

**RYE BROOK  
POLICE DEPARTMENT  
REFORM AND REINVENTION  
COLLABORATIVE**

*Completed March 3, 2021*

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## Introduction

In August 2020, Governor Andrew Cuomo published the New York State Police Reform and Reinvention Collaborative. The collaborative calls on municipalities with Police Departments all over the state to evaluate their policies and procedures to ensure that citizens, especially people of color, are not harmed by the actions of potentially discriminatory police officers. The Village Board is dedicated to ensuring that such acts of discrimination and police brutality will not be tolerated in our community. In January 2020, the Village Board approved a resolution condemning acts of hatred including racism, sexism, homophobia, and anti-religious acts. Governor Cuomo's police reform initiative is another imperative step to stop intolerance and injustice. This is especially important as instances of violence against black and other minority citizens has been occurring around the country.

On September 22, 2020, the Village Board created a Police Reform Collaborative Committee comprised of Village Officials, members of staff, residents, and community leaders:

<b>Name</b>	<b>Community Role</b>
<b>Paul Rosenberg, Chair</b>	Mayor
<b>Gregory Austin</b>	Police Chief
<b>John Arnold</b>	Police Lieutenant
<b>P.O. Aaron Weiss</b>	Rye Brook PBA President
<b>P.O. Elliot Asare</b>	Rye Brook Police Officer
<b>P.O. Abel Taveras</b>	Rye Brook Police Officer
<b>Christopher Bradbury</b>	Village Administrator
<b>Alexandra Marshall</b>	Asst. to the Administrator
<b>Rabbi Ben Goldberg</b>	KTI Synagogue
<b>Pastor Jim O'Hanlon</b>	St. Paul's Lutheran Church
<b>Noki Masuku</b>	PC-Rye NAACP Representative
<b>Cynthia Adimari</b>	West. Co. Asst. District Attorney
<b>Joan Feinstein</b>	Former Mayor; Attorney
<b>Dan Tartaglia</b>	Rye Brook Attorney; Planning Bd Member
<b>Jeffrey Rednick</b>	Former Deputy Mayor & Trustee/ Defense Attorney
<b>Michael Borrelli, Sr.</b>	Doral Greens HOA Pres. & Chamber of Commerce Exec. Board Member

This Committee has met regularly to discuss and create a Police Reform Collaborative Plan to be adopted by the Village Board in April 2021. Since its establishment, the committee has held several organizational meetings and two public listening sessions where any members from the public could voice any questions or concerns related to the police reform initiative. Topics of discussion included the role of the police, staffing, policies & procedures, and community policing. We have also created a Police Reform webpage on the Village website so the public can stay informed on this process. The webpage includes information about the committee, presentations from all meetings, state and federal publications regarding police reform, and Rye Brook Police Department Policies and Procedures. The website also has links to the video recordings of the public listening sessions. In order to ensure the public had fair opportunity to express any concerns, the Police Reform Collaborative Committee also prepared an anonymous survey that was published in November 2020. The survey asked for feedback from the public about what the role of the Rye Brook Police Department should be in the community. We received 684 responses to the survey in total, many of which provided great comments and encouraging feedback. It should also be noted that although we did receive very few complaints, that feedback is equally as important to the committee and will be considered as we formalize the Police Reform Collaborative Plan. The survey results have been published on the Village's police reform webpage for viewing at [ryebrook.org/police-reform/](http://ryebrook.org/police-reform/).

The committee discussions and survey result ultimately reflect the quality and professionalism of the Rye Brook Police Department led by Police Chief Greg Austin. The Rye Brook Police Department has been accredited since 2015 which is distinctive since only about 30% of the law enforcement agencies are accredited in New York State. This process often takes years to achieve and requires the implementation of specific written standards, policies, and training programs. Accreditation is one of the best ways to help police agencies continually evaluate and improve their department to ensure public confidence in the department. Rye Brook has written

procedures that must be followed for different types of arrests, which includes rare and unfortunate circumstances when non-lethal use of force is needed. This written policy, along with other Police Department policies and procedures, remains available to the public on the village website. The Use of Force Policy encourages all Rye Brook police officers first use other methods of arrest such as verbal persuasion. The policy also outlines reporting and investigating requirements after such incidents occur. Furthermore, the Police Department is staffed by a diverse group of caring and knowledgeable officers. Rye Brook has a strong community policing program where the police officers are encouraged to develop strong connections with residents and other members of the public. Our officers often work at community events such as the Rye Brook Birthday Party and Ice Cream Fridays in the Park. The Rye Brook Police Benevolent Association has also sponsored events such as Coffee with a Cop, which encourages more interaction with members of the community in an open and friendly environment.

As we draw closer to finalizing a plan, the Police Reform Collaborative Committee has reviewed the various questions and criteria posed by New York State to ensure that the plan is thorough and addresses the needs of the community. Now that the public listening and learning portion of the process has concluded, a major take-away from this process is a desire for more community policing and building trust and relationships with members of the public. This includes more involvement with youth in both the Port Chester and Blind Brook School Districts, so they can learn about the role of law enforcement and become familiar with Police Officers that serve their community. Other recommendations include additional training so officers can recognize biases and prevent incidents from occurring or escalating, and exploration of alternative services for different types of calls where a mental health professional may be more suited to help the person in need.

Enclosed is the Draft Police Reform Collaborative Plan which outlines the recommendations of the Police Reform Collaborative Committee in detail. The Village Board and I appreciate the hard work and dedication of the committee members, Village staff, and members of the public who made this plan possible. We look forward to continuing to create positive change in the Rye Brook Community.

Paul S. Rosenberg  
Mayor

This document follows the New York State Police Reform and Reinvention Collaborative Resources and Guide for Public Officials and Citizens dated August 2020 and contains responses to every question including how the Rye Brook Police Department currently performs the functions described in the workbook and any recommendations made by the Rye Brook Police Reform and Reinvention Collaborative Committee for the Village of Rye Brook.

## What Functions should the Police Perform?

### 1. Determining the Role of the Police

#### **What role do the police currently play in your community?**

*Current Situation:* The Village of Rye Brook Police Department is a state-of-the-art, professionally staffed law enforcement department dedicated to providing optimal services for all village residents, visitors, and businesses.

The Mission of the Village of Rye Brook Police Department including the duties and responsibilities of all members is as follows:

- To protect life and property;
- To prevent crime;
- To detect and arrest offenders;
- To preserve the public peace; and
- To enforce all laws and ordinances over which the Police Department has jurisdiction.

*Police Reform Recommendations:* Consider adding “To treat everyone with respect and maintain community trust”.

#### **Should you deploy social service personnel instead of, or in addition to, police officers in some situations?**

*Current Situation:* Calls for service involving those in mental health crisis always include the possibility of unknown dangers to the public and responding officers. The addition of trained social service personnel would always be considered beneficial and a welcomed addition to responding police personnel.

However, as response times are critical and no such program currently exists in Westchester County, this service would require the addition of full time Social Service personnel to the Rye Brook Police Department.

The frequency with which the Rye Brook Police Department is called to deal with mental health crisis is small and would not support additional personnel. Perhaps a better idea is the creation of social service response teams to operate throughout Westchester County and aid smaller departments.

Additionally, Crisis Intervention training would aid police officers in more effectively and safely handling mental health calls.

*Police Reform Recommendations: Have the Village Board write to Westchester County requesting that they re-establish an effective regional Mental Health Crisis Team to assist local police agencies. Additionally, the Department should develop an intervention program to be utilized when regional crisis services are needed but unavailable or to follow-up with people to mitigate situations before regional crisis services are needed.*

**Can your community reduce violence more effectively by redeploying resources from policing to other programs?**

*Current Situation:* Violent crime statistics remain low throughout the village. (Cite crime rate for last 10 years). Police resources are currently at a minimal level and the Village is expecting to expand police coverage to meet the needs of a growing population.

*Police Reform Recommendations: Due to the low number of violent crimes in Rye Brook and the minimal resources currently available, the Committee does not recommend redeploying resources from policing to other programs.*



## **What function should 911 call centers play in your community?**

*Current Situation:* Each police department in Westchester County is a 911 Public Safety Answering Point (PSAP) for its jurisdiction. Cellular 911 calls are received by the New York State Police and are routed to the appropriate 911 PSAP, 911 calls are answered by Rye Brook Police Department personnel. Once a call is received at a PSAP, the call taker evaluates the call and sends the appropriate resources (police, fire and/or EMS). Once the responding agencies arrive at the scene of the emergency, if needed additional resources can be requested and sent to the scene.

In Rye Brook, police officers are always dispatched to 911 calls in addition to fire and/or EMS, this is done because calls received over the 911 system are emergencies and even if the police department is not the lead agency, the police are there to provide any assistance that may be needed.

This system has been in place since 1992. Prior to that time, in the event of an emergency, callers would call the police department 7-digit phone number.

*Police Reform Recommendations:* No change in the function of 911 call centers is recommended.

## **Should law enforcement have a presence in schools?**

*Current Situation:* The Rye Brook Police Department currently has one Detective (Youth Officer) who is certified as Juvenile Officer. The Youth Officer is specially trained in laws and procedures of juvenile custody, laws relating to juveniles and applicable case law, juvenile diversion programs, investigative techniques, interview, and interrogation techniques, interviewing the child victim/witness, child abuse investigations, substance abuse, missing persons overview, signs of suicide and current trends in juvenile crime.

The Rye Brook Police Youth Officer has a presence in the schools located in Rye Brook that are part of the Port Chester School District (Port Chester Middle School and Senior High School) and also the Blind Brook School District (elementary, middle and high schools).

The Youth Officer is a resource for school personnel who work along with them when dealing with issues that may have occurred outside of school but have found their way into the school building and also issues that may occur at school.

The Rye Brook Youth Officer often will work with the Port Chester Police Department Youth Officer especially for incidents occurring at the Port Chester Middle School and Senior High School.

*Police Reform Recommendations: The Committee recommends that the Rye Brook Police Officers continue to have an active role in the local schools. The community survey results have demonstrated that the community encourages more interaction with the youth and adults in the community. These positive interactions have the added benefit of understanding the role of the police department and the experiences of the youth. The Committee further recommends that the Rye Brook Police Department get more involved in school activities at both school districts, especially for programs such as career days at the high schools where a more positive perspective can be encouraged about the public safety profession.*

*The Department should also contact each school district to gauge their interest in having the Department designate a School Resource Officer position for their district.*

## **2. Staffing, Budgeting, and Equipping Your Police Department**

**What are the staffing needs of the police department the community wants? Should components of the police department be civilianized?**

*Current Situation:* The Rye Brook Police Department is currently comprised of 27 sworn members. The structure of the Department is 1 Chief of Police, 1 Lieutenant, 1 Detective Sergeant, 2 Detectives, 5 Patrol Sergeants and 17 Police Officers.

Officers staff 3 tours of duty every day and the Detective Division handles criminal investigations. There are two divisions within the Rye Brook Police Department, the uniform patrol section, and the investigative detective section. Except for managing the burglar and fire alarm permits, there are no bureaus or divisions such as licensing or permit issuing authorities that are more commonly found in large police departments.

Burglar and fire alarms are managed by the Police Department Office Assistant who is a civilian.

Police officers respond to calls for service and investigate crimes.

*Police Reform Recommendations:* With recent approved and planned growth in development and population in Rye Brook, there is a need to consider adding a third post (i.e. officer in vehicle) during peak call periods. As a result, subject to budgetary priorities, an increase in staffing for police patrol services is anticipated to increase in the coming years.

*Civilianization of the police department is not recommended at this time due to the confidential information collected from the public, and due to the transient nature of certain positions that are sometimes civilianized such as police dispatch. Such turnover in personnel can result in less knowledge about the community and roadways. The Committee believes that Rye Brook is best served when a Police Sergeant or Police Officer is on this police desk for dispatching purposes.*

*The committee has also identified certain areas of Quality-of-Life enforcement such as noise violations, green waste violations and use of village fields without a permit that have been traditionally enforced by the police but may be better served by amendments to Rye Brook local laws and changes to policies and procedures regarding field use. The committee recommends the Village Board of Trustees examine these areas for possible changes.*

*The Department, subject to budgetary considerations, should consider partnering with Westchester County Department of Public Safety to share in their communications system if such an opportunity becomes available. The current radio system is plagued with dead areas where officers cannot efficiently communicate such as buildings and areas that have weak signals.*

*The Department should also consider funding for additional less lethal weapons and training for dealing with uncooperative or emotionally disturbed individuals.*

### **How should the police engage in crowd control? Should the police be “demilitarized”?**

*Current Situation:* The Rye Brook Police Department supports the ability of citizens to exercise their First Amendment rights of Freedom of Speech and Freedom to Assemble. The Department has always made an effort to contact organizers to stress the importance of peaceful assembly and aid in any way to ensure their rights are protected.

In the event of a disorderly group officers are trained in crowd and disorder control in Recruit Training (Police Academy).

The Westchester County Mutual Aid and Response Plan can be activated in the event of a large-scale protest where there are not enough Rye Brook Officers available to maintain order. This plan is designed to bring additional officers from other jurisdictions to assist.

The Rye Brook Police do not have military style equipment such as armored personnel carriers. If ever needed, this equipment can be made available from neighboring jurisdictions. This type of equipment is not used in law enforcement for offensive use, it is designed for rescue for example, if people are pinned down by snipers.

There has **NEVER** been a need in Rye Brook for such equipment.

*Police Reform Recommendations: The Police Department should seek to utilize the appropriate amount of force necessary to safely address any situation. The Police Department should continue to support the ability of citizens to exercise their First Amendments rights and assume a role that seeks to maintain peaceful assembly and demonstration. The Police Department should consider providing periodic refresher training on crowd and disorder control that they received in the Police Academy.*

## Employing Smart and Effective Policing Standards and Strategies

### **1. Procedural Justice and Community Policing**

#### **“Broken Windows” and “Stop and Frisk”**

*Current Situation:* The Rye Brook Police Department does not utilize a “Stop and Frisk” policy and does not utilize “Broken Windows” policing theory.

*Police Reform Recommendations:* No change is recommended since the Police Department does not utilize a “Stop and Frisk” policy or a “Broken Windows” policy.

#### **Discriminatory or Bias-Based Stops, Searches and Arrests**

*Current Situation:* Discriminatory or Bias-Based Stops, Searches and Arrests are prohibited by Departmental policy.

*Police Reform Recommendations:* No changes to the current prohibitions are recommended.

## **Chokeholds and Other restrictions on Breathing**

*Current Situation:* The use of Chokeholds or any type of hold or technique that obstructs the breathing or blood circulation to a person is prohibited by Department regulations and New York State law. Officers are not permitted to use such holds or techniques and have not been trained in their use.

*Police Reform Recommendations:* No changes are recommended to the current prohibition on chokeholds or actions that restrict breathing. The Police Department should seek to utilize the necessary amount of force to safely address any situation.

## **Use of Force for Punitive or Retaliatory Reasons**

*Current Situation:* Use of Force is only permitted when, in performance of their duty, officers must effect the lawful arrest of a person resisting or attempting to escape from custody, in self-defense or in the defense of another person or to prevent a person from injuring themselves or others. Once compliance is achieved, the escalation of use of force ceases. Use of force is not permitted for punitive or retaliatory reasons.

The Use of Force policy is also on the Village web site so that the public is aware of these parameters.

*Police Reform Recommendations:* No change is recommended in the current policy on the use of force which should continue to be made available on the Village web site. The Police Department should seek to utilize the necessary amount of force to safely address any situation.

## **Pretextual Stops**

*Current Situation:* Pretextual stops for the purpose of racial profiling and harassment are not permitted but stops that are made that result in arrest or further investigation are well documented.

*Police Reform Recommendations:* No changes are recommended.

## **Informal Quotas for Summonses, Tickets or Arrests**

*Current Situation:* Quotas are prohibited by New York State law and the Rye Brook Police Department does not utilize a quota system for summonses, tickets or arrests.

*Police Reform Recommendations:* Since quotas are already prohibited, no changes are recommended.

## **Shooting at Moving Vehicles and High-Speed Pursuits**

*Current Situation:* Officers are prohibited from discharging a firearm from or at a moving vehicle unless the occupants of the vehicle are using deadly physical force against the officer or a third party.

It is the policy of the Rye Brook Police Department to ensure that the primary concern in all pursuit and emergency response situations is for the personal safety of the officers, the public, general population and the safety of occupants of pursued vehicles.

Officers will only engage in a vehicle pursuit under a strict set of guidelines meeting a very narrow criterion.

Any officer involved in a high-speed vehicle pursuit will be required to provide factual evidence that a serious crime has been committed and the pursued driver was capable of and did in fact demonstrate a willingness to seriously endanger the lives of others in an effort to flee.

See Appendix D for Pursuit and Emergency Response policy.

*Police Reform Recommendations: The Committee finds that the current procedures and restrictions are appropriate, so no changes are recommended.*

### **Use of SWAT Teams and No-Knock Warrants**

*Current Situation:* SWAT (Tactical) Teams staffed by neighboring police departments are available to the Rye Brook Police Department in the event a situation is taking place that is high risk to the officers or the rescue of innocent civilians is needed. The procedure for requesting a Tactical Team is made under the Westchester County Mutual Aid and Rapid Response Plan.

Tactical team members receive extensive training in special weapons and equipment and all Tactical Teams in Westchester County must receive New York State Tactical Team Accreditation to be part of the Westchester County Mutual Aid and Rapid Response Plan.

No-Knock endorsement for search warrants can only be granted by a judge after the officer who is applying for the search warrant can justify to the judge that without the No-Knock endorsement the lives of the officers executing the warrant or innocent bystanders will be put in danger without the No-Knock endorsement.

*Police Reform Recommendations: The Committee finds that the current procedures for requests for SWAT Teams and No-Knock Warrants are appropriate, but training should be considered for the Department so better control a scene if tactical resources are ever requested.*



## **Less-Than-Lethal Weaponry such as Tasers and Pepper Spray**

*Current Situation:* Less-than-Lethal technology and tools can provide officers with a use of force option that reduces the possibility of injury to the suspect and officer. Rye Brook Police Department trains its officers in the Axon brand X26P Taser Conducted Electrical Weapon and OC (pepper) Spray. See Appendix D for the Department Conductive Energy Weapon and OC Spray policies.

*Police Reform Recommendations:* The Committee is satisfied that the use of Less-than-Lethal weaponry such as tasers and pepper spray can be a useful alternative to more forceful options, but consideration should also be given to equip the Department with non-lethal extended range weapons. The Committee encourages continued training on these options and emphasis on training to use the necessary amount of force to resolve a situation for the safety of the officer, the suspect, and the public.

## **Facial Recognition Technology**

*Current Situation:* Facial recognition technology is available to the Rye Brook Police Department through the Westchester County Police Real Time Crime Center and also the Westchester County District Attorney's Office Intelligence Center. This technology is never used as the sole means of identification, but as a tool to develop leads during an investigation.

*Police Reform Recommendations:* The Committee encourages the use of facial recognition technology as a tool in assisting investigations.

## **2. Law Enforcement Strategies to Reduce Racial Disparities and Build Trust**

### **Using Summonses Rather than Warrantless Arrests for Specified Offenses**

*Current Situation:* Even though the Police Department effects less than 100 custodial arrests annually, if the situation would benefit from issuing a summons rather than making a custodial

arrest, then a summons will be issued. This is done on a case-by-case basis rather than having the offense dictate whether a summons be issued.

*Police Reform Recommendations: The Committee encourages the use of issuing summonses rather than an arrest on a case-by-case basis if the situation would benefit from this procedure.*

### **Diversion Programs, Restorative Justice Programs, Community-Based Outreach and Violence Interruption Programs, Hot-Spot Policing and Focused Deterrence**

*Current Situation:* As a small, suburban police department in a mostly residential community with a low crime rate that annually has less than 100 custodial arrests, the need for these programs is rarely encountered. If needed, officers would seek out the services of Westchester County for diversion and outreach programs.

Whenever there is a spree of crime such as car larcenies or burglaries, the Department will assign officers to extra patrol during the time periods that the crimes are occurring and provide information to the public about these incidents. The goal is to (1) catch the offenders and/or (2) deter further occurrences.

*Police Reform Recommendations: The Committee recognizes that the number of custodial arrests in Rye Brook is minimal, and that the department will reach out to Westchester County should diversion or similar outreach programs be needed.*

*The Committee also recommends that the Police Department participate in any community diversity, equity, and inclusion initiatives in the community and/or schools.*

### **De-Escalation Strategies**

*Current Situation:* All Rye Brook Police personnel are trained in de-escalation techniques to reduce the intensity of an encounter with a suspect and equip officers with options for gaining

voluntary compliance or mitigate the need to use a higher level of force while still maintaining control of the situation. Officers are trained in de-escalation strategies during recruit training (Police Academy) and receive refresher in-service training.

*Police Reform Recommendations: The Committee believes that using de-escalation strategies is one of the most useful techniques that can be utilized by officers. The Committee recommends that the Police Department explore options for additional training opportunities such as Reality Based Training on a more frequent basis.*

### **Can Your Community Effectively Identify, Investigate and Prosecute Hate Crimes?**

Current Situation: Hate crimes are serious offenses and are sensitive investigations. If a hate crime occurs within the village the circumstances will be evaluated and investigators from the Westchester County Police and New York State Police Hate Crimes units will be consulted. There have been 0 hate crimes reported in Rye Brook during the past 10 years.

*Police Reform Recommendations: The Committee has no tolerance for hate crimes and recommends that in addition to reaching out to the Westchester County Police and New York State Police Hate Crimes units, the Village also provide prompt information to the public, along with a strong policy statement that these crimes will not be tolerated and will be prosecuted and solicit the reporting of any leads from the public to assist in the investigation.*

### **3. Community Engagement**

#### **Community outreach plans**

*Current Situation:* The Police Department has made a consistent effort to participate in community outreach opportunities. For example, the Department and officers have sponsored multiple “Coffee with a Cop” events, held educational exhibits at Rye Brook’s annual Birthday celebration, sponsored community events such as “Ice Cream Fridays”, performed infant/child

car seat installation training, participated in the Blind Brook Community Coalition, and participated in the babysitting training program with other departments.

The Police Department has also engaged in community outreach efforts by utilizing social media such as Facebook, Twitter, and Instagram to help promote public safety activities in Rye Brook.

*Police Reform Recommendations: The Committee's police reform survey results suggest that the community would like to see even more outreach opportunities for officers to interact in positive ways with the public which would improve the relationship between the department and community even more. The survey results also indicated that most members of the public are not aware that the department is a NYS accredited agency and what that means.*

*The Committee therefore recommends that the Mayor, Village Administrator, Police Chief and PBA President create a written community outreach plan that seeks to create more awareness of the department and its officers in an interactive format.*

*The Committee also recommends that a periodic community survey on police, and perhaps other municipal operations, be administered no more than every three (3) years.*

*The police reform survey found that while most interactions with officers has been very positive, other comments were made that some officers could be more friendly and engaging. The Committee recommends that all officers be encouraged to actively interact and engage with the public on "blue sky days", when not responding to a call.*

*Programs such as ride along programs and "First Contact" programs should be considered to give the public a better understanding of the Police Department and to also help new residents get acquainted with the Village.*

## **Citizen advisory boards and committees**

*Current Situation:* The Rye Brook Board of Trustees also sit as a Board of Police Commissioners and sets policy for the Rye Brook Police Department. Additionally, the Village has established a Traffic Commission which reviews traffic issues that occur within the village that are brought up by residents. The purpose of the Traffic Commission is to study and research any traffic issues and make recommendations to the Village Board of Trustees.

*Police Reform Recommendations:* Although the police reform survey results seem to encourage having a citizen advisory board, the Committee is comfortable maintaining having the Rye Brook Board of Trustees also sit as a Board of Police Commissioners. Unlike most municipalities in the region, the Rye Brook Village Board members are non-partisan and serve without any compensation. They also have easy access to legal services as needed.

*The Committee recommends for any community outreach plan that is developed (see the previous page) to include ways for the Police Department to interact with the community in a positive way.*

## **Partnership with community organizations and faith communities**

*Current Situation:* Members of the Rye Brook Police Department belong to different community organizations such as the Blind Brook Community Coalition, Port Chester-Rye Brook-Rye Town Chamber of Commerce, the Port Chester School District Re-entry Task Force and Port Chester-Rye NAACP.

*Police Reform Recommendations:* The Committee encourages the Police Department's participation on these local organizations and supports their involvement in any other similar groups or agencies as time allows.

## **Partnering with students and schools**

*Current Situation:* As written above, members of the Rye Brook Police Department work closely with the schools as part of the Blind Brook Community Coalition and teaching DARE in the elementary and middle school of the Blind Brook School District. Additionally, the Department's Youth Officer works in the Blind Brook and Port Chester Schools addressing issues that occur on or off school grounds that find their way into the school building.

*Police Reform Recommendations:* The Committee recommends that the Police Department seek additional opportunities to engage with student leaders in both school districts (i.e. student government leaders) to seek ways that the officers can further build relationships and better understand the role of the police in the community.

*The Committee also recommends that the officers meet with guidance advisors and high school students who may be interested in law enforcement as a career (i.e. career days).*

## **Police-community reconciliation, Attention to Marginalized Communities, Involving youth in discussions on the role of law enforcement agencies.**

*Current Situation:* As issues come up the Rye Brook Police Department will work with the community to find the best solution to solve the problem.

*Police Reform Recommendations:* As stated above, the Committee recommends that the Police Department seek additional opportunities to engage with student leaders in both school districts (i.e. student government leaders) to seek ways that the officers can further build relationships and better understand the role of the police in the community.

## Fostering Community-Oriented Leadership, Culture and Accountability

### **1. Leadership and Culture**

**Is your leadership selection process designed to produce the police-community relationship you want?**

*Current Situation:* The hiring and leadership selection process is determined by New York State Civil Service laws. Candidates for entry level positions and also promotion must pass a civil service exam that ranks each person who passed the test. Only the top three candidates are eligible for consideration which limits any diversity that the Department may want to include in the composition of the Department or make up of the leadership team.

*Police Reform Committee Recommendations:* Request the Village Board to write to New York State Government requesting changes to New York State Civil Service Laws that would encourage more diversity in the hiring and promotion process. For example, the ability to switch between local and county civil service eligible list to be able to reach minority candidates for hire.

**Does your officer evaluation structure help advance your policing goals?**

*Current Situation:* The officer performance evaluation system was negotiated with the Police Bargaining unit. Performance evaluations are conducted by the officer's first line supervisor and provide feedback to the officers in areas in need of improvement and areas where the officers perform well.

*Police Reform Committee Recommendations:* No recommendation since performance evaluations are already performed.

**What incentives does your department offer an officer to advance policing goals?**

*Current Situation:* There currently is no incentive plan in place to advance policing goals.

*Police Reform Committee Recommendation: Prioritizing the DCJS Instructor Development school to as an incentive for officers to be trained as instructors to better serve the community and the Department*

**Does your hiring and promotion process help build an effective and diverse leadership team?**

*Current Situation:* Hiring and promotions are made in accordance with New York State Civil Service law.

*Police Reform Committee Recommendations: See above Police Reform Committee recommendation for leadership selection.*

**What is your strategy to ensure that your department's cultural-norms and informal processes reflect your formal rules and policies?**

*Current Situation:* Review of police policies and incidents to confirm that policies are followed continue occurs on a regular basis.

*Police Reform Committee Recommendation: The police department should consider establishing "Peer Review" and "After Action Review" programs to review incidents (routine and out of the ordinary events) to provide an opportunity for shared learning, to confirm that Department policies are being followed, and to provide training in situations where it is found that Department policy is not being adhered to.*

**2. Tracking and Reviewing Use of Force and Identifying Misconduct:**

**When should officers be required to report use of force to their supervisor?**

*Current Situation:* All Rye Brook Police personnel are required to notify their supervisor immediately following any use of force incident. Any use of force by a member of the Department must promptly document the use of force in an appropriate report.



*Police Reform Committee Recommendation: No changes to this initial reporting procedure is recommended (see below for internal review procedure).*

### **What internal review is required after a use of force?**

*Current Situation:* Whenever a use of force incident occurs, a supervisor ensures that a “Use of Force Report” is completed by the officer(s) involved and makes a record of all officers who are present.

The Lieutenant receives the Use of Force Report and conducts an investigation

- a. The Lieutenant ensures that a thorough investigation was conducted and that all reports were prepared and submitted.
- b. The Lieutenant will prepare his own report, including any comments he may have regarding the incident, and how it was handled.
- c. The Lieutenant’s report, a memo prepared by the sergeant on duty reporting the incident to the lieutenant, the Use of Force Report, and a copy of the incident report shall be forwarded to the Chief of Police through the Chain of Command without delay.
- d. If evidence exists of misconduct, an Internal Affairs investigation is commenced. (see appendix for Internal Affairs procedure).

*Police Reform Committee Recommendation: No change is recommended since the current Department Use of Force and Misconduct policies are comprehensive and already meet New York State law and DCJS Accreditation standards.*

**Does your department review officers' use of force and/or misconduct during performance reviews?**

*Current Situation:* All use of force reports incidents are reviewed annually by the Lieutenant.

*Police Reform Committee Recommendation:* No change is recommended since the current Department Use of Force and Misconduct policies are thorough and already meet New York State law and DCJS Accreditation standards.

**Does your department use external, independent reviewers to examine uses of force or misconduct?**

*Current Situation:* The Lieutenant is responsible for investigation allegations of misconduct and incidents where force has been used. The Lieutenant's report and findings of any investigation is forwarded to the Chief of Police without delay.

*Police Reform Committee Recommendation:* No change is recommended since the current Department Use of Force and Misconduct policies already meet New York State law and Accreditation standards.

**Does your department leverage Early Intervention Systems (EIS) to prevent problematic behavior?**

*Current Situation:* No, being a small department with 27 police officers, having an electronic system that tracks the small number of complaints that are received would not benefit the Department. In addition to being responsible for reviewing use of force incidents and investigating complaints of misconduct, the Lieutenant monitors officer sick time, personal time off and vacation time. If the Lieutenant identifies questionable behavior or potential misuse of time off, he addresses the issue with the officer directly.

*Police Reform Committee Recommendation: An electronic Early Intervention System (EIS) is not warranted in a small police department and may be more suited to large police departments.*

**Does your department review “sentinel” or “near-miss” events? Does the department respond to questionable uses of force with non-punitive measures designed to improve officer performance?**

*Current Situation: All use of force incidents are reviewed, and if necessary, counseling or training may be an appropriate measure to improve officer performance depending on the type and amount of force that was used.*

*Police Reform Committee Recommendation: The police department should consider establishing “Peer Review” and “After Action Review” programs to review “sentinel” or “near miss” incidents to provide an opportunity for shared learning, to confirm that Department policies are being followed and to provide training in situations where it is found that Department policy is not being adhered to.*

### **3. Internal Accountability for Misconduct**

**What does your department expect of officers who know of misconduct by another officer?**

*Current Situation: The Department has a strict code of conduct and officers are required to immediately report to their supervisor’s violations of the Rules and Regulations of the Department which they have personal knowledge.*

*Police Reform Committee Recommendation: No change is recommended since the current Department Code of Conduct, Use of Force and Internal Investigation policies are comprehensive and meet New York State DCJS Accreditation standards which require officers to report incidents of misconduct.*

**Does your department have a clear and transparent process for investigating reports of misconduct?**

*Current Situation:* Any complaints against the Department or its members are investigated under the guidelines outlined in Department policy. See appendix for further information.

*Police Reform Committee Recommendation:* The current Department Internal Investigation policy is comprehensive and meets New York State DCJS Accreditation standards. The committee recommends that the procedure the public should use to report misconduct should be posted on the Village web site and the police department Social Media accounts. The Department complaint form should be available for public download on the Village web site so it can be fill out and returned to the Department electronically and blank copies of the form should be made available in the police department lobby.

**Does your department respond to officer misconduct with appropriate disciplinary measures?**

*Current Situation:* Disciplinary measures for violations of Department rules are set out in accordance with established law (Westchester County Police Act and New York State Civil Service Laws) and Department policy. The Rye Brook Board of Police Commissioners serve as hearing officers if a hearing is required to adjudicate the charges.

If probable cause exists that a violation of law has been committed, then the case will be turned over to the District Attorney's Office.

*Police Reform Committee Recommendation:* No change is recommended since the Department follows established laws and procedures.

