



# EAST HAMPTON VILLAGE POLICE



# POLICE REVIEW AND REFORM COMMITTEE

*This report outlines the Information released and discussed with our Citizen Committee, as well as Information received through A Public Survey on the Municipal Website and on Social Media. Information from a Number of Law Enforcement Officials and agencies on Best Practices was also considered in the drafting of this plan.*

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1. *Excerpt from The Governors Executive Order:*

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.

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Governor Cuomo followed up this executive order with a letter to New York State Police leaders, summarizing in brief terms the intent and goal of this process. Primarily the following:

Discuss the needs of the community regarding 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 community members in the discussion;

Develop recommendations resulting from this review;

Offer a plan going forward, allow 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*.

## 2. **Direction and Process**

In September of 2020, East Hampton Village Mayor Gerard Larsen approved a committee consisting of local stakeholders to work with Village Police Chief Mike Tracey to review Policies, Procedures, Regulations, State Guidelines and current public perceptions of Police operations, to make recommendations for the Departments future.

Our Committee Members:

Sandra I. Melendez	East Hampton Village Trustee Attorney, SM Law Group PLLC
Bradford Billet OBE	Former Commissioner NYC Office of International Affairs
Christina DeSanti	Local Business Owner Member – East Hampton School Board
Rabbi Joshua Franklin	Rabbi, Jewish Center of the Hamptons Member of The East Hampton Town Clericus
Audrey Gaines	Member and Past President, EHT Anti-Bias Task Force Past President – EHT Youth Services Department
Glenn O. Vickers II	President   CEO, Discover the Hamptons And Board Member, East Hampton Chamber of Commerce

3. **Areas of Review and Discussion**

**Information that was Provided to and discussed with the committee:**

**New York State Accreditation Standards**

**Department Rules and Procedures**

**The Community Survey: Including Public Perceptions of the Agency**

**Police Use of Force and Mandated Reporting**

**The Hiring Process and Issues to be addressed**

**School Resource Officer Program**

**Communication and Transparency**

**Police Training -**

**New Initiatives**

There are more than 500 Law Enforcement agencies in the State of New York, East Hampton Village Police Department is one 160 agencies that are Accredited by the State of New York, Meaning that the agency Rules, Procedures and Operations are written to a standard that has been vetted by The State and created with the Guidance of the State.

**LAW ENFORCEMENT AGENCY ACCREDITATION PROGRAM OVERVIEW**

(Excerpt From New York State Accreditation Manual)

Program Basics:

The New York State Law Enforcement Agency Accreditation Program was established as a voluntary program that would provide law enforcement agencies with a mechanism to evaluate and improve the overall effectiveness of their agency and the performance of their staff. Accreditation is formal recognition that an agency's policies and practices meet or exceed the standards established by the council in the areas of administration, training, and operations. Article 36, § 846-h of the New York State Executive Law establishes the Law Enforcement Agency Accreditation Council (the council). The council is the authoritative body responsible for guiding the direction of the program; Developing model standards designed to promote excellence and professionalism in the field of law enforcement; and developing policy to establish program rules and expectations.

The council meets quarterly to conduct business, including awarding accreditation to agencies that have demonstrated that they meet the program requirements and are compliant with the standards. The Division of Criminal Justice Services (DCJS) Office of Public Safety (OPS) administers the program in accordance with the council policies. Accreditation Unit staff members provide training

to members of agencies seeking to become accredited; and to assessors, who are independent contractors assigned to verify an agency's compliance with program standards. In addition, OPS program staff members develop resource materials; provide technical assistance to both applicant and accredited agencies to assist them in meeting their goals; conduct site visits of accredited agencies; and provide support-staff services to the council.

The program is made up of 110 different standards, as outlined in this Standards and Compliance Verification Manual. Of the 110 total standards, there are **51 Administration, 12 Training, and 47 Operations standards, as described below:**

- Administration standards encompass such areas as general management, personnel, and relationships with other agencies. They also address organizational issues such as the agency's mission, the delineation of responsibility, and delegation of authority.
- Training standards incorporate many requirements that have already been established by the State's Municipal Training Council. The standards are divided into four categories: Basic, In-service, Supervisory, and Records.
- Operations standards impact the ways in which agencies conduct the bulk of their crime fighting responsibilities. Major topics include patrol, traffic, criminal investigations, and unusual occurrences. The standards can be found in this manual, beginning on page 20.
- Standard Composition - the actual Standard is always in bold font. Agencies are required to meet every component of each standard to be considered in compliance.
- Commentary - many of the standards are accompanied by an italicized Commentary which offers background information, clarifies the intent of the standard, and provides guidance on implementing the standard in some instances. For more information, please see the Council Policy, The Role of Commentaries in Establishing the Intent of Program Standards.
- Compliance Verification Strategies - each standard is accompanied by Compliance Verification Strategies, Compliance Verification Strategies provide agencies (and assessors) with examples of documents that can be provided or reviewed to demonstrate compliance with the standard. Agency staff should use these strategies as a guide when determining what to include in the file folder or have available when the agency is assessed.

Participating agencies are expected to implement all standards in place during their period of accreditation. Please refer to the Council Policy, Program Standards that Do Not Apply to Every Agency for information on exceptions.

**Becoming an Accredited Law Enforcement Agency: APPLICATION:** The accreditation process begins when an agency submits a formal application which must be signed by both the agency's chief law enforcement officer and the municipality's chief elected official. The chief law enforcement officer must also sign and submit the 'Agency Participation Agreement' which outlines the responsibilities of the agency and the Accreditation Council.

**PROGRAM DEVELOPMENT:** A program manager must be appointed to oversee development and then maintenance of the program. Generally, Program Manager Training is held at least once or twice per year, and it's important that any newly appointed program manager attend so they are

familiar with the program requirements. Chief law enforcement officers and other command staff are also encouraged to attend since their involvement is crucial to the success of the program.

The program manager is responsible for ensuring the agency has in place policies or procedures to meet every standard. They may begin by identifying standards that are already met by existing policies/practices within the agency and then work toward developing policies for those standards that are not met through existing policy. In general, agency staff can expect three levels of policy development:

1. If a current policy or practice meets a standard(s), preparation may be as simple as the chief law enforcement officer signing off on the policy to verify it is still in effect.
2. If a current policy or practice is in place that addresses portions of a standard(s) but not every component, adjustments to the current policy/practice will need to be made to meet the standard.
3. Many times, brand new policies and/or procedures need to be developed and implemented to meet the standards. All policies related to accreditation standards must be fully implemented and distributed to affected staff no less than 90 days prior to an agency undergoing an on-site assessment. (See the Council Policy, Dissemination of Written Directives for more information.)

Finally, file folders for each standard must be developed, as they are the mechanism by which the program manager can organize the standards, policies, and documentation; and they serve as the main method by which the assessors will verify compliance with the standards. 'Hardcopy' file folders and electronic files are both acceptable means of documenting program compliance.

**ASSESSMENT:** Once an agency has developed and implemented policies and procedures that are aligned with the program standards and created file folders that contain proof of compliance, OPS program staff will coordinate an 'on-site' assessment. The assessments are conducted by independent assessors that have significant experience with the accreditation program. Each assessor that DCJS contracts with is required to meet minimum qualifications; be approved by the council; undergo training by DCJS; and follow specific guidelines to ensure that every agency is assessed objectively and equally.

Agencies are evaluated on their policies and practices *as they pertain to the standards*. The methods that will be used to determine compliance are:

- Evaluating Written Directives for Compliance with Standard. Written directives can include general or special orders, standard operating procedures, policies, procedures, or rules and regulations.
- Documentation of Compliance. Assessors will look for proof in the file folders that the written directives are up-to-date and are being properly implemented by agency personnel. Proof may include, but not be limited to, reports, files, logs, lesson plans, incident reports, personnel files, and performance evaluations.
- Interviews with Agency Staff. Assessors will interview department members – some that are identified in advance by the chief law enforcement officer and others at random - to evaluate their familiarity with written directives for particular standards. Staff members identified by the agency head prior to the on-site assessment are expected to be available to the assessors.
- General Observations. This involves verification of standard compliance through direct observation by the assessors (for example, the evidence storage facility.)

