

**Draft Master Document
EO203 Police Review Committee
Saranac Lake, NY**

Intro and Overview

EO203 – NY State Police Reform and Intervention Collaboration

Governor Cuomo issued this order on June 12, 2020. Here's a link to the full text:

<https://www.governor.ny.gov/news/no-203-new-york-state-police-reform-and-reinvention-collaborative>

In short, the order directed each governmental entity with an operating police agency to perform a comprehensive review of the current police force deployments, strategies, policies, procedures, and practices, and develop a plan to improve all of the above, for the purposes of addressing the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color.

The order also directed the local Governments to convene a committee of stakeholders of the community with high police interaction (ie. interested non-profit or faith groups, Office of the DA, local Public Defender, local elected leader and the head of the Police Agency).

As per EO203, each committee was charged with creating a plan to adopt and implement the recommendations resulting from its review and consultation, including any modification, modernizations, and innovations to its policing deployments, strategies, policies, procedures, and practices, tailored to the specific needs of the community and general promotion of improved police agency and community relationships based upon trust, fairness, accountability and transparency which seek to reduce any racial disparities in policing.

In response, the Saranac Lake Police Review Committee was formed in late July and currently includes: John Sweeney (Village Manager), Police Chief James Joyce, Melinda Little (Village Board), Chris Morris (Adk Diversity Initiative), Ernest Hough (Lakeside House & Samaritan House), Betsy Fuller (Adk Health), Sarah Clarkin (Harrietstown Housing Authority), Rhonda Lynn Couwenhoven, Asst. DA David Hayes, Angela Brice (NCCC), and Suzanne Lavigne (Franklin Co Community Services.)

The first Committee meeting was held on Thursday, August 13th and the group has been meeting weekly since then. The meetings have been recorded and posted on the Village Website, along with Summaries of the meetings. And in an effort to gain input from the community at large, Public Hearings have also been held on Sept. 21st and Oct. 29 respectively.

In addition to the public hearings, the Committee decided early on to launch a survey which was based on similar surveys in Plattsburgh and Glens Falls to gain as much public input as possible. Hard copies were made available at the following locations:

- Village of Saranac Lake offices
- Saranac Lake Free Library
- Saranac Lake Area Chamber of Commerce
- North Country Community College
- Harrietstown Housing Authority

- Franklin County Social Services (3 Main St.)
- Adirondack Health

And digital copies were available on the Village website. The survey was promoted on social media and via a press release carried in the Adk Daily Enterprise. The results are discussed below.

Concurrently, using the Resources & Guide Workbook provided by the Governor's Office in August, the committee began a review of the evidence-based strategies outlined in the EO203. For the purpose of prioritizing those strategies which seem most applicable to the Saranac Lake Police Force and Community, it was determined that the strategies that should be given the highest priority in the Committee's Review process include:

- Use of force policies
- De-escalation training and practices
- Procedural justice
- Implicit bias awareness training
- Community-based outreach and conflict resolution
- Law enforcement assisted diversion programs.

It was also determined that violence prevention and reduction/intervention is blended throughout many of the above items and, therefore, will not be discussed as a singular item.

The other strategies in the order that were deemed as less applicable or beyond the scope of the size of the Saranac Lake Community and resources available included:

- Problem oriented policing
- Hot spot policing
- Restorative justice
- Focused deterrence
- Crime prevention through environmental design

Discussion and Findings to Date

Strategy: Use of Force Policies

As per the Governor's Workbook (page 24) strategies that raise concerns:

- "Broken Window" theory which suggests that every transgression, no matter how small, should be ticketed. The SL Police do not subscribe to this theory and approach.
- "Stop and Frisk" – This policy has been shown to have a disproportionate effect on Black and poor communities. The SL Police do not practice this policy. They only stop a person when there has been a complaint about someone having a weapon.
- "Bias-based traffic stops/tickets" - Based on a review of the last 3 years of arrest reports, traffic stops are not made on this basis.
 - Village of Saranac Lake Census and Police Statistical Arrest Data
<https://www.dropbox.com/s/xzii8l7sc7jw9rv/Police-Population%20Statistics%2011-9-2020.pdf?dl=0>

