

EO203 Police Review Committee, Saranac Lake, NY

Draft Report & Recommendations

Overview

In accordance with Gov. Cuomo's Executive Order 203 on Police Reform and Reinvention, Saranac Lake's Police Review Committee presents its Draft Report and Recommendations for public comment.

The full draft report and recommendations — including review of strategies, public comment, community survey results, and other appendices and background research — can be read by visiting the following link:

https://saranaclakeny.gov/corecode/uploads/document6/uploaded_pdfs/corecode/Village_of_Saranac_Lake_NY_Police_Review_Draft_Report_and_Recommendations_Version_1180.pdf

Overview of recommendations

Based on guidance from New York State and public input, Saranac Lake's Police Review Committee has drafted the following recommendations:

1. **Create the Saranac Lake Citizen Police Interface Committee.**
2. **Develop Saranac Lake Police Department content on the Village of Saranac Lake website.** Content recommendations, which are based in part on elements of the Lake Placid Police Department website, are laid out in Appendix 4 of the draft report. The Committee also recommends that all current SLPD policies be posted on the website once Chief Joyce has completed the review and adaptations of the 165 policies that Lexipol has provided as a template.
3. **Make training a priority for SLPD officers.** Potential training sources include, but are not limited to: ADI (Adirondack Diversity Initiative) and Renz Consulting; in-service trainings offered by Sonny Duquette, a certified law enforcement trainer from Potsdam; Adirondack North Country Gender Alliance; NYSMIR; labor attorneys.
4. **Support the establishment of the Counselor and Law Enforcement Partnership.** (See Appendix 6 for more information). The CALEP pilot project was specifically developed to better support individuals with behavioral health conditions when in contact with the SLPD. While local and state approvals are still needed, once implemented, Citizen Advocates will hire a licensed clinician to work exclusively with the SLPD. The clinician will be either a Licensed Mental Health Counselor or a Licensed Master Social Worker.
5. **Find more effective ways to engage and communicate with the public.** The Committee anticipates that the Saranac Lake Citizen Police Interface Committee will take a leadership role in accomplishing this ongoing task.

Follow this link to read Executive Order 203:

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

Follow this link to read the governor's Resources & Guide for Public Officials and Citizens:

https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/Police_Reform_Workbook81720.pdf

Draft Report & Recommendations
EO203 Police Review Committee, Saranac Lake, NY

Introduction and Overview

EO203 – NY State Police Reform and Intervention Collaboration

Governor Cuomo issued this order on June 12, 2020. The full order can be viewed here: <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 their 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 local governments to convene a committee of stakeholders of the community with high police interaction — i.e. interested nonprofit or faith groups, office of the district attorney and 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 Village of Saranac Lake created the Saranac Lake Police Review Committee in late July. Members include: John Sweeney (Village Manager), James Joyce (Police Chief), Melinda Little (Village Board), Chris Morris (Adirondack Diversity Initiative), Ernest Hough (Lakeside House & Samaritan House), Betsy Fuller (Adirondack Health), Sarah Clarkin (Harrietstown Housing Authority), Fr. Co. Asst. DA David Hayes, Angela Brice (NCCC), and Suzanne Lavigne (Franklin Co Community Services). Rhonda Lynn Couwenhoven was also a member but was unable to continue to participate. Numerous unsuccessful attempts were also made to recruit a representative from the Franklin County Public Defender's office and to recruit a person of color.

The first committee meeting was held on Thursday, Aug. 13 and the group has met weekly since then, except for over the holidays in late December. The meetings have been recorded and posted on the Village website, along with summaries of the meetings. The committee has also hosted three virtual public hearings via Zoom on Sept. 21, 2020, Oct. 29, 2020, and Dec. 17, 2020. Additional public comments are attached as Appendix 1.

The committee also identified a number of groups that they felt they wanted to reach out to directly in order to offer the groups an opportunity for a smaller, more intimate listening group session that would allow for anonymity if needed. Due to the challenges of the COVID-19 pandemic, it wasn't possible to set sessions up with all of the groups identified, but the

committee did hold three sessions with students at NCCC, members of the LGBTQ+ community, and a member of the St. Joe's community. Summaries of those sessions are attached as Appendix 2.

In addition to the public hearings and listening sessions, 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
- Saranac Lake Police Station

Digital copies were available on the Village website. The survey was promoted on social media and via a press release carried in the Adirondack Daily Enterprise. A copy of the survey and the summary of the results, which are discussed below, are included in Appendix 3 .

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 EO203. For the purpose of prioritizing those strategies which seemed 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 included:

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

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

The committee also reviewed the other strategies outlined in the order and concluded that they were more suited for larger municipalities with access to more resources. These strategies include:

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

Note about the Current Status of the SLPD's Policy Manual

It is important to note that as per the Village's agreement with Lexipol, the SLPD has received templates for 165 policies, some of which the SLPD has never had before and some of which

may prove not to be relevant. The Police Chief is in the process of reviewing and editing these templates and is not expected to finish this task until Fall 2021. Those policies which have been discussed by the committee are included in Appendix 7 and are **works in progress**.

Discussion and Findings

Factors that influence how the Police Department and its officers function include:

- Leadership
- Supervision
- Discipline
- Agency Culture
- Training
- Hiring
- Because this is shift work, there's little opportunity for everyone on the force to socialize together.