Prior to the on-site assessment, a Standard Compliance Report (page 18 of this manual) must be completed for every standard. This form is intended for use by both agency staff and the assessors, enabling both parties to quickly determine how compliance is being met.



Assessments are not intended to be adversarial. The assessment team may at times have to work a bit harder to help an agency correct minor errors in their policies and/or documentation, and they will likely use this as an opportunity to provide agency program staff with additional training on program requirements. This is intended to be helpful and give a new agency a better understanding of the program. Minor deficiencies that can be easily corrected on-site generally won't keep the team from recommending accreditation to the council. However, agencies that require a great deal of additional work to bring them into compliance could face having to delay achieving their status of accreditation until they have more time to spend preparing their policies and files. OPS program staff members can assist in determining an agency's readiness for assessment. Also, most assessors cite that agencies that have had a mock assessment conducted prior to their assessment are better prepared, so the council strongly encourages this as a final task in the preparation process.

Before the assessment team concludes their on-site assessment, they will meet with the agency head and program manager to discuss their team's findings. If compliance is a concern, the assessors will make them aware of any reluctance to recommend accreditation to the council. The agency, assessment team, and OPS program staff can then determine the best course of action prior to the report being forwarded to the council.

**ACCREDITATION:** The Law Enforcement Accreditation Council meets quarterly (in the months of 12 March, June, September and December.) Agencies that are recommended for accreditation will be invited to attend the next scheduled meeting to receive their Certificate of Accreditation upon a vote of approval by the council. Agencies are accredited for a period of five years. **PROGRAM MAINTENANCE:** To remain in good standing, agencies must maintain compliance with all program standards throughout the period of accreditation. The key to successfully maintaining accreditation hinges on the commitment that the agency makes to the program. It's imperative that the accredited agency program staff work to keep its files, policies, and records up-to-date. Accredited agencies must submit the Annual Compliance Survey each year to document areas of compliance and notify OPS program staff of any areas of non-compliance that would require corrective action. Becoming accredited may seem overwhelming at times, but OPS program staff is available to offer technical assistance throughout the process. In addition, a variety of useful tools and publications are available on our website at <http://www.criminaljustice.ny.gov/ops/docs/index.htm>. Under 'Forms', the Master Plan and the Log Sheet can be very useful in keeping agency program staff organized and the development of the program on track. For more in-depth information about the Law Enforcement Accreditation Program, from the website above click on 'Publications'. There you will find the Blueprint for Effective Law Enforcement, which provides overall program information; and the Implementation Guide, which covers the process for implementing a program within an agency.

([https://www.criminaljustice.ny.gov/ops/docs/accred/standards\\_compliance\\_verification\\_manual.pdf](https://www.criminaljustice.ny.gov/ops/docs/accred/standards_compliance_verification_manual.pdf))

*East Hampton Village  
Police Department*



*2020*

*Rules and Procedures  
Manual*

*Michael J. Tracey, Chief of Police*

**EAST HAMPTON VILLAGE POLICE DEPARTMENT**  
**RULES AND PROCEDURES / GENERAL ORDERS**  
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### ***Law Enforcement Code of Ethics***

As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against violence or disorder; and to respect the Constitutional Rights of all men and women to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life. I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminal, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement.

Accreditation Standard Reference

29.3 Crime Prevention

12.9 Oath



## ***Mission Statement***

Purpose - The Police Department of the Incorporated Village of East Hampton constitutes an organization whose very existence is justified solely on the basis of community service. Although departmental regulations provide a working guideline, our official activity must not be confined within the limited scope described by them. Actually, that portion of police service dealing with criminal activity is only a small part of our overall responsibility. The greater percentage of our time and energy is expended on non-criminal service functions and in dealing with law-abiding citizens of the community. We should consider it our duty and privilege, not only to protect our citizens from the criminal but also to protect and defend the rights guaranteed under our structure of government. Matters of civil law are not a basic police responsibility and within reasonable limits, we should attempt to avoid becoming entangled in them. However, many situations can best be served only when we assist in such matters. Our broad philosophy must embrace a wholehearted determination to protect and support individual rights while at all times providing for the security of persons and property in the community. In meeting this objective, it is our duty to operate as a public service organization.

Mission - The mission of this department is to serve and protect all persons and property within the Incorporated Village of East Hampton. The responsibilities associated with this mission are numerous. They include enforcement of Federal Law, State Law and Village Ordinances; safeguarding life and property of residents and visitors; maintaining peace and order; and generally assisting citizens in their urgent and emergency needs; and to respect the Constitutional Rights of all people to liberty, equality and justice. Members in acknowledging their sworn oath, have made these responsibilities their own and are expected to carry out their duties in a diligent, courteous and professional manner.

### Accreditation Standard Reference

29.1 Responsibility for Community Relations

29.3 Crime Prevention

1.1 Department Mission

The Rules and procedures by design are in conformance with the highest State Standards.

One policy in particular that was for review was the Use of Force. Use of Force Policy, and The rules by which Force is reported to the State are included in this document.

Use of Force



**RULE & PROCEDURE**

**No:501**

**SUBJECT: Operations – Use of Deadly Physical Force**

ISSUE DATE: June 17, 2020

EFFECTIVE DATE: June 17, 2020

REVISES/SUPERSEDES: All Previous Versions

DISTRIBUTION: ALL MEMBERS OF THE DEPARTMENT

ISSUING AUTHORITY: MICHAEL J. TRACEY, CHIEF OF POLICE

I. Purpose

To establish Rules and Procedures, outline Department Policy and set operational guidelines for the use of deadly physical force. These rules have been developed, not to restrict officers from properly performing their duty, but rather to make it incumbent upon them to use good judgment before using deadly force. This Rule and Procedure is intended to eliminate inappropriate use of deadly physical force.

II. Justification

This Rule and Procedure defines Department Policy governing the use of deadly physical force, which will ensure that all personnel conform to the mandates set forth by law. The primary responsibility of this Department and each of its members is to protect the lives of the citizens we serve. It is critical that every action taken by this Department and each of its members be consistent with this responsibility.

III. Policy

The value of human life in our society is immeasurable. Police officers have been delegated the substantial responsibility to protect life and property and to apprehend criminal offenders. Thus, there is probably no more serious act that a law enforcement officer can engage in than the use of deadly force. The occasions for such use are, literally, life and death situations, which are invariably confused and complex, affording precious little time for mediation or reflection. It is imperative that the officer, through training and the absorption of these rules, be able to respond quickly, confident that he or she is acting within the limits of Departmental rules. This enables the officer to act, without hesitation, to protect him/herself or another, and it also serves to protect the public from unlawful and unreasonable use of force.

This Department values the safety of its officers and that of the public. It is the belief of this Department that officers should use deadly physical force with a maximum degree of restraint. The use of deadly physical force is never to be considered routine, is

permissible ONLY in defense of life, is objectively reasonable and even then only after all alternative means have been exhausted.

#### IV. Training

A training officer, designated by the Chief of Police, shall annually review this Rule and Procedure with all department personnel. Any amendments to Article 35/Section 35.15 - Defense of Justification/Use of Physical Force in Defense of a Person as specified in the New York State Penal Law shall immediately be brought to the attention of all members. In addition, officers will complete annual Suffolk County DIIT Testing on the use of Deadly Physical Force.

#### V. Definitions

- A. Deadly Physical Force - Physical force which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury.
- B. Objectively Reasonable- An objective standard used to judge an officer's actions. Under this standard, a particular application of force must be judged through the perspective of a reasonable officer facing the same set of circumstances, without the benefit of 20/20 hindsight, and be based on the totality of the facts that are known to that officer at the time that the force was used.
- C. Chokehold – Any force applied to the throat or windpipe that restricts blood flow or airflow of the person to which it is applied.
- D. Superior Officer - Member of the department with the rank of Sergeant or above.
- E. Supervisor - Members of the Department with the rank of Sergeant or above or the Senior Police Officer or other Police Officer on duty that has been designated by the Chief of Police as Officer in Charge (OIC).