**Does your department expect leaders and officers to uphold the department's values and culture when off-duty?**

*Current Situation:* Yes, the Department manual requires officers to follow the Department rules of conduct on and off duty.

*Police Reform Committee Recommendation:* No change is recommended, Department expectations of officer conduct on and off-duty is clear and unambiguous.

**4. Citizen Oversight and Other External Accountability**

**Does or should your department have some form of civilian oversight over misconduct investigations or policy reform?**

*Current Situation:* The Department does not have civilian oversight over misconduct investigations or policy reform. However, the Village Board serves as the Board of Police Commissioners. These members of the community are non-partisan and serve without compensations and can review any disciplinary charges brought against officers. The Chief of Police is also directly responsible to the Village Board.

*Police Reform Committee Recommendation:* No change is recommended since the elected officials are non-partisan and volunteer and should remain as the body that oversees the Department.

**Is there an easy, accessible, and well-publicized process for members of the public to report complaints about police misconduct?**

*Current Situation:* Anyone wishing to report a complaint about police misconduct can come to the police department and make a report to a supervisor in person. Or an advocate can make a complaint on a person's behalf or a complaint can be made anonymously.

*Police Reform Committee Recommendation: Provide a means for the public to make misconduct complaints online, email or by telephone and have clear communications with the public so it is not difficult to report incidents of police officer misconduct. This information should be made readily available on the Village web site and include contact information for the Police Chief and/or Police Lieutenant.*

**Are investigation outcomes reported to the complainant? Are they reported to the public? Should the department or the citizen complain review entity, if any, accept anonymous complaints?**

*Current Situation:* Upon the completion of an Internal Affairs investigation, the result of the investigation is provided to the complainant. The degree of specificity of the complainant's notice is left to the discretion of the Chief of Police. Notification to the complainant need not be in writing. The determination is not issued publicly.

*Police Reform Committee Recommendation: No change is recommended.*

**Does your local legislature engage in formal oversight of the police department? Should any changes be made in the legislature's oversight powers or responsibilities?**

*Current Situation:* The Rye Brook Village Board of Trustees also serve as the Board of Police Commissioners.

*Police Reform Committee Recommendation: No change is recommended since the Board of Police Commissioners oversight authority is defined by New York State law.*

**Is your police department accredited by any external entity?**

*Current Situation:* Yes, the Rye Brook Police Department is accredited by the New York State Division of Criminal Justice Services.

*Police Reform Committee Recommendation: No change is recommended, and the Committee wishes to commend the department for taking these steps.*

**Does your police department do an annual community survey to track level of trust?**

*Current Situation:* No, the community is not surveyed to measure their level of trust.

*Police Reform Committee Recommendation: Consider conducting a community survey no more than every three years to get public input to help define Department annual goals and objectives and to gauge the public's level of trust and satisfaction.*

**5. Data, Technology and Transparency**

**What police incident and complaint data should be collected? What data should be available to the public?**

*Current Situation:* The Department publishes the number of Use of Force incidents annually in the Department Annual Report which is available for the public to view on the Village web site. Once the New York State Police Statistics and Transparency act is enacted the courts will be required to publish racial and other demographic data for low-level offenses. Additionally, police reports can be obtained by the public through FOIL requests.

*Police Reform Committee Recommendation: Data on arrests and tickets are collected by the court and is reported to New York State as required by law. Documentation of Field Interviews and police/citizen encounters by the police officers include people's names and addresses. All stops are documented on video by the officer's Body Worn Camera.*

**How should your law enforcement agency leverage data to drive policing strategies?**

*Current Situation:* Information on crime sprees, i.e., car larcenies or burglaries are utilized when determining if extra patrol is required in order to catch the offenders. Date, time, and location of incidents are considered when making decisions on how to deploy resources.

*Police Reform Committee Recommendation: No change is recommended.*

**How can your police department demonstrate a commitment to transparency in its interactions with the public?**

*Current Situation:* Officers are required to wear their badge and nametags on the outermost garment of their uniform so they can be easily identified.

*Police Reform Committee Recommendation: Create a central email account that the public can use to communicate with the Department. The availability of annual reports on the web site can also be made more prominent by social media.*

**How can your police department make its policies and procedures more transparent?**

*Current Situation:* The Department has written policies that are all posted on the village web site that address Body Worn Cameras, Identification Procedures, Investigation of Hate Crimes, Recording of Custodial Interrogations and Use of Force. All of these policies are based on the Municipal Police Training Council model policy for each topic.

All Department policies are reviewed as required by New York State Accreditation Standards.

*Police Reform Committee Recommendation: No change is recommended.*

**How can your police department ensure adequate transparency in its use of automated systems and “high-risk” technologies?**

*Current Situation:* All police records including automated systems and “high-risk” technologies are subject to FOIL.



**Should your police department leverage video cameras to ensure law enforcement accountability and increase transparency?**

*Current Situation:* Mobile video camera systems are installed in marked police vehicles and patrol officers are required to use Body Worn Cameras. Sergeants are not required to wear Body Worn Cameras and the Supervisors vehicle is not equipped with a video camera.

*Police Reform Committee Recommendation:* Require all officers including supervisors to wear Body Worn Cameras when interacting with the public.

## Recruiting and Supporting Excellent Personnel

### **1. Recruiting a Diverse Workforce**

**Does your agency reflect the diversity of the community it serves?**

*Current Situation:* According to the US Census Bureau, the estimated population of the Village of Rye Brook as of April 1, 2010 (last published census report) is 9,347.<sup>1</sup> The Race and Hispanic origin of the village's population compared to the Department can be found on the chart on the next page.

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<sup>1</sup> <https://www.census.gov/quickfacts/fact/table/ryebrookvillagenewyork,NY/RHI225219>

Race or Hispanic Origin <sup>2</sup> .	Village of Rye Brook	Rye Brook Police
White alone, percent	87.1%	81.48%
Black or African American alone, percent	1.5%	7.4%
American Indian and Alaska Native alone, percent	0.1%	0%
Asian alone, percent	6.3%	3.7%
Two or more Races, percent	1.7%	0%
Hispanic or Latino, percent	15.7%	7.4%

The demographics of the police department closely represents the diversity of the community.

The Department strives to hire the most qualified candidates, but as previously written, New York State Civil Service laws dictate which candidates are eligible to be hired based on written and physical test scores.

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<sup>2</sup> **White.** A person having origins in any of the original peoples of Europe, the Middle East, or North Africa. It includes people who indicate their race as "White" or report entries such as Irish, German, Italian, Lebanese, Arab, Moroccan, or Caucasian.

**Black or African American.** A person having origins in any of the Black racial groups of Africa. It includes people who indicate their race as "Black or African American," or report entries such as African American, Kenyan, Nigerian, or Haitian.

**American Indian and Alaska Native.** A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment. This category includes people who indicate their race as "American Indian or Alaska Native" or report entries such as Navajo, Blackfeet, Inupiat, Yup'ik, or Central American Indian groups or South American Indian groups.

**Asian.** A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam. This includes people who reported detailed Asian responses such as: "Asian Indian," "Chinese," "Filipino," "Korean," "Japanese," "Vietnamese," and "Other Asian" or provide other detailed Asian responses.

**Native Hawaiian and Other Pacific Islander.** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands. It includes people who reported their race as "Fijian," "Guamanian or Chamorro," "Marshallese," "Native Hawaiian," "Samoan," "Tongan," and "Other Pacific Islander" or provide other detailed Pacific Islander responses.

**Two or more races.** People may choose to provide two or more races either by checking two or more race response check boxes, by providing multiple responses, or by some combination of check boxes and other responses. For data product purposes, "Two or More Races" refers to combinations of two or more of the following race categories: "White," "Black or African American," American Indian or Alaska Native," "Asian," Native Hawaiian or Other Pacific Islander," or "Some Other Race."

The Department can hire police officers from other police departments, but Civil Service laws have strict rules as to the minimum qualifications for police officers from other police departments. The Rye Brook Police Department does not actively recruit police officers from other police departments.

*Police Reform Committee Recommendations: Request the Village Board to write to New York State Government requesting changes to New York State Civil Service Laws that would encourage more diversity and flexibility in the hiring process.*

**What are ways in which your agency recruits diverse candidates that better represent the demographics of the communities you serve?**

*Current Situation:* The Department hiring process is regulated by New York State Civil Service law. The Department strives to find the best candidates from the pool of applicants that is required to canvass.

*Police Reform Committee Recommendations: Request the Village Board to write to New York State Government requesting changes to New York State Civil Service Laws that would encourage more diversity and flexibility in the hiring process.*

**What are ways in which you can re-evaluate hiring practices and testing to remove barriers in hiring underrepresented communities?**

*Current Situation:* Until New York Civil Service laws are reviewed, this is an area that is out of the control of the Rye Brook Police Department.

*Police Reform Committee Recommendations: Request the Village Board to write to New York State Government requesting changes to New York State Civil Service Laws that would encourage more diversity and flexibility in the hiring process.*

**How can you encourage youth in your community to pursue careers in law enforcement?**

*Current Situation:* The Department hires on average one police officer per year.

*Police Reform Committee Recommendation:* Whenever an entry level police exam is announced to actively promote the exam and consider holding a “career day” to promote the police profession to generate interest.

**What actions can your agency take to foster the continued development and retention of diverse officers?**

*Current Situation:* The Department has a very low turnover rate, officers who leave the Department do so after they are eligible to retire. There has only been one officer since 2006 who left Rye Brook Police for another Department. Employee development and retention for diverse officers is not a problem in the Rye Brook PD.

*Police Reform Committee Recommendation:* No recommendations as the development and retention of all officers already exist.

**2. Training and Continuing Education**

**How can you develop officer training programs that reflect your community values and build trust between police officers and the communities they serve?**

*Current Situation:* Officers who are certified instructors in the Department continuously research and monitor current positive and negative events from around the country that involve police officers that may have resulted from a lack of training or innovative training that produced a positive outcome.

Our instructors then find training programs that they can bring to the department to enhance the skill set of the police officer in the Rye Brook Police Department.

Recent topics include Defensive Tactics, Taser, Procedural Justice, Firearms, Narcan administration, Tactical First Aid for Law Enforcement.

*Police Reform Committee Recommendation: It is recommended for the Department to consider alternative methods of training such as Reality Based training where officers receive training across multiple disciplines, i.e. Training Firearms and Defensive Tactics together using scenarios and examples from incidents that have occurred and applying what occurred during those incidents in a training environment.*

**What training policies can you adopt to ensure that police officers continuously receive high-quality, relevant in-service training sessions?**

*Current Situation:* Officers are currently offered 40 – 50 hours per year of in-service training. In addition, officers currently receive \$1,900.00 annually toward Professional Development training that is approved by the Chief of Police.

*Police Reform Committee Recommendation: No change is recommended.*

**How can leadership training improve community policing and strengthen relationships between your police department and members of the public?**

*Current Situation:* The Police Chief and Lieutenant both have attended the FBI National Academy which is a 10-week leadership program sponsored by the FBI at the FBI Academy in Quantico, VA. Whenever leadership training is announced locally, if scheduling permits, sergeants who are the first line supervisors are registered to attend.

*Police Reform Committee Recommendation: No change is recommended.*

**How can your police department use its training programs to avoid incidents involving unnecessary use of lethal or nonlethal force?**

*Current Situation:* Continual review of Use of Force incidents that show a need for training are always considered.

*Police Reform Committee Recommendation:* The Committee supports the current procedure of officers using the amount of force necessary to resolve a situation for the safety of the officer, the suspect, and the public. The Committee believes that using de-escalation strategies is one of the most useful techniques that can be utilized by officers and recommends that the Police Department explore options for additional training opportunities so that this training can be provided on an annual or every-other-year basis.

**How can your police department use its training programs to avoid potential bias incidents and build stronger connections with communities of color and vulnerable populations?**

*Current Situation:* The Department provides Bias training to the officers.

*Police Reform Committee Recommendation:* Continue to offer training so officers are aware and recognize bias to help prevent incidents.

**How can your training program help officers effectively and safely respond to individuals experiencing mental health crises or struggling with substance abuse?**

*Current Situation:* As mental health crisis intervention training becomes available officers will be registered to attend. Offering the 40-hour Crisis Intervention Training (CIT) to recruit police officer while in the police academy has been advocated by the New York State Association of Chiefs of Police to give rookie police officers the tools early on in their careers to safely respond to individuals experiencing a mental health crisis or substance abuse. Unfortunately, the Crisis

Team Intervention program provides believes that officers must have at least 3 years experience before they are eligible for this training.

*Police Reform Committee Recommendation: No change is recommended.*

**What practices and procedures can you put in place to measure the quality and efficacy of your police department's training programs?**

*Current Situation:* Reviewing call type and the outcome of those calls, body camera video and monitoring complaints is a way to measure the quality of the training of the officers and to evaluate the need for additional or revised training.

*Police Reform Committee Recommendation: No change is recommended.*

**3. Support Officer Wellness and Well-being**

**What steps can you take to promote wellness and well-being within your department, are there ways to address officer wellness and well-being through smarter scheduling?**

*Current Situation:* The Department schedule is broken into two platoons, one platoon of officers who work only overnight shifts and a second platoon of officers who alternate between day and evening shifts. Having a steady schedule helps to contribute to the officer's health more than rotating to a different shift each week.

Also, officers can submit for reimbursement of their dues that are paid for the officer's health club membership, but other than reimbursement there is no incentive for officers to exercise which is proven to contribute to good mental health.

*Police Reform Committee Recommendation: The village should consider creating an incentive program such as the Mayor's Challenge to promote exercise and good health.*

**How can you effectively and proactively address the mental health challenges experienced by many police officers throughout their careers?**

*Current Situation:* The Department does not have a proactive method of recognizing officers who are experiencing mental health challenges.

*Police Reform Committee Recommendation:* The Department should consider providing training for supervisors to recognize early warning signs of mental health problems and/or suicidal behavior including training on how to effectively intervene with at-risk personnel.

**How can you address the well-being of an officer after a traumatic event?**

*Current Situation:* Westchester County Employee Assistance program is available to an officer after a traumatic event.

*Police Reform Committee Recommendation:* Encourage supervisors and officers to monitor officers involved in a potentially traumatic event for changes in demeanor and behavior so meaningful intervention can be provided.



## Appendices

**Appendix A: Summary of Police Reform Survey Responses**

**Appendix B: Police Reform Collaborative Committee Meeting Timeline and Presentations**

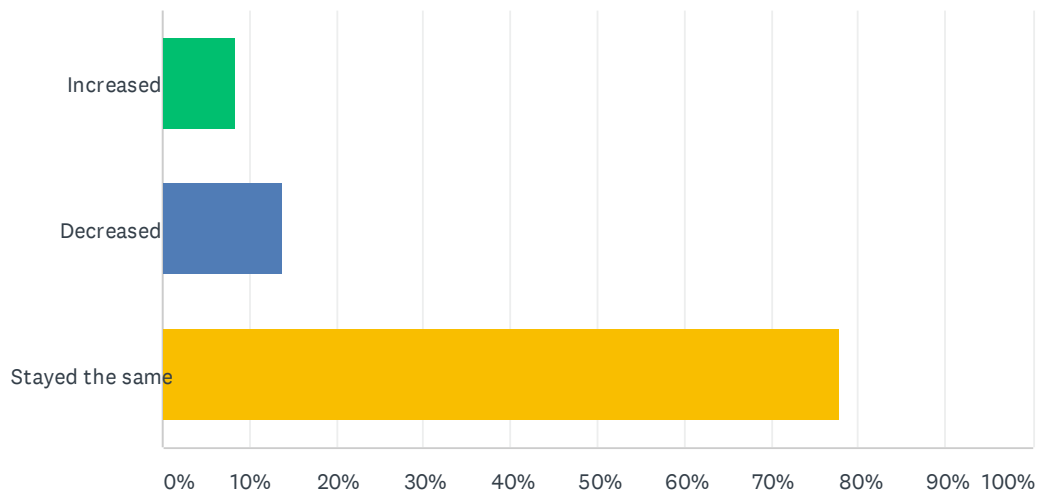
**Appendix C: List of Police Reform Resources**

**Appendix D: Referenced Rye Brook Police Department Procedures (full Procedure manual available at [www.ryebrook.org](http://www.ryebrook.org))**

Appendix A: Summary of Police Reform Survey Responses

# Q1 Over the past 12 months, have your feelings of safety in Rye Brook increased, decreased, or stayed the same?

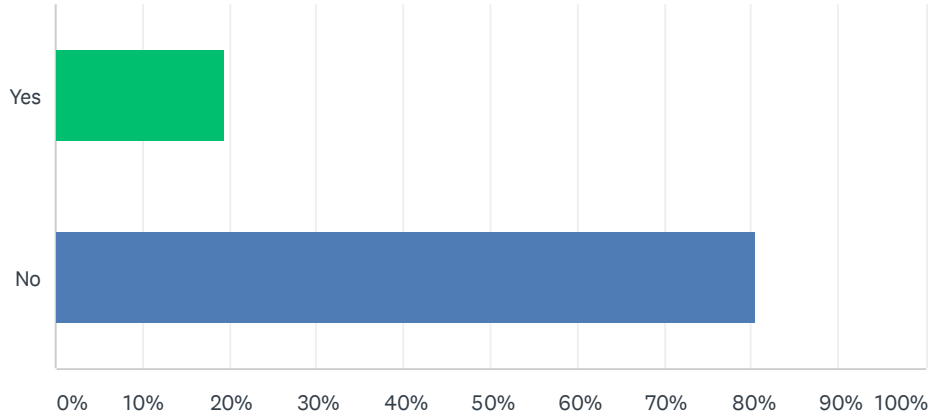
Answered: 679 Skipped: 5



ANSWER CHOICES	RESPONSES	
Increased	8.39%	57
Decreased	13.84%	94
Stayed the same	77.76%	528
TOTAL		679

Q2 Are you aware that the Rye Brook Police Department is 1 of only 157 "NYS Accredited" police agencies which requires written rules and regulations, training, and upholding specific standards that must be maintained by the department? (note: approx. 31% of the 514 police agencies are NYS accredited - <https://www.criminaljustice.ny.gov/ops/accred/index.htm> )

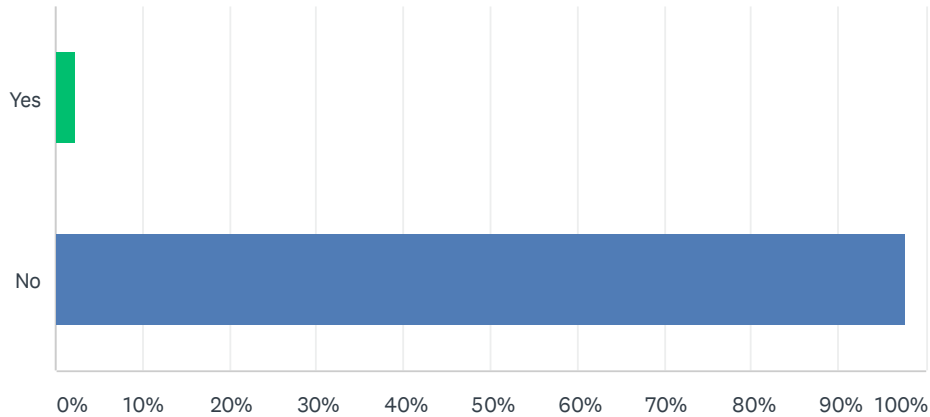
Answered: 681 Skipped: 3



ANSWER CHOICES	RESPONSES	
Yes	19.53%	133
No	80.47%	548
Total Respondents: 681		

Q3 In the past five years, have you ever personally experienced or witnessed a Rye Brook police officer discriminating or profiling on the basis of race, color, religion, gender identity, sexual orientation or national origin?

Answered: 680 Skipped: 4



ANSWER CHOICES	RESPONSES	
Yes	2.35%	16
No	97.65%	664
TOTAL		680

## Rye Brook Police Reform Survey

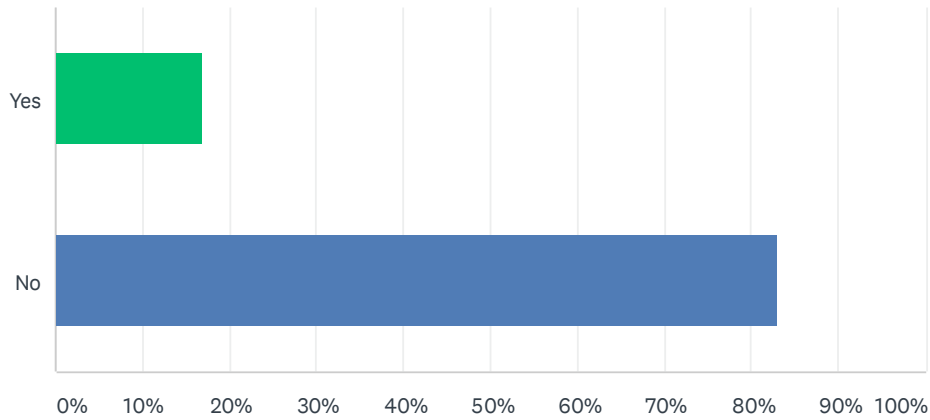
#	IF YES, CAN YOU PLEASE DESCRIBE THE EXPERIENCE?	DATE
1	I've seen multiple police vehicles in a traffic stop of a person of color	11/18/2020 8:03 PM
2	On April 8, 2019 I called RBPB after my husband injured wrist of our 9 years old son, and pushed him down the stairs. When 2 officers, [REDACTED] and [REDACTED] arrived, they interviewed my husband who is a White American (who was outside of the house), and interviewed me (I am a first generation immigrant with a strong accent). After 10 min the officer immediately took my husband's side, and without my consent started lecturing my 9 years old son that a father allowed "to discipline him". Me and my two 9 years old children were shaking, and I am still appaled and disgusted by that discriminative act of RBPB. My son was physically hurt by his father, and RBPB officer gave my son a "lesson" that you can't trust police. By the way, next day Westchester family court judge issued order of protection against my husband, since my husband was investigated by social services second time (after report from school that my other son was hurt), and he threatened me with knives and broke a door to the children's bedroom. I was very dissapointed and shocked by the way RBPB discriminated me and my children based on my National Origin in favor of White American man without accent who was lying. Apparently it took them 10 min of interview to take a White American guy side. RBPB also had no business lecturing my 9 year old son after he was traumatized and hurt. After RBPB left, my son asked me why police though he was lying. How can a child trust PD if they failed to protect him and basically validated and approved violent behavior of their father? It was clear the story would be different if I had no accent.	11/18/2020 3:37 PM
3	I feel attitudes to homeowners on the "other" side of RB by some not all is not appropriate, especially when help is needed. (elderly mother)	11/18/2020 1:33 PM
4	I am a Latina homeowner. My next-door neighbor knows it, but does not know me or my husband personally. In 2015 he opened an old fence gate, entered my yard, and talked to yard workers assuming one of them was my husband. My husband is not Latino. Because no one talked to him, he marched to the police station and filed a police report with a silly story about us disrespecting him and about us flooding his house. This happened a day when I was very sick in bed and my husband took out my son with a disability so I could get rest. A policeman rang our doorbell. I had to get up. He talked about a "situation" with the neighbor and implied that we had argued with him. I did not know what he was talking about. I thought it was frightening. We never contacted the police to clarify anything because of our work schedules, but our neighbor continued the harassment. Emboldened he contacted the town about many other frivolous things. We found rat poison packets ( I have photos) in our yard. A while later his wife sends a dog to poop on our yard daily and that time I took photos that I brought to the police station. I did not want to talk to them because I was frightened. The policeman at the station told me to go take care of that myself. I definitely felt that my caucasian neighbors are treated with more consideration than me. I have other incidents that I am not including in this narrative.	11/18/2020 1:19 PM
5	I don't think it was based on color, but I have been stopped because of recent car larcenies. I am black, but it makes me wonder if the officers who stopped me would have questioned someone white. In the end, I have enough faith and trust in the village to select "No" to the answer.	11/13/2020 3:25 PM
6	I witnessed an unpleasant incident a few years ago where a Rye Brook police officer at Garibaldi park took out beer bottles from a cooler some Latinos had and started smashing them on the sidewalk. It just seemed very unprofessional and I'm not quite sure that's correct protocol.	11/13/2020 3:19 PM
7	A VRB police officer discriminated against a woman professional who called for help with a group of noisy male youths who were trespassing in her backyard - and again when she was forced to turn up the volume of a professional meeting to hear it over the noise of nearby male youths.	11/9/2020 6:34 PM
8	Extremely rude	11/9/2020 2:22 PM
9	I have only lived in Rye Brook for 1 year	11/9/2020 11:57 AM
10	I am a minority and officer treated me as a threat over a parking ticket.	11/8/2020 7:02 AM
11	During hurricane sandy officer ( short, dark hair) was so rude to my elderly dad when he asked for help. I will never forget that. I wonder if he would have treat a young loud , obnoxious neighbor the same way ??	11/7/2020 3:45 PM

## Rye Brook Police Reform Survey

12	I have not personally experienced this, but while working on a local political campaign in 2017 or 2018, an African American male who was canvassing (knocking on doors) in Rye Brook was followed by the Rye Brook police. He was walking with a partner (female, Caucasian). My understanding is that the police officer asked what they were doing, was told they were volunteering on behalf of the campaign, and then trailed them as they continued knocking on doors. I believe they decided to end their canvassing session early, and left the area. We had lots of canvassers out and about in Rye Brook during this time period, and this was the only incident that I was aware of where the canvassers were monitored like this by the police. I know at the time we suspected it was due to the individual's race. A final note - I believe the canvassers were on Old Orchard - they were not in Bellefair or the Arbors.	11/6/2020 9:38 PM
13	Various poor encounters with latinos	11/6/2020 9:37 PM
14	When we moved in I watched an officer harass a ten year old boy of color because he was raising money door to door. I've seen the same officer ignore white children doing the same thing. To the departments credit, I believe he has been either removed from the street or the force as I haven't seen him in a couple of years. He is easy to spot as his uniform is always messy which matches his stature.	11/6/2020 3:26 PM
15	On king street, about 8 months ago, i was pulled over for a "random" search of my vehicle. When asked for the reason i was pulled over i was told "no reason". I was not given a ticket or cited for anything. I am a black person	11/6/2020 3:16 PM
16	You are race baiting with this question and its disgusting	11/6/2020 1:44 PM
17	I haven't seen it but there is not much diversity in town	11/6/2020 1:23 PM

**Q4 Are you aware that the Village's written Non-Lethal Use of Force Policy (including a ban on choke holds) is available on the Village web site?  
<https://ryebrook.org/documents/non-lethal-use-of-force/>**

Answered: 679 Skipped: 5

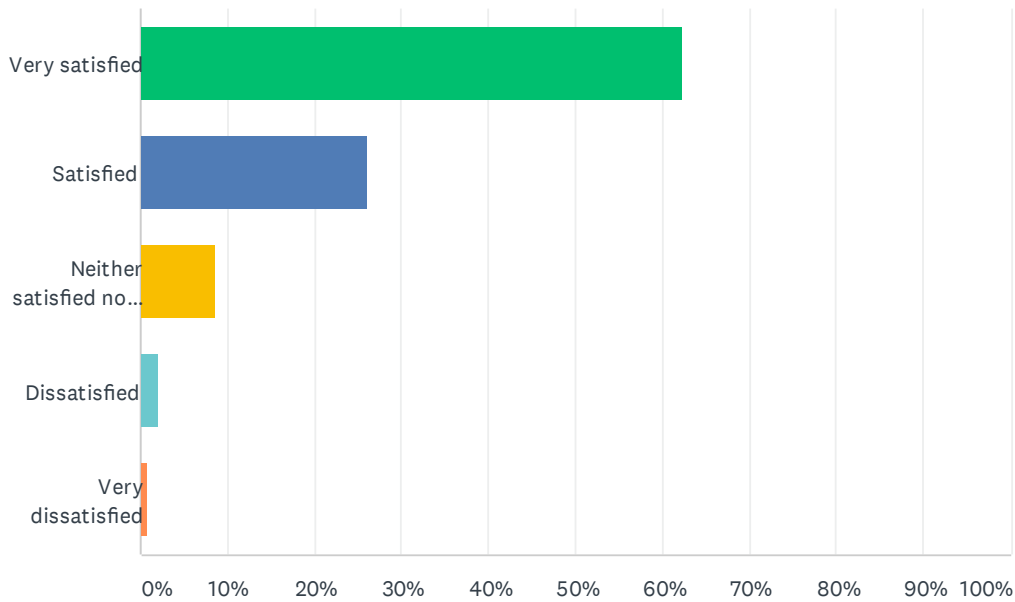


ANSWER CHOICES	RESPONSES	
Yes	16.94%	115
No	83.06%	564
<b>TOTAL</b>		<b>679</b>



## Q5 To what extent are you satisfied with the overall performance of the Rye Brook Police Department?

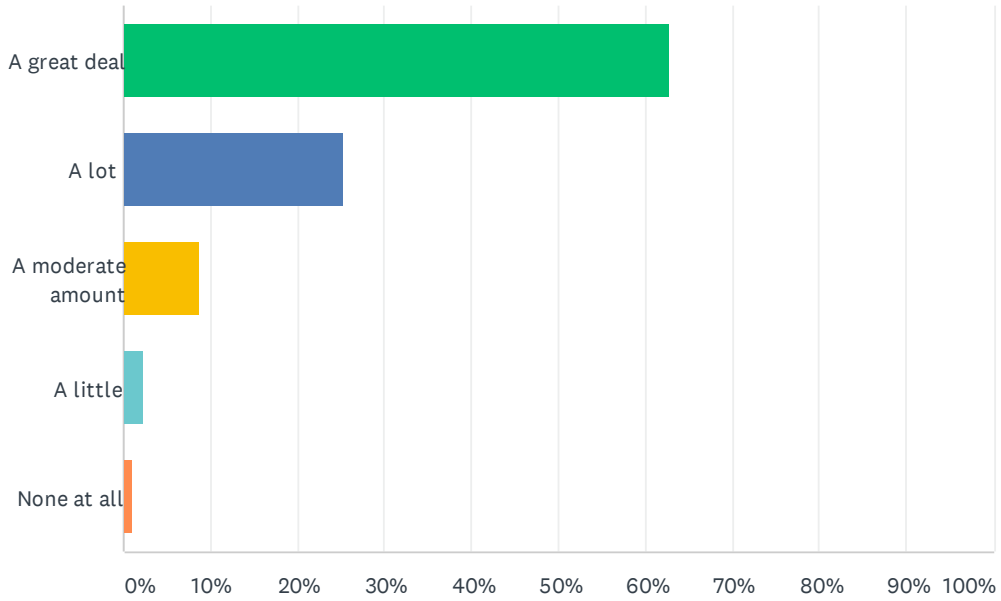
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ANSWER CHOICES	RESPONSES	
Very satisfied	62.44%	424
Satisfied	26.22%	178
Neither satisfied nor dissatisfied	8.54%	58
Dissatisfied	2.06%	14
Very dissatisfied	0.74%	5
<b>TOTAL</b>		<b>679</b>

## Q6 To what extent do Rye Brook police officers treat people fairly?

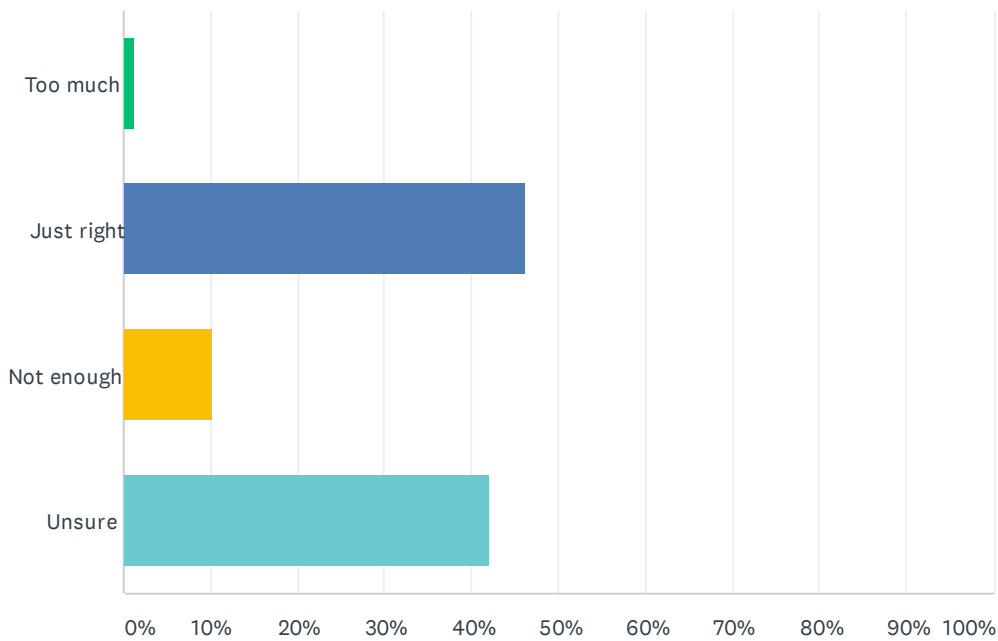
Answered: 665 Skipped: 19



ANSWER CHOICES	RESPONSES	
A great deal	62.71%	417
A lot	25.26%	168
A moderate amount	8.72%	58
A little	2.26%	15
None at all	1.05%	7
<b>TOTAL</b>		<b>665</b>

### Q7 How would you rate the current level of police presence in the local schools (D.A.R.E./Youth Officer)?

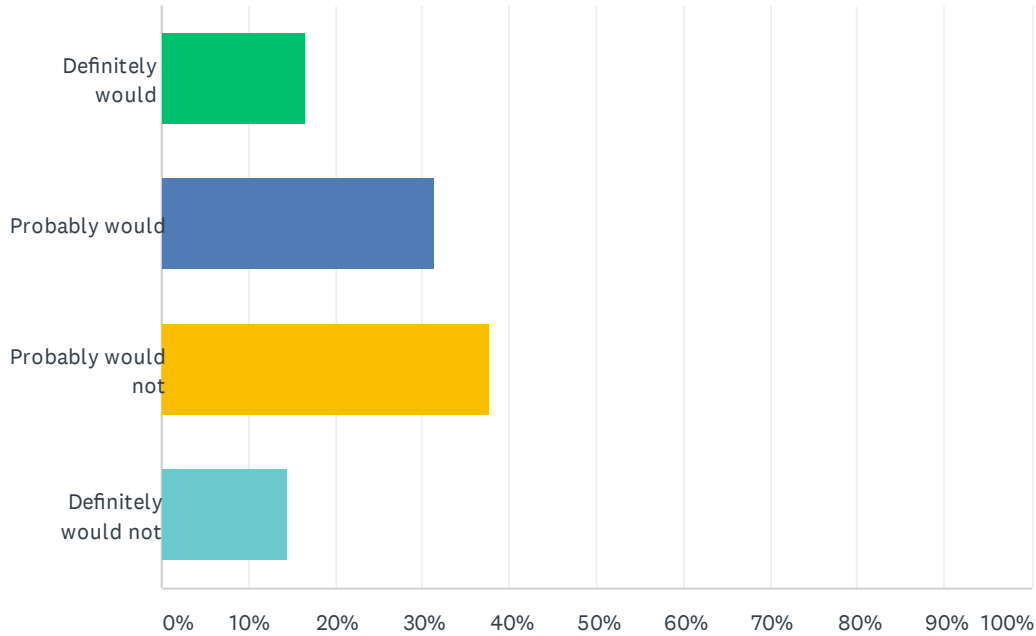
Answered: 676 Skipped: 8



ANSWER CHOICES	RESPONSES
Too much	1.33% 9
Just right	46.30% 313
Not enough	10.36% 70
Unsure	42.01% 284
<b>TOTAL</b>	<b>676</b>

Q8 Rye Brook typically has two patrol vehicles on duty. Would you feel safer and therefore support an increased number of police cars on patrol, knowing that it will increase taxes?

