndor advised that his administration would thoroughly research policies and procedures and he would work closely with the Town Board or other supervisory authority to ensure that the best interests of the community were served.

The Committee also requested additional information regarding the difference between a Police Commission and a Police Advisory Board for possible discussion at the next Committee meeting.

Prior to the conclusion of this second meeting, the Committee determined that a Public Discussion would be scheduled for the next meeting. Glen Plotsky was directed to prepare an appropriate Public Notice regarding that meeting.

EO203 Panel Meeting #3 – February 25, 2021

The third EO203 panel meeting took place on February 25, 2021. All members of the Committee were present except Adhara Jimenez-Banse, B.A., who arrived late due to a scheduling conflict. This meeting, like the second meeting, was conducted virtually. This presentation, unlike the previous two, included participation by the Public. In addition to Committee Members, there

were Twelve (12) members of the Public listed as Attendees throughout the course of the meeting.

Public Comment largely involved reference to concerns about Mental Health Needs of residents as well as the training of the Police Officers that were responding to the emergency calls. One member of the Public inquired whether, in addition to training, it might be possible to have assistance from trained mental health professionals at the scene. There was an inquiry regarding the possibility of such professionals accompanying the members of The Town of Deerpark Police Department.

Another public participant inquired as to the size of the Committee, indicating that other municipalities "may have had wider representation". This participant also inquired about the possibility of requiring some form of "Community Service through the Courts".

A Committee Member spoke about a "recent Mental Health incident" near his home. The representative of the Orange County District Attorney's Office identified that Police are First Responders to Unknown Situations. They rely on their training. They provide assistance and support until others can arrive to provide or with additional support.

Members of the Public and Committee Members both indicated that they were supportive of the Police officers and were not trying to be critical of them. They were trying to ensure that the Police have the best tools and assistance that can be provided. If the police need help or training, it was important to support them with that assistance and training.

As requested, Glen Plotsky provided information as to the distinction between a Police Commission and a Police Advisory Board. Information was also provided about the Police Commission that had previously been utilized in the Town of Deerpark.

A committee Member suggested that there should be more "non-police" on the Police Commission if one were to be reconstituted. She also suggested that a complaint channel would thereby be created separate from directly involving the members or supervisors of the Police Department. There was further discussion about providing a complaint process and ensuring that training could be provided to the officers. It was suggested that all committees within the Town be diversified.

Committee members suggested a Live Facebook option to increase participation at the next meeting. Another member suggested that, as a member of the Committee, it was each of their responsibilities to speak to other Town Residents and bring their concerns forward to the Committee.

One or more members of the committee inquired about the manner in which information was provided. There was a request for information to be provided in a different format that could be

more easily analyzed. There was extensive discussion about the rationale for the request, the manner in which the data would be used, and other aspects of the request.

At the conclusion of this meeting, it was determined that there would be another Public Comment session prior to a Committee meeting to discuss the preparation of the actual Report to be submitted to the State of New York. The meeting for the Public was scheduled for March 4, 2021, to be conducted virtually.

EO203 Panel Meeting #4 – March 4, 2021

The fourth EO203 panel meeting took place on March 4, 2021. This meeting, like the second and third meetings, was conducted virtually. All members of the Committee were present except Adhara Jimenez-Banse, B.A. All members of the Committee were present except Ms. Jimenez-Banse who had a prior commitment and was excused. This presentation also included participation by the Public. In addition to all other Committee Members, there were fewer members of the Public listed as Attendees throughout the course of the meeting than had attended meeting #3.

The Representative of the Orange County District Attorney's Office indicated that the Report and its contents were a Local Matter, so they, (the District Attorney's Office), would largely be deferring from further participation.

The first Public Participant sought opinions about an article published by Bloomberg. The consensus of the Committee was that it was more important to focus on the needs of the Town of Deerpark.

One Member of the Committee expressed concern for financial responsibility of the Town and vulnerability if the Town disregards issues raised and fails to publicly acknowledge societal issues. She provided anecdotal informant regarding the lack of an ability to file a complaint; a report of an older African American Female pulled over by Deerpark Town police on a frequent basis but who is reportedly uncomfortable about raising concerns about her being pulled over/profiled; and a failure of police to take complaints.

A member of the public made comment about the needs caused by Mental Health issues and the impact on direct police involvement. She seemed to suggest that police providing back-up to EMS at such calls seemed to be for a relatively small percentage of calls.

A Committee Member, recognizing the input of another member, acknowledged that data matters and that possibly the Town needed to seek a new type of program to monitor police activity. However, he asserted that in all aspects, the focus should be on the Town of Deerpark

Police Department and not generic/general concerns raised about other departments throughout the State or Country.

A public participant questioned the number/percentage of part-time vs. full-time police officers. She referenced possible Human Resources issues reflecting on longevity and job satisfaction.