1. 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 SLPD does 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 SLPD does not practice this policy. They "only stop a person under limited circumstances such as a weapon complaint or other criminal matter, and not as a blanket policy of generating large numbers of pedestrian stops."
- "Bias-based traffic stops/tickets" – As indicated by an analysis of the last 3 years of traffic ticket data which was then compared with Saranac Lake's demographic profile as reported by the US Census Bureau, (See Appendix 5 for the reports.) there is no indication of bias-based traffic stops/tickets by the SLPD.
- "Use of Chokeholds" – "Interim Order 15, Prohibition of chokehold/stranglehold or any other type of neck restraint" was put in place by Chief Joyce in June, 2020. (See Appendix 7 for a full copy of the order.)
- "Retaliatory Force" – There is also a policy in place that prohibits the use of this as well. (See Appendix 7)
- "Pretext Traffic Stops – This strategy involves stopping a vehicle for a minor violation in order to conduct a "fishing expedition." If there's knowledge of something (e.g. drugs) in a car then that's grounds for pulling someone over. The SLPD is adding language to its policy that will conform with what Assistant DA, David Hayes has suggested below:
 - "simply mandate that all vehicle stops shall be based upon valid probable cause and that roadside detention be limited to time needed to address the reason for the stop. Additional search or seizure must be based upon probable cause to believe that the motor vehicle contains evidence of a crime or that the driver committed a crime (People v. Belton, 55 N.Y.2d 49)"
- "Quotas" – The Saranac Lake Police do not use quotas.
- "High Speed Pursuits"- This is not safe within the Village and generally not a good idea. Furthermore, the draft of an updated policy on this (see Appendix 7) makes it clear that the highest priority needs to be the officer and the public's safety when initiating a pursuit is contemplated.

- "Shooting at moving vehicles" – This is prohibited except in cases where the vehicle itself is being used as a dangerous instrument (i.e. person attempting to intentionally drive into a crowd). (See Appendix 7.)
- "No-Knock Warrants" – This has never been seen in Saranac Lake. 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 and under the authority of the State Police. It's needed as a tool but there needs to be controls on its use and should only be used when other avenues have been exhausted. There is a draft policy that provides guidelines to the SLPD regarding the circumstances under which a SWAT Team should be requested. (See Appendix 7)
- "Use of Tasers & Pepper Spray" – SL has policies on the use of both of these which include reporting incidents and which are being updated along with the rest of the SLPD policies.
- "Facial Recognition Technology" – The SLPD does not use this technology.
- "Handcuffing as Use of Force/Punishment" – This is prohibited as per current policy. (See Appendix 7)

2. 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.
- See Recommendation 3 on page 9 for a List of Possible Sources of ongoing in-service training.
- Chief Joyce and Suzanne Lavigne are working with Citizen Advocates to establish an "on call" licensed mental health clinician to be available for situations that warrant this kind of expertise. This effort, which has been named CALEP – Counselor & Law Enforcement Partnership – is described in more detail in Appendix 6. It will be housed, along with the Ass't DA's office, and some additional SLPD offices in 3 Main St. in Saranac Lake.
 - CALEP will 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 Saranac Lake as a pilot program.
- 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.

3. Strategy: Procedural Justice

- This strategy, which is now referred to by NYS as principled policing, has taken on greater importance than ever before in the training provided to new officers at the Police Academy. The total number of training hours allotted to this topic is 12 hours – six at the Academy and an additional six later on once the officer has begun his/her field training.
- The SLPD intends to send a staff member to a "train the trainer" level course in Procedural Justice that will allow the department to conduct credentialed procedural training concepts in house.

4. 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.

5. Strategy: Community-based Outreach and Conflict Resolution

- There is strong support for identifying ways for SLPD officers to be out in the community in positive ways. Draft Policy 343 (see Appendix 7), which will be a new one for the SLPD, suggests that the Department designate an individual to fulfill the role of Community Relations Coordinator.
- Past and other possible initiatives that the SLPD might initiate or partner with other organizations to accomplish include:
 - Offering the DARE Program
 - The Bike Rodeo
 - Offering Scam Awareness Sessions
 - Bike Helmet Awareness
 - 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 SLPD.

6. Strategy: Law Enforcement Assisted Diversion Programs

- As per the DA's office, it's not realistic for the SLPD to set up its own diversion program because of the insufficient resources available. What is realistic is to identify resources at the County level and refer individuals to the appropriate services such as:
 - Adult & Family Treatment Courts
 - Child Protection Services
 - Mental Health Treatment
 - Referral programs that provide Police a referral process to more specific groups
 - Adult Protective Services
 - St. Josephs' Open Access Center
 - Veteran's Court as applicable
 - Crisis Evaluation in the Emergency Dept.

Survey Results (See Appendix 3)

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.

Committee Recommendations

1. Create Saranac Lake Citizen Police Interface Committee

Purpose: To provide a vehicle for breaking down barriers and building a bridge between the SLPD and the citizens in our community that will enable ongoing constructive communication, enhance public safety and embrace and support a respect for the diversity of our residents and visitors.

Membership: Seven volunteer members to be appointed by the Village Board of Trustees. Interested parties will be asked to submit letters of interest. Every effort will be made to form as diverse a group as possible with representation from organizations such as the SL Youth Group, NCCC, Paul Smiths College, the Adirondack North Country Gender Alliance, residents of the Harrietstown Housing Authority, St. Joseph's, etc. Every effort also needs to be made to ensure that the membership includes persons of color and of different ethnic backgrounds.

Terms:

- Two years with staggered terms to ensure continuity.
- Members can serve no more than two terms consecutively.

Liaisons: The SLPD Community Relations Coordinator, the Chief of Police, the Village Manager and a designated member of the Village Board will serve as liaisons to the Committee. They will attend Committee Meetings when invited by the Committee Facilitator and will be responsible for keeping the members of the Village Board apprised of any issues that the Board needs to address.