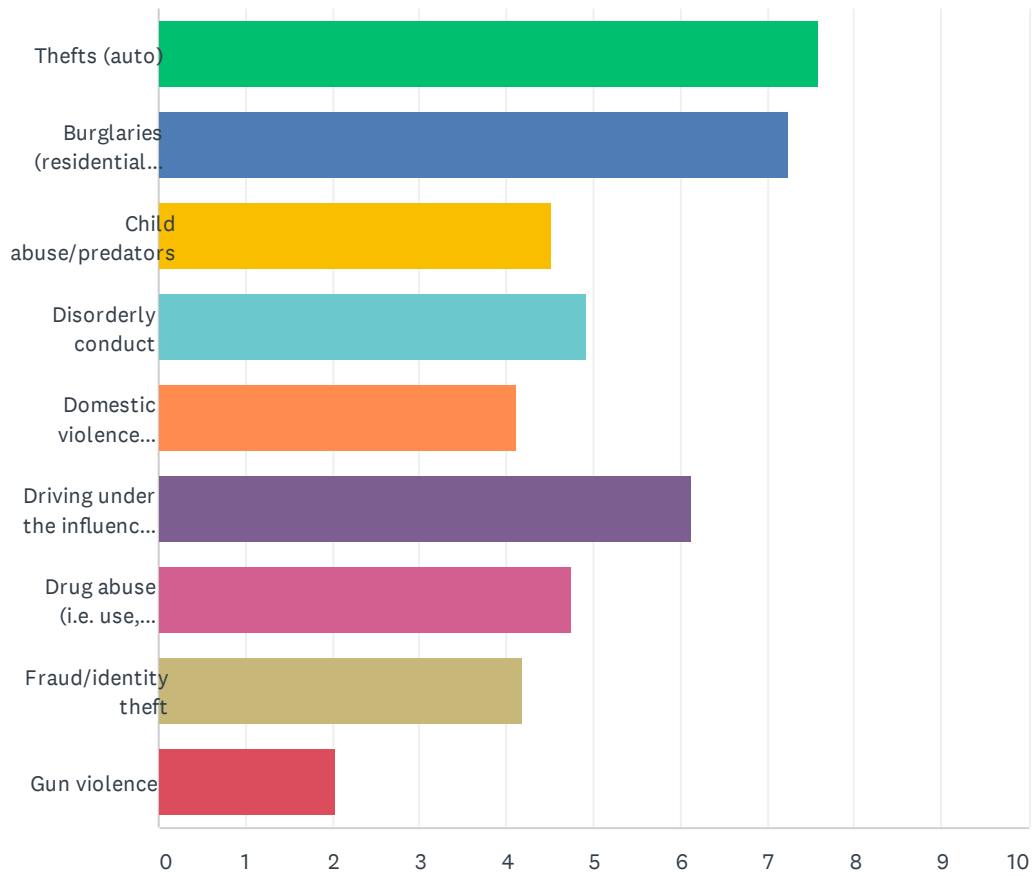
Answered: 678 Skipped: 6



ANSWER CHOICES	RESPONSES
Definitely would	16.52% 112
Probably would	31.42% 213
Probably would not	37.61% 255
Definitely would not	14.45% 98
TOTAL	678

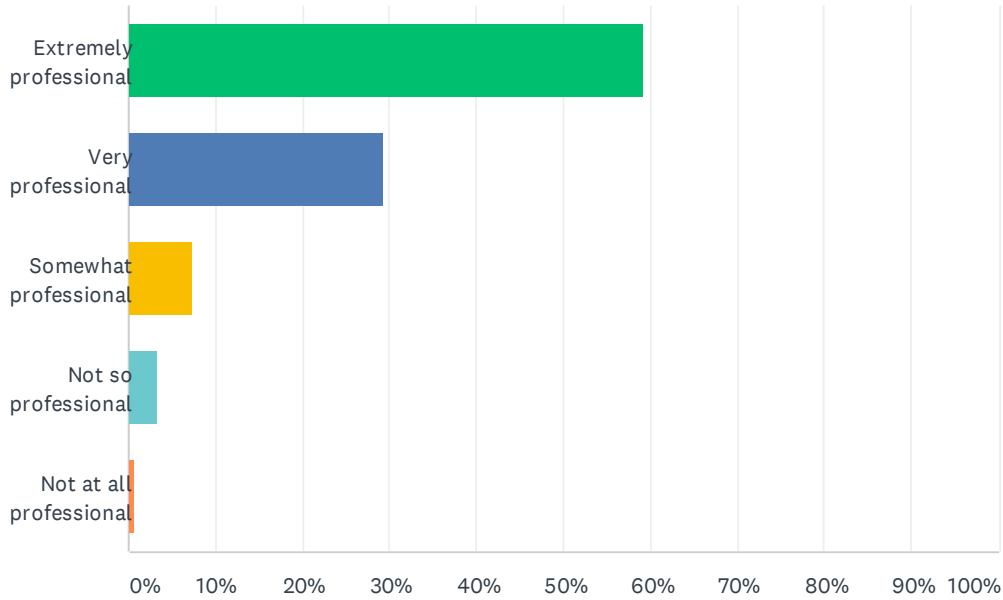
# Q9 Please rank the issues you think are the greatest public safety issues in Rye Brook:

Answered: 663 Skipped: 21



### Q10 Please think of the last time you interacted with a Rye Brook Police Officer. Looking back, what is your impression about the professionalism of that officer?

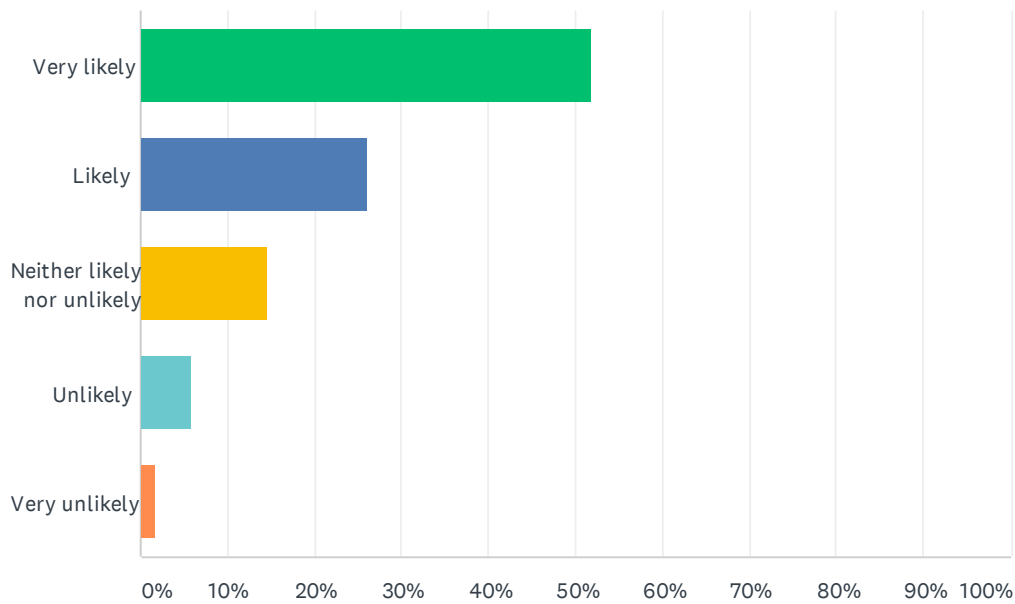
Answered: 675 Skipped: 9



ANSWER CHOICES	RESPONSES	
Extremely professional	59.26%	400
Very professional	29.33%	198
Somewhat professional	7.41%	50
Not so professional	3.41%	23
Not at all professional	0.59%	4
<b>TOTAL</b>		<b>675</b>

### Q11 Please rate how likely you are to approach a Rye Brook police officer for advice or to discuss a community issue.

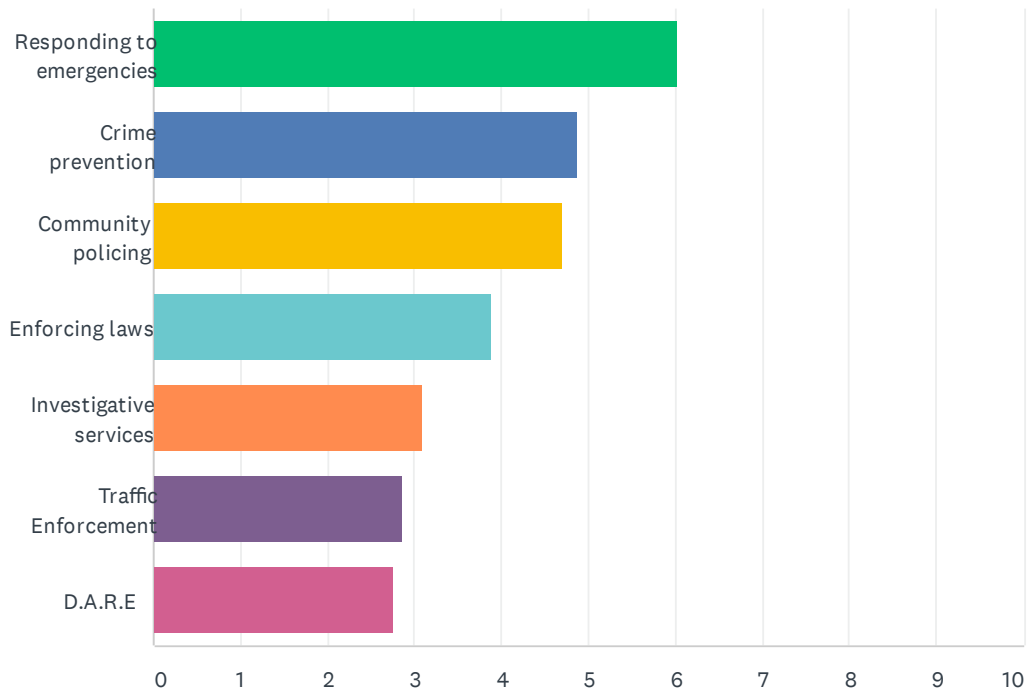
Answered: 681 Skipped: 3



ANSWER CHOICES	RESPONSES	
Very likely	51.84%	353
Likely	26.14%	178
Neither likely nor unlikely	14.68%	100
Unlikely	5.87%	40
Very unlikely	1.76%	12
Total Respondents: 681		

# Q12 Please rank the following police functions that are most important to you.

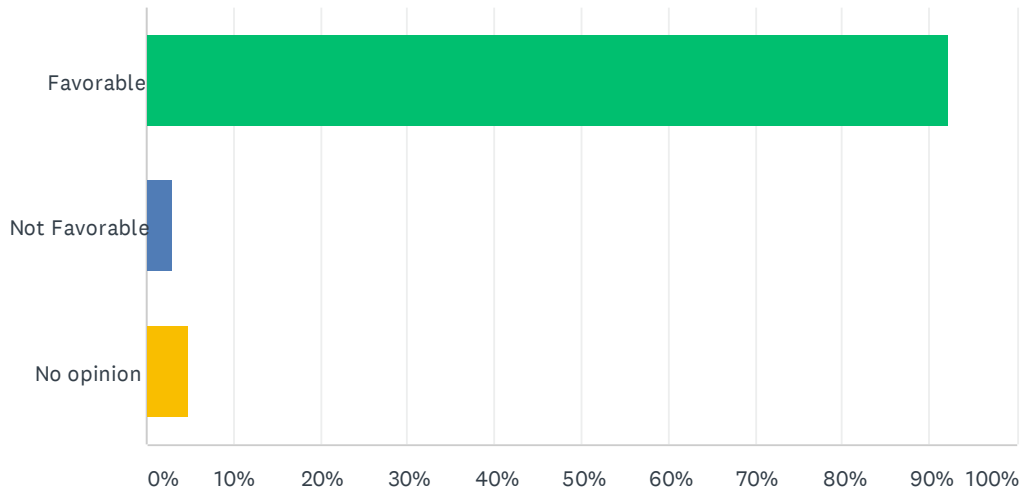
Answered: 674 Skipped: 10





### Q13 What is your overall impression of the Rye Brook Police?

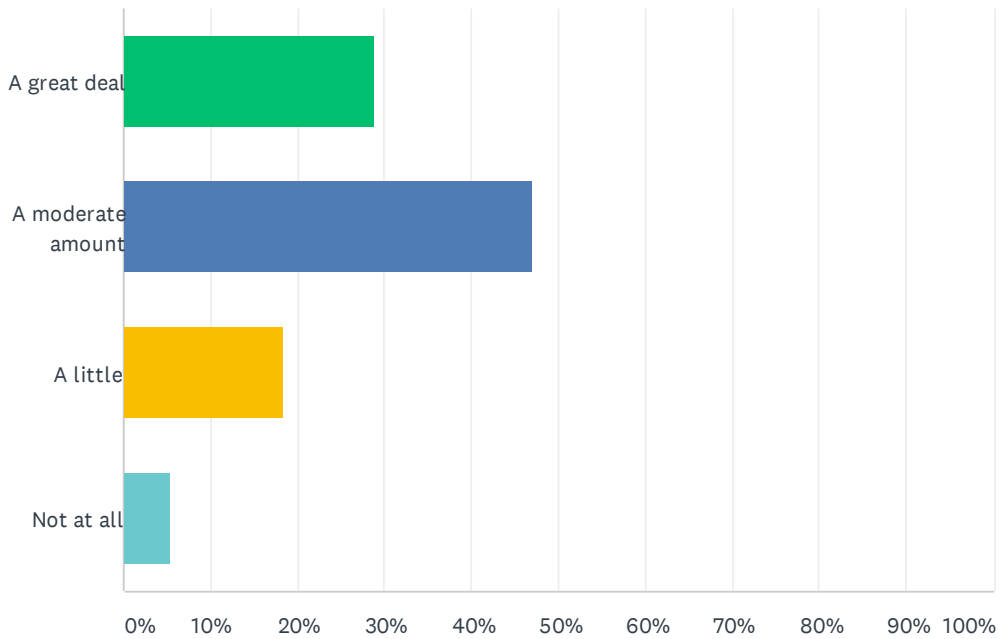
Answered: 679 Skipped: 5



ANSWER CHOICES	RESPONSES	
Favorable	92.19%	626
Not Favorable	2.95%	20
No opinion	4.86%	33
TOTAL		679

### Q14 To what extent does the Rye Brook Police Department develop relationships with community members?

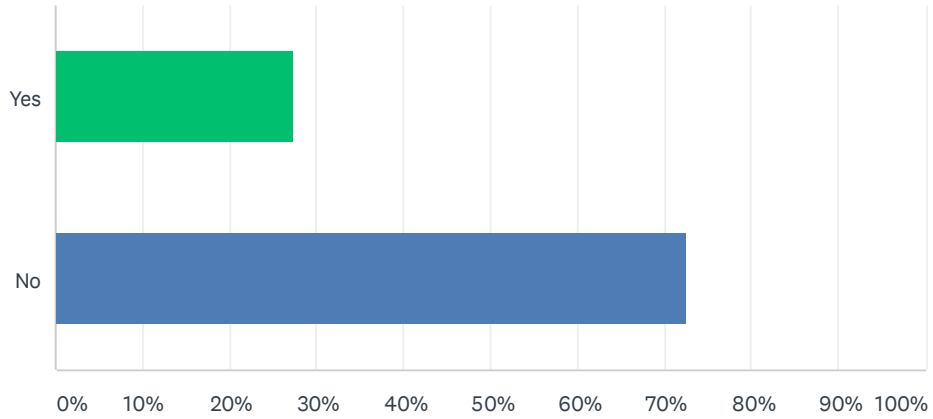
Answered: 670 Skipped: 14



ANSWER CHOICES	RESPONSES	
A great deal	28.81%	193
A moderate amount	47.16%	316
A little	18.51%	124
Not at all	5.52%	37
<b>TOTAL</b>		<b>670</b>

### Q15 Do you know any of the current Rye Brook Police Officers that patrol the Village by name?

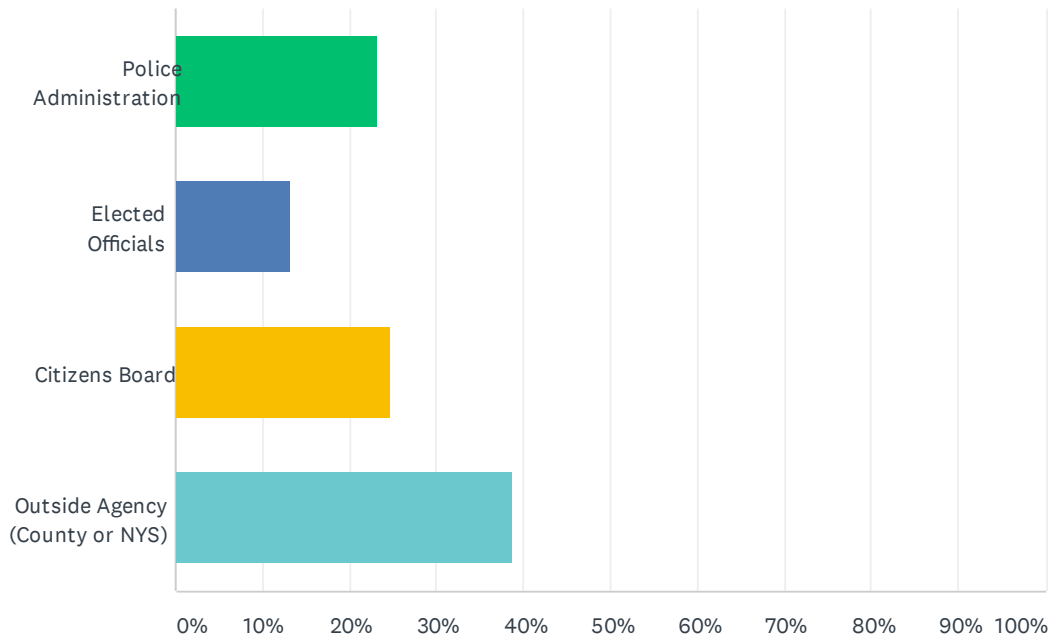
Answered: 681 Skipped: 3



ANSWER CHOICES	RESPONSES	
Yes	27.46%	187
No	72.54%	494
TOTAL		681

## Q16 Who should investigate complaints against Police Officers in the Rye Brook Police Department?

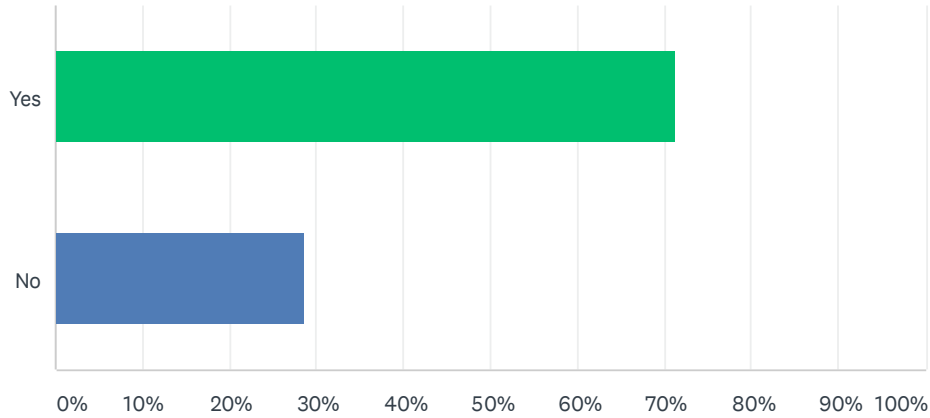
Answered: 678 Skipped: 6



ANSWER CHOICES	RESPONSES	
Police Administration	23.30%	158
Elected Officials	13.13%	89
Citizens Board	24.78%	168
Outside Agency (County or NYS)	38.79%	263
<b>TOTAL</b>		<b>678</b>

### Q17 Should a regional, multi-jurisdictional Crisis Management Team consisting of public safety and social workers be created to assist on calls involving mental health or domestic incidents?

Answered: 677 Skipped: 7



ANSWER CHOICES	RESPONSES	
Yes	71.34%	483
No	28.66%	194
TOTAL		677

**Q18 What can be done to improve the bond & trust between Rye Brook Police and the Rye Brook community?**

Answered: 370 Skipped: 314

## Rye Brook Police Reform Survey

#	RESPONSES	DATE
1	Don't really know. I trust them. But open to ideas.	11/19/2020 12:22 PM
2	Make themselves available on social media.	11/19/2020 9:51 AM
3	I think things are excellent	11/19/2020 9:44 AM
4	more events! Friendly visits, calls or emails just to connect! :-)	11/19/2020 9:22 AM
5	More active Social media, publishing stats/info/goals	11/19/2020 8:36 AM
6	More interaction between community and police.	11/19/2020 7:57 AM
7	Increased casual/social interaction between the officers & residents.	11/19/2020 5:17 AM
8	Have them show up to large community events and interact with residents; communication about possible problems/situations	11/19/2020 12:57 AM
9	Greater interaction and use of social media to promote initiatives	11/18/2020 10:42 PM
10	Encourage people to social distance and wear masks. I have seen lots of large group activities where this in no way enforced. Also provide social work services to those in need during the pandemic or suffering with mental illness.	11/18/2020 10:23 PM
11	Perhaps our on duty police officers could take an occasional stroll in the shopping centers like a meet and greet.	11/18/2020 10:21 PM
12	NA	11/18/2020 9:42 PM
13	Sometimes the rules seem to be different for different people -	11/18/2020 8:47 PM
14	Nothing. I'm very happy with our Police. I feel they are outstanding! Thank you so much for all they do!	11/18/2020 8:43 PM
15	More police on the road.	11/18/2020 8:37 PM
16	Officers need to be more empathetic. For example, when a dog is trapped in a car in extreme heat, he needs not ask if the dog is suffering! He needs to take action as if it were his own child. I came across this incident and the officer had NO compassion for the animal and told me to leave the scene of this incident in the Acme parking lot!!	11/18/2020 8:03 PM
17	I don't know	11/18/2020 7:58 PM
18	Have police attend more community events	11/18/2020 7:35 PM
19	Maybe people need to take the time to visit the police station from time to time and say Hi. I know my wife does and she has a great relationship with the officers. I have not been around or just never taken the time. We are very fortunate to have a healthy policing environment, which has clearly been a priority for the mayor and elected officials for a long time.	11/18/2020 6:42 PM
20	Open support of BLM	11/18/2020 6:23 PM
21	More activities in the community and also more diversity (ethnically, racially and gender) in the Police force and the police administration.	11/18/2020 6:10 PM
22	Annual meet and greet event between RB Police and residents	11/18/2020 5:43 PM
23	The police department is quick to respond, professional and appropriate. I fully trust them.	11/18/2020 5:38 PM
24	I think they are terrific!	11/18/2020 5:33 PM
25	I love the men and women in blue! Thank you for everything you do for our community. Your public service does not go unnoticed.	11/18/2020 5:32 PM
26	Police should continue to show up at community events - once we have them again - so residents get to know them.	11/18/2020 4:41 PM
27	Unfortunately, nothing in this survey asks what we think could be done better, so I will offer my view here: it is my considered opinion after years in this community that the RBPD does NOT enforce the laws related to underage drinking in people's homes. Parents of teens host parties where underage kids drink alcohol, sometimes to the point of requiring emergency medical treatment, but there is no sanction against the parents or the teens. There is no publicity given	11/18/2020 4:18 PM

## Rye Brook Police Reform Survey

to it; it all gets swept under the rug, which allows the cycle to perpetuate. Maybe this approach improves "the bond & trust" between the police and the community, but I think it's a terrible dereliction of responsibility. All the D.A.R.E. programming in the world is worthless if kids/parents know there will be a slap on the wrist, and perhaps not even that, if underage parties are hosted in Rye Brook homes. Let's prioritize tough love over "bond & trust" and hold parents/teens accountable for their choice to violate the law and put kids' lives at risk.

28	Stop the children from playing in the streets. The safety hazards are outrageously bad in private communities like the Arbors and the pandemic is making the situation worse. It is just a matter of time before a child gets injured or killed in an automobile accident. Why do the police look the other way? Maybe the parents and the HOA just don't care. But responsible citizens use these streets too and many are truly appalled at the sight of children playing in traffic in this densely populated community with narrow roads, no sidewalks, and parking spaces from which drivers must back out into the road with limited visibility while small unsupervised children are playing just a few feet or a few inches from the wheels of their cars.	11/18/2020 4:14 PM
29	Nothing it's just fine	11/18/2020 4:05 PM
30	Be conservative non-liberal thinking. Our officers MUST be our utmost importance and be treated with respect and dignity. Perhaps community info sessions with police officers/admin, a Q&A session(s) for community members to feel they are able to be heard, ask questions, and even get to know officers by name.	11/18/2020 4:01 PM
31	We should know who they are. You can start with a newsletter introducing the members of the rye brook police to the residents.	11/18/2020 3:48 PM
32	Keep doing what they're doing.	11/18/2020 3:41 PM
33	RBPD need to get training how not to discriminate and how to respond when a child got hurt.	11/18/2020 3:37 PM
34	Get to know the police officers and staff in RB better.	11/18/2020 3:36 PM
35	Open communication	11/18/2020 3:34 PM
36	Greater familiarity with the proprieties of the police force	11/18/2020 3:27 PM
37	more police outreach. more visibility to connect with community	11/18/2020 3:23 PM
38	Get to know the policemen as individuals- mingle more with the community. Meeting policemen one can see how good, kind and caring they are, that has been my experience.	11/18/2020 3:20 PM
39	Nothing. In my encounters with the police officers over the past few years, they have been respectful, knowledgeable and professional. You already have our trust!	11/18/2020 3:07 PM
40	I believe strongly in community policing. Officers should be more visible at community events.	11/18/2020 3:04 PM
41	Have the opportunity to meet police officers.	11/18/2020 3:03 PM
42	?	11/18/2020 2:51 PM
43	I have no real direct experience at the moment so it is impossible to comment on how to improve it. I was impressed to read of the measures in place and the work Rye Brook has already done towards these efforts. I also recognize that we are fortunate to live in a community that has fewer of the 'charged' issues	11/18/2020 2:48 PM
44	Rye Brook is doing a good job with the community	11/18/2020 2:39 PM
45	More presence in the community	11/18/2020 2:39 PM
46	I think there needs to be more activities and events that involve both police and the community, this way we can get to know each other better.	11/18/2020 2:31 PM
47	I'm very happy. Not experienced enough to say.	11/18/2020 2:18 PM
48	I didn't know there was a problem. I think the communication is excellent and I am pleased with the police work in Rye Brook	11/18/2020 2:15 PM
49	I find the Rye Brook police department as highly professional and truly think they are doing a wonderful job for our community	11/18/2020 2:14 PM
50	I don't have very much interaction with the RB police but, in my opinion, the bond and trust is there. I trust them implicitly. Also, they did an excellent job being present and "out and about"	11/18/2020 2:09 PM



## Rye Brook Police Reform Survey

in the community and at the schools from the time my children were very young. I believe that my kids have full trust in our police and would feel very safe contacting them if needed; that's huge, long term, as the RB police department has provided them with a comfort level in the police that they will take with them as they move-on to other communities.