A Committee member indicated that she had not received responsive return calls when attempting to complain to the Town of Deerpark Police Department. She followed that "there is always room for improvement".

One committee member expressed a concern that there were no definitions provided for review. There were no "Red Flags". That perhaps additional/better data review would reveal issues as yet not discovered.

A member of the Committee raised a concern for hiring of officers that have involvement with white supremacist organizations or other organizations that should raise concerns. She indicates that the Town should investigate such involvement of their officers and prospective hires.

At the conclusion of this meeting, it was determined that there would be another Committee meeting to discuss the preparation of the actual Report to be submitted to the State of New York. The meeting for this discussion was scheduled for March 11, 2021, to be conducted virtually. It was determined that, although the public could observe that meeting, NO public participation would be permitted.

EO203 Panel Meeting #5 – March 11, 2021

The fifth and last EO203 panel meeting prior to review/adoption of the Report took place on March 11, 2021. This meeting, like the second, third and fourth meetings, was conducted virtually. All members of the Committee were present except Adhara Jimenez-Banse, B.A. All members of the Committee were present except Ms. Jimenez-Banse who had a prior commitment and was excused.

Initially, the Committee discussed the various bullet points for consideration that had been previously presented for discussion and review. After extensive discussion, there was direction to determine consensus as to what items should be included within the Report to be submitted to the State of New York.

Supervisor Spears detailed the procedures that would follow in regard to compliance with Governor Cuomo's Executive Order #203 mandating collaborative police reform. Specifically, in the coming days, a draft would be developed identifying the issues discussed by the panel. A Committee meeting at which the public could comment would then be held on March 22, 2021 to discuss the draft, and solicit additional input from public on any other areas of concern. A final Report would then be completed, which would be reviewed and approved by the Deerpark Town Board at a public meeting to be held on March 25, 2021, who, after public comment,

would subsequently vote on any proposed changes to existing procedures. The final Report and any implemented changes would then be submitted to New York State, thereby fulfilling the requirements of Governor Cuomo's Executive Order and assuring continued state funding of the municipality.

EO203 Panel Meeting #6 – March 22, 2021

The sixth and final EO203 panel meeting prior to submission of the Report to the Deerpark Town Board took place on March 22, 2021. This meeting, like the second, third, fourth and fifth meetings, was conducted virtually. All members of the Committee were present except Adhara Jimenez-Banse, B.A. who had a prior commitment and was excused.

Discussion was permitted wherein the Public had an opportunity to comment upon the Draft Report that was circulated to Committee Members and posted to the Town of Deerpark website. In addition to public comment, comments were received from Committee members. After significant discussion, proposed modifications to the Report were made and agreed upon after which the meeting was concluded.

Implementation of Reforms

The Town of Deerpark, in conjunction with the EO203 Panel, has identified the following reforms proposed to be implemented within the Town of Deerpark and the Town of Deerpark Police Department:

1. The Town of Deerpark Town Board will reconstitute a Police Commission or establish a Police Advisory Board. The Commission/Board will be made up of Deerpark residents representing, to the extent practicable, the diverse community that is the Town of Deerpark. The Commission/Board will have similar demographics as the residents of the Town, if possible. The Commission/Board will have no more than One (1) Town Board Member as a member. In the event that no Town Board Member is a member of the Commission/Board, then a Member of the Town Board shall serve as liaison between the Commission/Board and the Deerpark Town Board. The Chief of the Town of Deerpark Police Department will be a non-voting member of the said Commission/Board so as to provide input and insight into issues brought before the Commission/Board and to assure that the Commission/Board works collaboratively with the Police Department.

2. The Town of Deerpark Police Commission/Police Advisory Board will implement a new complaint procedure to provide an ability for the public to make a report/complaint in the event that there are concerns about any police behavior. The process should allow for complaints to be made via telephone, or in writing whether by hard-copy or email. The Complaint process will be publicized in a manner to assure that residents of the Town and others impacted by the Town Police Department are aware of options and alternatives to make a complaint. The Police Commission/Advisory Board will assure that the process is public, that it is workable for all concerned, and that there is no retribution directed at persons who file such a complaint. The Commission/Board will then conduct an independent review of all investigative materials and ensure that the investigation is thorough, complete, and objective.

3. The Town of Deerpark Police Department will formally incorporate de-escalation as part of the police department's use of force policy. De-escalation is a critical component in the police department's interactions with members of the public. Police officers play a critical role in attempting to gain control of dangerous and highly volatile situations by encouraging compliance and cooperation without the use of force. The Deerpark Police Department will continue to make de-escalation training a significant part of the department's use of force curriculum, and will add language to the use of force policy demonstrating the importance of utilizing de-escalation techniques whenever possible.

4. The Department will maintain records of the types of trainings offered and the numbers of officers that have received such trainings on an annual basis with a Three (3) Year retention of records.