Roles, Responsibilities & Anticipated Activities:

- Providing a forum for an open, detailed and substantive discussion of matters of concern to the public.
- Holding periodic listening sessions with groups* who feel uncomfortable with attending public meetings to flag any issues regarding police and citizen interactions and to gather suggestions for strengthening police and citizen relations.
- Hold regular meetings with the SLPD liaisons to discuss non-HR related complaints, compliments and issues and form strategies for strengthening the community's police/citizen relations.
- Advising the SLPD and assisting with other forms of outreach such as:
 - Bike rodeos & helmet safety sessions
 - DARE sessions
- Working with the SLPD and the Village of Saranac Lake on improving the SLPD section of the Village website.
- Host/sponsor trainings for community members relevant to public safety.
- Compile and consolidate what resources already exist in the community that are offered by groups such as the ones listed below as targets for listening groups, as well as county resources, etc., and find effective channels for making the community aware of these resources.

Meetings: To be held once a month, with the option of calling additional meetings as needed. Members will be asked to resign if they miss 3 consecutive meetings without a compelling reason for the absence. Time, day etc. to be decided once the committee has been formed.

The Meetings will be posted and conducted in accordance with New York's open meeting laws. For accessibility to all village residents, meetings will be streamed live and recordings will be maintained.

Resignation: The Village Board is responsible for filling vacancies.

Location of Meetings: If possible, a neutral location will be identified to host the meetings – perhaps the Cantwell Room at the Saranac Lake Library.

Agenda

- Content for each meeting will be recommended by committee members.
- Format to Include:
 - Call to Order
 - Agenda Review
 - Approval of Minutes
 - Committee Reports
 - Complaints/Compliments
 - New Business
 - Old Business
 - Public Comments with time limits
 - Adjourn
- Quorum: 4 members
- Decisions:
 - Made by simple majority of those present
- Minutes:
 - Once approved, minutes will be emailed to the Village Clerk to be posted on the Village Website.

Committee Member Meeting Roles

- Facilitator position will rotate quarterly, or as agreed by consensus vote.
- Roles and Responsibilities
 - Meeting Facilitator
 - Conducts Meetings
 - Organizes agenda items
- Note-taker
 - Records meeting minutes
 - Sends approved minutes to Village Clerk
- Monitoring Communications
 - Check with SLPD Liaisons regarding activities and issues during the month

*In addition to the groups with which the Committee did hold listening sessions, other groups that the Committee had aspired to reach included:

- Saranac Lake Youth Center
- Samaritan House
- Lakeside House

- BIPOC (Black, Indigenous & People of Color) Community
- SL High School
- Paul Smiths College
- Harrietstown Housing Authority
- Residents at Will Rogers
- Saranac Lake Adult Center
- Autism Alliance of Northeastern, NY
- Citizen Advocates
- Sunmount DDSO
- SL High School Diversity Equality Inclusivity Committee
- And others TBD

2. Develop SLPD Content on the Village of Saranac Lake Website

Content recommendations, which are based in part on elements of the Lake Placid Police Department website, are laid out in Appendix 4. The Committee also recommends that all current Saranac Lake Police Department Policies be posted on the website once Chief Joyce has completed the review and adaptations of the 165 policies that Lexipol has provided as a template to Saranac Lake. (This process is not expected to be concluded until Fall, 2021.)

3. Make Training a Priority for SLPD Officers

Potential Training Sources include (but are not limited to):

- ADI (Adirondack Diversity Initiative) and Renz Consulting
- In-service trainings offered by Sonny Duquette, a certified law enforcement trainer from Potsdam.
- Adirondack North Country Gender Alliance
- NYSMIR
- Labor Attorneys

4. Support the Establishment of CALEP (See Appendix 6 for more information)

5. Find More Effective Ways to Engage and Communicate with the Public

The Committee anticipates that the Saranac Lake Citizen Police Interface Committee will take a leadership role in accomplishing this ongoing task.

Appendix 1: Public Comments Submitted

1) Comments from David Lynch Re: November 5, 2020 Meeting

Dear Members of the Police Reform Committee,

I'd like to begin by reiterating my gratitude for all the work you're doing and for making each meeting recording accessible to the public. Below are some thoughts on your meeting on November 5, 2020. In my opinion, it was the most constructive and productive meeting thus far.

Community Outreach

While discussing community outreach, the idea of having Chief Joyce do a seminar on scams came up. I have a fair bit of experience identifying and writing about common phishing scams that occur on iPhones or via email. The scammers are getting more clever, but they're easy to spot if you know what to look for. I don't know what types of scams the Chief plans to address, but I would be happy to pass along some resources for identifying and avoiding phishing scams. I could also participate in a session teaching people what to look for, if this is an idea you'd like to pursue. This sort of session would be especially helpful for older people, who are often the target of phishing scams.

Reaching Out To Community Stakeholders

I believe you did a thorough job of coming up with organizations to reach out to about your proposal. I believe this committee should also try reaching out to groups or organizations that work with people with learning disabilities and/or behavioral disorders. This may be something the Franklin or Essex County Department Of Public Health could facilitate, but I believe I could also put you in touch with someone who works in that field.

Assembling A Civilian Oversight Panel

I'm glad to see the idea of a civilian oversight panel is getting serious consideration. The job of reforming the police doesn't end on April 1, and a civilian oversight panel can carry on the important work you're doing.