51	The Rye Brook Police should be involved in any Diversity, Equity and Inclusion initiatives, at the town, village and school district level.	11/18/2020 1:59 PM
52	Utilizing the current tools like social media to highlight who our officers are. I've seen it done before, and it helped connect the dots better. The online highlights of individual officers overall, on an ongoing basis gives new neighbors the chance to learn in the moment too!	11/18/2020 1:58 PM
53	More frequent dialogue and open sessions where community can connect with law enforcement and speak freely about current issues	11/18/2020 1:55 PM
54	More interaction (very tough during these times); increased presence (tough if don't raise taxes); mentor programs; bi annual "special day visits" for kids at police station/fire house to create parent/child interaction w/ departments.	11/18/2020 1:51 PM
55	i wish I knew	11/18/2020 1:40 PM
56	More meet and greet with the community	11/18/2020 1:40 PM
57	More community outreach	11/18/2020 1:39 PM
58	Increase communications with the community	11/18/2020 1:37 PM
59	Good	11/18/2020 1:36 PM
60	This may not improve, nor weaken, the "bond & trust" between RBPD and the community but an important measure may be to provide greater flexibility in allowing Rye Ridge Shopping Center tenants and authorized workers to park in front of their storefronts for the limited purpose of loading/unloading goods, merchandise, etc.... Perhaps, the Department can set up a program whereby tenants/authorized individuals introduce themselves and let the Department know in advance who will make deliveries and when deliveries will be made to specific businesses and what vehicles may be parked in the fire lane for these limited purposes and for a limited period of time. Rye Ridge does not have rear entrances for deliveries and tenants don't like being lumped in with the people who illegally and dangerously park in the fire lane while getting their Starbucks or Chipotle takeout orders.	11/18/2020 1:34 PM
61	Eliminate this great divide in Rye Brook and be inclusive of both sides of the invisible PC/RB line. We are all village of Rye Brook I think.	11/18/2020 1:33 PM
62	The trust is already there.	11/18/2020 1:33 PM
63	Create focus groups for this purpose perhaps	11/18/2020 1:27 PM
64	more community presence at town events..	11/18/2020 1:26 PM
65	More police presence in the schools and patrolling the school grounds	11/18/2020 1:21 PM
66	I think there is trust if people have respect for our Police. Perhaps we could have 1 more on staff to help make our force stinger.	11/18/2020 1:21 PM
67	Maybe be more culturally informed, therefore less biased.	11/18/2020 1:19 PM
68	More frequent patrolling and stopping to chat. Also- enforcing the quality of life issues in the village.	11/18/2020 1:13 PM
69	More communication on social media	11/18/2020 1:12 PM
70	More involvement in schools, attending meetings, and social gatherings	11/18/2020 1:10 PM
71	Rye Brook is pretty quiet on issues that bigger communities need to deal with. Where Rye Brook needs help is reaching the parents that let underage kids drink at their houses with no repercussions. Someone is going to get seriously hurt very soon. Many of the parents don't seem to care and that trickles down to the kids not caring that they are underage. I think if parents were arrested and or fined, that would cut down greatly on the growing issue.	11/18/2020 1:10 PM
72	The RBPD is awesome, hard working and I feel 100% safe that they have my back, and my family's safety in mind 24/7/365	11/18/2020 1:06 PM

## Rye Brook Police Reform Survey

73	Social events hosted by the police dpt for residents and officers to meet each other. More surveys and information for the community sharing findings and how these will be used	11/18/2020 1:05 PM
74	Treat each other equally.	11/18/2020 1:04 PM
75	lower real estate taxes, eliminate bldg penalties decrease unnecessary employees elsewhere raise police pay	11/18/2020 1:03 PM
76	Mutual respect. Two officers came to my house with sirens blaring to break up a party years ago. One of the officers was cursing and saying that he wanted to arrest me for allowing the party. His conduct was extremely unprofessional. He cursed repeatedly and seemed volatile. I was relieved that the second officer was there to calm him down.	11/18/2020 1:02 PM
77	Familiarize people more with our officers	11/18/2020 12:58 PM
78	Everyone should be kind and shouldnt discriminate	11/18/2020 12:58 PM
79	Treating all neighborhoods and all people similarly.	11/18/2020 12:58 PM
80	town hall meetings maybe to introduce us to the officers	11/18/2020 12:56 PM
81	Community policing	11/18/2020 12:55 PM
82	show up and not make people feel that calling in is really complaining and that we are not warranted in our complaints about rule enforcement	11/18/2020 12:55 PM
83	Before responding to petty complaints the department should suggest to the complainer that they try and work it out first. Also the identity of the complainer should be disclosed. Not doing so seeds mistrust within a whole community rather than with the complainer themselves.	11/18/2020 9:09 AM
84	Once Covid is gone, maybe meet and greet events by neighborhood or street. Keep it small and very local.	11/17/2020 4:26 PM
85	Be more friendly	11/16/2020 7:45 AM
86	Not sure	11/15/2020 6:32 PM
87	more community outreach to adults-kids know some of the officers well because of DARE but most adults don't	11/15/2020 5:47 PM
88	Create times to meet and greet.	11/15/2020 1:08 PM
89	Perhaps, when health conditions permit, have some form of "Meet and Greet" your police force afternoon at the police department so community residents can bring their families to get to know the officers.	11/15/2020 11:54 AM
90	I have no problem with the bond & trust.	11/14/2020 11:54 PM
91	I have trust in our police force.	11/14/2020 11:00 AM
92	Continue to be professional and responsive in emergencies. We trust and appreciate Rye Brook Police Dept	11/14/2020 10:13 AM
93	More programs like the babysitter class or other positive activities that bring the community in contact with the police	11/14/2020 7:10 AM
94	I trust them enough!! The only improvement would be to prevent the car thefts. Have more undercover patrol near parkway throughout the night. Catch them!!	11/13/2020 10:32 PM
95	Not sure, they seem to be doing a great job.	11/13/2020 10:11 PM
96	Have occasional open houses at village hall where residents can come by and meet and chat with the officers	11/13/2020 7:00 PM
97	More police cars driving around neighborhoods	11/13/2020 6:34 PM
98	Continue engaging with people in the community	11/13/2020 5:52 PM
99	More outings for the community and officers to get to know each other such as pinics carnivals etc , volunteer opportunities.	11/13/2020 5:24 PM
100	Community meetings (post-COVID) to meet and learn about the dept. Bike safety programs.	11/13/2020 5:19 PM

## Rye Brook Police Reform Survey

101	Updates town news on social media	11/13/2020 4:20 PM
102	Continue meet and greets	11/13/2020 4:13 PM
103	I think it's most important to establish a good relationship with the younger kids. It doesn't always have to be a lesson or an event, but just be in the school, say hi, do the morning announcement, check in on the classrooms, deliver cupcakes, etc. Let yourselves be known and keep it fun when they're younger so they listen to you and respect your opinions when they're older.	11/13/2020 4:13 PM
104	This is a suburban community. Putting safety of community is more important than enforcing the law. For example, the police chase from the Hutch to the Country Ridge area was successful in catching the culprits, but I would have preferred letting them get away, and then investigating so the community was not put in risk of a high speed chase or culprits getting into the school or someone's house while running. (this was not a RYPD initiated chase so this is just an example). Sometimes the chase is more dangerous than the crime.	11/13/2020 4:13 PM
105	N/A	11/13/2020 3:51 PM
106	The police should be stationed inside the school to ensure that no outsiders enter the school. The recent incident where the people who crashed a stolen car and ran away close to the school is the justification for the police presence inside or outside our schools.	11/13/2020 3:25 PM
107	More communication between departments and community Need notices about issues from police like we get from mayors office on issues or concerns in both communities; more consistency on approach by the two different police officers	11/13/2020 3:25 PM
108	Please keep doing the same effective job, setting good examples and protecting our community as you are	11/13/2020 3:23 PM
109	Nothing. We don't have a "police problem" in Rye Brook. I don't even understand why this survey is being conducted.	11/13/2020 3:22 PM
110	We think the Rye Brook are excellent and do an amazing job. We are grateful for their efforts.	11/13/2020 3:19 PM
111	Increase patrolling and friendliness of officers	11/13/2020 3:10 PM
112	We have dealt with them a few times and we trust them implicitly.	11/13/2020 2:06 PM
113	I used the emergency number in the last six months. I was impressed with the professionalism, calmness, assurance and quickness of response when I needed them.	11/13/2020 12:48 PM
114	I don't see a problem	11/12/2020 9:26 PM
115	Maintaining a regular presence at events and in public spaces.	11/11/2020 6:56 PM
116	I feel that I can depend on the Police here in Rye Brook. I hope they know how grateful we are. Whenever we have needed them, they have always been there to protect and serve.	11/11/2020 4:46 PM
117	Keep up the great work	11/11/2020 3:27 PM
118	I would appreciate published statistics to the community about what police are doing and to whom- listing how many tickets are given, arrests, stops, etc. by race/gender/age range would give me insight into the actual practices of the department that I don't have currently. Also, in reviewing the 2019 Annual Report I'm extremely disappointed to see the "Thin Blue Line" that was incorporated into the department vehicles. You can see this article for a history of the divisiveness of this imagery, and things have only gotten worse with its prevalent use at Donald Trump's rallies during the election. <a href="https://www.politico.com/news/magazine/2020/06/09/the-short-fraught-history-of-the-thin-blue-line-american-flag-309767">https://www.politico.com/news/magazine/2020/06/09/the-short-fraught-history-of-the-thin-blue-line-american-flag-309767</a> If the department is looking to improve its trust with the community, it should start by viewing the community as a partner in a mutually beneficial relationship, not an antagonist or source of chaos.	11/11/2020 2:59 PM
119	Maybe it is a positive thing but after 25 years in the village, I have had no real interaction with the police. As such, I did not answer some of the questions. I am not sure what community policing means.	11/11/2020 2:29 PM
120	Police and citizens communication ongoing	11/11/2020 10:20 AM
121	I had an experience a little while ago, was waiting for my daughter to come out of Starbucks in rye ridge shopping center. I know it was no standing zone, I was in my car, waiting, ready to	11/11/2020 9:30 AM

## Rye Brook Police Reform Survey

move. The police officer drove by me and was so nasty and said, if you don't move right away I'll give you ticket. I remember the officer, he's not friendly or approachable. He could have said it in a nicer way. Not mentioning his name, but he is a veteran, young. Wouldn't hurt to be friendlier, I am always polite when I see you guys.

122	More community events to meet new officers	11/11/2020 9:19 AM
123	Nothing; I see no problems or issues with the police. I welcome their presence to keep our community safe and they are doing a good job	11/10/2020 11:37 PM
124	Instead of motoring down a street, or in a section of the community, get out of the car, walk, and do some old fashioned policing and say "hello."	11/10/2020 9:53 PM
125	Say Hi	11/10/2020 3:58 PM
126	I love our police officers! They have always been professional and kind. I feel very safe living here. No trust issues in our town.	11/10/2020 3:49 PM
127	I think the fact that you are doing this helps. Communication is always the best route.	11/10/2020 3:36 PM
128	Complaints against officers should not be investigated by Rye Brook PD, even complaints that do not necessarily allege criminal actions by Rye Brook PD. There should be a civilian complaint board, much like CCRB in the city, that takes civilian complaints for the entire county. There should also be a county wide IAB so that it is not directly overseen by any of the PDS.	11/10/2020 2:42 PM
129	I think there is a good bond already and I don't think the village fits neatly into the statewide box on police reform, especially given we are a small hamlet v. a city like NYC or Albany or Poughkeepsie. That said, more interaction between police and residents is always a good thing. I know several officers in Rye Brook and Port Chester personally and they are really great people that love their jobs and want to keep people safe. There is always room for improvement and change in certain areas could be good (for policing overall). That does not mean I am for defunding, to the contrary, I am for keeping police funding and keeping the community safe. Perhaps there are areas that police could be less involved that are outside the purview of safety and law enforcement. That said, more positive interaction between police and residents is a good thing to continue to foster.	11/10/2020 11:49 AM
130	just fine	11/10/2020 10:31 AM
131	More events where our police can mix with community members.	11/10/2020 9:23 AM
132	How about you put up the pictures and names of the police officers on the rye brook website. That would make the community more familiar with them.	11/10/2020 8:53 AM
133	more communication & interaction with residents	11/10/2020 8:22 AM
134	I have no trust issues with our PD.	11/10/2020 7:28 AM
135	Personally i trust Rye Brook police. I think there is a strong bond between the police force and the community. Shown by the outpouring of love and support (in the form of food) that the community donated for the officers during the early phase of the pandemic.	11/9/2020 11:12 PM
136	Each officer is responsible for creating a favorable impression on the public that is interacted with. Officers should be given the opportunity to develop great relationships in the community with-out the fear of the officers receiving negative feedback from the supervisors or the administration.	11/9/2020 8:44 PM
137	Not so much trust, but I find the with the exception of one, the officer don't smile or even have small talk-that's one way to start building relationships. Smile and don't hold back on carrying on conversation-otherwise, it comes across as intimidating.	11/9/2020 8:43 PM
138	I think the Rye Brook community has a good relationship with its Police force. No improvement is needed. Though Rye Brook PD should be pro active in enforcing car related thefts.	11/9/2020 8:11 PM
139	We like the DARE program because it helps kids trust the police officers.	11/9/2020 7:25 PM
140	Police departments and officers cannot and must not stay quiet in the presence of their colleagues abusing, victimizing and in some instances murdering innocent minority members. It demeans and degrades their integrity as law enforcement professionals and agencies. As long as they cover for abusive colleagues , there cannot be a bond or trust.	11/9/2020 6:58 PM

## Rye Brook Police Reform Survey

141	Building relationships between the two	11/9/2020 6:57 PM
142	The VRB police should take a more active role in policing youths and private communities. Private roads should not be a license for youths to commit crime.	11/9/2020 6:34 PM
143	I didn't think there was an issue, but being participants in community events always breaks down barriers.	11/9/2020 6:16 PM
144	My one issue with the RB police is that they seem very unapproachable. My wife was pulled over for a twilight being out. Instead of just telling her to get it fixed he gave her a ticket that gave her 24 hours to fix it or there would be a fine. Then when I went to show them I fixed it, the person at the station was very cold and matter of fact. I started to explain that I was annoyed that it wasn't just a warning and he shut me down for talking back. I've lived on other towns where the police treated the citizens of the town better. There are other examples.	11/9/2020 5:25 PM
145	Difficult question. Don't have anything constructive to suggest. Evidently this is a question of each citizen's experience while interacting with a P.O. A positive experience adds to the total amount of trust the community will have. So, each PO is an ambassador for the RB Dept.!	11/9/2020 5:20 PM
146	Invite open meetings i.e. Zoom with the officers to ask questions or express any complaints that the community may have.	11/9/2020 5:11 PM
147	All good	11/9/2020 4:54 PM
148	Be professional, fair and aware	11/9/2020 4:26 PM
149	Community outreach like coffee with an officer is a nice program. Having police presence at events where chatting/interaction with residents occurs, not just on duty	11/9/2020 4:21 PM
150	I have been a homeowner in Rye Brook since 2004 and I have always felt very safe and that is due to our police officers. They have always treated us with respect (vice versa) and always friendly and very approachable. Keep doing what you guys are doing. We are so lucky to have each and every one on our patrol. Thank you!	11/9/2020 4:20 PM
151	I do not believe there is an issue of mistrust between the Rye Brook police and the community. They do a very professional non-discriminatory job.	11/9/2020 4:13 PM
152	Turn off CNN	11/9/2020 3:17 PM
153	Stop hassling dog walkers in Rye Hills park. Officers harass dog walkers unnecessarily. I've never witnessed a single "incident" in the last 15 years. Focus on bigger and more important issues.	11/9/2020 2:47 PM
154	Get rid of police reform, also get rid of Biden Harris radical policies.	11/9/2020 2:22 PM
155	Outreach	11/9/2020 2:10 PM
156	Not sure, but clearly have them present in non-crime situations and community events, when possible.	11/9/2020 1:22 PM
157	Our police officers are doing an amazing job. We need more police officers - especially interacting with our students in our schools	11/9/2020 1:11 PM
158	More efforts at interacting with the community	11/9/2020 1:06 PM
159	Smarter people than I have that answer	11/9/2020 1:03 PM
160	We need more help with COVID and ensuring help with policing people's behaviors. We know you can't control everything, but this village needs to be tough on the issue if we are to help our local schools and businesses! It is the thing that feels most unsafe right now.	11/9/2020 12:34 PM
161	Stop trespassing at Blind Brook King street fields. During COVID it's especially important and has not been well enforced. People who are non-Rye Brook residents are using the locked fields on a consistent basis. I think this has been a poor job of communication between Rye Brook recreation, the police dept and the school. The lower fields need better management during COVID	11/9/2020 12:30 PM
162	We have a great police department.	11/9/2020 12:29 PM
163	I have no ideas but I think the police should focus on their jobs. Not making friends w the town.	11/9/2020 12:28 PM

## Rye Brook Police Reform Survey

164	Support for the police by the Rye Brook community and it's elected officials.	11/9/2020 12:25 PM
165	Not sure...maybe meet & greet type of event. It would allow community to show appreciation for officers and they could introduce themselves.	11/9/2020 12:15 PM
166	Continue community policing and forming relationships with students through DARE.	11/9/2020 12:09 PM
167	Have more events where we can meet the officers	11/9/2020 12:08 PM
168	They are great. Maybe add a festival to meet everyone.	11/9/2020 12:00 PM
169	Interaction with other agencies, such as those serving youth or the mentally ill.	11/9/2020 11:58 AM
170	Let them do their job	11/9/2020 11:58 AM
171	all is well	11/9/2020 11:57 AM
172	There would absolutely be a community board to overlook the Police Department. Police should serve the community in the way the community wishes to be served and be held accountable to that standard.	11/9/2020 11:57 AM
173	More visability	11/9/2020 11:56 AM
174	I don't think anything needs to be done. I am very happy with our police department.	11/9/2020 11:55 AM
175	Making public aware of everyday challenges police in Rye Brook has should provide the insight what it is really like to be in their shoes and yes, risk their lives dealing with criminals who may posses various weapon and for sure not going to wait for a social worker to talk to them. Or responding to domestic dispute call and risking severe bodily harm by angry person(s). You cannot demand respect and trash talk the whole police department behind their backs.	11/9/2020 11:35 AM
176	I feel the police do a good job of creating trust within the community.	11/9/2020 11:17 AM
177	Keep up the good work!	11/9/2020 10:25 AM
178	Questions like this are misleading. The bond is already strong. The village should stop wasting tax money on surveys and use it instead to better enforce existing laws.	11/9/2020 8:09 AM
179	I feel there is a good relationship between the Rye Brook police department, the school district and the Rye Brook Community. I have lived in Rye Brook over 20 years and have found the police to be very helpful, responsible and professional.	11/8/2020 10:27 PM
180	Post info about present and prior complaints.	11/8/2020 6:20 PM
181	We live in a small town that is relatively safe and does not have a large amount of crime, so the bond between police and community is not an issue here. My nanny, who is black, told me that she was racially targeted by a police officer while with my kids. While this was very disturbing to hear, I wasn't there myself and am not even certain it was RB police vs PC police, so there's not much more I can say about the incident.	11/8/2020 5:10 PM
182	Police north ridge street for speeding and other traffic violations. Be polite, professional and understanding of a situation help residents instead of writing tickets right away especially if your shift is almost over. You still have to do your job	11/8/2020 3:45 PM
183	Protect more Focus on crime and emergency response not parking tickets	11/8/2020 2:19 PM
184	More coffee and cops type of events	11/8/2020 12:53 PM
185	Create a community event like (Meet your municipal police officials) and have the police and code enforcement officials along with the administration and elected boards to explain how the laws of the village are upheld and how there's accountability and transparency.	11/8/2020 12:33 PM
186	From my perspective it's fine and I say this as someone who received a traffic ticket. All interactions have been respectful and professional.	11/8/2020 12:12 PM
187	Mutual respect - personal and community needs. Officers are not always very respectful nor take citizens concerns seriously	11/8/2020 11:37 AM
188	I would like to see an end to the presence of police in schools. We need to develop mobile crisis services and peer crisis services to support people who have a behavioral or mental health crisis without using law enforcement who are not trained in those issues. We need to ban pretextual stops and consent searches that act as common mechanisms for police to	11/8/2020 10:00 AM

## Rye Brook Police Reform Survey

engage in racial profiling and circumvent legal standards. I want to see our village implement even further common-sense, civilly and criminally enforceable legal constraints so there will be only rare instances in which officers are able to use force against community members.

189	Increased visual presence around the neighborhood and community events. Continue to embrace social media and transparency surrounding issues in the neighborhood and surrounding towns. Stay apolitical.	11/8/2020 9:46 AM
190	There is already a great deal of trust. Thank you for your service!	11/8/2020 9:39 AM
191	N/A	11/8/2020 9:28 AM
192	I'm a current HOA Board President and have witnessed RB police talk, approach and confront people like they are third class citizens in our community. To rebuild trust and create bonds you need to not judge any community resident or baseless claims.	11/8/2020 8:01 AM
193	Better training without use of weapon. Have officers become involved with the community rather than have them just sit in their cars all day and they are not approachable. They are not friendly and are appear they are geared up and ready for a riot. This is Rye Brook. They should work on interpersonal skills and building relationships with the small community. I felt more unsafe with then officer then I have walking alone in the night.	11/8/2020 7:02 AM
194	More presence in the southern end of the Village. More involvement with the Port Chester School District.	11/8/2020 6:51 AM
195	I think the officers are doing an incredible job. I've had interactions with officers over the phone and in person. They are kind, informative, and professional. Just the other day, I was out on run, heading south on Ridge Street. A puppy was in the middle of the road running frantically and creating traffic. A Rye Brook officer came onto the scene, managed the traffic situation, and then got down on his hands and knees in the middle of the road to gently lure the dog into his own arms. He scooped the dog up and, with a large smile on his face, brought him into his cruiser. You can't teach kindness and goodness. And those are the words that come to my mind when I think of Rye Brook's finest. They're heroes. They deserve more money, even if it does raise taxes, better benefits, and our collective thanks. We're lucky to have them.	11/8/2020 1:09 AM
196	Education. Police officers need more training on Mental Health.	11/7/2020 10:30 PM
197	N/a	11/7/2020 8:55 PM
198	Greater interaction	11/7/2020 8:07 PM
199	I would like to see them I force the laws. For example, there is a no parking area by Starbucks in rye ridge shopping center and would like to see it enforced. It is very dangerous when cars are parked there and people try to drive around them. Only sometimes do I see the police enforcing.	11/7/2020 7:53 PM
200	I think they are doing a great job.	11/7/2020 5:32 PM
201	I think this police force is amazing and I could not be more impressed by their excellent work. Best in class!	11/7/2020 5:24 PM
202	More outreach programs with the community	11/7/2020 5:14 PM
203	Have them in the neighborhood , parks and school. I rarely see one on my street. If I do I wave	11/7/2020 3:45 PM
204	All is well. We have fine, well-trained officers representing our village!	11/7/2020 3:25 PM
205	Have them join the community for positive community event to help community Throwing out unused drugs Honoring veterans Supporting park clean up Set up help getting elderly grocery meds and to doctors during Covid	11/7/2020 3:22 PM
206	Increase community engagement. Loved the coffee with a cop events.	11/7/2020 2:58 PM
207	Nothing - there is no issue in Rye Brook. Let's not create one based on fake news and political BS	11/7/2020 1:33 PM
208	More opportunities to get to know the officers	11/7/2020 1:04 PM
209	Additional presence around town.	11/7/2020 12:56 PM
210	The RB Police is doing a great job. I do not agree with views being expressed in the media.	11/7/2020 10:29 AM

## Rye Brook Police Reform Survey

211	Possibly community meet and greets	11/7/2020 10:16 AM
212	I'm not sure. I trust them already.	11/7/2020 9:53 AM
213	Based on the experiences of 3 children growing up here, I think they would have benefitted from an opportunity to know who the officers are , when to call for help and to feel comfortable doing so.	11/7/2020 9:40 AM
214	Require them to take courses/workshops on the true history of racism and antisemitism in the United States and abroad. Also, find ways to allow the town residents to meet and interact with the Rye Brook police, such as a summer, spring or fall police-sponsored festivals. This would be great for everyone.	11/7/2020 9:37 AM
215	More community outreach.	11/7/2020 9:31 AM
216	Support police 100%. Keep it up!	11/7/2020 9:19 AM
217	Maybe an annual softball game to get to know one another in a social setting.	11/7/2020 9:12 AM
218	come meet the police days	11/7/2020 9:00 AM
219	Nothing, PD has done nothing wrong and it is an insult to them to perform this review.	11/7/2020 8:39 AM
220	I love the police in rye brook village, I think they do a great job. They don't need to do anything different as I trust them. I feel in the past few months police have been accused across United sates of silly things and they should be allowed to do their job without fear. I'm tired of criminals complaining that police are this and that. Just let police do their job. I trust them.	11/7/2020 8:34 AM
221	No comment	11/7/2020 8:08 AM
222	unsure	11/7/2020 7:42 AM
223	I feel the bond and trust is there already.	11/7/2020 6:49 AM
224	trust is high reform a liberal agenda is not needed !!! systemic racism is not al all a reality !!!	11/7/2020 6:40 AM
225	Nothing more needed	11/7/2020 5:20 AM
226	I don't feel there is anything to improve upon. Our police department does it right already.	11/7/2020 4:28 AM
227	Before COVID, I really liked the initiative where RBPD participated in "National Coffee with a Cop Day." I believe that when officers buy in and see themselves as members of the community and citizens see officers as members of the community, a stronger bond and sense of trust develops.	11/7/2020 12:40 AM
228	I'm not sure. I think they do a good job but starting relationships with the dare program.	11/7/2020 12:31 AM
229	I	11/6/2020 11:19 PM
230	I have a deep trust in our officers. I feel incredibly safe living in this community. My family and I respect the department and believe they do a fantastic job. I have never seen or heard of anything done by an officer that would make me feel otherwise. I believe we are very lucky to live in a town where we are so well protected by such caring individuals.	11/6/2020 10:36 PM
231	Nothing	11/6/2020 10:10 PM
232	Enforce certain things better: driving while using mobile phones, running red lights, parking at the curb in Rye Ridge and the strip center next to Rye Ridge.	11/6/2020 9:59 PM
233	Community events, interactions, a chance to get to know officers	11/6/2020 9:37 PM
234	I'm very happy with how RBPD operate. The fact that this survey was undertaken tells me that the RBPD is socially aware and willing to address important issues.	11/6/2020 9:10 PM
235	We need more active patrols all night long. There is too much evidence of bad behavior in the neighborhoods at night, particularly on weekends. When we call to express concerns we receive flippant responses. It seems like they don't want to be bothered.	11/6/2020 7:32 PM
236	Family engagement programs	11/6/2020 7:21 PM
237	More community/neighborhood policing.	11/6/2020 7:14 PM
238	The public should respect and support the police and not vilify them needlessly based on	11/6/2020 7:07 PM



## Rye Brook Police Reform Survey

isolated incidents largely misrepresented in by activist groups using them as a pretext for anti establishment political agenda and social reform. Back the blue and the blue will back you!

239	reduce traffic enforcement as a means of raising money under the pretext of public ssfety	11/6/2020 6:50 PM
240	No suggestions for improvement. Keep up the great work and thank you for keeping us safe! God bless!	11/6/2020 6:48 PM
241	It's pretty good already. I don't think it's feasible for them to walk a beat. But is there a suburban equivalent? Maybe on bike?	11/6/2020 6:44 PM
242	I have had little contact with the Rye Brook police. I see them directing traffic and going to emergency. I would like to know what they are doing. May be you could have a new letter introducing the officers and described their duties	11/6/2020 6:42 PM
243	No thoughts	11/6/2020 6:32 PM
244	Nothing. You guys are doing well	11/6/2020 6:28 PM
245	There should be more of a police presence in the village and the community.	11/6/2020 6:28 PM
246	The Rye Brook police is amazing! I would never hesitate reaching out. I trust them. I would suggest to complement security with cameras on the streets.	11/6/2020 6:25 PM
247	NA. They are great	11/6/2020 5:50 PM
248	In my limited experience with the RBPD, the officers were kind and helpful. I often see them at Starbucks (who don't we see there, it's basically our community center) and they are always professional and polite and seem like they would be happy to stop and chat if approached. When my identity was stolen last year and I had to file the complaint, I was overwhelmed and scared and the officer on duty was exceptionally helpful and calm. Even when I got pulled over for not having my registration updated, the officer was helpful and outgoing. While I don't like being pulled over, I respect that it must be done to help keep us safe in our town and have nothing but respect for the officers doing their jobs. Please keep up the good work and stay safe!	11/6/2020 5:42 PM
249	We think they are great. Wish they could take care of these silly small thieves who have been rummaging through our cars thou	11/6/2020 5:42 PM
250	More involvement of officers in the lives of local residents - similar to D.A.R.E., where students get to know local officers personally, maybe a program could be created in order to bring together law enforcement officers with local civilians. Just a thought. - Bary Alyssa Johnson (Mam'k High School, Class of '00)	11/6/2020 5:40 PM
251	They are doing a great job. Perhaps more community presence, the Rye Brook plaza, walking instead of in cars?	11/6/2020 5:39 PM
252	I'm not sure, but something definitely needs to be done. They are bullies and I would be scared to ask for help.	11/6/2020 5:32 PM
253	Continue presence around parks, school, social locations	11/6/2020 5:18 PM
254	More interaction	11/6/2020 5:17 PM
255	Trust is not an issue in our town as far as I can see. Maybe a wave, smile, hello as they patrol the street. Some officers are looking art their phones while they drive by. The one interaction I has with an officer - he was very condescending. Maybe a brief explanation is warranted in some instances rather than abrupt snaps back to make a point.	11/6/2020 5:16 PM
256	More interactive events, when they can be done safely.	11/6/2020 5:08 PM
257	Increase enforcement of underage drinking and drug use and related drunk driving in a fair way that applies to ALL citizens. Wealthy white kids and their parents should not be exempt.	11/6/2020 5:02 PM
258	More police/community events (coffee with a cop, fundraisers for charities). Events where people can see police not in an emergency situation	11/6/2020 4:54 PM
259	I think everything is fine now.	11/6/2020 4:51 PM
260	I was embarassed to say I don't know a single police officer by name (I used to). Maybe we should get to know each other better or am I being too naive	11/6/2020 4:48 PM

## Rye Brook Police Reform Survey

261	You guys are doing an excellent job!!!!	11/6/2020 4:38 PM
262	Not overuse their power , be kind to the community	11/6/2020 4:34 PM
263	Create spaces to meet. Send statistics to understand the current situation of the community regarding crime	11/6/2020 4:32 PM
264	Nothing they are great	11/6/2020 4:28 PM
265	keep up the good work	11/6/2020 4:25 PM
266	I'm not sure, I think there currently exists a well established and strong trust between the RPD and the community.	11/6/2020 4:22 PM
267	I think that they are doing very well already.	11/6/2020 4:14 PM
268	Not sure	11/6/2020 4:13 PM
269	There is no need for this to be addressed as police are professional	11/6/2020 4:12 PM
270	Body cams and independent oversight should be the minimum standard for all police forces	11/6/2020 4:08 PM
271	Ok now	11/6/2020 4:02 PM
272	The police should be doing a better job at taking action at teenage parties with drinking; they should also do a better job at policing the lack of social distancing and mask wearing at social functions, at the Hillandale circle and at Crawford Park. People are all over the place without masks, and having parties and there is no intervention at all. The job of the police is to enforce the laws more than making nice with people who are endangering the community by not following the law.	11/6/2020 3:59 PM
273	The police need to know that they will be judged fairly and not thrown under the bus.	11/6/2020 3:53 PM
274	more interaction	11/6/2020 3:50 PM
275	Police officers attend community functions in uniform	11/6/2020 3:48 PM
276	I think there is NO lack of trust between the Rye Brook Police and the Rye Brook community.	11/6/2020 3:42 PM
277	More visibility and community involvement.	11/6/2020 3:40 PM
278	Don't just ride in the cars. Get out and say hello.	11/6/2020 3:26 PM
279	Overall i think favorably of the PD.	11/6/2020 3:22 PM
280	Have events where community members can meet with Rye Brook police officers in small groups to get to know them or voice any concerns they may have. Sometimes people are shy to speak up at large meetings and would feel more comfortable speaking in smaller settings.	11/6/2020 3:20 PM
281	Do not assume every traffic stop or citizen interaction will result in danger or altercation. Treat people with respect.	11/6/2020 3:16 PM
282	The Rye Brook police have always been welcoming and trustworthy, continue to do Starbucks coffee communication meetups and events run by the police to engage in the community. It's important to build a trust and bond with local law enforcement. Police officers should speak at schools about safety in schools and around the town	11/6/2020 3:09 PM
283	Meet and greets. We are a small village. We should have the chance to meet our police force And our police force should know us. In addition, it would be great for our police force to meet our community members of color in particular and listen to their thoughts of personal safety and treatment in the community. Communication leads to trust and comfort for all members of our community .....both the police and the community they serve.	11/6/2020 3:08 PM
284	Allow law enforcement to do its job.	11/6/2020 3:04 PM
285	Nothing	11/6/2020 3:03 PM
286	Maybe smile more in your cars when we drive by.	11/6/2020 2:52 PM
287	recognize that all lives matter equally	11/6/2020 2:48 PM
288	I think there is a need for community outreach. I think each officer should be assigned a certain area of town and get to know the people who live there by name and talk to them and	11/6/2020 2:46 PM

## Rye Brook Police Reform Survey

address their concerns. Community Policing! And when you drive by ... wave, smile, make small talk. Make the community feel like your invested in our community.