#### VI. Procedure

The use of Deadly Physical Force by any member of this department shall in every instance conform to the provisions of Article 35 - Defense of Justification as specified in the New York State Penal Law and this Rule and Procedure. All officers are responsible for maintaining a working knowledge of Article 35, specifically Section 35.15 - Justification; Use of Physical Force in Defense of a Person. Justification for the use of deadly physical force must be Objectively Reasonable.

A. Use of Deadly Physical Force:

1. An officer may use deadly physical force only in the following situations:
  - (a) CONFRONTATION SITUATIONS: When reasonable and necessary to defend an officer or another person from what the officer reasonably believes to be the use, or imminent use, of deadly force.
  - (b) APPREHENSION IN PURSUIT SITUATIONS: To affect the arrest or prevent the escape of a person when:
    - (1) there is no other reasonable means to effect the arrest, AND
    - (2) the use of deadly force creates no foreseeable risk to innocent bystanders, AND
    - (3) if practicable and consistent with personal safety, the officer has identified him/herself by voice and warned the fleeing subject to STOP, without success, before using deadly force AND the officer has reasonable cause to believe that:
      - a) the subject has committed or attempted to commit a felony involving the use, attempted use or threatened use of deadly physical force against a person AND
      - b) the subject poses a significant threat of death or serious physical injury to the officer or another if not IMMEDIATELY apprehended.

B. Chokehold:

The use of a chokehold is only authorized when the use of deadly physical force is authorized and necessary.

C. Any officer who has used deadly physical force will:

1. Immediately, determine the physical condition of any injured person, render appropriate first aid and request necessary emergency medical assistance.
2. Request that his/her superior officer respond to the scene of the incident.
3. Remain at and secure the incident scene (unless injured) until the arrival of the appropriate superior officer.
4. Prepare and file a complete detailed incident report and a Department and New York State Police Use of Force report, as specified in Rule and Procedure 502-V-H, with a superior officer and remain available at all times for any official interviews and/or statements.

D. Supervisor Requirements:

1. Whenever deadly physical force, by any means, is used by any officer, the on-duty or responding supervisor will:
  - (a) Respond to the scene of the incident and assure that appropriate emergency medical assistance is responding.
  - (b) Immediately secure the area as a crime scene.
  - (c) Notify his/her supervisor and order investigative personnel to respond.
  - (d) Gather any/all information pertinent to the incident, detain and separate any witnesses.
  - (e) Remain at the scene until relieved.
  - (f) Ensure all incident and Use of Force reports are filed and completed by the officer(s) using deadly force and all witnessing officers.

E. Investigation:

On any occasion in which Deadly Physical Force is used by a member of this Department, an immediate investigation will be conducted into the incident. A thorough investigation shall be conducted by a superior officer, designated by the Chief of Police.

F. Deadly Force Review:

1. Psychological Services - In all cases where any person has been injured or killed as a result of deadly physical force being used by an officer, the involved officer may be required to undergo a debriefing with a department provided psychologist as soon as possible and practical after the incident. The purpose of the debriefing will be to allow the involved officer(s) to express his/her feelings and to process the moral, ethical and/or psychological after effects of the incident. The debriefing shall not be related to any department investigation of the incident and anything discussed in the debriefing session will remain protected by the privileged physician-patient relationship.
2. Administrative Leave - Any officer involved in a deadly force incident shall be placed on "Administrative Leave" directly upon completion of his/her preliminary report of the incident. This leave shall be ordered without loss of pay or benefits, pending the completion of the investigation. The assignment to "Administrative Leave" shall not be interpreted to imply or indicate that the officer acted improperly. While on "Administrative Leave", the officer shall remain available at all times for official department interviews and statements regarding the incident and shall be subject to recall duty at any time. The officer shall not discuss the incident with anyone except appropriate department personnel

assigned to the investigation, the District Attorney, his/her private attorney, chosen clergy and immediate family. Upon returning to duty, the officer may be assigned to "Administrative Duty" for a period of time as deemed appropriate by the Chief of Police.

## VII. Discipline

- A. Disciplinary action will be initiated whenever a member fails to comply with the Department Rules and Procedures as specified herein.
- B. The Supervisors are ultimately responsible to see that officers under their command comply with this Department policy and procedure.
- C. No officer will be disciplined for using deadly physical force, by any means, in self-defense or in defense of another threatened with the imminent use of deadly physical force. Accordingly, no officer will be disciplined for NOT using deadly physical force if that force might threaten the life or safety of an innocent person or if using deadly physical force is not clearly authorized by the Policy and/or Rules and Procedures of this department.

## VIII. Legal Disclaimer

This Rule and Procedure is for department use only, and does not apply in any criminal or civil proceeding. The department policy should not be construed as a creation of higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this Rule and Procedure will only form a basis of departmental administrative sanctions. Violations of law will form the basis of criminal and civil sanctions in a recognized judicial setting.

## Accreditation Standard Reference

- 20.1 Necessary Force
- 20.7 Reporting Requirements
- 21.1 Review of Firearms
- 21.2 Review of Force Causing Injuries
- 32.3 Firearms Training



## **RULE & PROCEDURE**

**No:502**

**SUBJECT: Operations – Use of Physical Force (Non-Lethal)**

ISSUE DATE: June 17, 2020

EFFECTIVE DATE: June 17, 2020

REVISES/SUPERSEDES: All Previous Versions

DISTRIBUTION: ALL MEMBERS OF THE DEPARTMENT

ISSUING AUTHORITY: MICHAEL J. TRACEY, CHIEF OF POLICE

### **I. Purpose**

To establish Rules and Procedures, outline Department Policy and set operational guidelines for the use of non-lethal physical force. These rules have been developed, not to restrict you from properly performing your duties, but rather to make it incumbent upon you to use good judgment before using physical force. This Rule and Procedure is intended to eliminate inappropriate use of non-lethal physical force.

### **II. Justification**

This Rule and Procedure defines Department Policy governing the use of physical force which will ensure that all personnel conform to the mandates set forth by law. The primary responsibility of this Department and each of its members is to protect the lives of the citizens we serve. It is critical that every action taken by this Department and each of its members be consistent with this responsibility.

### **III Definitions**

- A. Deadly Physical Force - Physical force which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury.
- B. Serious Physical Injury – Physical Injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ.
- C. Physical Injury – Impairment of physical condition or substantial pain.
- D. Objectively Reasonable – An objective standard used to judge an officer’s actions. Under this standard, a particular application of force must be judged through the perspective of a reasonable officer facing the same set of circumstances, without the benefit of 20/20 hindsight, and be based on the totality of the facts that are known to that officer at the time that the force was used.
- E. Display a Chemical Agent – To point a chemical agent at a subject

- F. Brandishes/Uses/Discharges a firearm – The operation of a firearm against a person in a manner capable of causing physical injury
- G. Brandishes/Uses/Deploys an impact weapon or electronic control weapon – The operation of an impact weapon or electronic control weapon against a person in a manner capable of causing physical injury
- H. Uses a Chokehold or other similar restraint – Any application of a sustained pressure to the throat or windpipe of a person in a manner that may hinder breathing or reduce intake of air.
- I. Serious Bodily Injury – Bodily injury that creates or causes:
  - 1. A substantial risk of death; or
  - 2. Unconsciousness; or
  - 3. Serious or protracted disfigurement; or
  - 4. Protracted loss or impairment of the function of any bodily member, organ or mental faculty.