There appear to be several resources that could help guide you in the formation of this panel, such as Citizen Review of Police: Approaches and Implementation. This paper is quite long, and to be honest, I haven't read the entire thing. However, pages 84–88 provide some guidance on assembling a volunteer review board.

Ideally, this committee would be selected as democratically as possible. I understand that elections are not necessarily feasible.

Perhaps the most practical thing to do is to have the police reform committee recruit and review applicants, and include that roster with the final proposal put forward to the village board. This committee has enough members where the decision-making wouldn't be in the hands of one or two individuals.

Ratification of your proposal would lead to the immediate creation of the civilian oversight panel, which will allow them to carry on the work you're doing without delay. Additionally, I do not believe the Mayor should be involved in the process of selecting a civilian oversight panel, as he has made several derogatory comments about community members who are very active in local criminal justice reform efforts.

Survey Responses

The four redacted survey responses were brought up in the October 22 meeting of this committee. I also noticed the discrepancy when the survey results were publicly published, which is why I reached out to a member of the committee.

To be perfectly clear — I don't know what any of those responses say. I only know that they exist.

I feel that it is in the best interest of this committee and the village to address these responses head on.

When Governor Cuomo issued the Executive Order, he said, "This emergency regulation will help rebuild that confidence and restore trust between police and the communities they serve by requiring localities to develop a new plan for policing in the community based on fact-finding and meaningful community input."

Acknowledging that these survey responses exist and demonstrating you have a plan to address them with a civilian oversight panel really captures the essence of what this Executive Order intended to do.

Addressing the four redacted responses and implementing a plan to handle them, as well as any future complaints or concerns, will help rebuild confidence in local law enforcement and restore trust between police and the communities they serve.

Engaging The Media & The Public

I am incredibly disappointed with the Adirondack Daily Enterprise's lack of reporting on the work you're doing.

The first press release you sent out, which they ran, did not appear on the home page of their website. They didn't pick up the second press release you sent out.

I feel they are primarily responsible for any disconnect with the public.

Still, there are some things this committee could do to engage the public more:

1. Make sure public hearings are posted on official village social media. There were no posts about the second public hearing.
2. Ask the Mayor to share news about this committee on his Facebook page. He has quite a large Facebook following. If he can find time to post mean-spirited cartoons about local residents, he can promote the work you're doing too.
3. Allow residents to listen into your weekly meetings. The Zoom webinar feature can be used to prevent the public from interrupting.
4. Reach out to other local media outlets as well. For instance, the Adirondack Almanack was very responsive when I reached out to them about a story.
5. Use official village email lists (if there are any) to raise awareness about what this committee is doing and inform people about upcoming public hearings. That's all for now. Thank you for your time and consideration. I'm looking forward to seeing what's discussed at your next meeting.

Best, David Lynch

2) Emailed Comments from Colleen Farmer for December 17, 2020 Public Meeting

From: Colleen Farmer **Sent:** Thursday, December 17, 2020 4:12 PM

To: John Sweeney <manager@saranaclakeny.gov>

Subject: Police Review Committee

Dear John Sweeney, and the Saranac Lake Police Review Committee,

I am planning on calling in for the meeting today but I wanted to share my thoughts. I want to start by saying how fortunate we are here in Saranac Lake, to already have a strong, trusted and effective local and state police departments that are very responsive and care about our community. I am an emergency room nurse and I witness how our local and state police go out

of their way on a regular basis to help those who struggle in our community. They go above and beyond on a regular basis. I appreciate and support our police 100%.

I just learned about this review committee over the past week when an email was sent out at the hospital. I have to say I am very disappointed with the survey questions and methods used to distribute the survey. I am wondering why there wasn't greater outreach to our community so we really could get a better perspective. If you do not include people who do not live in our community you have fewer than 200 (198) people who responded to the survey giving us a 3.8% response rate. This is not really adequate to make good decisions. How many people were going to the library and the chamber to pick up surveys during Covid?

When excluding any neutral answers from the survey it overwhelmingly shows a high percentage of the community believe that:

- 72% of the time the "SLPD listens to local residents and understands issues that affect our neighborhoods."
- 63% of the community "Trusts the SLPD to make good decisions for everyone in our village."
- 81% of the time "The SLPD is effective."
- 78% of the community said they could "count on the SLPD to be there when I need them."

The numbers show great support for our officers taking into consideration 69% of those responding had contact with the police in some way other than a traffic stop. I would interpret this as something that might have the potential to be more negative.

We do not have a problem with system racism here in Saranac Lake. The survey supports the fact that our Saranac Lake police department is effective, trusted and they are here for the community when called.

A lack of diversity in our small community is much more complicated than systemic racism. It seems important to mention that there is an achievement gap, demographic disparities in education, employment and an unequal distribution of skills not bias that can explain the lack of racial proportionality in employment. This myth of bias is destroying our most fundamental institutions. We need to dig deeper into what may cause a lack of diversity.

Here is just one small example of the skills gap with a small sample of statistics. I really urge you to read, The Bias Fallacy by Heather Mac Donald.

<https://www.city-journal.org/achievement-gap-explains...>

The median black eighth-grader does not possess even basic math skills. "Basic" skills, as defined by the National Assessment of Education Progress exam, means partial mastery of grade-related knowledge.

Black eighth-graders scored on math in 2017;
53% below proficient
11% proficient in math
2% advanced

White eighth-graders scored on math in 2017;
20% below proficient
31% proficient

13% advanced

Asian eighth-graders scored on math in 2017;

12% below proficient

32% proficient

32% advanced

The picture was not much better in reading.