289	Know that there are many of us that trust and appreciate you. Not everyone is a snowflake that sees you as the enemy. You have our back, and I have yours in my little spot in Rye Brook. God bless MOS.	11/6/2020 2:43 PM
290	For such a small town I know none of the officers and I think something should be done to so the citizens of Rye Brook are familiar with the police department.	11/6/2020 2:37 PM
291	Just continue to be seen and patrol.	11/6/2020 2:36 PM
292	They are fine the way they are. They do not discriminate and all lives matter. They do a good job and enforcing that. Don't fix what isn't broken because the country is divided.	11/6/2020 2:35 PM
293	I think the bond is strong and the trust is great. Doing a great but near thankless job. Keep up the good work!	11/6/2020 2:34 PM
294	We have a wonderful police department and happy all gets taken care of	11/6/2020 2:32 PM
295	Nothing I can think of. They are doing a terrific job and we are grateful to have them!	11/6/2020 2:30 PM
296	I think they are a great department	11/6/2020 2:30 PM
297	Patrol our streets more vigilantly at night to prevent car thefts and break-ins. Make sure there no unsolicited door-to-door visits.	11/6/2020 2:28 PM
298	Increased interaction with students and community to create more communication esp with kids	11/6/2020 2:27 PM
299	More community events with the police department	11/6/2020 2:26 PM
300	1. Community policing 2. More presence of police officers but less use for them	11/6/2020 2:26 PM
301	Maybe not directly on point, but perhaps an investigation of possible mergers with neighboring local police departments to eliminate potentially redundant management and control costs in a time when tax dollars and municipal services will be increasingly strained.	11/6/2020 2:25 PM
302	more presence, maybe also when driving around they could stop and introduce themselves to any families/children that are outside	11/6/2020 2:24 PM
303	Introductory letters to each address patrolled and bios on public website on any officer that interacts with the public of VRB. Like a LinkedIn profile of everyone assigned to patrol VRB.	11/6/2020 2:24 PM
304	Don't raise my taxes. Keep up the good work.	11/6/2020 2:23 PM
305	Increase patrols, Host bi-annual breakfast for questions/answers between officers/community, and/or a hotline for residents to call in and ask questions/receive information, Establish landlord/tenant rights advocate	11/6/2020 2:19 PM
306	Meet and Greets. Circulation of statistics. Transparency of police activities.	11/6/2020 2:18 PM
307	I'm not sure	11/6/2020 2:17 PM
308	Some of these questions presume knowledge of the police interactions with the community. Recently there have been fewer marked police cars visible in our neighborhood compared with previous years. Perhaps it is connected to the Pandemic. It would be nice to see officers stop their cars to briefly chat with residents as they pass through neighborhoods and introduce themselves. It would also be helpful to have some TV time (our own gov. channel) for programs set up to educate the public to the role of policing in communities such as R.B. and to have question and answer periods. Also, to be assured that extensive in-service is mandatory for all officers and administration in how to de-escalate persons in manic states and, further, those suffering from mental illness. That is where mental health professionals should be directly involved with police professionals. There are also cultural traditions and customs knowledge of which might be assistive in dealing with the community. Knowing their community is crucial in proper policing.	11/6/2020 2:16 PM
309	Offer ride along program, meet and greet etc	11/6/2020 2:14 PM
310	We should use teams of trained community-based professionals, such as homeless outreach workers, to handle certain emergency situations, such as mental health crises and substance	11/6/2020 2:14 PM

## Rye Brook Police Reform Survey

abuse calls. I don't believe it is necessary to have police officers in schools, studies have shown that it leads to an increase in criminalization of low-level offenses that are better handled by school discipline and it has a detrimental impact on the overall school climate.

311	They're doing a great job!	11/6/2020 2:14 PM
312	Better utilize the services of ADT and Ring	11/6/2020 2:08 PM
313	I moved here in May 2020 so I haven't interacted with the officers besides a wave as they pass in their patrol car. I guess that's because of social distancing. But coming from NYC I'd like to get to know the officers by name and I think most people should know them by name and treat them as friends and family.	11/6/2020 2:08 PM
314	Expand driving patrols. No hiding on Lincoln Ave. Drive through every area and block. Issue violations for cars parked in no parking areas particularly on narrow roads. They are a Hazzard to fire and EMS.	11/6/2020 2:08 PM
315	I think so far everything is going well. I think the PD can be a little more active with the younger children, whether it's sponsored events or just stopping the patrol car and talking to kids at the park or playing on the street. Now that kids of all ages are watching on social media and news that cops are "bad", maybe getting them out in front of our children in a different setting will change the kids & adults perception	11/6/2020 2:06 PM
316	Nothing. I'm happy with R.B. Police department	11/6/2020 2:05 PM
317	I don't know that there is not a bond of trust	11/6/2020 2:04 PM
318	Communication via local programs	11/6/2020 1:58 PM
319	Have the police and community point of view represented in Albany, so that legislators don't ram down more so called reforms which make communities unsafe. How many car thieves and shop lifters get appearance tickets (just read the Westmore News to get an idea), and continue to commit crimes. Police are not the problem in Rye Brook.	11/6/2020 1:57 PM
320	Auto thefts on rise. People need to lock cars but also policing at night	11/6/2020 1:53 PM
321	When I called that my car was broken into a report was taken. It would have been nice if someone came to my home.	11/6/2020 1:53 PM
322	I think it's great! Very satisfied. They are terrific. The school involvement has been great too.	11/6/2020 1:51 PM
323	While I think the larger police reform issue is mainly directed to areas of more crime and larger cities, there's no harm in strengthening the community relationship in Rye Brook, especially given the small size of our village! Given COVID and the lack of in-person / community events, it may be a great time to leverage Zoom technology as an outreach to members of the community. -Host a meeting where the police department can introduce themselves and talk to the community about current themes/trends/issues, things we should be aware of (e.g., recent car break-ins, upcoming holiday season reminders, etc), and leave time for Q&A. Record this for future playbacks. - While there's DARE (which I think is more for elementary students), what kind of outreach exists for high schoolers / those who may be interested in becoming a police officer or studying criminal justice in college? Thank you for all that the Rye Brook Police Department does!	11/6/2020 1:50 PM
324	More public engagement and community events	11/6/2020 1:50 PM
325	I think looking forward, consolidation of services needs to be considered. Consolidate with County or even rye. Save money and increase police duties.	11/6/2020 1:48 PM
326	More of a presence in the community	11/6/2020 1:48 PM
327	parents of teens should be held accountable for loud drunken parties. i trust the police department. i have not had experiences with the police but my children liked DARE at RSS.	11/6/2020 1:48 PM
328	Greater interaction with the community during normal times as opposed to only during times of need	11/6/2020 1:48 PM
329	More interaction while patrolling	11/6/2020 1:47 PM
330	Be kind and respectful of each other	11/6/2020 1:47 PM
331	Difficult during Covid but resume coffee with a cop	11/6/2020 1:47 PM

## Rye Brook Police Reform Survey

332	Continued community relations.	11/6/2020 1:46 PM
333	I am very happy with the bond and trust I have in our local police department. That trust extends to other departments in Rye Town. We need to do more to show our appreciation to these vital community servants. We are very fortunate to have such a terrific group of professional, friendly, and supportive group of men and woman. Thank you RBPD! We are here for you. Tom Mauriello and family	11/6/2020 1:45 PM
334	Continue building relationships with us.	11/6/2020 1:44 PM
335	Please stop stoking fear and anger in the community against the police. Stress how important it is to follow the laws and follow the direction of law enforcement. Community policing helps the members of the community get to know the police officers on a personal level and vice versa.	11/6/2020 1:44 PM
336	Just be empathetic to each other, don't be rude because you're "authority", police officers can smile too!	11/6/2020 1:43 PM
337	More community outreach. No 'gotcha'-type traffic enforcement. That creates distrust.	11/6/2020 1:39 PM
338	We already do that!	11/6/2020 1:38 PM
339	More interaction. I had trouble with some questions because I've only interacted with the RBPD once or twice in my years in town. But knowing people often develops trust.	11/6/2020 1:38 PM
340	Keep doing what you're doing. Back the blue.	11/6/2020 1:37 PM
341	Nothing love our law enforcement Rye Brook team	11/6/2020 1:37 PM
342	Personal visits to homes or communities by Rye Brook police	11/6/2020 1:36 PM
343	I am only a resident two years, but it seems like there really is not much need to improve the bond & trust that already exists.	11/6/2020 1:35 PM
344	Doing a great job keep it up.	11/6/2020 1:35 PM
345	Be more thankful and respectful of the police officers, who do so much for our community.	11/6/2020 1:35 PM
346	We have a great system in RB and wouldn't do anything to disrupt it.	11/6/2020 1:35 PM
347	I'd love to see them more in the neighborhoods getting to know who lives here.	11/6/2020 1:34 PM
348	More communication on their efforts, i.e. inclusion in the Mayor's email and VM addresses	11/6/2020 1:34 PM
349	I trust them. They're doing a great job.	11/6/2020 1:34 PM
350	We have one of the best PDs I've come across. Keep the patrolling going please.	11/6/2020 1:33 PM
351	Do not give out tickets with fines for parking overnight on streets without first issuing a warning ticket. There is trust between the community & the police. Let the police do their job & do not waste time & money trying to reform a high functioning, police department where there already exists trust and mutual respect and where the majority of issues arise from persons in outside communities coming into Rye Brook.	11/6/2020 1:33 PM
352	I think that the trust level is high already	11/6/2020 1:33 PM
353	I have always found the Rye Brook Police to be very receptive to providing the RB Community with a safe and secure community. It has been beneficial having the DARE program which allows our children an opportunity to be educated and connect with the Police at a young age.	11/6/2020 1:31 PM
354	perhaps create athletic leagues where kids - thru 12th grade are able to establish a relationship with police officers. Might increase likelihood that they will seek help from an officer in the future ...	11/6/2020 1:31 PM
355	You are doing a great job	11/6/2020 1:31 PM
356	More visibility and simple chatter	11/6/2020 1:30 PM
357	In my personal opinion there is no issues with the bond that I have with the police department. If there are others in the community that feel that way I don't think they're being fair. There's never been an issue here with regards to disrespect from the police to the community as far as I'm concerned. Keep up the good work.	11/6/2020 1:29 PM

## Rye Brook Police Reform Survey

358	If someone calls with a concern it should be addressed not ignored	11/6/2020 1:28 PM
359	Citizens Trust in Police and abide by law and order.	11/6/2020 1:26 PM
360	there is a lack of interpersonal skills. I always walk away feeling like I bothered the police officer or they have better things to do. They serve our community they should be empathetic to us when we have issues. Also, they should actually enforce traffic rules. No one in this town stops at stops signs. It is very dangerous especially now with it being dark out early. But people seem empowered to blow through stop signs. I actually observed a person accelerate through a stop sign. Clearly not worried about following the law. Hold community forums. Engage with the town. More outreach.	11/6/2020 1:25 PM
361	More community events	11/6/2020 1:24 PM
362	No changes.	11/6/2020 1:24 PM
363	I don't know	11/6/2020 1:23 PM
364	Respect and appreciation	11/6/2020 1:23 PM
365	More presence at school and community events.	11/6/2020 1:22 PM
366	Don't bother with two cars on patrol, nothing happens in this town anyway, keep an officer in each school instead.	11/6/2020 1:22 PM
367	Being present and fair	11/6/2020 1:21 PM
368	I think they are doing a great job already	11/6/2020 1:20 PM
369	More interaction	11/6/2020 1:19 PM
370	bigger presence at schools	11/6/2020 1:19 PM

## Appendix B: Police Reform Collaborative Committee Meeting Timeline and Presentations

- Village Board established the Police Reform Collaborative Committee on September 22, 2020
- Police Reform webpage is established – October 13, 2020. Website includes:
- Rye Brook Police Policies & Procedures
- State & Federal Police Reform Resources
- Agendas & Videos of committee meetings and listening sessions
- 1st Meeting: Organizational Meeting – October 14, 2020 at 5PM
- 2nd Meeting: Organizational Meeting #2 – October 26, 2020 at 5PM
- Police Reform Survey Published – November 6, 2020
- Police Reform Survey Closed – November 19, 2020
- 3rd Meeting: Public Listening Session #1 – November 23, 2020 at 7PM
- 4th Meeting: Public Listening Session #2 – December 14, 2020 at 7PM
- 5th Meeting: Review Draft Plan Language – January 25, 2021 at 5:30PM
- 6th Meeting: Review Draft Plan Language – February 8, 2021 at 5:30PM
- 7th Meeting: Finalize Draft Plan Language – February 16, 2021 at 4PM
- Village Board Adoption of Final Plan – March 9, 2021 at 7:30PM
- Filing of Final Plan with New York State – April 1, 2021

## Appendix C: Rye Brook Police Reform and Reinvention Collaborative Committee Presentations





# OVERVIEW OF THE RYE BROOK POLICE DEPARTMENT

GREGORY J. AUSTIN, CHIEF OF POLICE

J. ARNOLD, LIEUTENANT



RYE BROOK POLICE DEPARTMENT



## Mission Statement

The Mission of the Village of Rye Brook Police Department including the duties and responsibilities of all of its members is as follows:

1. To protect life and property;
2. To prevent crime;
3. To detect and arrest offenders;
4. To preserve the public peace; and
5. To enforce all laws and ordinances over which the Police Department has jurisdiction.

As with all modern police agencies, this department's duties and responsibilities do not end with the traditional law enforcement role. All members must be aware of the steadily increasing service role that this department is expected to perform within the community. As such, it shall be the duty of all members of the Village of Rye Brook Police Department to perform such tasks assigned to the police department by the governing officials of the Village of Rye Brook, through the Chief of Police, as is consistent with law.

RYE BROOK POLICE DEPARTMENT



# Brief History of the Rye Brook Police Department

- 1982 Town of Rye Incorporated – Village of Rye Brook Created
- 1983 Village of Rye Brook assumes services from Town of Rye
  - Rye Brook Police Department created

Town of Rye PD Patch



Original Rye Brook PD



Current Rye Brook Patch



RYE BROOK POLICE DEPARTMENT



# Brief History of the Rye Brook Police Department

- Town of Rye Police Department

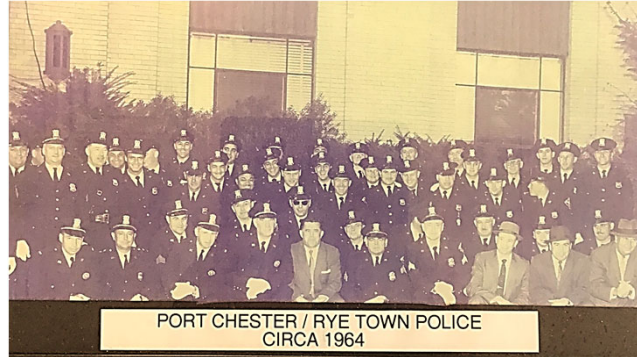


RYE BROOK POLICE DEPARTMENT



# Brief History of the Rye Brook Police Department

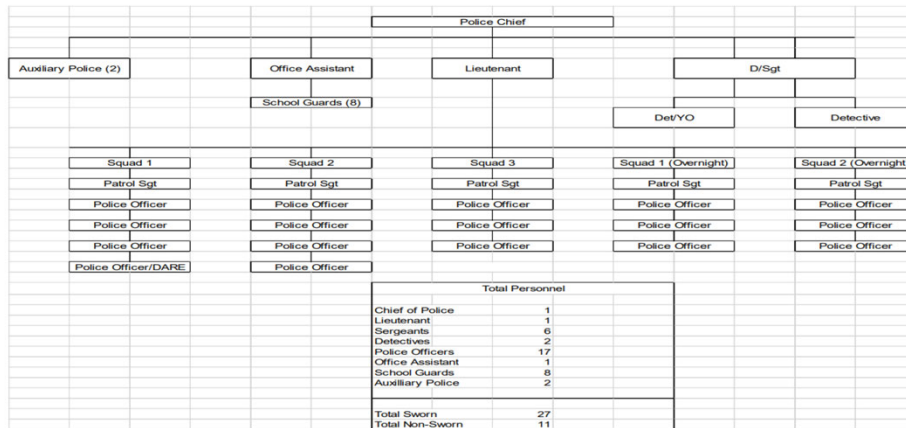
- Supervision provided by Port Chester Police Department
  - Chief, Lieutenants, Sergeants



PORT CHESTER / RYE TOWN POLICE  
CIRCA 1964



# Rye Brook Police Department 2020 Organizational Chart





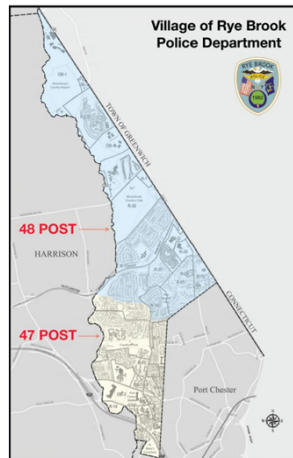
# Rye Brook Police Department 2020 Work Schedule

- Chief / Lieutenant
  - Monday – Friday 8:30 am – 4:30 pm
- Detectives (one sergeant/two detectives)
  - Monday – Friday 7:30 am – 3:30 pm
- Patrol – Uniformed officers – Sergeants
  - Overnight Shift
    - Eight officers (6 police officers and 2 sergeants) assigned to steady overnight shift
    - 10:30 pm – 8:30 am
    - four days on/four days off
  - Day / Evening Shift
    - Fourteen officers (three sergeants /eleven officers)
    - 7:30 – 3:30 or 2:30 – 10:30
    - Five days on two days off / five days on three days off

RYE BROOK POLICE DEPARTMENT



# Rye Brook Police Department 2020 Patrol Posts



RYE BROOK POLICE DEPARTMENT



# Rye Brook Police Department 2020 2017 Statistical Information



Uniformed Crime Report Part I Offenses			
	2016	2017	Difference
Murder	0	0	--
Rape	2	0	-2
Robbery	0	0	--
Aggravated Assault	1	0	-1
Burglary	7	12	+5
Larceny	52	78	+26
Motor Vehicle Theft	5	2	-3
Uniformed Crime Report Part II Offenses			
	2016	2017	Difference
Controlled Substance Possession	3	3	--
Sex Offense	0	1	+1
Forgery	0	2	+2
Criminal Mischief	21	13	-8
Fraud	53	53	--
Simple Assault	5	2	-3
DWI	4	2	-2
All Other Offenses	22	16	-6
Calls for Service			
	2016	2017	Difference
Total Calls for Service	5,988	6,012	+24
Motor Vehicle Accidents	246	274	+28
Traffic Tickets	684	798	+114
Parking Tickets	958	812	-146
Quality of Life Violations	10	11	+1

Calls for Service continued			
	2016	2017	Difference
Custodial Arrests	37	44	+7
Registered Sex Offenders	2	2	--
Citizen Complaints against officers and/or Dept	2	0	-2
Domestic Incidents	62	67	+5
Alarms (Burglar/Fire)	926	854	-72
Medical Aided	896	923	+27
Impounded Vehicles	41	36	-5
Use of force by officers	0	0	--

RYE BROOK POLICE DEPARTMENT



# Rye Brook Police Department 2020 2018 Statistical Information



Uniformed Crime Report Part I Offenses			
	2017	2018	Difference
Murder	0	0	No change
Rape	0	0	No change
Robbery	0	0	No change
Aggravated Assault	0	0	No change
Burglary	12	7	-5
Larceny	78	34	-31
Motor Vehicle Theft	2	5	+3
Uniformed Crime Report Part II Offenses			
	2017	2018	Difference
Controlled Substance Possession	3	1	-2
Sex Offense	1	1	No change
Forgery	2	3	+1
Criminal Mischief	13	18	+5
Fraud	53	31	-22
Simple Assault	2	3	+1
DWI	2	8	+6
All Other Offenses	16	9	-7
Calls for Service			
	2017	2018	Difference
Total Calls for Service	6,012	5,743	-269
Motor Vehicle Accidents	274	259	-15
Traffic Tickets	798	850	+52
Parking Tickets	812	794	-18
Quality of Life Violations	11	19	+8

Calls for Service continued			
	2017	2018	Difference
Custodial Arrests	44	52	+8
Registered Sex Offenders	2	2	No change
Citizen Complaints against officers and/or Dept	0	1	+1
Domestic Incidents	67	43	-24
Alarms (Burglar/Fire)	854	794	-60
Medical Aided	923	836	-87
Impounded Vehicles	36	34	-2
Use of force by officers	0	0	No change

RYE BROOK POLICE DEPARTMENT



# Rye Brook Police Department 2020 2019 Statistical Information

Uniformed Crime Report Part I Offenses			
	2018	2019	Difference
Murder	0	0	No change
Rape	0	0	No change
Robbery	0	0	No change
Aggravated Assault	0	0	No change
Burglary	7	6	-1
Larceny	34	58	+24
Motor Vehicle Theft	5	5	No change
Uniformed Crime Report Part II Offenses			
	2018	2019	Difference
Controlled Substance Possession	1	4	+3
Dangerous Weapon Possession	0	1	+1
Sex Offense	1	1	No change
Forgery	3	1	-2
Criminal Mischief	18	13	-5
Fraud	31	55	+24
Simple Assault	3	2	-1
Offenses Against Family	0	1	+1
DWI	8	7	-1
Loitering	0	2	+2
All Other Offenses	9	11	+2
Calls for Service			
	2018	2019	Difference
Total Calls for Service	5,743	5,870	+127
Motor Vehicle Accidents	259	262	+3
Traffic Tickets	850	713	-137
Parking Tickets	794	782	+8

Calls for Service continued			
	2018	2019	Difference
Quality of Life Violations	19	15	-4
Domestic Incidents	43	68	+25
Alarms (Burglar/Fire)	794	814	+20
Medical Aided	836	826	-10
Impounded Vehicles	34	49	+15
Use of force by officers	0	4	+4

RYE BROOK POLICE DEPARTMENT



# Rye Brook Police Department 2020 New York State Accreditation

- New York State Accredited Police Department since 2015
  - Accreditation is a progressive and contemporary way of helping police agencies evaluate and improve their overall performance. It provides formal recognition that an organization meets or exceeds general expectations of quality in the field. Accreditation acknowledges the implementation of policies that are conceptually sound and operationally effective.
- Four principle goals
  - To increase the effectiveness and efficiency of law enforcement agencies utilizing existing personnel, equipment and facilities to the extent possible;
  - To promote increased cooperation and coordination among law enforcement agencies and other agencies of the criminal justice services;
  - To ensure the appropriate training of law enforcement personnel; and
  - To promote public confidence in law enforcement agencies.

RYE BROOK POLICE DEPARTMENT



## Rye Brook Police Department 2020 New York State Accreditation

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

RYE BROOK POLICE DEPARTMENT



## Rye Brook Police Department 2020 New York State Accreditation

- Benefits to New York State Accreditation
  - Independent confirmation that policies comply with professional standards
  - Assurance of fair recruitment, selection and promotion processes
  - Diminished vulnerability to civil lawsuits and costly settlements
  - Enhanced understanding by agency personnel of agency policies and procedures
  - Greater administrative and operational effectiveness
  - Greater public confidence in the agency

RYE BROOK POLICE DEPARTMENT



## Rye Brook Police Department 2020 Hiring Practices

- Hiring a police officer is administered by the Westchester County Department of Human Resources
  - Follow Civil Service Laws
  - Must meet minimum requirements
- Two ways to become a Rye Brook Police Officer
  1. Selected from a list of eligible candidates
    - a. Pass a written exam administered by Westchester County Human Resources.
    - b. Pass a Physical and Agility exam administered by Westchester County Human Resources.
  2. Reinstatement from an eligible police department
    - a. Must have taken a Civil Service exam that meets the standards of an exam administered by Westchester County

RYE BROOK POLICE DEPARTMENT



## Rye Brook Police Department 2020 Hiring Practices, continued

- Create a list of eligible candidates
  - First interview by Chief, Lieutenant and Det/Sergeant
  - Top candidates invited back to complete a job application
    - Background investigation initiated
  - Candidates who pass background investigation come back for a second interview with Chief, Lieutenant and Det/Sergeant
    - Scenario questions
  - Third interview with Chief, Lieutenant, Det/Sergeant and Village Administrator
    - At this interview, a decision is made as to which candidate(s) a conditional offer of employment will be given.
    - Name is put onto Village Board of Trustees Meeting agenda
      - If approved by Village Board of Trustees, candidate is sent for Medical and Psychological exam.

RYE BROOK POLICE DEPARTMENT





## Rye Brook Police Department 2020 Hiring Practices, continued

- Upon successful completion of the Medical and Psychological exam, the candidate's name with supporting documentation is given to Westchester County Department of Human Resources for approval.

RYE BROOK POLICE DEPARTMENT



## Rye Brook Police Department 2020 Promotional Process

- Detective
  - Assignment, not a position that requires an exam to be eligible
- Sergeant, Lieutenant and Chief – Process is the same
  - Promotion
  - Candidates must pass a Civil Service exam with the top three scores are eligible.
- Interviewed by Village Board of Trustees (BOT)
  - BOT selects the best candidate interviewed
- Name given to Westchester County Department of Human Resources
  - Reviews candidate's qualifications, issues approval

RYE BROOK POLICE DEPARTMENT



## Rye Brook Police Department 2020 Hiring / Promotional Process

- New hires/promotions must serve a probationary period
  - Can be fired without cause
  - Demoted to previous rank

RYE BROOK POLICE DEPARTMENT



## Rye Brook Police Department 2020 Training

### Formal Required Training for all Police Officers

- New York State Municipal Training Council (MPTC)
  - Establishes training curriculum for all police training
- All police officers must attend a Police Academy Training Program
  - Officers receive Police Officer certification upon successful completion
- Sergeants must attend First Line Supervisors School
  - Must be completed within the first year after promotion

RYE BROOK POLICE DEPARTMENT



## Rye Brook Police Department 2020 Training, continued

- Rye Brook Police Department Training Program
  - Field Training – for newly hired officers from another police department or officers who just completed the police academy
    - 480 hours for police officers who just graduated from the police academy
    - 240 hours for police officers who are reinstated from another police department
  - Inservice Training
    - 50 hours per year
      - Firearms training and qualification
      - Legal Updates
      - Use of Force
      - Non-Lethal use of force
        - Taser
        - Expandable Baton
        - OC Spray
      - First Aid/CPR/ Automated External Defibrillator
      - Defensive Tactics
      - Sexual Harassment, Workplace Violence, Bloodborne Pathogens
      - Other topics that may be relevant

RYE BROOK POLICE DEPARTMENT



## Rye Brook Police Department 2020 Training, continued

- Professional Development
  - Defined in the Collective Bargaining Agreement
    - Used for college courses, other training beyond what is offered in in-service training.
- Roll Call Training
  - Training on rules, procedures or information. Usually occurs just prior to an officer's tour of duty.
  - Conducted by the patrol supervisor
  - Goal to keep officers up-to-date between formal in-service training sessions.
- On the Job Training
  - Informal training, given by a supervisor or senior officer in response to a situation that an officer may not have prior experience on how to handle.

RYE BROOK POLICE DEPARTMENT



# Rye Brook Police Department 2020 Community Outreach

- DARE – Drug Abuse Resistance Education
  - Started in Rye Brook in 1994
  - Taught to BMP/Ridge Street School 5<sup>th</sup> Graders
    - Follow-up program in 8<sup>th</sup> grade at Blind Brook Middle School

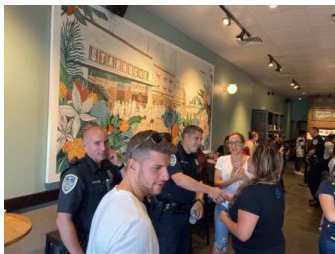


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# Rye Brook Police Department 2020 Community Outreach

- Coffee with a Cop



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# Rye Brook Police Department 2020 Community Outreach

- Car Seat Installation/Inspection



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# Rye Brook Police Department 2020 Community Outreach

- Unused Prescription Drop Off Location



RYE BROOK POLICE DEPARTMENT



## Rye Brook Police Department 2020 Community Outreach

- Traffic Safety
  - Schools Open Drive Safely Campaign



RYE BROOK POLICE DEPARTMENT



## Rye Brook Police Department 2020 Community Outreach

- Civilian Response to an Active Shooter
  - Course given to schools
  - Day Care Centers
  - Offices
  - Village Employees



RYE BROOK POLICE DEPARTMENT



# Rye Brook Police Department 2020 Community Outreach



- Motorcycle Officer



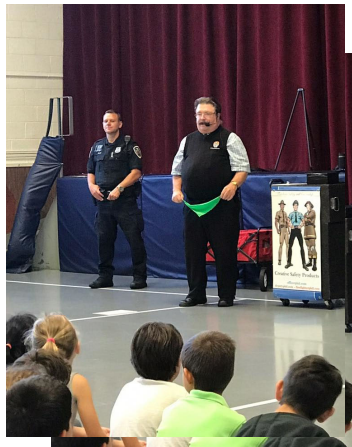
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# Rye Brook Police Department 2020 Community Outreach



- Officer Phil Program



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# Rye Brook Police Department 2020 Community Outreach

- Crime Prevention Campaigns



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# Rye Brook Police Department 2020 Community Outreach

- Port Chester -Rye Brook Public Library - Pajama Read Aloud Port Chester



RYE BROOK POLICE DEPARTMENT





# Rye Brook Police Department 2020



RYE BROOK POLICE DEPARTMENT



# Rye Brook Police Department

- Contact Us
  - Police Desk: (914) 937-1020
  - Chief Greg Austin: [gaustin@ryebrook.org](mailto:gaustin@ryebrook.org)
  - Lt. John Arnold: [jarnold@ryebrook.org](mailto:jarnold@ryebrook.org)
- Find Us on Social Media
  - Twitter: @Rye\_Brook\_PD
  - Facebook: @RyeBrookPolice
  - Instagram: @ryebrookpd

RYE BROOK POLICE DEPARTMENT

# NYS POLICE REFORM & REINVENTION COLLABORATIVE

Rye Brook Police Reform Collaborative Committee  
Organizational Meeting – October 14, 2020

## Agenda:

- 1) Welcome from Mayor Paul Rosenberg.
- 2) Introduction of Committee Members.
- 3) Review of Committee Goals. (Village Administrator Chris Bradbury)
- 4) Overview of Police Department. (Police Chief Greg Austin)
- 5) Discussion & Next steps. (All Members)

## Rye Brook Police Reform Collaborative Committee Members:

<u>Name</u>	<u>Community Role</u>
Paul Rosenberg, Chair	Mayor
Gregory Austin	Police Chief
John Arnold	Police Lt.
P.O. Aaron Weiss	Rye Brook PBA President
P.O. Elliot Asare	Rye Brook Police Officer
P.O. Abel Taveras	Rye Brook Police Officer
Chris Bradbury	Village Administrator
Alexandra Marshall	Asst. to the Administrator
Pastor Jim O'Hanlon	St. Paul's Lutheran Church
Noki Masuku	PC-Rye NAACP Representative
ADA Cynthia Adimari	West. Co. Asst. District Attorney
Joan Feinstein	Former Mayor; Attorney
Dan Tartaglia	Rye Brook Attorney; Planning Bd Member
Jeffrey Rednick	Former Deputy Mayor/Trustee; Defense Attorney
Michael Borrelli, Sr.	Doral Greens HOA Pres. & Chamber of Commerce Exec. Board Member
Rabbi Ben Goldberg	KTI Synagogue

## Purpose:

- On June 12, 2020, Governor Cuomo signed an Executive Order requiring every local government in NYS to adopt a policing reform plan by April 1, 2021 that is intended to maintain mutual trust and respect between the police and community they serve.
- The policing reform plan must be developed through an inclusive and transparent process that involves local stakeholders on a committee who will lead a fact-based and honest dialog about the public safety needs of the community.

## Collaborative Process:

- Review the needs of Rye Brook and evaluate the police department's current policies and practices.
- Establish policies that allow the police to effectively and safely perform their duties.
- Involve the entire Rye Brook community in the discussion.
- Develop policy recommendations resulting from this review.
- Draft a plan for public comment.
- Present the plan to the Village Board to adopt it by resolution or local law.
- Certify the adoption of the plan to the NYS Budget Director on or before April 1, 2021.

## Keys to a Collaborative Committee Process:

- Making planning and deliberation meetings public.
- Polling and surveying the public for their views on specific issues, if feasible.
- Providing periodic updates as the planning process moves forward.
- Engaging local media.
- Making all research materials public.
- Having a plan to incorporate public comment feedback into the final plan.