- “Use of Chokeholds” – There is a policy in place that prohibits the use of this strategy.
- “Retaliatory Force” – There is also a policy in place that prohibits the use of this as well.
- “Pretext Traffic Stops – This strategy involves stopping a vehicle for a minor violation in order to conduct a “fishing expedition.” This strategy is also prohibited. If there’s knowledge of something (e.g. drugs) in a car then that’s grounds for pulling someone over. **We don’t have a policy on this and should, along with the citing of cases to back it up.**
- “Quotas” – The SL Police do not operate that way.
- “High Speed Pursuits”- This is not safe within the Village and generally not a good idea. **We need to look at the policy on this.**
- “Shooting at moving vehicles” – This is generally prohibited except in cases where the vehicle itself is being used as a weapon (i.e. person attempting to intentionally drive into a crowd).
- “No-Knock Warrants” – This has never been seen in SL. As per the DA’s office, there are specific guidelines on the use of this strategy. It would have to be only used under extraordinary circumstances. **This is being discussed at the State level and we will look to them for guidance**
- “SWAT Teams” – Used on a very limited basis. Need it as a tool but need controls on its use and should only be used when other avenues have been exhausted. **We should have a checklist that would be used to help in the decision making process on this.**
- “Use of Tasers & Pepper Spray” – SL has policies on the use of both of these which include reporting incidents. **The committee should review these.**
- “Facial Recognition Technology” – We don’t use it.
- “Handcuffing as Use of Force/Punishment” – There is already a policy on this being prohibited.

Strategy: De-escalation Training and Practices

- There is strong agreement that de-escalation is a core goal in each call that the police receive. There are 8 hours of instruction on this strategy as part of the curriculum at the Police Academy and it is also interspersed throughout other blocks of instruction.
- Possible source of ongoing training includes:
 - In-service trainings offered by Sonny Duquette, a certified law enforcement trainer from Potsdam.
- Chief Joyce and Suzanne Lavigne are working together to establish an “on call” mental health staff member to be available for situations that warrant this kind of expertise.
 - This would be in addition to the referral tool that Essex County has been using to provide follow up for calls which involve folks who need ongoing mental health resources and that Franklin County is putting in place in SL as a pilot program.
 - The “on call” program will also require training of the county dispatcher.
 - Pairings (ie of officers and mental health staff) would be trained together to respond. There are a variety of models to look at for this.

Strategy: Implicit Bias Awareness Training

- There is strong agreement that this type of training needs to be done both in the short term and on a recurring basis. All Village staff (including elected officials) recently took an on-line Bias Awareness Training course as a first step.

Strategy: Law Enforcement Assisted Diversion Programs

- As per the DA's office, it's not realistic for the SL Police Force to set up its own diversion program. What is realistic is to identify resources at the County level and refer individuals to the appropriate services such as:
 - i. Adult & Family Treatment Courts
 - ii. Mental Health Treatment
 - iii. Referral program that provide Police a referral process to more specified groups
 - iv. Adult Protective Services
 - v. St. Josephs' outreach program

Strategy: Community-based Outreach and Conflict Resolution

- There is strong support for identifying ways for our police officers to be out in the community in positive ways. Past and other possible initiatives have included:
 - Offering the DARE Program
 - The Bike Rodeo
 - Offering Scam Awareness Sessions
 - Bike Helmet Awareness
 - **Other ideas to be identified**
 - The concept of Community Wellness was discussed and the need to engage the community and embrace that concept. It can't fall completely on the shoulders of the Police Dept.

Survey Results

All responses and charts can be viewed by visiting bit.ly/slpcdsurveyresults. A spreadsheet with additional data and individual responses can be obtained by emailing manager@saranacklakeny.gov.

Brief Overview:

A majority of respondents (over 150) indicated that mental health issues, homelessness, and substance abuse should be handled by trained social workers or other non-police personnel.

A majority of respondents (over 150) indicated that they support the following reforms:

- requiring continued de-escalation training;
- requiring mandatory body camera use and release of body cam footage when legally appropriate;
- requiring strict guidelines on use of force, especially deadly force;
- ending profiling and stop-and-frisk;
- investing in rigorous training to reinforce policies, including testing for bias.

Key Tenets that Need to be Institutionalized within the Saranac Lake Police force

- Factors that effect the behavior of police officers include:
 - Policy/procedures
 - Leadership
 - Supervision
 - Discipline
 - Agency Culture
 - Training
 - Hiring
 - Because this is shift work, there's no opportunity for everyone on the Force to socialize together.
- De-escalation of a situation is a priority in each law enforcement encounter.
 - In order for it to become institutionalized it needs to be included in as many policies as possible and applicable.

Still to be Discussed

- **Procedural Justice Strategy**
- **Pairing of Police and Mental Health – James and Suzanne to share with committee at 11/12 Meeting.**
- **Possible Formation of Citizen Outreach Grp.**

Next Steps for Committee

- **Organize series of Listening Sessions with:**
 - **NCCC, etc.**
- **Develop Format and Agenda for the Listening Sessions**
- **Once Listening Sessions have been accomplished, put together a set of recommendations**
- **Update this Master Document, circulate it and hold one or two public hearings.**

Final Output –

Recommendations –

- Trainings

- **Policy Issues to be addressed are highlighted in yellow**