### III. **Policy**

Police officers have been delegated the substantial responsibility to protect life and property and to apprehend criminals. Because of this responsibility, you may be called upon to use physical force during the course of your duties. It is imperative that you, through training and the absorption of these rules, be able to respond quickly, confident that you are acting within the limits of the department rules. This will enable you to act without hesitation to protect yourself or another and also serve to protect the public from unlawful, unreasonable or the unnecessary use of force.

### IV. **Training**

A training officer, designated by the Chief of Police, shall annually review this Rule and Procedure with all department personnel. Any amendments to Article 35 - Defense of Justification as specified in the New York State Penal Law shall immediately be brought to the attention of all members.

### V. **Procedure**

- A. Your use of physical force shall in every instance conform to the provisions of Article 35 - Defense of Justification as specified in the New York State Penal Law and this Rule and Procedure. All Officers are responsible for maintaining a working knowledge of Article 35, specifically, Section 35.05-1 -Justification; generally; Section 35.15 - Justification; use of physical force in defense of person; Section 35.30 - Justification; use of physical force in making an arrest or in preventing an escape. The nonconformance of Article 35 by any member may constitute a crime, as conform to all defensive tactics, and weapons training requirements as prescribed by this agency.



- B. In addition to conforming to Article 35 of the New York State Penal Law, you will conform to all defensive tactics, and weapons training requirements as prescribed by this agency.
- C. You are authorized and justified in using physical force or control only to the degree NECESSARY to overcome resistance. When force is used, it should only be to the degree which is objectively reasonable given the circumstances perceived by the officer at the time of the event.
1. Resistance - unlawful actions directed by another against you.
  2. Control - force you use to influence or neutralize the unlawful physical actions of another person.
  3. Justified use of necessary force:
    - a. To stop potentially dangerous and/or unlawful behavior;
    - b. To protect the officer or another from injury or death;
    - c. To protect another from injuring themselves;
    - d. To effect a lawful arrest when another offers resistance.
  4. Justification of force in the judicial system is measured by two (2) broad standards. First, your use of control methods must be a RESPONSE to another's resistance. Second, the level of force used must be NECESSARY but NOT EXCESSIVE and objectively reasonable when compared to the level of resistance offered by another.

D Determining the Objective Reasonableness of Force

Once you determine that you must use physical force, the force should be only that which is objectively reasonable given the circumstances perceived by the officer at the time of the event. The level of force used will be dependent upon your perception of resistance and danger of that resistance, and whether that resistance is placing you or another in jeopardy of serious injury or death. Factors that may be used in determining the reasonableness of force include, but are not limited to:

1. The severity of the crime or circumstance.
2. The level and immediacy of threat or resistance posed by the suspect.
3. The potential for injury to citizens, officers, and suspects
4. The risk or attempt of the suspect to escape
5. The knowledge, training, and experience of the officer
6. Officer/subject considerations such as age, size, relative strength, skill level, injury or exhaustion, and the number of officers or subjects.
7. Other environmental conditions or exigent circumstances.

E. Levels of Resistance

Is resistance offered by another that is usually physical, the type and amount of resistance an officer meets is determined by the subject's level of intent. The intent of a subject may range from passive resistance to an active, aggressive attack on the officer. Resistance may be categorized into three (3) broad areas:

1. Verbal Resistance - i.e., denial of lawful orders of arrest or commands, verbal threats or assaults.
2. Physical Resistive Actions - i.e., passive resistance/active aggression.
3. Aggressive Acts - i.e., against the officer, often leading to severe physical injury.
4. Your actions to resistance will be based upon your perception of the level of resistance. You have been trained to use the necessary amount of force to control a subject offering any level of resistance.

a. Psychological Intimidation:

Non-verbal actions, often called body language, often influences your decision on how to approach a subject or what level of force to use if a subject starts to resist an arrest. Non-verbal intimidation actions may include clenching of fists, widening of foot stance or a blank expression that may warn you of a subject's potential for violence, when the subject has offered no verbal threats. However, your reaction to a subject's non-verbal intimidation signals should be used as information to mentally propose your alternatives to possible attack, not as a justification for attack. Your reading the non-verbal signals and belief that physical control is necessary to prevent a subject from injuring himself, others or you, may initiate action before any overt moves are made by the subject

b. Resistive Dialogue:

A subject's dialogue that offers a threat of physical resistance to your commands is not normally considered resistance until he/she physically resists an officer's attempts at control. However, dialogue in the form of threats of physical injury may influence your opinion as to the amount of force needed to effect control. An offender may boast of his/her fighting skills and/or his/her intention to injure you or assume a fighting stance such as raised hands or clenched fists.

Verbal threats or psychological threats may influence our judgment to attempt either empty hand control, impact weapons, or even firearms if the subject has a weapon or has such great physical skills that threat of life is real. The reaction to verbal threats made by a subject may differ from officer to officer. Your decision of

the level of force necessary to control a subject will be based on your perception of the threat and the subject's ability to carry out that threat. An additional factor is your knowledge of your physical ability to manage the threat presented. If you believe that you do not have sufficient skill to establish control with empty hand methods, you have been trained to escalate the level of force.

c. Passive Physical Resistance:

Passive Resistance is the lowest level of physical resistance. The subject resists control through passive, physical actions. *At this the offender never makes any attempt to defeat the physical contact of the officer.* Passive Resistance is usually in the form of relaxed or "dead weight" posture intended to make you lift, pull or muscle the subject to establish control.

d. Defensive Physical Resistance:

Quite often, you may find yourself confronting a suspect who is resisting your attempt to control him/her by directing overt, defensive, physical actions. With this level of resistance, the offender attempts to push or pull away in a manner that does not allow you to establish control. However, the subject never attempts to strike you.

e. Active Physical Aggression:

Active Physical Aggression is when a suspect attacks you to defeat attempts of control. The attack is a physical assault on you in which the offender strikes or uses techniques in a manner which may result in injury to you or others.

f. Aggravated Active Physical Aggression:

Aggravated Active Physical Aggression is when a subject uses a level of physical force resulting in a situation in which you usually must use, or at least are justified in using, deadly force. At this level, you may not only face resistance to an arrest, but also overt, physical actions of force where the subject is assaulting you with a weapon and/or used techniques or objects which could result in death or bodily harm.

F. Levels of Control

Is force that you use to gain control over a subject's resistant actions. Levels of Control are divided into the areas of Officer Presence, Verbal Direction, Empty Hand Control, Intermediate Weapons and Lethal Force.

1. Officer Presence:

Your mere arrival in uniform, at an incident, in a marked police unit might be sufficient to defuse the situation.

2. Verbal Direction:

The majority of situations can be resolved by good communication skills or verbal direction. Often, your mere presence and proper verbal direction will be sufficient to persuade most individuals to follow your direction. In any verbal confrontation, fear and anger must be defused before a suspect will be able to understand your commands; this will require good communication skills and patience. Successful communication techniques can prevent many physical confrontations from escalating to higher levels.

3. Empty Hand Control:

Empty Hand Control physical contact techniques cover a number of subject control methods. Some of these methods may be subtle as gently guiding a subject's movements, to more dynamic techniques as strikes and kicks which may have a higher potential of injury. There are two (2) categories of Empty Hand Control. Soft Empty Hand Control (techniques that have minimal implication of injury) and Hard Empty Hand Control (techniques that have a higher probability for subject injury).

a. Soft Empty Hand Control: This level of control is designed to control primarily low levels of resistance, but can be used to control any level of resistance. Soft Empty Hand Control techniques are techniques that have minimal or nonexistent possibility of injury. Generally, these techniques are used to control passive types or demonstrator types of resistance and defensive resistance. However, Soft Empty Hand Control techniques can be utilized for any level of resistance.

b. Hard Empty Hand Control: This level of control is for high levels of defensive resistance, active aggression, or aggravated active aggression. THESE TECHNIQUES ARE APPLIED WHEN LOWER FORMS OF CONTROL HAVE FAILED OR WHEN NOT APPLICABLE BECAUSE THE SUBJECT'S RESISTANCE LEVEL IS AT A PERCEIVED DANGEROUS LEVEL OF

CREATING SOFT OR CONNECTIVE TISSUE DAMAGE, SKIN LACERATIONS THAT REQUIRE MEDICAL ATTENTION, AND/OR BONE FRACTURES. Although the use of these techniques may create some minimal injury to the offender, you may be risking injury to yourself or have to utilize higher levels of control (such as intermediate weapons) if Hard Empty Hand Control is not used. Techniques that are considered as Hard Empty Hand tactics are:

1. Striking Techniques - Techniques that may be delivered with your open hand, fist, forearm, leg or foot. Preferably, the target points for these types of strikes will be delivered to major muscle mass such as the legs, arms, shoulders, or side of the neck. If the targets are these, the strikes will create muscle cramping, thus inhibiting muscle action.