Black eighth-graders in reading

40% below basic

17% proficient

1% advanced

White eighth-graders

16% below proficient

39% proficient

6% advanced

Asian eighth-graders reading;

13% below basic

45% proficient

12% advanced

Is this anything that has been considered or discussed?

Finally, the unethical training of our police in discredited trauma-informed investigations needs to end. NYS's Enough is Enough Law requires officers be trained in a trauma-informed approach/investigations. Our Saranac Lake police should not be trained to "believe the victim." Professional ethical codes call the police to approach their work in an impartial, unbiased and honest manner.

When police chief James Joyce signed a joint statement with the village board denouncing the death of George Floyd he was not allowing for a presumption of innocence. This rush to judgment, to "believe victims" calling these men guilty, before any determination of facts is irresponsible and it shifts the burden of proof to the accused. We still live here in America where it is our constitutional right to the presumption of innocence and due process and if I were charged with a crime I certainly would want my chief of police to believe in that constitutional right.

The Journal of Adolescent Health defines the meaning of a trauma-informed approach and part of that definition is that "a trauma-informed approach does not necessarily seek disclosure..."¹ in other words it does not seek to find the truth. Our officers should not be trained to regard a lie as the truth that is against the ethical codes they are supposed to uphold.

Trauma-informed investigations employ a circular, self-serving logic:

1. The "victim" is presumed to have experienced a serious, life-threatening assault.
2. Any inconsistencies in the "victim's" testimony are ascribed to the "trauma" of the incident.

3. Inconsistencies in a “victim’s statement becomes evidence that her testimony is truthful.”

The widespread use of flawed trauma-informed training along with the media driving everyone to “believe the victim” narrative has misled the public, our politicians and our institutions. It has led to the condemnation of our sons, fathers, brothers, uncles... and now officers of the law. I hope this committee is looking into this biased training.

Thank You, Colleen Farmer

3) Emailed Comments from Erin Cass

To: mlittle231@aol.com, Date: Fri, Jan 8, 2021 4:19 pm

Hi Melinda,

After watching the latest EO203 group meeting recording, I thought I would provide clarity on how CALEP and CHW are totally different and meet different needs as I think that is confusing to some on the committee. A CHW program is not something that provides law enforcement with help on mental health related calls, it's about connecting poor people to existing health services to improve public health outcomes. It should not be a recommendation of this committee, and has nothing to do with police reform. CHWs do not work with law enforcement at all in any of the models that we are looking at implementing in this area. Chris and myself are working within ADI in partnership with local health care organizations and the hospital to put together grant proposals for both government and private funding for this program.

CALEP will specifically support law enforcement and the community by providing more appropriate response to mental health crises, which is not the role of a CHW.

Hope that helps!

I also think John Sweeney's reasoning that "the board and myself oversee the police" so we don't need a civilian review board is alarming and completely misses the point of why civilian review boards exist in the first place. I was disappointed Chris couldn't make that meeting, and I hope the committee pushes back on that.

One final question I have, which I have also raised with Chris, is has the committee decided on a voting procedure and quorum for how you all will decide on final recommendations? From the outside looking at these recordings it often seems like one person is able to push their own view forward even when the majority of the group feels differently because there are not meeting/governance rules.

Thanks for your work in the community, we're lucky to have you!

EC

4) Correspondence from David Lynch – January 11, 2021

Dear Members Of The Police Reform Committee,

In accordance with Page 111 of the guidance from New York State, I am requesting that all research materials used by this committee be made publicly available prior to the committee's next public meeting.

Respectfully, David Lynch

5) Comments from Chris Morris for January 14, 2021 Meeting

-----Original Message-----

From: Chris Morris To: Melinda Little <mlittle231@aol.com>

Sent: Thu, Jan 14, 2021 1:36 pm

Subject: comments for today

Hi Melinda,

Tried to keep this short and managed to do it in less than a page. Hope this is OK. Thank you!

Chris M.

First, thank you to Melinda for reading this statement so it's on both the written and oral records. I apologize for my absence — I've been the head coach for youth ski league at Dewey mountain for over 10 years now and it's a commitment I've never wavered on. When we began meeting earlier this year I didn't take this conflict into consideration — I will however continue to stay engaged by email and through conversations with Melinda, John, James, and the rest of the committee.

As we get closer to drafting and finalizing our recommendations to the board — following public input — I want to make my personal appeal for a standing Civilian Review Panel for this village.

For starters, this is outlined as a recommended strategy in the Governor's guidance and can be found on pages 42-47. This guidance notes that such groups "can play a continuing and meaningful role in the decision-making process."

I've stated in the past that the work of the EO203 committee should not end on April 1 when the budget is enacted. We've learned a lot from both the community and the police chief on the challenges of policing and public safety in our community. From the police department's perspective, we've learned that limited resources and the constant need to keep up to date with new policies and practices strains many of the chief's other important roles, including liaising and communicating with citizens and stakeholders.

A standing panel could assist the department in reviewing policy changes, tracking updates to the Lexipol manual, and researching, identifying, and recommending new policies or ideas. The panel can also serve as an interface between the police and the public, hosting listening sessions with students at NCCC and Paul Smith's, and with stakeholders in the mental health, public health, developmental disabilities, and substance abuse arenas.

I understand the legal and structural arguments against giving such a panel firing and hiring power — I'm not asking for that. My own friends and advisers might disagree with me on that and be disappointed that I'm not pushing for a structure with even stronger oversight, but my personal feeling is that I would rather create something than risk doing nothing.