## Suggested Committee Work Plan:

- **Phase 1: Planning (Oct 2020)**
  - *Create a work plan for your process & a preliminary list of critical issues to be addressed.*
  - *Gather info about your department operations to assess where you are now, & share with the public.*
- **Phase 2: Listening & Learning (Oct thru Nov 2020)**
  - *Conduct listening sessions with the public (perhaps by themes)*
  - *Engage with other experts, colleagues, neighboring jurisdictions.*
- **Phase 3: Drafting a Plan (Dec 2020 thru Jan 2021)**
  - *Identify areas of focus based on current department status and feedback. Identify what areas are in need of change.*
  - *Identify measurable goals- what is "success" in the short or long term?*
  - *Keep the public engaged- share proposals & hear deliberations.*
- **Phase 4: Public Comment & Ratification (Feb thru Mar 2021)**
  - *Release draft plan for public comment & explain proposals to the public.*
  - *Revise the plan based upon additional public comment.*
  - *Village Board to adopt the plan & send certification to NYS by April 1, 2021.*

## Key Questions, Information, & Resources to guide dialog:

- I. What Functions Should the Police Perform?
  1. *Determining the role of the police.*
  2. *Staffing, budgeting and equipping your police department.*
- II. Employing Smart & Effective Policing Standards & Strategies
  1. *Procedural justice & community policing*
  2. *Law enforcement strategies to reduce racial disparities and build trust.*
  3. *Community engagement*
- III. Fostering Community-Oriented Leadership, Culture & Accountability
  1. *Leadership & culture.*
  2. *Tracking & reviewing use of force & identifying misconduct.*
  3. *Internal accountability for misconduct.*
  4. *Citizen oversight & other external accountability.*
  5. *Data, technology & transparency.*
- IV. Recruiting & Supporting Excellent Personnel
  1. *Recruiting a diverse workforce.*
  2. *Training & continuing education.*
  3. *Support Officer wellness & well-being.*

## IV. Recruiting & Supporting Excellent Personnel:

- **DISCUSSION & NEXT STEPS:**

1. Police Department overview.
2. Roles of Committee members.
3. Format for community listening sessions.
4. Preliminary list of critical issues to be addressed.
5. Work Plan & Timetable for Tasks



1

	<b>Agenda:</b>
	<b>1) Welcome &amp; Introduction from Mayor Paul Rosenberg.</b>
	<b>2) Overview of Committee goals.</b>
	<b>3) Review of Police Reform Survey Responses.</b>
	<b>4) Public Listening Session:</b>
	a) Listening Session expectations & how to make comments.
	b) Open public comment period on police reform.
	c) Potential areas of police reform topics for public comment.

2

	<b>Meeting Ground Rules:</b>
	<ul style="list-style-type: none"> <li>• Meetings will begin promptly.</li> <li>• Today's meeting will end no later than 8:30p.m.</li> <li>• Respect other opinions.</li> <li>• Stay on topic</li> <li>• Provide specific local examples from Rye Brook.</li> </ul>

3

	<b>Rye Brook Police Reform Collaborative Committee Members:</b>																																		
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	<ul style="list-style-type: none"> <li>• On June 12, 2020, Governor Cuomo signed an Executive Order requiring every local government in NYS to adopt a policing reform plan by April 1, 2020 that is intended to maintain mutual trust and respect between the police and community they serve.</li> <li>• The policing reform plan must be developed through an inclusive and transparent process that involves local stakeholders on a committee who will lead a fact-based and honest dialog about the public safety needs of the community.</li> </ul>

5

	<h2>Police Reform Committee Timeline &amp; Work Plan:</h2>
	<ul style="list-style-type: none"> <li>• <b>Phase 1: Planning (Oct &amp; Nov 2020)</b> <ul style="list-style-type: none"> <li>• Create a work plan with a list of critical issues to be addressed.</li> <li>• Gather and share info about department operations.</li> <li>• Establish Police Reform web page &amp; begin public outreach through newspaper, social media &amp; email blasts.</li> </ul> </li> <li>• <b>Phase 2: Listening &amp; Learning (Nov &amp; Dec 2020)</b> <ul style="list-style-type: none"> <li>• Distribute Police Reform Survey &amp; share results.</li> <li>• Conduct listening sessions with the public.</li> </ul> </li> <li>• <b>Phase 3: Draft a Plan (Dec 2020 thru Jan 2021)</b> <ul style="list-style-type: none"> <li>• Identify areas of focus based on current department status and feedback. Identify what areas are in need of change.</li> <li>• Keep the public engaged- share proposals &amp; hear deliberations.</li> </ul> </li> <li>• <b>Phase 4: Public Comment &amp; Ratification (Feb thru Mar 2021)</b> <ul style="list-style-type: none"> <li>• Release draft plan for public comment and revise the plan based upon additional public comment.</li> <li>• Village Board to adopt the plan &amp; send certification to NYS by April 1, 2021.</li> </ul> </li> </ul>

6

	<b>Review of Survey Responses</b>
	<ul style="list-style-type: none"><li>• <i>Anonymous survey to seek public input.</i></li><li>• <i>18 questions. 2 allow for individualized comments.</i></li><li>• <i>684 responses received in 14 days.</i></li><li>• <i>Survey results on Police Reform web page:</i> <a href="https://ryebrook.org/police-reform/">https://ryebrook.org/police-reform/</a></li><li>• <i>Review SurveyMonkey summary.</i></li></ul>

7

	<b>Public Listening: Open Comment Period</b>
	<ul style="list-style-type: none"><li>• <b>Purpose tonight is for Police Reform Committee members to actively <i>listen</i>. Tonight is not a time for a back-and-forth discussion.</b></li><li>• <b>To provide comments on any aspect of Rye Brook police reform, please type your name and indicate 'resident' or 'non-resident' in the zoom comment box.</b></li><li>• <b>Please try to keep comments to 3 minutes or less to provide an opportunity for others to comment.</b></li><li>• <b>Speakers will be asked to 'unmute' themselves one person at a time in the order received, starting with Rye Brook residents.</b></li></ul>

8

## I. What Functions Should the Police Perform?

### 1. Determining the role of the police.

- *What is the current role of police in Rye Brook?*
- *Should we deploy social service instead of (or in addition to) police officers in some situations?*
- *Can Rye Brook reduce violence by redeploying resources from policing to other programs? (Examples include community-based outreach & violence interruption programs, parent support programs, youth development programs, addressing trauma & violence at home, and design of public spaces.)*
- *What function should 911 call centers play in Rye Brook? Should social services be more involved in dispatch and/or response?*
- *Should law enforcement have a presence in schools?*

### 2. Staffing, budgeting and equipping your police department.

- *What are the staffing needs of the police department the community wants? Should components of the department be civilianized?*
- *How should the police engage in crowd control? Should the police be demilitarized?*

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## II. Employing Smart & Effective Policing Standards & Strategies:

### 1. Procedural justice & community policing.

- *Specific police strategies have raised concerns among the public. This includes policies such as "Broken Windows" and "Stop and Frisk"; discriminatory or bias-based stops, searches & arrests; informal quotas for summonses, tickets or arrests; shooting at moving vehicles & high speed arrests; use of SWAT teams & no-knock warrants; use of less than lethal weaponry such as tasers & pepper spray; and use of facial recognition technology.*

### 2. Law enforcement strategies to reduce racial disparities and build trust.

- *Using summonses rather than warrantless arrests for specific offenses; diversion programs; restorative justice programs, community-based outreach & violence interruption programs; hot-spot policing & focused deterrence; de-escalation strategies; evaluating whether Rye Brook can effectively identify, investigate & prosecute hate crimes (training, resources, etc.).*

### 3. Community engagement.

- *Develop a community outreach plan; consider a public safety citizen advisory board and committees; partner with community organizations and faith communities; partnering with students & schools; have a police-community reconciliation process to improve relationships; provide special training & attention to marginalized communities (Limited English Proficiency Citizens, citizens with communication disabilities, LGBTQIA+ Community, Immigrant Communities); involve youth in discussions on the role of police.*

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	<b>Agenda:</b>
	<b>1) Welcome &amp; Introduction from Mayor Paul Rosenberg.</b>
	<b>2) Public Listening Session #2:</b>
	a) Listening Session expectations & how to make comments.
	b) Open public comment period on police reform.
	c) Potential areas of police reform topics for public comment.
	<b>3) Next Steps</b>

2

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<b>Meeting Ground Rules:</b>	
<ul style="list-style-type: none"> <li>• <b>Meetings will begin promptly.</b></li> <li>• <b>Today's meeting will end no later than 8:30p.m.</b></li> <li>• <b>Respect other opinions.</b></li> <li>• <b>Stay on topic.</b></li> <li>• <b>Whenever possible, provide specific local examples from Rye Brook.</b></li> </ul>	

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- Speakers will be asked to 'unmute' themselves one person at a time in the order received, starting with Rye Brook residents.

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## Key Questions, Information, & Resources to guide dialog:

- I. What Functions Should the Police Perform?
  1. *Determining the role of the police.*
  2. *Staffing, budgeting and equipping your police department.*
- II. Employing Smart & Effective Policing Standards & Strategies
  1. *Procedural justice & community policing*
  2. *Law enforcement strategies to reduce racial disparities and build trust.*
  3. *Community engagement*
- III. **Fostering Community-Oriented Leadership, Culture & Accountability**
  1. **Leadership & culture.**
  2. **Tracking & reviewing use of force & identifying misconduct.**
  3. **Internal accountability for misconduct.**
  4. **Citizen oversight & other external accountability.**
  5. **Data, technology & transparency.**
- IV. **Recruiting & Supporting Excellent Personnel**
  1. **Recruiting a diverse workforce.**
  2. **Training & continuing education.**
  3. **Support Officer wellness & well-being.**

8

### III. Fostering Community-Oriented Leadership, Culture & Accountability:

#### 1. Leadership & culture

- *Is your leadership process designed to produce the police-community relationship you want?; Does your officer evaluation structure help advance your policing needs? What incentives does your department offer officers to advance policing goals? Does your hiring & promotion process help build an effective & diverse leadership team? What is your strategy to ensure that your department's cultural-norms & informal processes reflect your formal rules & policies?*

#### 2. Tracking & reviewing use of force & identifying misconduct.

- *When should officers be required to report use of force to their supervisor?; What internal review is required after a use of force?; Does your department review officers' use of force and/or misconduct during performance reviews?; Does your department use external, independent reviewers to examine use of force or misconduct? Does your department leverage Early Intervention Systems (EIS) to prevent problematic behavior?; Does your dept. review "sentinel" or "near miss" events? Does the dept. respond to questionable uses of force with non-punitive measures designed to improve officer performance?*

#### 3. Internal accountability for misconduct.

- *What does your department expect of officers who know of misconduct by another officer? Does your dept. have a clear & transparent process for investigating reports of misconduct? Does your dept. respond to officer misconduct with appropriate disciplinary measures? What procedures are in place that substantiated complaints of misconduct & settlements or adverse verdicts in lawsuits are used to reduce the risk of future misconduct? What controls are in place to ensure impartiality when reviewing potential misconduct or complaints? When appropriate, are cases referred to either the District Attorney or another prosecutor? Does your dept. expect leaders & officers to uphold the department's values and culture when off-duty?*

#### 4. Citizen oversight & other external accountability.

- *Does or should your dept. have some form of civilian oversight over misconduct investigations or policy reform? Is there an easy, accessible, and well-publicized process for members of the public to report complaints about police misconduct? Are investigation outcomes reported to the complainant? Are they reported to the public? Should the dept. or the citizen complaint review entity, if any, accept anonymous complaints? Does your local legislature engage in formal oversight of the police dept.? Should any changes be made in the legislature's oversight powers or responsibilities? Is your police department accredited by any external entity? Does your police dept. do an annual community survey to track level of trust?*

#### 5. Data, technology & transparency.

- *What police incident and complaint data should be collected? What data should be available to the public? How can your police department make its policies & procedures more transparent?; How can your police department ensure adequate transparency in its use of automated systems and "high risk" technologies? Should your police dept. leverage video cameras to ensure law enforcement accountability & increase transparency?*

9

### IV. Recruiting & Supporting Excellent Personnel:

#### 1. Recruiting a diverse workforce.

- *Does your agency reflect the diversity of the community it serves? What are ways in which your agency recruits diverse candidates that better represent the demographics of the communities you serve? What are ways in which you can re-evaluate hiring practices and testing to remove barriers in hiring underrepresented communities? How can you encourage youth in Rye Brook to pursue careers in law enforcement? What actions can Rye Brook take to foster the continued development & retention of diverse officers?*

#### 2. Training & continuing education.

- *How can you develop officer training programs that reflect your community values and build trust between police officers and the community? What training policies can Rye Brook adopt to ensure that P.O.'s continually receive high-quality, relevant in-service training? How can leadership training improve community policing and strengthen relationships between the police and the public? How can the police use its training programs to avoid incidents involving unnecessary use of lethal or nonlethal force? How can the police use its training programs to avoid potential bias incidents & build stronger connections with communities of color & vulnerable populations? How can your training program help officers effectively & safely respond to individuals experiencing mental health crises or struggling with substance abuse? What practices & procedures can you put in place to measure the quality & efficacy of your police department's training programs?*

#### 3. Support Officer wellness & well-being.

- *What steps can you take to promote wellness & well being within your department? How can you effectively & proactively address the mental health challenges experienced by many police officers throughout their careers? How can you address the well-being of an officer after a traumatic event?*

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	<b>NEXT STEPS:</b>
	<ul style="list-style-type: none"><li>• <b>DISCUSSION &amp; NEXT STEPS:</b><ol style="list-style-type: none"><li>1. Review survey &amp; public listening session responses.</li><li>2. Review NYS Police Reform Resource guide items with current RBPD practices.</li><li>3. Committee to incorporate comments &amp; recommendations into a draft Rye Brook Police Reform Plan.</li><li>4. Village Board to adopt the Reform Plan prior to April 1, 2021.</li></ol></li></ul>

Appendix D: Referenced Rye Brook Police Department Procedures (full Procedure manual available at [www.ryebrook.org](http://www.ryebrook.org))

<u>Title</u>	<u>Page</u>
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<b>113-09 HATE CRIMES</b>	<b>124</b>
<b>103-01 USE OF DEADLY PHYSICAL FORCE</b>	<b>128</b>
<b>103-02 NON-LETHAL USE OF FORCE</b>	<b>136</b>
<b>105-01 INTERNAL AFFAIRS COMPLAINTS MADE AGAINST POLICE PERSONNEL OR THE DEPARTMENT</b>	<b>143</b>
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## 107-09 PURSUIT AND EMERGENCY RESPONSE



ISSUE DATE: 10/1/2020	EFFECTIVE DATE: 10/01/2020	REVISES: 1/16/2015	CHAPTER: 107 - PATROL
REFERENCES: <b><u>NEW YORK STATE ACCREDITATION STANDARDS</u></b> 43.3 (Law Enforcement Response) 43.4 (Vehicle Pursuits) 43.5 (Roadblocks)			
SPECIAL INSTRUCTIONS: This policy supersedes all previous policies and procedures			
DISTRIBUTION: ALL MEMBERS OF THE DEPARTMENT			PAGE: - 44 -
ISSUING AUTHORITY: GREGORY J. AUSTIN, CHIEF OF POLICE			

### **PURPOSE:**

The purpose of this order is to ensure that all members of the Rye Brook Police Department make the right decisions concerning pursuits and emergency responses and exercise proper discretion during all phases.

### **POLICY:**

It is the policy of the Rye Brook Police Department to ensure that the primary concern in all pursuit and emergency response situations is for the personal safety of our members, the public, general population and the safety of occupants of pursued vehicles.

### **DEFINITIONS:**

**Regular Pursuit** – Operation of a vehicle in an attempt by one (1) or more police officers to stop a moving vehicle for the purpose of apprehending one (1) or more of its occupants. A pursuit situation exists when it is reasonable to expect that the driver of the pursued vehicle is aware of being pursued, and through actions, or inactions, fails to acknowledge or respond properly to an attempt to being stopped. Normal traffic stops are not pursuits.

**High-Speed Pursuit** – Includes the elements of a regular pursuit, in addition to the pursuing vehicle traveling in excess of 25 mph above the maximum lawful speed limit, or in excess of speeds for normal safe operating conditions.

**Emergency Response** – The operation of an emergency vehicle, or any vehicle under the command or direction of an authorized law enforcement officer, or the operation of any public safety vehicle such as authorized fire or medical response units, in response to an unforeseen combination of circumstances which call for immediate action. Emergency operations require the vehicle be identified and operated in accordance with New York State Vehicle and Traffic Law.

**Probable Cause** – Reasonable grounds for belief that a person should be arrested. Reasonable grounds in an arrest, search and seizure situation exist when the officer, at the time of the decision, has more factual evidence favoring suspicion, than against

such suspicion, with some room for doubt. Probable cause is not certainty but is more than an officer's "mere suspicion". For purposes of this policy, the mere fleeing of a suspect for anything other than a serious crime will not give probable cause to engage in a life-risking pursuit.

#### **PROCEDURE:**

1. The primary concern in all pursuit and emergency response situations is for the personal safety of our members, the public safety of the general population and the safety of occupants of pursued vehicles. Members are expected to make the right decisions concerning pursuits and emergency responses and exercise proper discretion during all phases. Members who fail to engage in a pursuit or emergency response, when facts show such actions were necessary, are just as negligent as they would be if they failed to disengage a pursuit any time the dangers associated with the pursuit or emergency operations are outweighed by the dangers created by continued engagement.
2. In all pursuit situations, members will be required to provide factual evidence that:
  - a. **A Serious Crime** has been committed and the fleeing vehicle, or occupants, have been involved in that crime, or;
  - b. **In High Speed Pursuits**, the pursued driver was capable of, and did in fact, demonstrate a willingness to seriously endanger the lives of others in an effort to flee; and officers engaged in the pursuit can provide substantial evidence that other means to apprehend the driver, or occupants, of the pursued vehicle were not practicable, (high speed pursuits will not be authorized for vehicle and traffic violations, unless the drivers actions are considered a deadly threat to other users of the highway) and;
  - c. **While Engaged in the Pursuit or Emergency Response**, members did comply with the New York State Vehicle and Traffic Law § 1104 for the regulation of traffic, and the departmental procedures, established for the operation of vehicles (e.g. wearing seat belts, using emergency equipment and headlights, and driving defensively to avoid the likelihood of an accident).
3. Whether a pursuit or emergency response situation will be considered justified under this policy, can be determined only on a case-by-case basis. Included among the most important factors that will be considered are the results, such as serious injury, death or property damage; the nature of the crime or situation believed to have occurred prior to the decision to pursue or operate under emergency conditions; and road, weather and traffic conditions.
4. Notification by another jurisdiction of a pursuit into our jurisdiction shall not be construed as a request to join the pursuit. The outside department will be asked if they are requesting our assistance. If our participation is not needed, we will monitor and lend assistance if necessary. Officers shall not become involved in another

agency's pursuit unless authorized by the patrol sergeant unless the emergency nature of the situation necessitates immediate assistance. If no sergeant is working, then the decision as to whether or not this department will join the pursuit will be at the discretion of the desk officer.

5. When a pursuit initiated by another department for V&T violations or minor crimes leaves our boundaries, we will discontinue our assistance as long as the primary pursuing unit has assistance from his department or another department.

#### **Protocol "A"**

6. While it is not possible to write a procedure for every possible pursuit or emergency response situation, the following procedures will communicate the department's basic expectations in each of these areas. Should a member not follow these procedures, it will then become that member's responsibility to convince the department that the procedures he or she followed were more appropriate under the conditions existing and made a greater contribution to the safety of all persons involved.

#### **Responsibilities in Pursuit Situations:**

7. The pursuing officer has responsibility for immediately and successfully notifying the desk sergeant/officer of the following:
  - a. The violation justifying the pursuit.
  - b. Location, direction and approximate speed of vehicles involved.
  - c. Descriptions of vehicles and occupants, as practicable.
  - d. Ongoing progress.
  - e. Location of stopped vehicles.
  - f. Complete a case report outlining all details mentioned in (a-e) of this Section.

#### **Secondary Unit(s) Responsibility:**

8. Notifying the desk of involvement and location.
9. Updating the desk of any change in location.
10. Provide traffic control, if needed, to prevent potential life-threatening incidents from occurring.
11. Provide assistance in stopping the pursued vehicle pursuant to methods set forth in this procedure.
12. Remain in a position that does not inhibit the primary unit or cause a life-threatening situation from occurring.

13. Assist the primary unit in the apprehension of the suspect when stopped.
14. Activate emergency equipment and should conduct all radio communications with headquarters, allowing the primary unit to concentrate on the pursuit.
15. The supervisor has primary responsibility for immediately and successfully:
  - a. Calling for termination of the pursuit, should the pursuing officer fail to do so, when facts available do not justify its continuance;
  - b. If no supervisor is working, then it will be the responsibility of the desk officer to call for the termination of the pursuit should the pursuing officer fail to do so when the facts available do not justify its continuance.
  - c. Directing the involvement of all members associated with the pursuit, including going to the scene of the stopped vehicle to direct final disposition, when practicable;
  - d. Whenever possible, the Sergeant (Tour Supervisor) shall limit the number of vehicles in the pursuit to two vehicles, the primary unit and a secondary unit. The number of additional units will be determined by the nature of the offense and the number of suspects. The additional units will not actively participate in the pursuit but respond in the general direction to be available as back-up when the pursuit terminates; this is done to avoid a caravan type effect.
  - e. Assuring that all command personnel are properly notified of relevant circumstances and final dispositions.
  - f. The desk sergeant/officer will discontinue non-emergency activities, and request for emergency communications only on the radio. The desk sergeant/officer will monitor the pursuit and will assist the officer pursuing the vehicle with any communication needs that are required.
    - i. He/she shall make a call for service indicating initiation of the pursuit, and he/she shall advise other units and agencies of the pursuit, and the progress of the pursuit. Use the Westchester County hotline (or F-3 MAARS Radio) if the pursuit is leaving the village limits as well as telephone contact if the pursuit is going into a jurisdiction that does not respond via hot line.
    - ii. He/she shall notify the patrol sergeant so he/she can actively supervise the pursuit situation. If no sergeant is working, the D/Sergeant if working should be notified. If no sergeant is working, then as soon as reasonably possible the Lieutenant should be notified whether or not the Lieutenant is working.

- iii. The desk sergeant/officer will also run registration search via computer ASAP and broadcast when time permits. Upon termination of pursuit, he/she will make all proper notifications.

### **High-Speed Pursuits**

16. Only fully marked patrol units with all emergency equipment operating may be involved in high-speed pursuits. All other types of ground units are classified as support vehicles and may not operate at high pursuit speeds.
17. The fully marked patrol unit closest to the fleeing vehicle, at the time, becomes the primary pursuit unit, and the driver assumes responsibility for continuing or terminating the pursuit in the absence of higher supervisory order. Other than the possible need for one (1) backup vehicle, caravanning of other department vehicles is not permitted. High-speed pursuits are not permitted by this policy under any of the following conditions:
  - a. Traffic offenses, except when driving under the influence of alcohol or drugs is suspected, and to permit the fleeing vehicle to continue, creates a high probability of a serious accident occurring. Again, these types of pursuits are considered to be a deadly use-of-force, and must be justified as such, by the members involved.
  - b. In congested areas during the times when members of the public can reasonably be expected to be occupying the path of the pursuit or within probable range of being struck by vehicles involved in the pursuit.
  - c. When such things as road, time of day, volume of traffic, location of the pursuit, speeds, other offenses, weather or vehicle conditions exist that enhance the chances of becoming involved in a serious motor vehicle accident, if driving at speeds exceeding the maximum speed limit.

### **Use of Tactics**

18. The preferred tactic always is to obtain vehicle data identification as soon as possible, terminate direct pursuit and then apprehend violators later, when practicable.
19. Immediately obtaining the assistance of aircraft, when possible, is preferred to ground pursuit.
20. **Use of Firearms During Pursuits** - Departmental policy regarding the use of firearms shall be strictly followed. Experience reveals that shooting at a fleeing vehicle is generally ineffective and that the hazards are great. Firing a weapon at a pursued vehicle with the intent, or effect, of terminating a pursuit, or stopping the probability of a pursuit violates this policy. Having a firearm unsecured from a holster or authorized holder during a pursuit is not permitted. (See Department Order 103-01, "Deadly Physical Force").

21. Setting up roadblocks (defined as any blockade set up in a road to prevent movement of vehicles), which, if struck, can reasonably be expected to result in death or serious injury to any person, is in violation of this policy, unless the right to use deadly force against the persons injured or killed by the roadblock, is established prior to the use of such roadblocks.
22. Blinding the pursued driver with spotlights, which creates the potential of a serious life-threatening accident, is not permitted.
23. Forcible stopping or contacting a fleeing vehicle is considered to be a use of deadly force and is subject to laws and policies governing such use of force. Seldom can forcibly stopping or contacting a vehicle be justified, particularly if the officer is seriously injured as a result. Such tactics are not consistent with the intent of this policy, and will be considered unjustified, unless the member can justify the use of deadly physical force and in doing so recognizes the possible danger to themselves and others.
24. Boxing-In tactics designed to surround a fleeing vehicle and bring it to a controlled stop, are a preferred stop tactic only when:
  - a. It is reasonable to expect that persons in the fleeing vehicle will not attempt to fire a weapon at members.
  - b. A sufficient number of vehicles are available.
  - c. Traffic, road and environmental conditions permit.

#### **Terminating a Pursuit**

25. When a pursuing officer(s) make decision to terminate a pursuit based on observed safety factors, the following is expected to occur:
  - a. The desk sergeant/officer is to be notified immediately by the vehicle two-way radio. If the two-way radio is out of range, then notification by cell phone can be made. The notification time and the location where the pursuit was terminated are to be recorded accurately in the blotter entry.
  - b. The member will immediately turn off emergency warning lights and sirens.
  - c. If possible, the member shall immediately pull to the side of the road and come to a stop or pull on to a side road.
  - d. If the supervisor (or the desk officer if no supervisor is working) decides to end the pursuit or emergency operations, all members involved are directed to comply with the supervisor's (desk officer's) instructions. Should any member lose radio contact with the desk or supervisor, that member is responsible for terminating his or her involvement in the pursuit.



## Review Procedures

### Pursuits not at high speeds

- a. The officer involved submits details about the pursuit through a Case Report. The officer is responsible for ensuring important details are recorded, such as which members were involved, the circumstances surrounding the pursuit, and the disposition of persons and vehicles.
  - b. The supervisor will be responsible for reviewing these reports to ensure compliance with established policies and procedures. If no supervisor is working, then the incoming supervisor will be responsible for reviewing the reports.
26. In other cases, including high-speed pursuits, the supervisor is required to submit an investigative report (memo) that must contain at a minimum:
- a. Facts pertaining to the nature of the pursuit.
  - b. A statement of whether the pursuit was justified by rule, policy or procedure or circumstances.
  - c. A statement of whether alternatives to the pursuit were feasible and, if so, to what degree they were employed.
  - d. If there is no supervisor, then the Lieutenant will be responsible for (a – d).
27. All reports will be turned over to the Chief of Police for further review. See Department Order 105-01. "Internal Affairs - Complaints against Police Personnel or the Department" for further reference.

## Protocol "B"

### Responsibilities in Emergency Response Situations

28. The Rye Brook Police Department is the primary law enforcement agency for the Village of Rye Brook and will respond to calls for service twenty-four (24) hours a day, 365 days per year.
29. An emergency response is justified whenever the call for service indicates an immediate life-threatening situation, or a crime in progress exists, or the need to respond immediately and safely with emergency lights, siren and headlights. It will be the responsibility of all members responding to an emergency to comply with principles and values explicitly and connotatively expressed in our Pursuits and Emergency Responses policy and New York State Vehicle and Traffic Law § 1104. Members are expected to know and understand how the laws and regulations affect them in their job performance.

30. There are two (2) types of emergency response priorities. Members who are unsure of a priority, are expected to monitor and assign priorities, when practicable:
- a. **Priority One** - Means to respond immediately and safely without endangering others, with emergency lights, siren and headlights on.
  - b. **Priority Two** - Means to respond immediately and safely without endangering others, using emergency lights, siren and headlights with discretion. This is justified when lights or siren are better used intermittently, and would create a safer, and more efficient, response. Responding to a burglary in progress, potential hostage situation or getting to a serious accident in extremely heavy traffic, when emergency equipment would confuse traffic, are situations when a priority two designation might be assigned.
    - i. In a priority two situation, the member is assigned the discretionary authority to make decisions about the best response procedure and can expect to be held accountable for the results of those decisions.

#### **Communications Responsibilities**

31. The officer self-engaging in an emergency response has the responsibility for immediately and successfully notifying the desk sergeant/officer of the following:
- a. The situation justifying the emergency response.
  - b. Location and direction.
  - c. Arrival on the scene.
32. The supervisor has primary responsibility for immediately and successfully:
- a. Calling for termination of the emergency response and to respond with caution, should the responding officer fail to do so, when facts available do not justify such continuance.
    - i. If no supervisor is working, then it will be the responsibility of the desk officer to terminate the response should the officer fail to do so when the facts available do not justify such continuance.
    - ii. Directing the involvement of all members associated with the response, including going to the scene to direct final disposition, when practicable.
    - iii. Assuring that all command personnel are properly notified of relevant circumstances and final dispositions (when required pursuant to notification procedures).

#### **Terminating a Response**

33. An independent decision to disengage from an emergency response due to safety reasons may be made at any time by a member involved. As soon as the decision is made, the following is expected to occur:
- a. The desk sergeant/officer is to be notified immediately
  - b. The member will immediately turn off emergency warning lights and sirens.
34. If the supervisor (or desk officer if no supervisor is working) decides to end an emergency response because the emergency, no longer exists he/she shall notify the responding units that the emergency no longer exists, and they should respond with caution. All members involved are directed to comply with the supervisor's/desk officer's instructions.

### **Review Procedures**

35. In the event it becomes necessary to justify the reasons for an emergency response or its termination, the supervisor is required to;
- a. Have the involved officer submit a report on the incident in a memo format.
  - b. Submit an investigative report that must contain at a minimum:
    - i. A report clearly indicating all the facts of the response.
    - ii. A statement of whether the decision to respond to an emergency or terminate a response was justified by rule, policy or procedure, or existing circumstances.
    - iii. If no supervisor is working, then the Lieutenant will be responsible for i and ii.
36. All reports will be turned over to the Chief of Police for further review. See Department Order 105-01, "Internal Affairs - Complaints against Police Personnel or the Department" for further reference.

## 113-09 HATE CRIMES



ISSUE DATE: 1/16/2015	EFFECTIVE DATE: 2/13/2015	REVISES: ---	CHAPTER: 113 – CRIMINAL INVESTIGATIONS
REFERENCES: <b><u>NEW YORK STATE ACCREDITATION STANDARDS</u></b> 44.2 (Hate Crimes)			
SPECIAL INSTRUCTIONS: This policy supersedes all previous policies and procedures			
DISTRIBUTION: ALL MEMBERS OF THE DEPARTMENT			PAGE: - 53 -
ISSUING AUTHORITY: GREGORY J. AUSTIN, CHIEF OF POLICE			

### PURPOSE:

To assist Sworn Members in identifying and investigating “Hate Crimes” as defined in section 485.05 of the New York State Penal Law.

### POLICY:

In furtherance of the determination of the New York State legislature that crimes motivated by hate or bias toward particular groups of persons cause harm to public order, as well as individual safety, and that such crimes should be prosecuted and punished with appropriate severity to provide clear recognition of the gravity of Hate Crimes and the compelling importance of preventing their recurrence, the Department shall properly classify crimes as Hate Crimes, investigate them appropriately, mindful of the sensitivity of the community as to the subject matter, and arrest and charge suspects in accordance with the law.