4. Intermediate Weapon Control

This level of control employs the use of department approved tools that provide a method of controlling subjects WHEN DEADLY FORCE IS NOT JUSTIFIED, BUT WHEN EMPTY HAND CONTROL TECHNIQUES ARE NOT SUFFICIENT IN EFFECTING AN ARREST. Whenever you use an intermediate weapon for control, it should always be with the intent to temporarily disable an offender, and never with the intent of creating permanent injury. When intermediate weapons are used, it is quite likely that some form of skin irritation, bruising, soft or connective tissue damage or bone fractures may occur. This department authorized the use of four (4) intermediate weapons:

- a. Impact Weapon/Police Baton - RULE AND PROCEDURE: SECTION 303
- b. Chemical Agent/Oleoresin Capsicum (Pepper Spray) - RULE AND PROCEDURE: SECTION 304
- c. Kinetic Energy Impact Weapon and Projectiles - RULE AND PROCEDURE: SECTION 305
- d. Conducted Electrical Weapons - RULE AND PROCEDURE: SECTION 306

5. Deadly/Lethal Force - RULE AND PROCEDURE: SECTION 501

G. Medical Requirements

Any officer using physical force upon another person, will seek immediate medical attention for that person, if:

1. The person subjected to physical force states that they are injured.

2. The person subjected to physical force is visibly injured, even if medical attention is refused.
3. The person is subjected to physical force by means of an impact weapon, chemical agent, Conductive Electrical Weapon, or is rendered unconscious.
4. The person is having difficulty breathing, sweating profusely, or exhibiting signs of excited delirium, See Rule and Procedure 540 Emotionally Disturbed Persons and Excited Delirium.
5. The person has an altered mental state, is delusional, or otherwise displaying signs of an Emotionally Disturbed Person, See Rule and Procedure 540 Emotionally Disturbed Persons and Excited Delirium.

#### H. Incident and Use of Force Report

A Field Report and Department Use of Force Report will be filled whenever an officer uses physical force against another. (Force other than compliant Handcuffing,)

Additionally, officers are required to file said reports when they Display a Chemical Agent, Brandishes, Uses, or Discharges a Firearm, Brandishes, Uses, Deploys an impact weapon, Uses a chokehold or similar restraint, or otherwise causes Physical Injury, Serious Physical Injury, Serious Bodily Injury or Death to another. Reports will be filed, as soon as possible, with a superior officer.

1. The Incident Report will include:
  - A. Officer Arrival
    - i. Type of police unit (marked or unmarked)
    - ii. Type of clothing (uniform or plainclothes)
    - iii. Number of officers
  - B. Approach
    - i. What you observed
    - ii. Your initial verbal commands
  - C. Subject's Actions
    - i. Verbal responses
    - ii. Body language
    - iii. Physical actions
  - D. Officer's Action
    - i. Type of control methods used.
    - ii. Duration of resistance
    - iii. Type of de-escalation methods used
    - iv. Handcuffed and double-locked
  - E. Transport Procedure
    - i. Subject's demeanor and actions.
    - ii. Where transported to
    - iii. Length of transport

F. Injuries

- i. Indicate in detail Injuries Sustained by officer's and suspects
- ii. Indicate medical attention given, when given and by whom
- iii. Attach photos of injuries and medical reports

2. The following Use of Force Reports will be filed:

- A. Officers will complete the Department issued Use of Force Report.
- B. Officers will complete the New York State Online Use of Force Report

VI. **Duty to Intervene**

- A. Any officer present and observing another officer using force that he/she reasonably believes to be clearly beyond that which is objectively reasonable under the circumstances shall intercede to prevent the use of unreasonable force, if and when the officer has a realistic opportunity to prevent harm.
- B. An officer who observes another officer use force that exceeds the degree of force as described in subdivision A of this section should promptly report these observations to a supervisor.

VII. **Discipline**

Disciplinary action will be initiated whenever a member fails to comply with the Department Rules and Procedures as specified herein. All superior officers will be held responsible and accountable for ensuring that these Rules and Procedures are strictly complied with.

VIII. **Legal Disclaimer**

This Rule and Procedure is for department use only, and does not apply in any criminal or civil proceeding. The department policy should not be construed as a creation of higher legal standard of safety or care in an evidential sense with respect to third party claims. Violations of this Rule and Procedure will only form a basis of departmental administrative sanctions. Violations of law will form the basis of criminal and civil sanctions in a recognized judicial setting.

Accreditation Standard Reference

- 20.1 Necessary Force
- 20.6 Non-Lethal Substances and Devices
- 20.7 Reporting Requirements
- 21.1 Review of Firearms Use
- 21.2 Review of Force Causing Injuries

In addition to completing an East Hampton Village Police “Use of Force” report The State of New York Requires that each Month the Agency completes a New York State “Use of Force” report under specific circumstances – this is done electronically through a State Portal.

### **Use of Force Reporting**

New York State law requires every police department and county sheriff's office to report any occurrence in which a police officer or peace officer employs the use of force under the following circumstances:

- When an officer engages in conduct which results in the death or serious bodily injury of another person. Serious bodily injury is defined as bodily injury that involves a substantial risk of death, unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.
  
- In the absence of either death or serious bodily injury, when one of the following is initiated by an officer:
  - brandishes, uses or discharges a firearm at or in the direction of another person;
  - uses a chokehold or similar restraint that applies pressure to the throat or windpipe of a person in a manner that may hinder breathing or reduce intake of air;
  - displays, uses or deploys a chemical agent, including, but not limited to, oleoresin capsicum, pepper spray or tear gas;
  - brandishes, uses or deploys an impact weapon, including, but not limited to, a baton or Billy; or
  - brandishes, uses or deploys an electronic control weapon, including, but not limited to, an electronic stun gun, flash bomb, or long range acoustic device.



EAST HAMPTON VILLAGE POLICE DEPARTMENT  
USE OF FORCE REPORT

Nature of Call: \_\_\_\_\_ CC# \_\_\_\_\_  
Date of Incident: \_\_\_\_\_ Time of Incident: \_\_\_\_\_  
Subject's Name: (Last, First, Middle): \_\_\_\_\_  
DOB: \_\_\_\_\_ SEX: \_\_\_\_\_ PHONE: \_\_\_\_\_ CELL #: \_\_\_\_\_  
Subject's Address: \_\_\_\_\_

Check those that apply - include detail in narrative:

**LEVEL OF RESISTANCE ENCOUNTERED**

Psychological Intimidation                       Defensive Resistance  
 Verbal Threats                                       Active Aggression  
 Passive Resistance                                 Aggravated Active Aggression

**Type of Force/Control Used:**

Verbal Direction  
 Joint Locks  
 Pressure Points  
 Hand Strike  
 Leg / Foot Strike

**Intermediate Weapons: (give details)**

Chemical Agent (Brandished \_\_\_ / Used \_\_\_)  
Conducted Electrical Weaon (Brandished \_\_\_ / Used \_\_\_)  
Impact Weapon (Specify) (Brandished \_\_\_ / Used \_\_\_)  
Kinetic Energy Projectile (Brandished \_\_\_ / Used \_\_\_)  
**Deadly Physical Force (Brandished \_\_\_ / Used \_\_\_)**