I believe a standing panel builds trust in the community as a mechanism to field complaints, concerns, and even compliments and positive feedback. We've learned throughout this process that not everyone in our community feels empowered to share their concerns directly — the concerns and experiences raised by our queer community and students at NCCC, particularly students of color, on their own stand as perhaps the strongest argument for creating this ongoing panel to continue this critical dialogue.

The notion that just because we haven't experienced a major police/community incident is not a valid reason for not acting proactively to build trust. This community prides itself as being progressive and inclusive — creating this panel would enforce that belief.

I've shared draft bylaws, based on Brattleboro, Vermont's review board, on how this committee could be structured here as well as additional background research. I look forward to discussing this more in the coming weeks as we work to draft our recommendations. Thank you, as always, for listening.

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Appendix 2: Listening Group Summaries

Summary of Listening Group with Members of the LGBTQ+ Community

Meeting Held by Zoom on Thursday, Dec. 10th at 7 pm and Hosted by Trustee Melinda Little

An invitation had been circulated via the Adirondack North Country Gender Alliance which resulted in attendance by three members. Although the turnout was small, the conversation was good and fruitful. Takeaways included:

- The SL Police Dept is disconnected from the community at large. (note that this perception may be colored by the speaker's admittedly negative view of police in general)
- Interactions with the police officers today is different than what it was like when one of the participants, who's a native of SL, grew up here. It's better now but there are still blind spots such as:
 - Mental health
 - There are a lot of kids in SL who identify as LGBTQ+ but are struggling with being vocal and with harassment
 - There needs to be more training.
- One participant said that her general impression of the SLPD is positive and that she has seen them handle difficult interactions with compassion.
- Wonder about family backgrounds. "Everyone's grown up together." How to cope with that is an issue. Need more training.
- For someone new to the community, there's an "us and you" mentality.
- In regards to new Q members – black/lesbians profiled immediately. Becomes easier as you live here.
- In regards to training, Gender Equality, NY offers trainings which focuses on Q, non-binary for law enforcement. Director, Kelly Metzger can provide that training.
- One participant noted that in her experience. Diversity Training is not effective for the long term. It needs to be reinforced by building diversity goals into employee assessments and integrating meaningful conversations into hiring practices.

Questions raised:

- Where would trans/binary individuals be housed if they were arrested?
- How do the police officers, EMT's, etc. handle preferred names and pronouns? What if those names don't jibe with official id's?
- Sexual Assault/Domestic Violence incidents often not reported by Queer folks as they're not comfortable talking to the police about it.
- Who takes the lead with Domestic Violence here in the Village? Should we be inviting Plattsburgh groups to this area?

In regards to other ways to engage with the community, the police should be more visible in a non-threatening way and more candid with the general public.

Summary of NCCC Listening Group

Comments/take away from listening session with NCCC student town hall meeting 12/3/20:

- Predominately white community in Saranac Lake, how do we really understand systemic racism?
- Some people are afraid of the police in general. No previous incident just the fear of “have I done something wrong” when encountering police.
- Would be good to see police focus on community (to protect and serve) rather than intimidation tactics.
- Ongoing training to include some kind of psychological courses.
- Feels as if there’s a “bro code” among the SLPD. There’s a “harshness” attached to some officers (maybe they’re military)
- We are all human beings at the end of the day, respect gets respect.
- NCCC on campus students & faculty would like to see a “buy in” from the SLPD when they are patrolling the campus. Maybe stop and say hi, play a round of hoops, or just introduce yourself. This will help to establish trust on both sides.
- Civilian ride along – walk a mile in my shoes approach.
- When questioning people maybe take a softer approach with asking the questions (again the fear factor of being pulled over when haven’t done anything wrong.)
- Introduce self at the appropriate encounters to personalize interactions.
- Accountability – to hold all professionals accountable.

There were 8-10 students involved in this session with some interesting dialogue as you can see.

Summary of Listening Group with St. Josephs

Overall, comments were very favorable and there were no significant comments/criticisms made regarding the PD. There was a suggestion made for increased opportunities for community members to interact with officers and be more visible such as a foot patrol, where officers could engage residents in conversation, etc. The individual I spoke with recommended that community members have access to education/awareness activities related to racial/cultural diversity.

Appendix 3: Community Survey and Summary of Results

Complete survey results can be viewed online at <http://bit.ly/slpsurveyresults>

See PDF “Police Review Committee Survey Responses”

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Appendix 4 – Website Development/Content Recommendations

Home

- Message from the Chief
- Links to Other Pages on the Site

Police Department

- Duties
- History
- Staff (with photos)
- Employment
- In Memoriam

Communicating with Residents and Visitors

- PD Contact Info
- Twitter?
- Facebook?
- Tip Link
- Complaint Link
- Terrorism Tip Hotline

Parking

- Laws
- Summer Time Parking Enforcement Practices
- Handicap Permits

Animal Control

- Report Loose Dog/StrayDog/Dog Problem
- Lost Dog?