### PROCEDURE:

#### **General**

1. Sworn Members shall investigate as Hate Crimes any of certain designated offenses when it appears that the:
  - a. victim or intended victim of the offense was intentionally selected in whole, or substantial part, because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age (being sixty or older), disability (a physical or mental impairment that substantially limits a major life activity) or sexual orientation of a person, regardless of whether the belief or perception is correct, or
  - b. act or acts constituting the offense were intentionally committed in whole, or in substantial part, because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age (being sixty or older), disability (a physical or mental impairment that substantially limits a major life activity) or sexual orientation of a person, regardless of whether the belief or perception is correct.
2. The designated offenses which may be Hate Crimes are:
  - a. assault (any degree);

- b. aggravated assault upon a person less than eleven years old;
- c. menacing (any degree).
- d. reckless endangerment (any degree);
- e. strangulation (any degree);
- f. manslaughter (any degree);
- g. murder (second degree);
- h. stalking (any degree);
- i. rape in (first degree);
- j. criminal sexual act (first degree);
- k. sexual abuse (first degree);
- l. aggravated sexual abuse (second degree, subdivision (1)(a) only);
- m. aggravated sexual abuse (first degree, subdivision (1)(a) only);
- n. unlawful imprisonment (any degree);
- o. kidnapping (any degree);
- p. coercion (any degree);
- q. criminal trespass (first, second and third degree)
- r. burglary (any degree);
- s. criminal mischief (any degree);
- t. arson in the (first, second, third and fourth degree);
- u. petit larceny;
- v. grand larceny (any degree);
- w. robbery (any degree);
- x. harassment (first degree);
- y. aggravated harassment (second degree, subdivisions (1), (2) and (4) only); and
- z. any attempt or conspiracy to commit any of the foregoing offenses.

### **Sworn Members Responding to Possible Hate Crimes**

- 3. In addition to any other measures which Sworn Members shall take in connection with report of crimes, assigned Sworn Members responding to possible Hate Crimes shall:
  - a. Notify the Patrol Supervisor; if no Patrol Supervisor is working, then the Lieutenant and/or Chief of Police;
  - b. Conduct a preliminary investigation of the conduct complained of, including without limitation, the possible motives of the perpetrator;
  - c. If witnesses relate statements made by a suspect, take care to get the exact wording of what was said;

- d. If the incident does appear to involve a Hate Crime, notify the Detective Bureau Sergeant of same.
  - e. Provide all information collected through their preliminary investigations to Sworn Members assigned to conduct follow-up investigations.
4. The following factors should be considered in assessing whether an offense constitutes a Hate Crime:
- a. Lack of apparent motive other than as a Hate Crime;
  - b. Statements made by perpetrators;
  - c. Presence of multiple perpetrators;
  - d. Display of offensive symbols, words or acts;
  - e. Evidence of any hate literature found in the possession of a suspect;
  - f. The victim was one of a number of people in the vicinity who could have been similarly victimized, and does not appear to have been chosen for any reason other than for reasons of a Hate Crime;
  - g. The victim is of a different racial, ethnic or religious group than the suspect;
  - h. Particularly brutal conduct directed at victims by suspects unknown to them;
  - i. Timing in proximity to events of significance to the target group;
  - j. Multiple incidents occurring in a short time period involving victims belonging to the same identifiable group;
  - k. Location in proximity to an establishment associated with the target group;
  - l. The conduct complained of is of particular significance to the target group; and
  - m. Victim's perception that he or she was selected because of association with an identifiable group.
5. Sworn Members conducting follow-up investigations into Hate Crimes shall consult and coordinate their investigations with the Westchester Intelligence Center<sup>3</sup>.

#### **Patrol Supervisors**

6. Patrol Supervisors notified of reports of Hate Crimes shall respond to the scene<sup>4</sup> and:
- a. ensure that the Lieutenant and Chief of Police has been notified that the Department has been called to respond to a possible Hate Crime;
  - b. ensure that an appropriate preliminary investigation is being conducted with attention given to the motives of the perpetrator in selecting the victim and the conduct constituting a crime;
  - c. assess whether it appears likely that the conduct complained of actually constitutes a Hate Crime and, if so:

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<sup>3</sup> Physical evidence of an inflammatory nature should be removed from public view as soon as possible after the offense is properly documented.

<sup>4</sup> If necessary, personnel should be called in so the Patrol supervisor can respond to the scene.

- i. request that the Lieutenant and or Chief of Police respond to the scene; and
- ii. identify and establish contact with representatives of community or similar organizations present at the scene;

**Arrest Processing Considerations**

- 7. Sworn Members processing arrests for Hate Crimes shall ensure that they are properly coded as such in RICl where the letter” H” should appear after the Penal Law section number for each offense charged as a Hate Crime<sup>5</sup>.

**Records Unit**

- 8. The Lieutenant shall file, or cause to be filed, such periodic reports as required to be filed with the New York State Division of Criminal Justice pertaining to Hate Crimes reported to the Department.

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<sup>5</sup> Offenses classified as misdemeanors or class C, D or E felonies when charged as Hate Crimes are deemed to be one category higher than as specified in the Penal Law. Sworn Members must be mindful of this fact for purposes of eligibility for desk appearance tickets and the maximum amount of bail they may be conditioned upon.

## 103-01 USE OF DEADLY PHYSICAL FORCE



ISSUE DATE: 7/21/2020	EFFECTIVE DATE: 7/21/2020	REVISES: 1/31/2020	CHAPTER: 103 – USE OF FORCE/WEAPONS
REFERENCES: <b><u>NEW YORK STATE ACCREDITATION STANDARDS</u></b> 20.1 (Use of Force: General) 21.1 (Review of Firearms Use)			
SPECIAL INSTRUCTIONS: This policy supersedes all previous policies and procedures			
DISTRIBUTION: ALL MEMBERS OF THE DEPARTMENT			PAGE: - 57 -
ISSUING AUTHORITY: GREGORY J. AUSTIN, CHIEF OF POLICE			

### PURPOSE:

The purpose of this order is to establish clear guidelines for officers regarding the use of "deadly physical force".

### DEFINITIONS:

**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.<sup>6</sup>

**DEADLY PHYSICAL FORCE:** "Deadly Physical Force" as used in this policy is defined as that force which is intended to cause death or serious physical injury, or which creates some specified degree of risk that a reasonable and prudent person would consider likely to cause death or serious physical injury.

**SERIOUS PHYSICAL INJURY:** Is defined as 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.

**REASONABLE CAUSE TO BELIEVE:** Reasonable cause to believe that a person has committed an offense exists when evidence or information which appears reliable, discloses facts or circumstances which are collectively of such weight and persuasiveness as to convince a person of ordinary intelligence, judgment and experience that it is reasonably likely that such offense was committed and that such person committed it. Except as otherwise provided in Chapter 70 of the Criminal Procedure Law, such apparently reliable evidence may include or consist of hearsay.

**PHYSICAL INJURY** – Impairment of physical condition or substantial pain.<sup>7</sup>

<sup>6</sup> Graham, 490 U.S. 396 (1989)

<sup>7</sup> NY Penal Law § 10 (9) (McKinney 2013)



**BACKGROUND:**

The value of human life is immeasurable in our society. Police officers have been delegated the awesome responsibility to protect life and property and apprehend criminal offenders. The apprehension of criminal offenders and protection must at all times be subservient to the protection of life. The officer's responsibility for protecting life must include his/her own. Members of the Rye Brook Police Department shall use only the force necessary to effect lawful objectives consistent with Article 35 of the NYS Penal Law. Members of the Rye Brook Police Department may use deadly physical force only when the officer reasonably believes that the action is in defense of human life including the officer's own life or in defense of any person in immediate danger of serious physical injury. The fact that a police officer is justified in using deadly physical force DOES NOT allow reckless conduct by the police officer if the use of deadly physical force may injure innocent persons whom he is not seeking to arrest or retain in custody.

The federal and state standards by which use of force is measured are both founded in the basic premise of objective reasonableness.<sup>8</sup> The amount of force that is used by the officers shall be the amount of force that is objectively reasonable under the circumstances for the officer involved to effect an arrest, prevent an escape, or in defense of themselves or others. The standard of objective reasonableness, established by the United States Supreme Court in *Graham v. Connor*, is used in this policy and is intended to provide officers with guidelines for the use of force, including deadly physical force.

As the Supreme Court has recognized, this reasonableness inquiry embodies "allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation."<sup>9</sup>

This policy is written in recognition of the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires a careful balancing of all interests.

**NOTE: Effective June 12, 2020 New York State Penal Law section 121.13 A was signed into law by Governor Cuomo. This law makes it unlawful for a police officer to use a choke hold to restrain a subject.**

**Section 121.13-A Aggravated strangulation - New York State Penal Law**

A person is guilty of aggravated strangulation when, being a police officer as defined in subdivision thirty-four of section 1.20 of the criminal procedure law or a peace officer as defined in section 2.10 of the criminal procedure law, he or she commits the crime of criminal obstruction of breathing or blood circulation, as defined in section 121.11 of this article, or uses a chokehold or similar restraint, as described in paragraph b of

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<sup>8</sup> Force which is objectively reasonable is insulated from criminal liability through Article 35 of the NYS Penal Law and civil liability by the 4th Amendment standard of objective reasonableness.

<sup>9</sup> *Graham v. Connor*, 490 U.S. 386 at 396 (1989).

subdivision one of section eight hundred thirty-seven-t of the executive law, and thereby causes serious physical injury or death to another person.

Aggravated strangulation is a class C felony.

**POLICY:**

1. Choke holds are not an authorized method of restraint by members of this Department.
2. An officer may use deadly physical force only under the following situations, and in no event fire warning shots:
  - a. Confrontation Situations
  - b. To defend the officer or another from what the officer reasonably perceives as an immediate threat of death or serious physical injury.

**Apprehension and Pursuit Situations**

3. When an officer acting on personally known information has reasonable cause to believe that an armed or dangerous subject has committed a felony which involved the use or attempted use, or threatened immediate use of deadly physical force against a person; and
4. There is substantial risk that the fleeing subject will cause death or serious physical injury to the officer or to others, if not immediately apprehended; and
5. There is no other reasonable means to effect the arrest; and
6. The discharge does not appear likely to injure innocent bystanders
7. Where Feasible, some warning should be given prior to the use of deadly physical force<sup>10</sup>
8. The foundation of this policy is found in Section 35.30 of the penal law as modified by the holding of the United States Supreme Court in *Tennessee v Garner*. That court held that the firing at a fleeing felon is unconstitutional unless the discharging officer has probable cause to believe that the suspected person poses a significant threat of death or serious physical injury to the officer or others. Officers should be thoroughly familiar with the above section and the holding in *Tennessee v Garner*.

**Determining the objective reasonableness of force**

9. When used, force should be only that which is objectively reasonable given the circumstances perceived by the officer at the time of the event.
10. Factors that may be used in determining the reasonableness of force include, but are not limited to:

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<sup>10</sup> NY Penal Law and § 35.30(1), as restricted by *Tennessee v. Garner*, 471 U.S. 1 (1985) (restricting the use of deadly physical force as it relates to fleeing felons) In *Garner*, the Supreme Court uses “significant threat of serious physical harm, either to the officer or others” in describing the limited circumstances under which deadly force can be used to prevent the escape of a felon.

- a. The severity of the crime or circumstance;<sup>11</sup>
- b. The level and immediacy of threat or resistance posed by the suspect;<sup>12</sup>
- c. The potential for injury to citizens, officers, and suspects;<sup>13</sup>
- d. The risk or attempt of the suspect to escape;<sup>14</sup>
- e. The knowledge, training, and experience of the officer;<sup>15</sup>
- f. Officer/subject considerations such as age, size, relative strength, skill level, injury or exhaustion, and the number of officers or subjects;<sup>16</sup>
- g. Other environmental conditions or exigent circumstances.<sup>17</sup>

### **Duty to Intervene**

11. 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.
12. 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

### **Injured Animal**

13. Officers are authorized to kill a dangerous animal or an animal so badly injured that it should be destroyed to prevent further suffering. However, all other options shall be exhausted before shooting the animal. All other departmental procedures governing same must be adhered to. Headquarters shall be notified whenever possible before the discharge of a weapon. Headquarters shall notify the supervisor on duty of the situation.

### **Firearms Practice and Testing**

14. For target practice, other legitimate competition or purpose, or ballistic testing at approved sites.

## **Procedures and Prohibitions**

### **Juveniles**

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<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

<sup>13</sup> Scott v. Harris, 550 U.S. 372 (2007)

<sup>14</sup> Graham, 490 U.S. at 396 (1989)

<sup>15</sup> Analysis of cases under the 4th Amendment require the focus to be on the perspective of a reasonable officer on the scene which includes the training and experience of the officer. Graham v. Connor, 490 U.S. 386 (1989), Terry v. Ohio, 392 U.S. 1 (1968)

<sup>16</sup> Sharrar v. Felsing, 128 F. 3d 810 (3rd Cir. 1997) (numbers of officers or subjects)

<sup>17</sup> Courts have repeatedly declined to provide an exhaustive listing of factors. Chew v. Gates, 27 F. 3d 1432, 1475 n.5 9th Cir. (1994)

15. No distinction shall be made relative to the age of the intended target of deadly physical force. Self-defense and imminent threat shall be the only procedural guidelines for employing deadly physical force.

#### **Moving Vehicles**

16. Discharging a firearm at or from a moving vehicle is prohibited unless the occupants of same are using deadly physical force against the officer, or another and the officer reasonably believes that he will not endanger innocent persons.

#### **Warning Shots**

17. A police officer is not justified in using his firearm to fire a warning shot.

#### **Firing Shots for Alarm**

18. Firearms shall not be discharged to summon assistance except where the officer's safety or that of another is seriously endangered and he believes there is no reasonable alternative. Extreme care must be exercised in such situations to prevent injury to the officer or other persons.

#### **Drawing or Displaying**

19. An officer shall draw or display a firearm only if there is reason to fear for the personal safety of the officer or others.
20. After any use of Deadly Force an officer shall immediately evaluate the need for medical attention or treatment for that person upon whom the force was used and arrange for such treatment when:
21. That person has a visible injury, complains of injury, discomfort, or requests medical attention.
22. Sworn members shall report or cause to be reported all facts relative to the incident on a Use of Force Report Form and any required case and supplemental reports whenever an action is taken that results in, or is alleged to result in injury or death of another person
23. Persons having visible injuries, complaining of injury or discomfort and refuses medical treatment must be evaluated by EMS where the refusal will be witnessed by EMS and noted on the Rye Brook Police Department Use of Force Report.
24. The officer shall prepare and submit the reports required by current directives. If more than one officer is involved, each officer who uses force shall complete a Rye Brook Police Department Use of Force Report outlining their actions and observations in the incident. All copies of the report(s) will then be forwarded together, along with other applicable reports to the Patrol Supervisor for approval.
25. The Supervisor shall respond to the scene of the incident as soon as possible.
26. The Supervisor shall insure that officers receive any necessary assistance, including medical treatment. The Supervisor shall also ensure that any injuries to officers are properly documented.

27. A detective should respond to the scene to assist with the investigation.

### **PROCEDURES FOR INVESTIGATING USE OF FORCE INCIDENTS**

28. A supervisor that is made aware of a force incident shall ensure the completion of a use of force report by all officers engaging in reportable use of force and, to the extent practical, make a record of all officers present
29. Photographs should be taken which sufficiently document any injuries or lack thereof to officers or suspects.
30. The Lieutenant will receive the supervisor's report and conduct the investigation.
31. Consistent with agency disciplinary protocols and any applicable collective bargaining agreements, agency policy should establish standards for addressing the failure to adhere to use of force guidelines<sup>18</sup>
32. Upon notification of the use of Deadly Physical Force by subordinate personnel, the supervisor shall initiate an investigation into the incident and prepare a supervisory memo to be distributed through the chain of command.
33. The supervisor shall review the report(s) describing the use of force, and all other relative reports.
34. In the absence of discrepancies or additional facts, the supervisor's memo shall briefly advise that a supervisory investigation has been conducted and that facts are as reported in the official incident report and Use of Force Report.
35. When the supervisory memo and pertinent reports cannot be routed through the Chain of Command immediately, the supervisory memo and pertinent reports will be routed directly to the Chief of Police and the incident shall be verbally reported through the Chain of Command at first opportunity.
36. The supervisory memo shall be captioned with Deadly Physical Force followed by the incident number.
37. The Lieutenant shall be responsible for the following:
- a. Ensure that a thorough investigation was conducted and that all reports were prepared and submitted.
  - b. Prepare his own report, including any comments he may have regarding the incident, and how it was handled.
  - c. The Lieutenant's report, the supervisory memo, the Use of Force Report, and a copy of the incident report shall be forwarded to the Chief of Police through the Chain of Command without delay.

### **Steps to Take With Involved Officers**

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<sup>18</sup> EXC §840(4)(d)(2)(vi)

38. In every instance in which an officer uses deadly physical force and where such use of force results in death or bodily injury to another person, or where an officer is involved in an auto accident which results in the death or serious physical injury to another person, the following steps shall be taken:
39. If the incident involves an officer's weapon, it will be replaced with another weapon and all weapons carried by the officer at the time of the incident will be safeguarded and turned over to the investigating officer.
40. The involved officer will be given the opportunity to call his family as soon as possible to avoid the possibility of their learning about the incident through other than official sources, e.g., press, radio, TV, etc.
41. The officer shall not be allowed to talk to the press. All information regarding the incident will be given out through the office of the Chief of Police.
42. Prior to the officer making a written statement, he shall be provided the opportunity to consult with an attorney and/or a member of the Rye Brook Police Benevolent Association.
43. Supervisors and other department personnel must ensure that the officer is treated in a dignified manner. He should be accompanied by a fellow officer during the initial phases of the inquiry. All personnel should be sensitive to the psychological trauma that is associated with these types of incidents. Behavior, such as blaming, ridiculing, teasing, and isolating the involved officer, will only increase the potential trauma and therefore shall not be tolerated.
44. Assignment to a relieved of regular duty status shall be non-disciplinary with no loss of pay or benefits.
45. Relief from regular duty with full pay and benefits is intended to serve two purposes.
  - a. To address the personal and emotional needs of an officer involved in the use of deadly physical force which results in injury or death; and
  - b. To assure the community that verification of all the facts surrounding such incidents are fully and professionally explored.
46. Officers so relieved from regular duty status shall remain on a "limited duty" status and shall assure their availability to the police department, county, state and federal authorities to assist, when necessary, in the investigation of the incident until it is concluded.

#### **Reporting Use of Force Incidents to DCJS**

47. The categories of reportable Use of Force incidents include:
  - a. **Display a chemical agent** – To point a chemical agent at a subject.

- b. **Use/Deploy a chemical agent** – The operation of a chemical agent against a person in a manner capable of causing physical injury.
  - c. **Brandishes/Uses/Discharges a firearm** – The operation of a firearm against a person in a manner capable of causing physical injury.
  - d. **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.
  - e. **Uses a chokehold or other similar restraint** – Any application of sustained pressure to the throat or windpipe of a person in a manner that may hinder breathing or reduce the intake of air.
  - f. **Conduct that Resulted in Death**
    - Serious bodily injury** – Bodily injury that creates or causes:
      - A substantial risk of death; or
      - Unconsciousness; or
      - Serious and protracted disfigurement; or
      - Protracted loss or impairment of the function of any bodily member, organ or mental faculty.
48. Use of Force incidents that fall into the above categories will be reported to DCJS by the Chief or Lieutenant in accordance with DCJS guidelines.

## 103-02 NON-LETHAL USE OF FORCE



ISSUE DATE: 7/21/2020	EFFECTIVE DATE: 7/21/2020	REVISES: 1/31/2020	CHAPTER: 103 – USE OF FORCE/WEAPONS
REFERENCES: <b><u>NEW YORK STATE ACCREDITATION STANDARDS</u></b> 20.1 (Use of Force: General) 32.4 (Use of Less Lethal Substances/Devices)			
SPECIAL INSTRUCTIONS: This policy supersedes all previous policies and procedures			
DISTRIBUTION: ALL MEMBERS OF THE DEPARTMENT			PAGE: - 65 -
ISSUING AUTHORITY: GREGORY J. AUSTIN, CHIEF OF POLICE			

### **PURPOSE:**

The purpose of this order is to establish standard operating procedures and reporting requirements for use of non-deadly force by police officers. This procedure is intended to apply to the use of force for purposes of overcoming resistance to arrest or for defense against physical assault.

### **POLICY:**

A police officer, in the course of effecting or attempting to effect an arrest or preventing or attempting to prevent the escape from custody of a person whom he reasonably believes to have committed an offense, may use non-deadly force to the extent he reasonably believes such to be necessary to effect the arrest, or to prevent the escape from custody, or to defend himself, or a third person from what he reasonably believes to be the use or imminent use of physical force.

Under the 4th Amendment, a police officer may use only such force as is “objectively reasonable” under the circumstances. The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene.<sup>19</sup>

Prior to engaging in non-deadly force with a person, the officer should, in the initial stages of the confrontation, attempt to resolve the matter by use of verbal persuasion. If the situation escalates further, members of the Rye Brook Police Department shall use only the force necessary to effect lawful objectives consistent with Article 35 of the NYS Penal Law. This would include verbalizing at a safe distance until reinforcements or specialists could arrive on the scene, if at all possible. In any event, officers should use discretion when using non-deadly force and adhere to the escalation of force table on page 2 when circumstances necessitate the use of force.

### **DEFINITIONS:**

**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

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<sup>19</sup> *Graham*, 490 U.S. at 396 (1989)



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.<sup>20</sup>

**NON-DEADLY FORCE:** Necessary force which is not likely to cause death or great bodily harm.

**RESTRAINING FORCE:** Use of force which is limited to holding and restraining a person.

**PHYSICAL FORCE:** The necessary application of submission holds to overcome resistance.

**DEFENSIVE FORCE:** The necessary infliction of physical battery to overcome violent resistance or to protect self or others from assault or injury.

### ESCALATION OF FORCE TABLE

**VERBALIZATION:** That verbal persuasion used by the officer in an attempt to defuse the situation or inform a suspect that he is under arrest.

**RESTRAINT TECHNIQUES:** Those techniques an officer feels necessary to use to effect "Take Down and Control Holds" by using his hands, O.C. Spray, Taser and/or handcuffs.

**PERSONAL WEAPONS/IMPACT WEAPONS:** The punching, kicking, etc. an officer may resort to in accomplishing lawful objectives or the Expandable Baton, when used as an impact instrument by the officer.

**FIREARMS:** The ultimate use of force when the officer is compelled to use his sidearm, Patrol Rifle or Patrol Shotgun.

**NOTE:** Effective June 12, 2020 New York State Penal Law section 121.13 A was signed into law by Governor Cuomo. This law makes it unlawful for a police officer to use a choke hold to restrain a subject.

#### **Section 121.13-A Aggravated strangulation - New York State Penal Law**

A person is guilty of aggravated strangulation when, being a police officer as defined in subdivision thirty-four of section 1.20 of the criminal procedure law or a peace officer as defined in section 2.10 of the criminal procedure law, he or she commits the crime of criminal obstruction of breathing or blood circulation, as defined in section 121.11 of this article, or uses a chokehold or similar restraint, as described in paragraph b of subdivision one of section eight hundred thirty-seven-t of the executive law, and thereby causes serious physical injury or death to another person.

Aggravated strangulation is a class C felony.

### PROCEDURE:

1. Choke holds are not an authorized method of restraint by members of this Department.

<sup>20</sup> Graham, 490 U.S. 396 (1989)

2. Any officer using Physical Force or Defensive Force pursuant to his/her duties as a police officer (whether on or off duty) shall report or cause to be reported, all facts relative to the incident on a Use of Force Report Form.
3. Sworn members shall report or cause to be reported all facts relative to the incident on a Use of Force Report Form and any required case and supplemental reports whenever an action is taken that results in or is alleged to result in injury or death of another person.
4. Reporting Restraining Force will be left to the discretion of the arresting officer(s) and supervisor(s) unless the use of force causes a physical injury.
5. Only issued or approved equipment will be carried on duty and used when applying any level of Non-Deadly Force, except in emergency situations when an officer must use any resources at his disposal. The use of the Expandable Baton, Taser and O.C. Spray are considered a use of force and as such, necessary reports must be completed.
6. Officers must be trained in the proper use of less lethal substances and other devices in which they did not receive training in the basic course for police officers. All officers using less lethal substances or other devices must successfully complete an initial training course prior to issuance and annual retraining thereafter.

**FORCE SHALL NOT BE USED BY AN OFFICER FOR THE FOLLOWING REASONS:**

- a. To extract an item from the anus or vagina of a subject without a warrant, except where exigent circumstances are present;
  - b. To coerce a confession from a subject in custody;
  - c. To obtain blood, saliva, urine, or other bodily fluid or cells, from an individual for the purposes of scientific testing in lieu of a court order where required;
  - d. Against persons who are handcuffed or restrained unless it is used to prevent injury, escape, or otherwise overcome active or passive resistance posed by the subject.
7. Use of restraining devices is mandatory on all prisoners, unless in the officer's judgment unusual circumstances exist which make the use of restraining devices impossible or unnecessary (e.g.; prisoner is very elderly or handicapped etc...). The mere placing of handcuffs on a prisoner will not be construed to be a use of Physical Force. However, when the handcuffs become an appliance to exert force necessary to further subdue a prisoner or where the suspect physically resists the application of handcuffs, a use of Physical Force has occurred, and the necessary reports must be completed.

**REPORTING AND REVIEWING THE USE OF FORCE**

8. After any level of Non-Lethal Force is used, an officer shall immediately evaluate the need for medical attention or treatment for that person upon whom the force was used and arrange for such treatment when:
  - a. The person has a visible injury, or
  - b. Person complains of injury or discomfort or requests medical attention.

9. Persons having visible injuries, complaining of injury or discomfort and refuses medical treatment must still be evaluated by EMS where the refusal will be witnessed by EMS and noted on Rye Brook Police Department Use of Force Report.
10. The officer shall immediately notify his immediate Supervisor of the incident. In case of off duty incidents, the officer shall notify (in person or via phone) the on-duty patrol supervisor as soon as possible, and the local authority, (if necessary) if the incident occurred in another jurisdiction. The officer shall complete a departmental use of force report for:
  - a. Use of force that results in a physical injury.
  - b. Use of force incidents that a reasonable person would believe is likely to cause an injury.
  - c. Incidents that result in a complaint of pain from the suspect except complaints of minor discomfort from compliant handcuffing.
  - d. Incidents where a conducted energy weapon (CEW) was intentionally discharged or accidentally discharged after being displayed.
  - e. Incidents where a firearm was discharged at a subject.
11. The officer shall attempt to locate and identify any witnesses, documenting their statements.
12. The officer shall prepare and submit the reports required by current directives. If more than one officer is involved in a Use of Force incident, each officer who uses force shall complete a Rye Brook Police Department Use of Force Report outlining their actions and observations in the incident. All copies of the report(s) will then be forwarded together, along with other applicable reports to the Patrol Supervisor for approval.

#### **DETERMINING THE OBJECTIVE REASONABLENESS OF FORCE**

11. When used, force should be only that which is objectively reasonable given the circumstances perceived by the officer at the time of the event.
12. Factors that may be used in determining the reasonableness of force include, but are not limited to:
  - a. The severity of the crime or circumstance<sup>21</sup>
  - b. The level and immediacy of threat or resistance posed by the suspect<sup>22</sup>
  - c. The potential for injury to citizens, officers, and suspects<sup>23</sup>
  - d. The risk or attempt of the suspect to escape<sup>24</sup>
  - e. The knowledge, training, and experience of the officer<sup>25</sup>

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<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> Scott v. Harris, 550 U.S. 372 (2007)

<sup>24</sup> Graham, 490 U.S. at 396 (1989)

<sup>25</sup> Analysis of cases under the 4th Amendment require the focus to be on the perspective of a reasonable officer on the scene which includes the training and experience of the officer. Graham v. Connor, 490 U.S. 386 (1989), Terry v. Ohio, 392 U.S. 1 (1968)

- f. Officer/subject considerations such as age, size, relative strength, skill level, injury or exhaustion, and the number of officers or subjects<sup>26</sup>
- g. Other environmental conditions or exigent circumstances.<sup>27</sup>

#### **DUTY TO INTERVENE:**

- 13. 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.
- 14. 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.

#### **PROCEDURES FOR INVESTIGATING USE OF FORCE INCIDENTS:**

- 15. The Supervisor shall respond to the scene of the incident as soon as possible.
- 16. The Supervisor shall insure that officers receive any necessary assistance, including medical treatment. The Supervisor shall also ensure that any injuries to officers are properly documented.
- 17. The Supervisor shall insure that medical treatment for the defendant is evaluated per paragraph 8.
- 18. The Supervisor shall determine if a detective should respond to the scene and the level of detective's services to be utilized (including photos, measurements, and diagrams). If an injury or complaint of pain exists, supervisors are encouraged to obtain photographs.
  - a. A photograph showing no injury may be as important as one which shows injury.
- 19. If determined that Restraining Force was used by subordinate personnel, the Supervisor shall investigate the incident. When use of Restraining Force has been made necessary by resistance without violence, and when there are not significant injuries, reports of the use of restraining force shall not be mandatory. The arrest incident and resisting arrest charges shall be left to the discretion of the arresting officer and Supervisor.
- 20. Upon notification of the use of Physical or Defensive Force by subordinate personnel, the supervisor shall initiate an investigation into the incident and prepare a supervisory memo to be distributed through the chain of command.
- 21. The supervisor shall review the report(s) describing the use of force, and all other relative reports.
- 22. In the absence of discrepancies or additional facts, the supervisor's memo shall briefly advise that a supervisory investigation has been conducted and that facts are as reported in the official incident report and Use of Force Report.

<sup>26</sup> Sharrar v. Felsing, 128 F. 3d 810 (3rd Cir. 1997) (numbers of officers or subjects)

<sup>27</sup> Courts have repeatedly declined to provide an exhaustive listing of factors. Chew v. Gates, 27 F. 3d 1432, 1475 n.5 9th Cir. (1994)

23. When the supervisory memo and pertinent reports cannot be routed through the Chain of Command immediately, the supervisory memo and pertinent reports will be routed directly to the Chief of Police and the incident shall be verbally reported through the Chain of Command at first opportunity.
24. The supervisory memo shall be captioned with the type of force used (Restraining, Physical or Defensive) followed by the incident number.
25. The Lieutenant shall be responsible for the following:
  - a. He shall insure that a thorough investigation was conducted and that all reports were prepared and submitted.
  - b. Prepare his own report, including any comments he may have regarding the incident, and how it was handled.
26. The Lieutenant's report, the supervisory memo, the Use of Force Report, and a copy of the incident report shall be forwarded to the Chief of Police through the Chain of Command without delay.
27. The Lieutenant will conduct an annual analysis of the Use of Force Reports to determine trends that may indicate training needs and/or policy modifications.
28. Consistent with agency disciplinary protocols and any applicable collective bargaining agreements, agency policy should establish standards for addressing the failure to adhere to use of force guidelines.<sup>28</sup>

## TRAINING

29. All officers should receive training and demonstrate their understanding on the proper application of force.
30. Training topics will include use of force, conflict prevention, conflict resolution and negotiation, and de-escalation techniques and strategies, including, but not limited to, interacting with persons presenting in an agitated condition as well as duty to intervene and prohibited conduct.<sup>29</sup>
31. This policy is not intended to be a substitute for proper training in the use of force. Comprehensive training is the key to the real-world application of the concepts discussed within this policy.

### **Reporting Use of Force Incidents to DCJS**

32. The categories of reportable Use of Force incidents include:
  - a. **Display a chemical agent** – To point a chemical agent at a subject.
  - b. **Use/Deploy a chemical agent** – The operation of a chemical agent against a person in a manner capable of causing physical injury.

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<sup>28</sup> EXC §840(4)(d)(2)(vi)

<sup>29</sup> EXC §840(4)(d)(2)(vii)

- c. **Brandishes/Uses/Discharges a firearm** – The operation of a firearm against a person in a manner capable of causing physical injury.
  - d. **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.
  - e. **Uses a chokehold or other similar restraint** – Any application of sustained pressure to the throat or windpipe of a person in a manner that may hinder breathing or reduce the intake of air.
  - f. **Conduct that Resulted in Death**
    - Serious bodily injury** – Bodily injury that creates or causes:
      - A substantial risk of death; or
      - Unconsciousness; or
      - Serious and protracted disfigurement; or
      - Protracted loss or impairment of the function of any bodily member, organ or mental faculty.
33. Use of Force incidents that fall into the above categories will be reported to DCJS by the Chief or Lieutenant in accordance with DCJS guidelines.