Type: \_\_\_\_\_

**Distraction Devices:**

Water Extinguisher  
 Smoke / Noise / Flash  
 Other \_\_\_\_\_

**Restraint Devices**

Straight Jacket  
 Control "Y" Bar

**Reason for Use of Force:**

Necessary to Effect Arrest  
 Necessary to Defend Self or Another  
 Necessary to Restrain / Control Subject for Subject's own Safety  
 Necessary to Prevent / Terminate a Violent Felony  
 Other \_\_\_\_\_

**Was Subject Injured?**  Yes  No                      **Injury Claimed?**  Yes  No

Nature of Injury / Claimed Injury? (describe) \_\_\_\_\_

Treatment Rendered                       Yes  No  
First Aid                                               Yes  No  
Ambulance                                               Yes  No  
Hospital Visit                                               Yes  No

Officers Injured:  Yes  No                      If Yes, Officer's Name: \_\_\_\_\_

Subject Arrested:  Yes  No                      If No, briefly explain: \_\_\_\_\_

**At the Time of Arrest was the Subject:**

Under or Exhibiting Signs of being Under the Influence of Alcohol  
 Under the Influence of a Chemical Drug

Officers Assisting / Witnessing Arrest: \_\_\_\_\_

Attached:  Medical Evaluation     Photo Evidence     Arrest Report     All other Reports

**NARRATIVE:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Officer Signatures: \_\_\_\_\_  
Supervisor Reviewing: \_\_\_\_\_                      Admin. Review: \_\_\_\_\_

## **The Hiring Process**

The position of police officer falls within a competitive class, which is characterized by examinations used to ascertain the relative merit and fitness of a candidate.

### **Preliminary Requirements of Becoming a Police Officer**

**Age:** You must be at least 19 years and at most 34 years on the date of your written test. This is with exception for applicants who have performed active military duty. These applicants get a 6-year relaxation from the maximum age.

**Education:** Candidates must have graduated from a high school or be in possession of an equivalent diploma that is recognized by the New York State Department of Education.

**License:** Candidates should possess a valid operator or driver license issued by the New York State Department of Motor Vehicles at the time of their appointment.

**Citizenship:** A candidate must be a US citizen and a resident of the state of New York at the time of their appointment.

**Written Exam:** (Offered in both English and Spanish)

\* Candidates who attain a reachable passing grade will have to pass the following qualifying tests and evaluations: ***Medical, Personality Assessment, Polygraph, Extensive Background Check and Physical Fitness Screening.***

### **Scope of the Civil Service Examination**

The written test for Police Officer will be the same test in English and Spanish. The test will use the multiple-choice format and assess the candidates' cognitive abilities, work styles and background information.

A Candidate Preparation Guide and an on-line Candidate Tutorial will be posted on Suffolk County Civil Service website.

Candidates must respond truthfully to all questions on this test. A candidate who responds falsely to questions has committed fraud on the examination. According to section 50 of the civil service law, a candidate who commits fraud on an examination is subject to the penalty of disqualification.

### **Comprehensive Medical Evaluation**

Candidates will be required to meet the medical standards for Police Officers prescribed by the New York State Municipal Police Training Council and by Suffolk County.

The medical evaluation includes examination of:

Eyes

Ears and Hearing

Nose, Throat, Mouth

Peripheral Vascular and Heart

Respiratory

Gastrointestinal  
 Endocrine & Metabolic  
 Neurological Health  
 Dermatological Health  
 Mental Health

**In-Depth Psychological / Personality Evaluation**

The extensive battery of written psychological exams are designed to assess the suitability of the candidate’s personality for the position of Police Officer.

The review of the written exam is conducted by a psychologist who then interviews the candidate to determine their mental stability and capacity for the role of a Police Officer.

**Physical Fitness Screening Test Requirements:**

**Sit-Up Muscular Endurance (Core Body)** - The score indicated below is the number of bent-leg sit-ups performed in one (1) minute.

**Push-Up Muscular Endurance (Upper Body)** – The score indicated below is the number of full body repetitions that a candidate must complete without breaks.

**1.5 Mile Run Cardiovascular Capacity** - The score indicated below is calculated in minutes: seconds. The running surface may vary and the test may be conducted on either an indoor or an outdoor track.

<b>TEST - MALE</b>			
<b>AGE</b>	<b>SIT-UP</b>	<b>PUSH-UP</b>	<b>1.5 MILE RUN</b>
20 - 29	38	29	12:29
30 - 39	35	24	12:53
40 - 49	29	18	13:50
<b>TEST - FEMALE</b>			
20 - 29	32	15	15:05
30 - 39	25	11	15:56
40 - 49	20	9	17:11

### **Pre-Employment Background Investigation**

Candidates are required to go through an extensive investigation into their complete background leading up to their interest in a career in law enforcement.

Background check includes, but is not limited to:

Prior Education

Prior Employment

Criminal History / Law Enforcement Involvement

Character References

Finances, etc.

### **Pre-Employment Interview Process**

Potential candidate will be interviewed by the Departments Administration and asked an additional series of questions.

Through this interview process, the administration will determine if the candidate is a good fit for the department.

**\*There is a recommendation in this document, to revise the hiring process to allow agencies to consider an expanded pool of qualified candidates regardless of actual numerical score so that suitable candidates are identified primarily through the interview process rather than numerical score only.**

## **School Resource Officer Program**

The Village and East Hampton School District, have, implemented an SRO (School Resource Officer) program, to build a positive relationship between law enforcement, students, and school employees. The goal of the SRO program is to promote a safe school environment, reduce crime, and provide a law enforcement resource to school administrators, teachers and students.

SROs maintain a collaborative working relationship with School District personnel and administration. Non-criminal disciplinary matters remain the province and responsibility of the School District, and SROs are not involved in such matters.

In accordance with State law, The School District and Police Department have defined the role of the School Resource officer as being one primarily focused on School Safety and Security. School discipline shall be the sole province of the School District's school administration.

SROs do not serve as an enforcer of the School District's code of conduct, and SROs shall not use police powers to address traditional school discipline issues, including non-violent disruptive behavior. The principal or his/her designee shall be responsible for student code of conduct violations and routine disciplinary violations. SROs shall be responsible for investigating and responding to criminal misconduct. SROs shall read and understand the student code of conduct.

For student misbehavior that requires immediate intervention to maintain safety (whether or not the misbehavior involves criminal conduct), SROs may act to deescalate the immediate situation and to protect the physical safety of members of the school community. To this end, school personnel may request the presence of SROs when they have a reasonable fear for their safety or the safety of students or other personnel.

### Overall Roles and Responsibilities of SROs:

- Forge and maintain effective relationships with students, faculty, staff and administration.
- Assist school leaders in planning/execution of school safety drills including fire, lockdown, lockout, and evacuation.
- Understand the School District's Code of Conduct and assist school personnel in observing/reporting infractions.
- Plan/assist with emergency response for various circumstances.
- Assist school officials when matters involving law enforcement officers are required.
- Observe/evaluate potential threats to safety of student body.
- Serve as visible deterrent to illegal or dangerous activity.
- Handle requests for service in and around school, follow-up on reports generated at school, and engage parents/community as needed.
- Conduct safety and security assessments.

