

Schoharie County Law Enforcement Review

November 17, 2020

Attendees: see attached list

Meeting called to order at 3:00 pm.

Next meeting will be December 1, 2020 at 5:00 pm here in the Board of Supervisors Room. Please call ahead to reserve a seat.

Chairman Federice – Our deadline to complete our review is March 31, 2021. So far, meetings have been focused based on process. We now want to open these meetings up to the community members for input, questions or concerns.

Sheriff Stevens – We want this to be more of a dialog, so we know what/if the community has for concerns.

Inv. Baker – Knowing what we have provided you up to this point – what we have for programs, what needs to be done, what doesn't need to be done, what the challenges are, etc. – what else is there that needs to be addressed?

Ms. Mallory – I have been attending Cobleskill Police Department's (CPD) meetings. One of the strengths in Schoharie County is that the Law Enforcement agencies work very well together. As many of you know, at night we have limited coverage and Law Enforcement staff on the roads. My concern is that when there is a Law Enforcement issue, the policies are so rigid or different between the agencies and will cause problems. This should be a collaborative effort with all Law Enforcement entities.

Sheriff Stevens – We all work off the same model from the Department of Criminal Justice Services, which is what Lexipol works from.

Ms. Hults – People from the community have not seen any of the policies and we would like an opportunity for input.

Inv. Baker – Are there specific items that you want addressed?

Ms. Hults – We just want a chance to see and intervene and could have input.

Sheriff Stevens – Lexipol provides the framework and we make it ours. Email our office your specific questions or concerns so we can have a prepared answer at the next meeting.

Ms. Hults – We didn't realize that you would be looking for input today.

Inv. Baker – You have listened to us for the past 2 months. It's time we hear from you. I have reached out to some younger people to add to this committee to provide us with a more age demographic.

Ms. Hults – If you give us a topic you will talk about at each meeting, we can come prepared with questions. But I think that Use of Force is an important topic.

Inv. Baker – Let's address the primary concerns first and work out the rest as we go.

Chairman Federice – Our first topic next meeting should be Use of Force. Maybe the Sheriff's office can provide a draft of the Use of Force policy to review.

Mr. Harrison – Use of Force is always a touchy policy. The temperament of everyone is different; therefore, responses are different. But I was hoping that there could be a more uniform response to Use of Force. All Law Enforcement may receive the same training, but some respond differently. I saw an incident at a riot in NYC where a woman was in an officer's face screaming and yelling while he stayed completely calm and professional; until she spit in his face. I think some Law Enforcement officers can handle having a gun in their face rather than being spit on. It's the disrespect. People don't like to be disrespected. How about role playing situations? Because I may react differently than you or than the next person.

Inv. Baker – There is more scenario-based training at the Academy. I do agree that it may be more intense with verbal aggression than with weapons.

Chairman Federice – I feel that spitting at someone is an act of violence.

Sheriff Stevens – Not all of us are born with the same attributes, therefore everyone deals with situations differently. Some things in civil service law make it difficult because a person that has the highest score may not have what it takes to be in Law Enforcement.

Inv. Baker – There is a policy called Duty to Intervene and we also call it “tap out”. If an officer witnesses another officer losing control of a situation or not handling it properly, the officer has the duty to intervene or “tap out” the struggling officer and take control of the situation.

Ms. Hults – Another concern is how often are trainings done?

Inv. Baker – Annually.

Ms. Hults – If all these trainings are in place, then why are all these egregious acts still happening?

Sheriff Stevens – Because we are all just human beings. I see videos and the news and I say “I wouldn’t have done it that way” or “Why did they do it that way?”, but I was not there and you have no idea what someone may be going through that day or that week that could contribute to the situation. A bad police officer hurts no one more than a good police officer. I do receive a lot of “good guy” letters each week.

Ms. Ellis – I am hopeful that there are many supports and programs in place for Law Enforcement officers. One thing that is helpful is to monitor the diversions that have come through the LEAD Program versus the diversions that could have come through. This may help show which officers are diverting and for what situations and reasons. We can then provide in-reach or out-reach to other officers to help guide and provide them support.

Pastor Richards – What Sheriff Stevens said that “one bad officer hurts no one more than a good officer” is so true. It’s more of accountability. We may tend to just move someone around or readjust rather than deal with the “bad apple”. Everything rises and falls with leadership. If the leadership isn’t healthy and solid then neither will the rest be. As a pastor I have been called in to deescalate a situation, therefore I think that we all should have access to training in de-escalation, mental health awareness training and access to assistance.

Mr. Harrison – I like the idea of Collaborative Partnership policing.

Pastor Richards – There is just so much more you can do collaboratively with greater resources. I do feel that this County has great Law Enforcement.

Ms. Nicosia – Are these things that we can fold into the new policies or is this parallel? Is there a way to work collaboratively? Is that part of the Executive Order? Is LEAD part of the Executive Order?

Inv. Baker – LEAD is a part of the Executive Order and has its own separate policies and guidelines and was in place prior to the Executive Order. The LEAD program is not a Sheriff's Department program; it is a Catholic Charities program.

Ms. Nicosia – Let me rephrase. Is there a way to formalize these collaboration efforts, as it seems like everyone here agrees?

Chairman Federice – With Executive Order 203, there are specific things that must be accomplished working collaboratively with this committee and members of the community. Those recommendations make up the plan that will be presented to the full Board of Supervisors and then voted on either as a Local Law or a Resolution. That is why I feel that we need to wrap up our meetings no later than January 31, 2021 so that there is enough time to finalize the plan and present it. If it is going to be by Local Law then it needs to be presented 30 days prior to April 1, 2021, which is the date that the certified adoption of the plan needs to be received by the State Budget Director. Any other questions?

Mr. Harrison – Yes! Sheriff Stevens do you have the flexibility through civil service to hire not based on test scores?

Sheriff Stevens – Not necessarily. Civil service has requirements and so does Law Enforcement so sometimes we have to be creative in choosing the best candidate for the job. We are hoping that some of what happens from this Executive Order will change the civil service guidelines. Law Enforcement needs to have the flexibility to not just hire the person that scores the highest but also has the important attributes needed to be a good officer. They need the ability to be a good person, to be a good mediator, know the difference between good and evil and know how to find the root of the problem to get help for them.

Meeting adjourned at 4:22 pm.

Law/Radio/Law Review Meeting November 17, 2020 (Board Chambers)

	<u>NAME</u>	<u>PHONE NUMBER</u>	<u>AGENCY/DEPT/VISITOR</u>
1	Bill Federice	607-353-2110	Chairman of the Board
2	Dick Lape	518-231-3084	Chair of Law Committee
3	Steve Weinhofer	518-231-6681	Committee member
4	Duane Tilipaugh	518-295-2266	Sheriff's Dept.
5	Suzanne Graulich	518-295-8740	LDI
6	Susan Mallory	518-295-2272	DA
7	C.J. Smith	518-295-8300	BOS
8	Scott Haverly/Jordan	518-295-8465	I.T. Director
9	Steve Wilson	518-295-8303	County Administrator
10	Patsy Nicosia		Times Journal
11	Carl Walthers		SchoPeg
12	Sheriff Ron Stevens	518-295-2266	Sheriff's Dept.
13	Bruce Baker	518-295-2266	Sheriff's Dept.
14	Candace Ellis		Catholic Charities
15	Pat Hults	518-441-2717	Community member
16	Pastor Ray Richards		Committee member
17	Dan Smith	518-231-3160	Community member
18	Wendy Cooke	612-554-7295	Community member
19	Peter Harrison	917-449-4512	Community member
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