# 105-01 INTERNAL AFFAIRS COMPLAINTS MADE AGAINST POLICE PERSONNEL OR THE DEPARTMENT



ISSUE DATE: 1/16/2015	EFFECTIVE DATE: 2/13/2015	REVISES: ---	CHAPTER: 105 – DISCIPLINE
REFERENCES: <b><u>NEW YORK STATE ACCREDITATION STANDARDS</u></b> 2.7 (Responsibility and Authority) 14.4 (Disciplinary System) 20.1 (Use of Force: General) 25.1 (Internal Affairs Function)			
SPECIAL INSTRUCTIONS: This policy supersedes all previous policies and procedures			
DISTRIBUTION: ALL MEMBERS OF THE DEPARTMENT			PAGE: - 72 -
ISSUING AUTHORITY: GREGORY J. AUSTIN, CHIEF OF POLICE			

**PURPOSE:**

The purpose of this order is to provide guidelines and procedures for the intake, investigation and disposition of complaints made against police department policies, procedures, rules, or personnel.

**POLICY:**

Community support for the police department, and its mission, is contingent upon citizen confidence in the integrity of the department, and its policies, procedures, rules, and personnel. It is the policy of the Village of Rye Brook Police Department to courteously receive and fairly investigate all complaints made against the department, and its activities, practices, and personnel. The goal of this policy shall be to correct deficiencies in policies and procedures, detect and deter misconduct, instill confidence in citizens regarding the integrity of the department and its personnel, and seek redress for false accusations made against the department and its members.

**DEFINITIONS:**

**COMPLAINT** - For the purposes of this order, a complaint shall be defined as any allegation of an alleged act or omission, which, if substantiated, is contrary to the rules, policies and procedures of the department; any alleged act or omission, which, if substantiated, would constitute a violation of law; or any allegation which tends to indicate an actual or potential defect in department policies, procedures, or rules, or in the delivery of police services.

**SUBJECT MEMBER** - A member of the department who is the subject of a complaint.

**PROCEDURE:**

**Administration**

1. The Lieutenant will serve as the Internal Affairs Officer (IAO) for the department. The IAO shall be responsible for the Internal Affairs Function and shall report directly to the Chief of Police in all matters relating to Internal Affairs.
2. Source Types of Internal Affairs Complaints shall include, but are not limited to:
  - a. Internal - Those generated by members of the department (e.g. supervisors, officers, civilian employees, etc...).
  - b. External - Complaints made by known persons from outside the department (e.g. civilians) including third-party complainants (e.g. parents, attorneys, etc...).
  - c. Precautionary - Complaints originating from anonymous sources, civil claims with no formal complaint, and media reports.

3. All members of the department shall be provided with a copy of this order.

**Duties of and responsibilities of members of the department:**

4. It shall be the duty and responsibility of all members of the department to:
  - a. Report violations of laws, ordinances, rules, regulations, policies, procedures or orders by any other department member to their immediate supervisor, or in his absence, a higher-ranking officer.
  - b. Assist citizens who wish to make complaints by directing them to their supervisor, lieutenant or to the detective sergeant.
5. If no supervisor is on-duty when a complaint is made and neither the Lieutenant nor the Detective Sergeant is on-duty and the allege offense is **non-criminal** in nature or alleges a **non-serious** violation of department rules, regulations or procedures, a complaint form is to be completed by the complainant or their representative. The completed form is to be brought to the attention of the Lieutenant.

If the complaint is of a **serious violation** of department policy or criminal in nature, the Lieutenant is to be notified off-duty, if the Lieutenant cannot be contacted then the Detective Sergeant is to be notified off-duty. If neither the Lieutenant nor the Detective Sergeant can be notified, then the Chief of Police is to be notified.

- a. Cooperate fully and completely with all internal affairs investigations.
- b. Refrain from communicating with anyone regarding an internal affairs investigation, unless specifically authorized to do so.



- c. Officers are encouraged to notify their supervisors if they are involved in a situation which may generate a complaint to the department

**Duties and Responsibilities of Supervisory Officers:**

- 6. It shall be the duty and responsibility of all supervisory and command officers to:
  - a. Receive, record and investigate complaints regardless of their source (e.g. internal, external or precautionary). Have the complainant complete a complaint form, although this is not required to initiate an investigation.
  - b. Forward all information gathered to the Chief of Police through the chain of command.
  - c. Conduct follow-up investigations if assigned by the Lieutenant or Chief and make findings and recommendations involving members of their command when the alleged offense is:
    - i. Non-criminal in nature; and
    - ii. Alleges a non-serious violation of department rules, regulations or procedures.
- 7. When the alleged offense is **non-criminal** in nature or alleges a **non-serious** violation of department rules, regulations or procedures, the Lieutenant or designee will be responsible for conducting follow-up investigations and findings, and recommendations involving members holding the rank of police sergeant or below. The Chief of Police or designee will be responsible for conducting follow-up investigations for members holding the rank of Lieutenant or below.
- 8. Complete investigations within the directed time frames, or receive approval for an extension from the Lieutenant, based on guidelines established by the Chief of Police.

**Duties and Responsibilities of the Internal Affairs Officer (IAO):**

- 9. Record, register and provide staff control over investigations delegated to other levels of command within the department.
- 10. Conduct the following specific types of serious complaint investigations, and shall not delegate:
  - a. Complaints alleging criminal conduct by department personnel.
  - b. Complaints alleging violations of a person's civil rights.
  - c. Complaints alleging excessive use of force.

- d. Complaints of sexual harassment.
  - e. Complaints involving multiple officers of various commands.
  - f. Allegations of a serious violation of department policy, procedure or rules.
  - g. Incidents in which a use of force report is submitted, to determine if the use of force was justified.
  - h. Actions by members that result in physical injury or death to another person.
  - i. Situations involving the use of deadly force by department personnel, to include the discharge of firearms, in other than lawful sport activity, the destruction of dangerous or injured animals, or at an approved firing range.
  - j. Investigations so complex that it would be impractical for supervisory personnel to undertake the task.
  - k. Any complaint, when specifically directed by the Chief of Police.
11. Liaison with the village administrator, labor attorney, and/or district attorney, as determined by the Chief of Police, to assure the results of internal affairs investigations are adjudicated fairly, impartially and thoroughly.
12. Maintain internal affairs records and prepare associated reports.
13. When the alleged offense is non-criminal and non-serious the IAO shall:
- a. Investigate or assign to a supervisor to investigate the circumstances of the reported violation seeking any additional information as may be required or available.
  - b. Interview the member informing him/her of the nature of the reported violation, giving the member an opportunity to make a statement or to request the reporting supervisor to seek additional information.
  - c. Any member being questioned in respect to possible disciplinary charges shall have the right to representation by the PBA President or his designee before making any written statement. The members shall be allowed reasonable time to procure such representation.
  - d. Conduct any further investigation as necessary.
  - e. Inform the member of the progress of the investigation, and the findings.

- f. Forward all reports to the Chief of Police.
- g. Report on all matters pertaining to internal affairs directly to the Chief of Police.

**Complaint Procedure:**

- 14. Any member below the rank of police sergeant, who is made aware of any complaint alleging member misconduct, shall immediately notify his/her immediate supervisor, or in his/her absence, the Lieutenant.
- 15. Supervisors are authorized to receive complaints from citizens or members of the department. Complaints made against any sergeant shall be received by the Lieutenant. The Chief of Police shall receive complaints about members above the rank of sergeant.
- 16. Any supervisory officer who receives a complaint directly, or has been requested to receive a complaint, shall:
  - a. Receive the complaint courteously, without attempting to dissuade any person from lodging their complaint. Complaints shall be received regardless of their source (in-person, telephone, letter, anonymous, third-party, etc...).
  - b. If the complaint relates to a policy or procedural issue, the supervisor shall explain the policy/procedure to the complainant. If, after the explanation is rendered, the complainant is satisfied, and the matter resolved to the complainant's satisfaction, the supervisor shall forward through the chain of command a memorandum documenting the complainant, nature of the complaint, the officer(s) involved and what action was taken.
  - c. If the matter is not resolved, or if the complaint relates to other than a policy or procedural issue, the supervisor shall request the complainant to complete and sign a department complaint form.
  - d. The department complaint form should be forwarded the Lieutenant who will forward to the Chief of Police.
  - e. The Lieutenant upon receiving the department complaint form will immediately initiate a preliminary internal affairs investigation to include:
    - i. Interviewing the complainant.
    - ii. When appropriate, obtaining a statement (preferably in the complainant's own handwriting) detailing the complaint.
    - iii. Locating and interviewing available witnesses.

- iv. Identification of all department members involved.
  - v. Collection of any evidence pertinent to the complaint.
  - vi. Photographs of the scene, and the complainant, as appropriate.
  - vii. Securing appropriate medical examination or treatment, and obtaining an authorization for release of medical records, when appropriate.
  - viii. Neighborhood canvass.
  - ix. Collection of relevant information such as all reports relating to the incident, officer's Daily Report, prior history of the complainant, etc.
  - x. The Detective Sergeant may assist with any of the above.
17. If the complainant will not cooperate with the preliminary investigation, the Lieutenant shall fully document his attempt to complete the investigation.
18. The Lieutenant shall complete the department complaint form if the complainant refuses or is otherwise unavailable to do so.
19. Complaints made by intoxicated individuals should be received at the time they are made to the supervisor and/or Lieutenant. The complainant should be re-interviewed at a later time (e.g. when he/she is sober), and any discrepancies should be noted in the investigation report.
20. The Chief of Police and Lieutenant shall be notified immediately if a member of the department is:
- a. Arrested or charged with a criminal offense.
  - b. Accused or questioned regarding conduct that would constitute a crime.
  - c. Temporarily relieved of duty.
  - d. Involved in an action resulting in physical injury or death to another person.
  - e. Accused of serious misconduct.
  - f. Accused of using excessive force or violating a person's civil rights.
  - g. Accused of sexual harassment.
  - h. Any unlawful conduct.

21. Upon completion of the preliminary investigation, the Lieutenant shall forward the department complaint form and any completed documentation to the Chief of Police. If the preliminary investigation is not completed by the end of the tour, a copy of the department complaint form and any completed documentation must be forwarded with an indication that further documentation is to follow. The Lieutenant shall retain a copy of the preliminary investigation for follow-up investigation, if appropriate

**Investigative Process:**

22. Upon receipt of the department complaint form, and any other documentation.
- a. The Lieutenant shall review the preliminary investigation for completeness.
  - b. The Lieutenant shall return the complaint, if necessary, to the appropriate Supervisor, for follow-up investigation, if it is determined that responsibility for the complaint rests with the subject member's immediate supervisor (e.g. allege offense is **non-criminal** in nature or alleges a **non-serious** violation of department rules, regulations or procedures)
  - c. The Lieutenant shall provide staff control over internal affairs investigations conducted by a subject member's immediate supervisor and monitor their progress to ensure fairness, accuracy and timely completion.
  - d. The Chief of Police shall assign a unique internal affairs case number to the investigation and log the information in the internal affairs investigation log book. The log book and case files are maintained in the Police Chief's office.
23. A supervisor assigned to conduct an internal affairs follow-up investigation shall:
- a. Conduct the investigation in a fair, accurate and timely manner.
  - b. File investigative status memos with the Lieutenant who will forward same to the Chief of Police every seven (7) days until the investigation is concluded.
  - c. Request the guidance of the Lieutenant when necessary.
  - d. Forward the completed follow-up investigation and his findings and recommendations, to the Lieutenant who will forward to the Chief of Police for review and recording.

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24. Internal affairs investigations are sensitive and confidential in nature. No member shall discuss or divulge any information concerning an internal affairs investigation to any unauthorized person. Authorized persons are as follows:
- a. Chief of Police.
  - b. Lieutenant
  - c. Supervisor of the involved officer.
  - d. Assigned investigative personnel.
  - e. Village Administrator, Village Labor Attorney.
  - f. Subject member's PBA representative, where necessary.
25. Persons conducting internal affairs investigations shall be of a higher rank of the subject member, and should interview and depose, when applicable, the subject member. Generally, all facts and evidence shall be gathered before the subject member is interviewed and a preliminary decision as to the type of interview/investigation (administrative vs. criminal) is made. Prior to being questioned, the subject member shall be:
- a. Given at least twelve (12) hours' notice of interview and shall be conducted at a reasonable hour. This is dependent on the severity of the complaint.
  - b. Provided with a written statement of allegations with sufficient information to reasonably apprise him of the alleged misconduct, except when such notification would hinder or compromise the investigation.
  - c. Advised of his constitutional rights via the standard "Miranda Warning" utilized by this department when the investigation pertains to alleged criminal activity on the part of the subject member. When the option to remain silent is exercised, the investigator must cease questioning regarding the criminal investigation until the subject member has had the opportunity to obtain counsel.
  - d. Provided with a copy of his administrative rights if the allegations against the member constitute administrative non-criminal violations of rules, regulations, policies or procedures. During an administrative internal investigation, all members must cooperate to the fullest. All members are required to answer truthfully and completely. Failure to cooperate fully, or deception or hindering the investigation, may result in disciplinary action, including dismissal. Compelled statements, or the fruits thereof, cannot be used against a member in any subsequent criminal action. The

admissions obtained from compelled statements can be used to form the basis of administrative disciplinary action (Garrity Rule), unless otherwise stated in a collective bargaining agreement, if applicable.

- e. Entitled to exercise his/her rights pursuant to the terms of the collective bargaining agreement, if applicable.
26. Internal affairs investigations shall be completed within twenty (20) days of receipt of the complaint. Any extension beyond the limit must be requested in writing and approved by the Chief of Police. If after thirty (30) days from the time the case was initiated, the matter is still pending, the investigating officer shall advise the complainant, the member and the PBA representative of the case status.

### **Conclusion of Internal Affairs Investigations**

27. Upon completion of an internal affairs investigation, the investigating officer shall prepare a written summary containing:
- a. An outline of the alleged conduct.
  - b. The findings relative to the alleged actions.
  - c. Specific violations, if any are shown by the evidence.
  - d. Ancillary issues developed during the investigation.
  - e. A conclusion with a recommended finding for each allegation as follows:
    - 1. SUSTAINED - allegation(s) are substantiated.
    - 2. UNFOUNDED - allegation(s) are false or not factual.
    - 3. EXONERATED - incident occurred, but the member acted lawfully and within department policy.
    - 4. NOT SUSTAINED - allegation(s) are not substantiated. No sufficient evidence was revealed to substantiate or disprove the allegation.
    - 5. MISCONDUCT NOT BASED ON COMPLAINT - substantiated misconduct, which was other than the allegation(s) identified in the original complaint.
    - 6. INCOMPLETE INVESTIGATION - complainant failed to cooperate with the investigation and there is not enough evidence available to draw a fair conclusion and apply a finding.

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28. The investigating officer, if other than the IAO, shall forward the written summary, along with his recommended findings and actions, to the Chief of Police for his final review and processing.
29. The Chief of Police shall review the investigation and statement of findings and recommendations and make a final determination for each allegation in the case. The Chief shall then serve, or cause to be served, notice of his determination upon the following parties:
  - a. Complainant. The degree of specificity of the complainant's notice shall be left to the discretion of the Chief of Police. Notification to the complainant need not be in writing.
  - b. Subject member, in writing.
  - c. Subject member's supervisor, in writing.
  - d. PBA president.
  - e. IAO or investigating officer (receives original written determination).
30. When a **complaint** is sustained, or a determination of misconduct not based upon the complaint is made, the Chief of Police shall cause a copy of the determination to be made and placed in the subject member's personnel file, which details:
  - a. Date of incident/report, member's name, case number.
  - b. Nature of complaint.
  - c. Adjudication.
  - d. Disposition.
  - e. Name of investigating officer.
31. When **disciplinary action** against a subject member is the result of a sustained finding, or a determination of misconduct not based upon the complaint is made, a copy of the disciplinary action shall be placed in the internal affairs case file and the subject member's personnel file.
32. When the conclusion of an internal affairs investigation results in an Exonerated, Not Sustained, or Incomplete Investigation case status, the investigation file will be filed with the Internal Affairs case records and not in the subject member's personnel file.
33. Consistent with legal requirements, in appropriate circumstances, the department may utilize a progressive discipline approach that attempts to correct



problems in a constructive, non-punitive manner. Recommended actions may include, but are not limited to:

- a. **Remedial training** - In minor disciplinary cases or where remedial training is indicated, counseling and training may be utilized as a corrective method of positive discipline with the approval of the Chief of Police.
  - i. The documentation on the individual's progress will be maintained on file with the Lieutenant for further reference regarding additional training needs.
- b. **Counseling** - Counseling is a process most often conducted by an immediate supervisor to determine if the member is familiar with a particular issue or aware of department written directives, policies or procedures that govern his behavior and to determine further training needs.
  - i. A record of these counseling sessions should be maintained by the supervisor for further evaluation of the employee's progress.
- c. **Corrective Interviews** - Corrective interviews are most often the second step in the disciplinary process after counseling has been attempted and may be conducted by the immediate supervisor or other superior officers to point out a member's unacceptable behavior or job performance or failure to comply with written directives. Depending on the severity of the incident, corrective interviews may be required in lieu of initial counseling sessions described above.
  - i. Written documentation of the corrective interview sessions shall be forwarded from the supervisor to the Lieutenant for future reference and evaluation of the officer.
- d. **Disciplinary action** - All punitive actions taken by the department in the interest of discipline, including all reprimand, written reprimands, and reductions of leave, suspension, demotion or dismissal will be in accord with the Unconsolidated Laws of New York State, Section 57II Q - collective bargaining, liaison agreements, and written directives
- e. **Disciplinary Charges** - When it has been determined necessary, charges will be preferred against the member pursuant to 57II Q of the Unconsolidated Laws of New York State or command discipline, when appropriate, may be offered to the member in lieu of formal charges.
- f. **Command Discipline** - In those situations where the member and the Chief of Police agree, command discipline may be accepted in lieu of formal charges under 57IIQ.

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34. Command Discipline shall be commenced no more than 90 days after the conclusion of the investigation.

**Administration of Command Discipline**

35. Upon discovering a violation, the reporting supervisor shall:
36. Prepare all reports pursuant to this General Order for each officer involved.
37. Submit the original report with any documentation through the supervisor's Chain of Command to the Chief of Police.
38. The member shall advise the Chief of Police of his decision to:
- a. Accept both the finding and the proposed penalty or;
  - b. Accept the finding but appeal the proposed penalty to the Chief of Police.
  - c. Decline to accept either the finding or the proposed penalty and instead elect disciplinary proceedings pursuant to section 57II Q of the Unconsolidated Laws of New York State.

39. Non-Acceptance of Option

- a. If the member declines to accept the findings and proposed penalty, the Chief of Police shall enter the member's decision on the command discipline report.
- b. The member shall verify this choice by co-signing the report.
- c. The Chief of Police shall then determine whether to proceed with charges under Section 57IIQ of the Unconsolidated Laws of New York State.
- d. The Chief of Police shall maintain a copy of the case in the Internal Affairs file.

**Temporarily Removing/Suspending Officers From Duty**

**Temporary Relief From Duty**

40. The Chief of Police has empowered supervisory personnel to temporarily relieve a member from duty, with pay, under the following circumstances:
- a. Suspected of being under the influence of alcohol, intoxicated or ability impaired on duty.

- b. Suspected of being under the influence of a controlled drug or narcotic or being under the influence of a controlled drug or narcotic, not prescribed by a physician, and unable to perform their duty.
- c. Apparent mental instability.
- d. Illness.
- e. If the member is deemed a threat to the community, other department members or employees, or to himself.
- f. Any situation for which temporary relief from duty would best serve the needs of the community, the department, or the individual.
- g. If a member is temporarily relieved of duty, the supervisor shall immediately notify the Chief of Police.
- h. The supervisor shall instruct the relieved member when and where to report to the Chief of Police.

#### **Suspension from Duty**

- 41. When determined necessary an officer may be suspended from duty pursuant to Section 5711Q of the Unconsolidated Laws of New York State.
- 42. The suspending officer shall ensure that the following articles are obtained from the suspended member and placed in an evidence locker with a property receipt forwarded to the internal affairs officer:
  - a. All breast shield(s).
  - b. Wallet shield(s).
  - c. Identification card.
  - d. Baton.
  - e. Chemical weapon(s).
  - f. Duty weapon.
  - g. Off-duty weapons, if not licensed to carry.
  - h. Locker key(s).
  - i. Other keys to department facilities.

j. Other necessary department owned equipment (e.g. vehicle, portable radio, keys, etc...).

43. The suspending officer shall advise the suspended member that for the duration of the suspension he may only enter those areas of any of the department's buildings that are open to members of the general public.

**Internal Affairs Records:**

44. The Chief of Police shall maintain a log and associated records of all complaints received and investigated by the police department and shall be responsible for maintaining the confidentiality and integrity of case files.

45. Internal affairs records shall be maintained in a secure location, independent of personnel files and the central records system.

46. Access to internal affairs files shall be limited to:

a. Internal Affairs Officer.

b. Chief of Police.

c. Affected member (closed files, with need to know and permission of the Chief of Police).

d. Any other member so authorized by the Chief of Police.

47. Internal affairs records shall be maintained in accordance with the records retention and disposition schedule established by the New York State Education Department.

48. The Lieutenant shall conduct an annual analysis of use of force reports in order to identify patterns or trends that could indicate training needs or policy modifications.

49. Where allegations contained in the complaint are determined to be false and evidence exists of intentional misrepresentation or filing of false statements, the internal affairs officer may make recommendation to the Chief of Police to pursue criminal action against the complainant.



## 103-03 CONDUCTED ENERGY WEAPON



ISSUE DATE: 10/1/2020	EFFECTIVE DATE: 10/01/2020	REVISES: 10/1/2019	CHAPTER: 103 – USE OF FORCE/WEAPONS
REFERENCES: <b><u>NEW YORK STATE ACCREDITATION STANDARDS</u></b> 6.2 (Safeguarding Agency Weapons) 20.1 (Use of Force: General) 20.6 (Less Lethal Substances/Devices) 32.4 (Use of Less Lethal Substances/Devices) 41.3 (Authorized Apparel and Equipment)			
SPECIAL INSTRUCTIONS: This policy supersedes all previous policies and procedures			
DISTRIBUTION: ALL MEMBERS OF THE DEPARTMENT			PAGE: - 87 -
ISSUING AUTHORITY: GREGORY J. AUSTIN, CHIEF OF POLICE			

### **PURPOSE:**

The purpose of this procedure is to provide officers with guidance and direction on the use of a conducted energy weapon (CEW).

### **POLICY:**

It shall be the policy of this department to use only the level of force that is reasonable and necessary to control or otherwise subdue violent or potentially violent individuals.

Conducted energy weapons have been proven effective in furthering this policy and are authorized for use in appropriate circumstances by trained personnel.

### **BACKGROUND:**

1. A conducted energy weapon which may be used to immobilize and control dangerous or violent subjects when it is reasonable to expect that it will be unsafe for officers to approach within contact range of a subject or attempts to subdue a subject by other conventional tactics have been or will be ineffective.

#### **Authorized Weapons**

2. The Taser X26 and Taser X26P (Taser), which are the devices currently utilized by this Department, are handheld electrical immobilization devices that use compressed nitrogen to fire two probes up to a distance of 21 feet. These probes are discharged from a replaceable air cartridge and are connected to the weapon by insulated wire.
3. When the tool is deployed and the probes are discharged from the cartridge, the Taser X26 and the Taser X26P transmit electrical impulses along the wires, through up to two inches of clothing and into the subject.

The pulses send 26-watt electrical signals along the wires to the subject to temporarily override the central nervous system and directly control the skeletal muscles. This causes an uncontrollable contraction of the muscle tissue, allowing the Taser to cause

Neuro-Muscular Incapacitation (NMI) to a person, regardless of pain tolerance or mental focus.

4. There are NO long-term effects from the electrical impulses of the Taser.
5. The Taser is also equipped with 2 contact tabs at the front of the unit, and can be used as a direct contact device to give an immobilizing electrical shock to a more limited area of the subject or to a subject who is actively resisting arrest

#### **PROCEDURE:**

##### **Authorized Users**

6. Only officers who have satisfactorily completed the department's Taser training program, or who have completed the manufacturer's certification course of instruction, are authorized to carry and deploy the Taser. All Sworn Members who have received the initial course of instruction will receive annual in-service training.

##### **Weapon Readiness**

7. The Taser shall be carried by authorized officers or supervisors in an approved holster on the support side of the body.
8. The Taser shall be carried fully armed with the safety on in preparation for immediate use when authorized.
9. Officers authorized to use the Taser shall be issued a minimum of one spare cartridge as a backup in case of cartridge failure, the need for redeployment, or in case the first cartridge's leads break during engagement. The spare cartridges shall be stored and carried in a manner consistent with training and the manufacturer's expiration requirements.
10. Only agency approved battery sources shall be used in the Taser X26 and the Taser X26P.

##### **Display**

11. Simply displaying the Taser or initiating a cycle without firing the probes will not constitute a use of the Taser. However, the officer or supervisor will document the circumstances surrounding the display of the Taser in a standard incident report or Blotter Supplemental report.

##### **Deployment**

12. The Taser is considered to be on the same level as pepper spray on the use of force continuum and decisions to deploy the Taser should require the same level of justification. As such, the Taser is prohibited from being used:
  - a. In a punitive or coercive manner.

- b. On a handcuffed/secured prisoner, absent overt behavior that cannot be reasonably dealt with in any other less intrusive fashion.
  - c. On any suspect who does not demonstrate their overt intention (1) to use violence or force against the officer or another person or (2) to flee in order to resist/avoid detention or arrest (in cases where officers would pursue on foot).
  - d. In any environment where an officer knows that a potentially flammable, volatile, or explosive material is present (including but not limited to pepper spray with volatile propellant, gasoline, natural gas, or propane).
  - e. In any environment where the subject's fall could reasonably result in death i.e., a swimming pool or an elevated structure.
13. In preparation for firing, the Taser shall be pointed in a safe direction, taken off safe, and then aimed.
  14. Center mass of the subject's back should be the primary target where reasonably possible. Center mass of the chest or legs are the secondary targets.
  15. Fixed sights should be used as the primary aiming device and the laser dot as the secondary aiming device.
  16. Upon firing the Taser, Officers should only apply the number of cycles reasonably necessary to allow them to safely restrain the subject and no longer than necessary to accomplish the legitimate operational objective.
  17. The subject may be secured as soon as practical while disabled by Taser power to minimize the number of deployment cycles.
  18. The Taser may also be used in certain circumstances in a "drive stun" mode. This involves removing the cartridge and pressing the Taser against an appropriate area of the body based on training. It is important to note that when the Taser is used in this manner it is:
    - 19. Primarily a pain compliance tool due to a lack of probe spread.
    - 20. Minimally effective when compared to conventional cartridge type deployments.
    - 21. More likely to leave marks on the subject's skin.
    - 22. Subject to the same deployment (use) guidelines and restrictions as that of the Taser in cartridge deployments.

**The Taser shall be pointed at the ground in a safe direction with the safety on during loading, unloading, or when handled in other than an operational deployment.**

#### **Aftercare**



23. Once the Taser has been deployed and the subject has been restrained, the officers on the scene shall ensure that appropriate medical care is administered.
24. The Taser officer shall remove the air cartridge from the Taser and remove the probes consistent with the officer's training.
25. Medical attention is required whenever the probes hit the soft tissue areas such as the eyes.
26. Universal precautions should be used when in contact with the subject where the probes have penetrated the subject's skin and also when handling the spent cartridges due to the potential biohazard.
27. Officers must keep in mind that secondary injuries may occur for example, injuries from a fall after the deployment of the Taser.
28. The officers should consider having EMS respond to the scene whenever a secondary injury is suspected to have occurred due to the Taser use or to assist with removing the probes from the suspect.

#### **Reporting**

29. The deploying officer shall notify his/her supervisor as soon as practical after using the Taser and complete a Use of Force Report.

#### **Transfer of Taser**

30. Upon the completion of an officer's shift, he/she shall "check in" the Taser assigned to him/her in the RMS for it to be made available to be "checked out" for the next shift.
31. Tasers not assigned during a shift shall be kept in the designated location at headquarters until the next opportunity to be deployed.

#### **SECURITY**

32. Members of the department are responsible for providing maximum security for the Conducted Energy Weapon in their possession and under their control. It is the responsibility of all members to exercise due care in the safe handling or securing of the agency Conducted Energy Weapon assigned to them at all times.

# 103-05 OLEORESIN CAPSICUM AEROSOL SPRAY



ISSUE DATE: 6/1/2016	EFFECTIVE DATE: 6/1/2016	REVISES: 1/16/2015	CHAPTER: 103 – USE OF FORCE/WEAPONS
REFERENCES: <b><u>NEW YORK STATE ACCREDITATION STANDARDS</u></b> 6.2 (Safeguarding Agency Weapons) 20.6 (Less Lethal Substances/Devices) 32.4 (Use of Less Lethal Substances/Devices) 41.3 (Authorized Apparel and Equipment)			
SPECIAL INSTRUCTIONS: This policy supersedes all previous policies and procedures			
DISTRIBUTION: ALL MEMBERS OF THE DEPARTMENT			PAGE: - 91 -
ISSUING AUTHORITY: GREGORY J. AUSTIN, CHIEF OF POLICE			

## PURPOSE:

To establish procedures for the proper use of oleoresin capsicum (“O.C.”) aerosol spray.

## POLICY:

Sworn Members are authorized to use O.C. aerosol spray, as hereinafter provided, as an instrument for the application of force as may be permitted by the Department Manual<sup>30</sup>.

## PROCEDURE:

### **Authorized Equipment**

Department members are authorized to carry Sabre Red Dot 10% O.C. aerosol spray.

### **Guidelines for Use<sup>31</sup>**

1. A Sworn Member working in uniform shall carry the O.C. aerosol spray canister in a holster, secured to his or her gun belt.
2. The device should be situated on the opposite side of the belt from the firearm in order to afford accessibility to the canister with the non-shooting hand.
3. A Sworn Member not working in uniform may carry the device in a holster that can be secured to his or her belt.
4. O.C. aerosol spray may be used to help effect an arrest or gain control of or compliance from an individual.

<sup>30</sup> OC aerosol may also be used to repel or incapacitate domestic or wild animals.

<sup>31</sup> The effective range of the device is ten (10) feet or less. Deployment at a range of less than three (3) feet is discouraged as the spray could potentially penetrate the subject’s eyes and cause medical complications.

5. O.C. aerosol spray shall be deployed in a manner consistent with the latest training provided to the Sworn Member by the Department.

#### **Decontamination and Medical Attention<sup>32</sup>**

6. No medical attention should normally be necessary following O.C. exposure, but should be sought if primary symptoms persist longer than forty-five (45) minutes following exposure to O.C.
7. Fresh air and water will reduce the effects of O.C. exposure.
8. Wash eyes with cold water; wash exposed skin area thoroughly with soap and water.
9. In the event that a person exposed to O.C. aerosol exhibits an adverse physical reaction, emergency medical attention should be summoned, and such exposed person should be taken to a hospital, if recommended by EMS.
10. Enclosed area decontamination can be accomplished by 30 minutes of ventilating the enclosed area by opening doors and/or windows.

#### **Training**

11. Following the successful completion of initial training, Sworn Members will be issued an O.C. aerosol canister with a belt holster for same.
12. All Sworn Members who have received the initial course of instruction will receive annual in-service training.

#### **Care**

13. The Lieutenant will be responsible for removal from service and replacement of O.C. canisters that are damaged or which have exceeded shelf life.
14. Shake the canister vigorously upon initial receipt and periodically thereafter.
15. O.C. aerosol canisters should not be punctured, placed under pressure or exposed to excessive heat.
16. Empty or expired O.C. aerosol canisters shall be returned to the Lieutenant for replacement.

#### **SECURITY**

17. Members of the department are responsible for providing maximum security for all O.C. aerosol canisters in their possession and under their control. It is the responsibility of all members to exercise due care in the safe handling or securing of all agency O.C.

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<sup>32</sup> Sworn Members deploying O.C. aerosol spray should be aware that exposure to O.C. aerosol may temporarily impair normal breathing and therefore, care should be taken to avoid placing pressure on the subject's chest, back or neck, and the subject should be seated in an upright position after exposure, if possible.

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aerosol canisters assigned to them at all times. O.C. aerosol canisters will be properly secured in the individual officer's locker when not in use.