5. The Town of Deerpark Police Department will work with the Orange County Civil Service Commission in an effort to hire the best matched candidates while increasing

racial and ethnic diversity within the Town of Deerpark Police Department. A police department should be representative of the community it serves, and the Town of Deerpark Police Department recognizes that there is much work that needs to be done in attracting minority candidates and improving diversity.

6. The Town of Deerpark and the Town of Deerpark Police Department will work closely with local and state organizations to develop a plan to better address mental health issues within the Deerpark Community. The Town of Deerpark and the Deerpark Police Department fully support any efforts to make reforms to the mental health system, including increasing funding and reallocating resources that can better assist individuals who require care and support. The Deerpark Police Department recognizes that police officers are not social workers and are not adequately trained to deal with all of the significant challenges associated with individuals suffering from Mental Health, Substance Abuse and/or Domestic Violence related issues. These incidents are highly volatile and unpredictable, and pose significant risks to all of the parties involved. The police department will therefore work with partner agencies to increase training and better facilitate the delivery of appropriate care through the existing organizations that specialize in this type of treatment and service.

7. The Town of Deerpark Police Department will increase collaboration with the Port Jervis City School District and the Deerpark Recreation and Parks Department, expanding upon existing programs and implementing new plans that focus on building trust and legitimacy among the youth population. Officers that are assigned to work at the school shall hereinafter be known as "School Police Officers". The Town of Deerpark recognizes the importance of engaging our youth and helping them develop into respectful, contributing members of the community. The police department can play an integral role in shaping the future of these individuals through educational and recreational activities.

8. The Town of Deerpark Police Department will investigate implementation of a comprehensive Police Car Camera Program and/or a Police Body-Worn Camera program, subject to budgetary constraints, utilizing state-of-the-art camera technology and incorporating policies and procedures that maximize officer accountability and transparency. The Police Chief will work closely with his/her/their administrative staff, public officials, and the community to implement the program and streamline operations.

9. The Town of Deerpark will establish a process for review of data accumulated as part of the police activity process to attempt to discern patterns or concerns about the manner in which the Police Officers are performing their duties. DEPERSONALIZED DATA, ONLY, shall be provided to the Deerpark Police Commission/Police Advisory Board for their review in order to increase the public's confidence on the propriety of the behavior of the Deerpark Police Department and its members. In the event that a trend or pattern is discovered, the Police Commission/Police Advisory Board shall have the authority to make the trend/pattern public, so long as dissemination of the information will not

jeopardize the health, safety or welfare of the public or of any Town of Deerpark Officers or other Employees.

10. The Town of Deerpark recognized the potential benefits of Community Policing. Because of the nature of the Town of Deerpark that the Police Department serves, Community Policing may not be effective. As a result, the Town of Deerpark Police Department will investigate initiation of programs such as "Meet the Officer Day" or "Coffee with a Cop" and similar options to increase exposure and interaction between officers and residents. In addition, the Town of Deerpark will identify and place on its website a list of Community organizations with which they partner, and/or collaborate, with contact information for said organizations.

11. The Town recognizes, SUBJECT TO CONTRACTUAL AND CIVIL SERVICE REGULATIONS AND REQUIREMENTS, the potential benefits of Staff Review Policies. All officers, subject to Civil Service Regulations and the Police Union Contract will be subject to Assessment and periodic Review. These Assessments/Reviews will be conducted by the Police Chief or his designee. In addition, non-punitive peer review shall be requested for each officer and staff to anonymously rate the professionalism of each peer on an annual basis with these reviews to be provided to the Police Chief and the Police Commission/Advisory Board for their review.

12. The Town recognizes, SUBJECT TO CONTRACTUAL AND CIVIL SERVICE REGULATIONS AND REQUIREMENTS, the potential benefits of Departmental Policies, including but not limited to

    Annual reviews of hiring that target how the department is working to recruit and hire a staff that reflects the community. This includes but is not limited to representation in languages spoken, gender, sexual orientation, race, and ethnicity;

    Expanded police recruiting in an effort to expand diversity among officers;

    Departmental inquiry into whether any officers or staff are or have been members of an FBI identified domestic terrorism or hate group or have been convicted of drug or alcohol related activities or domestic violence related offenses or crimes. Such information, including that an individual's history is found to be clear of such activity, should be recorded in individual and confidential Human Resource records; and

    A Policy to allow subordinate officers to call out misconduct (protection for whistleblowers and intervention for excessive use of force).

Respectfully Submitted,

Town of Deerpark E0203 Committee

Approved and Adopted by the Town Board, Town of Deerpark.

Dated: Huguenot, New York
March 25, 2021

Moved By: Councilman Trovei

Second By: Councilman Smith

VOTE:

Ayes: Councilman Smith, Councilman Trovei, Councilman Schock, Councilman Dean, Supervisor Spears

Nays: NONE

Abstentions: NONE

Motion Carries 5 – 0.

Gary Spears

Gary I. Spears, Town Supervisor

Florence T. Santini, Town Clerk

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