Court

Crime-Related Information

- Wanted
- Sex Offenders
- Domestic Violence
- Scams/Identity Theft

Forms

Upcoming Events for the Community

Appendix 5 – Comparison of Traffic Stop Report with US Census Bureau Info

Village of Saranac Lake Police
2019 Statistics

<https://www.census.gov/quickfacts/saranaclakevillagenewyork>

	Related Call Type	Arrests	As a % of Total Calls	As a % of Related calls
Total # of Calls	2,626			
Welfare Check	100		3.8%	
Mental Health	53		2.0%	
Mental Hygiene Law Arrest (hospital transport)		23		15.0%
Domestic Violence	206		7.8%	
Domestic Violence Arrest		16		7.8%
Overdose	3		0.1%	
Overdoes Arrest (Good Samaritan PL 221)		0		0.0%
Total Arrests	164		6.2%	
Arrest by Race				
White	158		96.3%	
Black	4		2.4%	
American Indian	1		0.6%	
Unknown	1		0.6%	

US Census Quick Facts Village of Saranac Lake Population Estimates for July 1, 2019

White Alone	93.3%
Black or African American Alone	3.7%
American Indian and Alaska Native Alone	1.1%
Asian Alone	0.1%
Native Hawaiian and other Pacific Islander Alone	0.0%
Two or More Races	1.4%
Hispanic or Latino Alone	1.4%
	101.0% ?????
White Alone, Not Hispanic or Latino	92.9%

Appendix 6 – CALEP

The CALEP (Counselor and Law Enforcement Partnership) is a collaborative initiative between Citizen Advocates, Inc., (CAI) Saranac Lake Police Department (SLPD) and Franklin County Community Services (FCCS). The collaboration was formed in response to community need and was later determined as a potential strategy in response to Executive Order 203.

The Saranac Lake Police Department determined the majority of calls received by the Department were in response to individuals in mental health and/or substance use crisis. Individuals in crisis, require specialized care, where timely and evidence based treatment can begin at the point of first contact. By using de-escalation techniques, solution focused therapy, and safety planning, these calls can be diverted away from our local emergency departments and criminal justice system, to professionals trained and skilled in responding to these types of situations.

The Counselor and Law Enforcement Partnership (CALEP) pilot project was specifically developed to better support individuals with behavioral health conditions when in contact with the Saranac Lake Police Department. While local and state approvals are still needed, once implemented, Citizen Advocates will hire a licensed clinician to work exclusively with the Saranac Lake Village Police Department. The clinician will be either a Licensed Mental Health Counselor or a Licensed Master Social Worker.

After the police officer responds to the call and assesses the location for safety, the CALEP clinician will report to the scene. The CALEP clinician will not accompany law enforcement to the scene, but will report to the location in a separate vehicle.

Individuals will be provided a brief risk assessment by the CALEP clinician to determine if immediate crisis intervention is needed. Otherwise, the clinician will provide one-on-one counseling in addition to follow-up appointments scheduled with the appropriate community provider.

Appendix 7: Policies

Related to oversight:

[New York Consolidated Laws, Executive Law - EXC §75 | NY State Senate \(nysenate.gov\)](https://www.nysenate.gov/legislation/laws/EXEC/75)

See PDF “Combined Files of Policies”

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Appendix 8 – Research Sources Used by Committee Members

Definitions of terms contained in E.O. 203

Evidence based policing:

Therefore, police officials must shift their attention to the science of controlling crime and disorder. That model is called evidence-based policing, and it represents the field's "most powerful force for change,"^[1] according to criminologist Lawrence Sherman.

In his seminal work on the topic, Sherman defines evidence-based policing as "the use of the best available research on the outcomes of police work to implement guidelines and evaluate agencies, units and officers."^[2] Evaluation of ongoing police operations is important because it can link research-based strategies to improved public safety outcomes, allowing police agencies to move beyond a reactive, response-driven approach and get smarter about crime control.^[3]

Source: <https://nij.ojp.gov/topics/articles/being-smart-crime-evidence-based-policing>

Law Enforcement Assisted Diversion (LEAD):

WHAT IS LEAD?

The Law Enforcement Assisted Diversion (LEAD) program is a community-based police diversion approach to addressing those involved in the criminal justice system because of addiction, mental illness, and poverty. In LEAD, police officers exercise discretionary authority at point of contact to divert individuals to a community-based, harm reduction intervention for law violations driven by unmet behavioral health needs. In lieu of the normal criminal justice system cycle -- booking, detention, prosecution, conviction, incarceration -- individuals are instead referred into a trauma-informed intensive case-management program where the individual receives a wide range of support services, often including transitional and permanent housing and/or drug treatment.

Source: <https://www.albanyny.gov/Government/Departments/PoliceDepartment/LEAD.aspx>

Restorative Justice:

Restorative justice views crime as more than breaking the law – it also causes harm to people, relationships, and the community. So a just response must address those harms as well as the wrongdoing. If the parties are willing, the best way to do this is to help them meet to discuss those harms and how to about bring resolution. Other approaches are available if they are unable or unwilling to meet. Sometimes those meetings lead to transformational changes in their lives.

Notice three big ideas: (1) repair: crime causes harm and justice requires repairing that harm; (2) encounter: the best way to determine how to do that is to have the parties decide together; and (3) transformation: this can cause fundamental changes in people, relationships and communities.

A more formal definition is this: Restorative Justice is a theory of justice that emphasizes repairing the harm caused by criminal behavior. It is best accomplished through cooperative processes that allow all willing stakeholders to meet, although other approaches are available

when that is impossible. This can lead to transformation of people, relationships and communities.

Source: <http://restorativejustice.org/restorative-justice/about-restorative-justice/tutorial-intro-to-restorative-justice/lesson-1-what-is-restorative-justice/#sthash.TyXalrPR.dpbs>

Problem Oriented Policing (POP)

Practice Goals

Problem-oriented policing (POP) is an analytic method used by police to develop strategies that prevent and reduce crime. Under the POP model, police agencies are expected to systematically analyze the problems of a community, search for effective solutions to the problems, and evaluate the impact of their efforts (National Research Council 2004). POP represents police-led efforts to change the underlying conditions at hot spots that lead to recurring crime problems. It also requires police to look past traditional strategies and consider other possible approaches for addressing crime and disorder (Weisburd and Eck 2004). Today, it is one of the most widely used strategies among progressive law enforcement agencies (Weisburd et al. 2010).