- Assist in the development of emergency management and incident response systems including mitigation/prevention, preparedness, response, and recovery.
- Integrate appropriate security equipment/technology.
- Respond to unauthorized persons on school property.
- Serve as a member of School District's Threat Assessment Team.
- Serve as a member of School District's Safety Committee.
- Communicate regularly with school security personnel.
- Build relationships with juvenile justice counselors, parole officers, and family court to help connect youth with needed services.
- Develop and expand crime prevention efforts for students, and offer workshops, lessons, and assemblies as appropriate.
- Partner with organizations, school faculty, and advocates to develop and expand community justice initiatives for students.
- SROs will be at the school every school day when students are present (based on District calendar).
- With pre-approval from Superintendent and Village Police Chief, SROs will work some evenings during the year, for events when students are present, such as Concerts, Plays, Dances and Holiday Events.
- Acting as the liaison between the police department and school community
- Creating a positive image of police while building meaningful relationships within the school
- Developing lesson plans and programs to help educate students and parents
- Act as a friend and mentor to the students

### **In-Service Training**

Throughout the year Officers are required to continue Training

Below is an example of one officers training in a given year

Firearms: Service Weapon / Long Gun

Taser

CPR/AED Fresher

Legal Updates

Deadly Physical Force Review

OSHA Safety Review

Active Shooter (Bi-Annually)

Sexual Harassment

Rules and Procedures Review

NARCAN Training

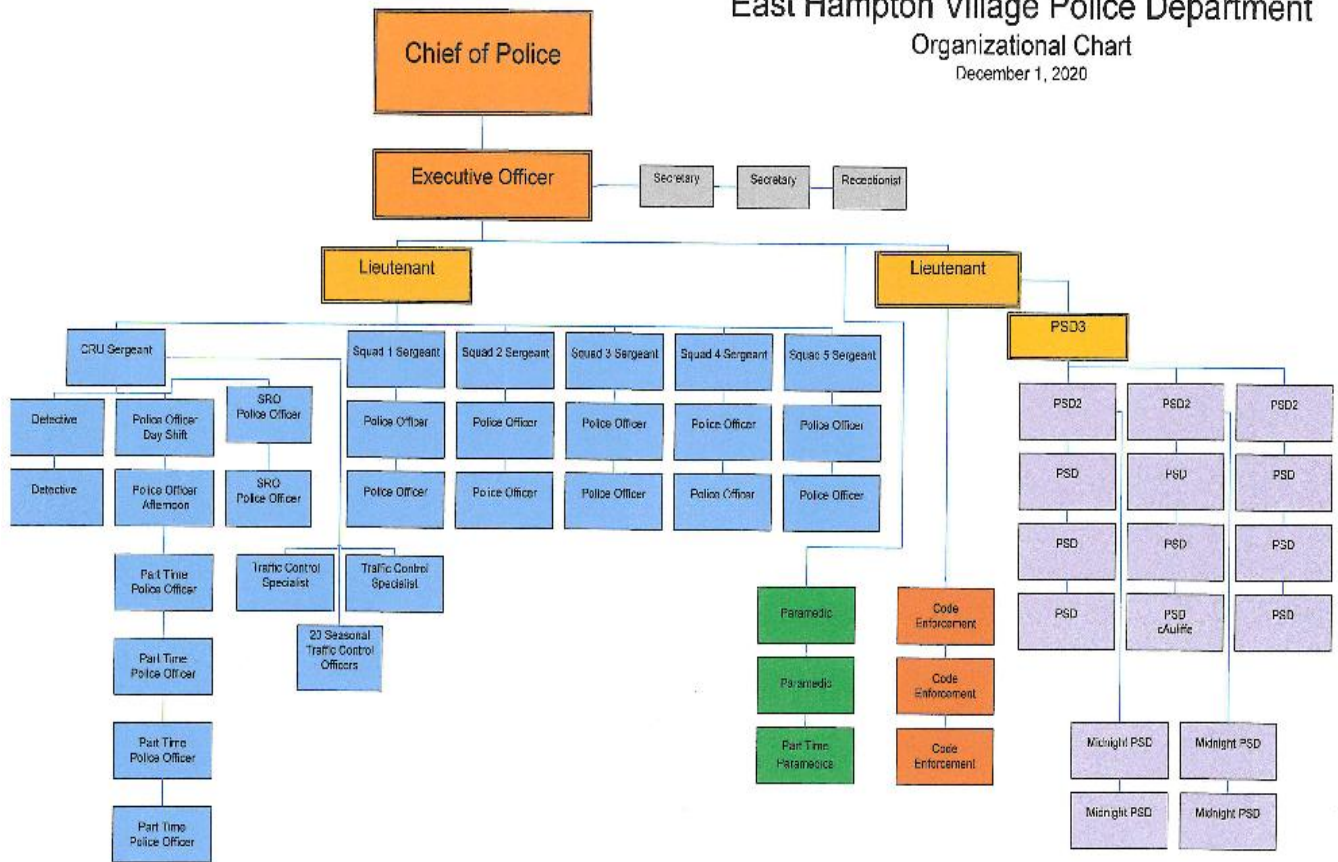
Police Mountain Bike Training

Hazardous Materials Training

FEMA – Emergency Operations

Department Structure

East Hampton Village Police Department  
Organizational Chart  
December 1, 2020



The Police Department current structure is organized into the following units

**Patrol Unit**

**Community Response Unit (CRU)** (Which consists of Detectives, School Resource Officers, Traffic Officers, Part - Time Personnel such as Special Police Officers and Seasonal Traffic Control Officers.

**Public Safety Unit** Consisting of Code Enforcement and related staff, as well Emergency Preparedness

**Paramedic Unit** Consisting of Full -Time and Part-Time Paramedic Staff.

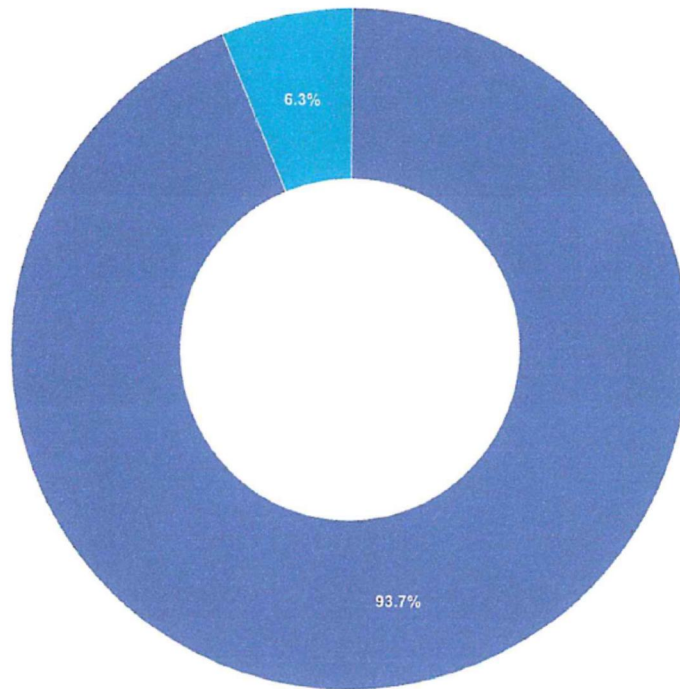
**Communications**, which includes Fire and Ambulance Dispatch Services, the Local 911 System, and the Public Safety Dispatch staff.



Survey Summary

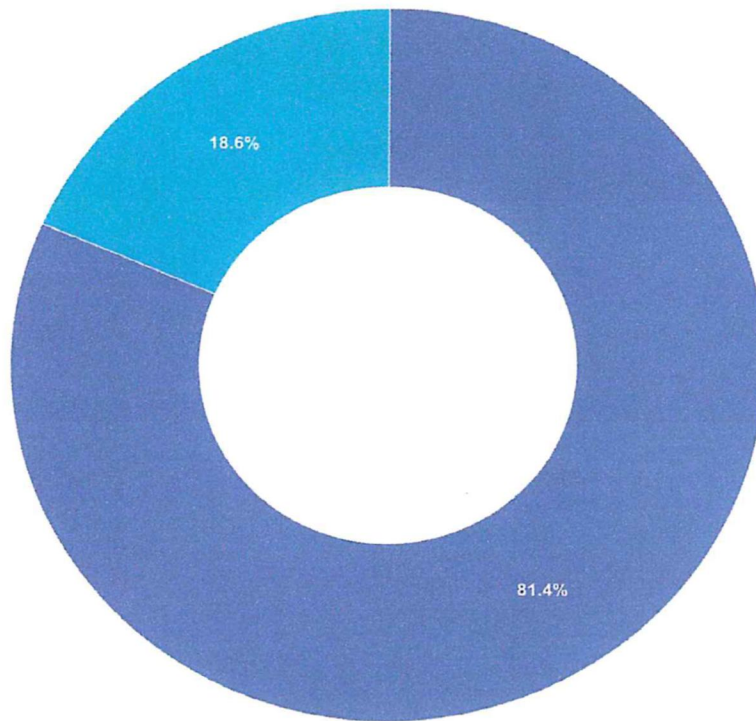
A survey was provided to the public asking for input on how the agency was perceived by the Public, whether or not our enforcement actions were viewed as being conducted in an equal manner, and if improvement was needed in communications.