Practice Theory

The POP approach was first advanced by Herman Goldstein (1979), who argued that the standard model of policing (which is primarily reactive and incident driven) should be replaced with a more proactive approach to identifying and targeting problems that contribute to crime, disorder, and other community issues. Eck and Spelman (1987) later developed a framework for implementing POP through the use of the SARA (for Scanning, Analysis, Response, and Assessment) model, which is discussed below. SARA is just one of numerous potential methodologies for implementing POP in practice.

Source: <https://www.crimesolutions.gov/PracticeDetails.aspx?ID=32>

Hot Spots Policing:

Practice Goals

Used by a majority of U.S. police departments, hot spots policing strategies focus on small geographic areas or places, usually in urban settings, where crime is concentrated (Braga et al. 2012). Although there is not a common definition for “hot spots,” they are generally thought of as “small places in which the occurrence of crime is so frequent that it is highly predictable, at least over a one year period.” (Sherman 1995, pg. 36). Through hot spots policing strategies, law enforcement agencies can focus limited resources in areas where crime is most likely to occur. The appeal of focusing limited resources on a small number of high-activity crime areas is based on the belief that if crime can be prevented at these hot spots, then total crime across the city might also be reduced.

Source: <https://www.crimesolutions.gov/PracticeDetails.aspx?ID=8>

Focused deterrence:

Focused deterrence strategies (also referred to as “pulling levers” policing) are problem-oriented policing strategies that follow the core principles of deterrence theory. The strategies target specific criminal behavior committed by a small number of chronic offenders who are vulnerable to sanctions and punishment. Offenders are directly confronted and informed that continued criminal behavior will not be tolerated. Targeted offenders are also told how the criminal justice system (such as the police and prosecutors) will respond to continued criminal behavior; mainly that all potential sanctions, or levers, will be applied. The deterrence-based message is reinforced through crackdowns on offenders, or groups of offenders (such as gang members), who continue to commit crimes despite the warning. In addition to deterring violent behavior, the strategies also reward compliance and nonviolent behavior among targeted offenders by providing positive incentives, such as access to social services and job opportunities.

Source: <https://www.crimesolutions.gov/PracticeDetails.aspx?ID=11>

Crime prevention through environmental design:

Crime Prevention Through Environmental Design (CPTED) is a multi-disciplinary approach of crime prevention that uses urban and architectural design and the management of built and natural environments. CPTED strategies aim to reduce victimization, deter offender decisions that precede criminal acts, and build a sense of community among inhabitants so they can gain territorial control of areas, reduce crime, and minimize fear of crime. CPTED is pronounced ‘sep-ted’ and it is also known around the world as Designing Out Crime, defensible space, and other similar terms.

Source: <https://www.cpted.net/>

Violence prevention and reduction interventions:

In the context of overcrowded prisons that have been shown to be ineffective at reducing reoffending, policy makers face increasingly pressing questions about what works to reduce crime. Homicide and serious assault make up a relatively small proportion of all crime, yet they account for a disproportionate amount of the overall social, psychological and financial costs of crime. Violent crime is thus costly for individuals, governments and other public bodies and agencies involved in the prevention, prosecution and treatment of offending.

There is evidence that violent crime is a tractable problem. A previous RAND Europe report on *Interventions to reduce anti-social behaviour and crime* highlighted the effectiveness and cost-benefit of early interventions for preventing crime and offending. These findings hold true for violent crime as well. This report focuses on the potential for interventions at three main stages in the offending process: risk assessment, rehabilitation and management of violent offenders. There is much evidence about what works in rehabilitative measures for reducing reoffending such as cognitive behavioural therapies and multisystemic therapies. However, there is also evidence of effective and promising practice in communities with high rates of violent crime. The multifaceted nature of crime and violence requires similarly multifaceted multi-agency interventions that involve community residents in helping to resolve the problem of violence.

Source: https://www.rand.org/pubs/technical_reports/TR530.html

Additional sources of research and background

Material in the Guidebook (New York State Police Reform and Reinvention Collaborative, August 2020)

SLPD's incident reporting database (for statistical data)

SLPD's traffic ticket database (for statistical data)

Lake Placid Police Department Website

Miscellaneous

[Huge number of local police forces makes nationwide reform difficult](#)

[How Decades Of Bans On Police Chokeholds Have Fallen Short](#)

Civilian Review Boards

[Brattleboro, VT, Citizen Police Communications Committee \(CPCC\)](#)

[Schenectady Civilian Police Review Board](#)

<https://www.nacole.org/faqs>

<https://www.joincampaignzero.org/solutions#solutionsoverview>

[Police oversight: Is a civilian review board needed in the Historic Triangle?](#)

[Brattleboro, after weeks of discord, approves panel to review town police](#)

[Brattleboro citizen police committee attracts new attention](#)

[For 'Police Accountability With Teeth,' Citizens Demand Elected and Empowered Oversight Boards](#)

Pairing of police/social workers

[Pairing mental health counselors with police on calls shows promise in Colorado](#)

[Program pairing Knoxville Police, mental health expert on behavioral calls shows promise](#)

[New Pilot Program Will Pair Mental Health Experts With Police on Certain Crisis Calls](#)

[Pairing Social Workers with Police: A Look at the KCKPD CIT Co-Responder Program](#)

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