Do you think your local Police are viewed in a positive manner by the Community.



Total
89
6

Do you feel that your local Police Department Enforces the Law in an equal manner ?\*



**Choice**

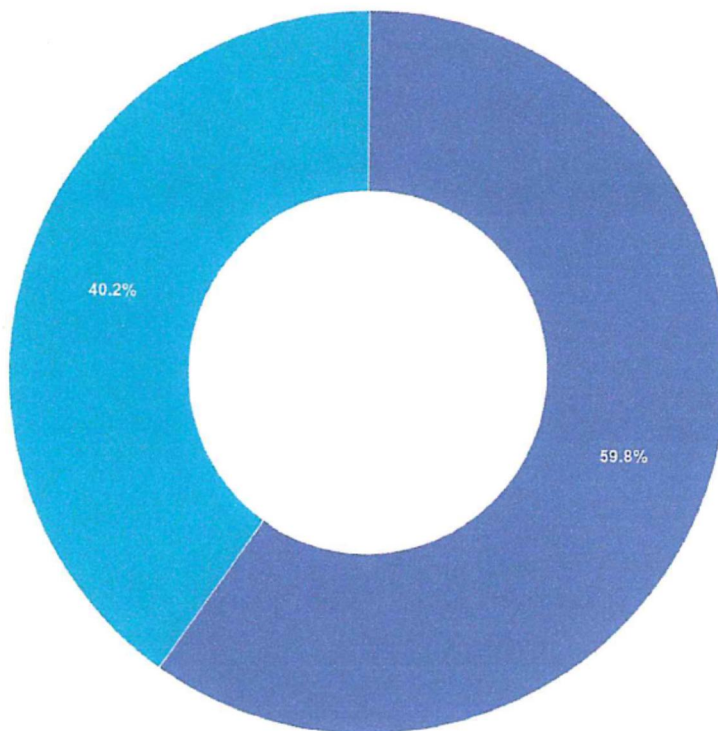
- yes
- no

**Total**

79

18

Do you feel that the Local Police need to Improve communications with the Public ?



Choice	
● yes	
● no	

Total
58
39

Although a Majority of respondents indicated they thought Police were viewed favorably, a number of respondents indicated that they felt equal Enforcement was not being practiced, and that better communications was needed.

Respondents were asked what the primary function of the police was, the most common responses included: Protecting the Public and Property, Making Citizens feel safe in their town, Law Enforcement, Traffic Enforcement, responding to medical emergencies, and Upholding the peace and safety of our community without prejudice.

Respondents were asked if there were Police calls that would be better handled by others, 43 percent responded no, but 39 responded yes with suggestions, primarily indicating Mental Health or Mental Health Emergency calls.

When asked to prioritize a list of common Police Functions in the order of Importance: The response was the following:

- Traffic and Law Enforcement
- Protection of Property
- Response to Medical Emergencies
- Interaction with Community Groups
- Public Assistance/Community Relations
- Educating the Public on Safety Issues

Responders who had recent interaction with Police were asked if their interaction was handled in a satisfactory manner: 98 Percent responded Yes / 2 Percent responded No

#### 4. Recommendations:

Suggestions and New Initiatives from within the Committee as well as Public Comment and Interagency dialogue.

- Recommending that New York State revises the Police Hiring process, in order for Local Agencies to evaluate and hire Candidates, giving actual weight to a local Interviewing process over a numerical score on the examination - by Elimination of the State “One in Three Rule”
- Creating a Process in Suffolk County whereby New York State Certified Special Police Officers who are sponsored by and working for a Municipality may be hired by that Municipality - after Passing the Civil Service Police Examination on a preferred list rather than by their numerical score on the examination.
- Partnering with Suffolk and Local Mental Health Professionals to seek State assistance in identifying both funding streams and programs to expand Mental Health assessment *in the field, around the clock*. This void exists specifically on the South Fork East End. Use of the proposed Pantigo Road Emergency Medical Facility was suggested as a possible site for such a program.
- Better use of Public access media and “Social Media” to keep the public informed as to Police ongoing operations and programs. This area was suggested by the Review Team as well as the Survey respondents as needing Improvement.
- Student outreach program which recently started, with meetings between interested Students and Police Leaders, which the Department intends to expand in the future as regularly scheduled throughout the year. This will be a new initiative.
- Collecting and sharing with the Public, Arrest and Stop Data, available to the agency using New York State designated demographics.
- Regularly sharing Use of Force Data with the public using Municipal Web Site, Social Media, Local Public Access TV, and Presentations to Local Community groups.
- Creation and Use of an Online Form through the Village Website to receive Comments, Critiques, suggestions, complaints, or complements on Police operations. The format will allow for anonymous reporting and Bilingual input.
- Introduction of an Implicit Bias Training program within the agency (2021)
- Implementation of New De-Escalation training to the Department (Started last Month with the Certification of two in-house training officers)
- Implementation of Principled Police training (April 2021)

- Implementations of Consular Access Training “Protections and Rights of Foreign Nationals Arrested in the United States” (Department of State, United States Consular Corp)

*Training Program Descriptions*

*Implicit Bias Training:*

*Implicit Bias training, attempts to bring examples and awareness of unconscious bias to the participant, as well as skills to help one identify preconceived ideas or attitudes that can exist without one’s knowledge. These ideas or attitudes, if not recognized, can influence decision-making and interactions with others in a negative way.*

*De-Escalation Training:*

*The De-Escalation Instructor Course, which two of our officers recently completed, allows these officers to teach this course as a refresher to all Sworn Staff in the Department. “De-escalation” techniques are important tools for Officers on Patrol as well as Policy Makers in analyzing Use of force incidents. Deciding what extent de-escalation techniques may play in rapidly evolving events requires an understanding of best practices, and evolving new techniques as they arise. The training our officers received is specifically designed for law enforcement instructors.*

*Our officers learned concepts and methods that support de-escalation efforts when personal connections can be made between officers and subjects including knowledge regarding ways to help people in a state of mental health crisis, or whose perception of reality is altered. Our officers using the lessons from this training should be able to manage incidents with skills for establishing contact, building rapport and gaining trust during a potential crisis encounter.*

*Principled Policing Training:*

*Principled Policing (New York State Course)*

*Previously known as Procedural Justice, this curriculum focuses on the way police interact with the public, how these interactions influence crime, the public’s view of police, and the public’s willingness to obey the law. The Course covers active listening skills, and the manner in which these skills can often change the nature and outcome of an interaction with the public.*

*Consular Access Training:*

*This course from the US Department of State is a guide for Law Enforcement on the procedures to be followed when someone who is a Foreign National (as defined by the Department of State), is in the custody of law enforcement officials in the US. This includes notifications, and Rights of Consular Officials to assist them.*

## Summary

This document details the information that was shared and reviewed by our Committee and the recommendations presented as a result. It contains suggestions and steps that can be taken to improve communication and information sharing with the Public. Our survey provided information on what the Public expects of their Police. It also showed that not everyone is aware of the functions Police currently perform in the Community. Building and maintaining Public Trust that the Police *are an asset to the community* needs to be a continuing part of police operations and not just an occasional program that we carry out. Positive reviews and general impressions of Police are not what these suggestions are based on. It is the critical comments and suggestions to improve that have had the most value in this process.