

Village of Oriskany
Police Reform & Reinvention
Collaborative Plan



Ratified & Adopted March 16, 2021

Table of Contents

- IntroductionPage 4
- OutreachPage 5
- Key Questions and Insights for ConsiderationPage 6
- What Functions Should the Police Perform?Page 6
- Warrior v. GuardianPage 7
- Ongoing EffortsPage 7
- Anti-DiscriminationPage 7
- Community GrievancesPage 7
- Mental Illness & Substance Abuse CallsPage 8
- Violence PreventionPage 8
- Addressing Trauma & ViolencePage 8
- Environmental DesignPage 8
- Presence in Public SchoolsPage 9
- Staff Budgeting, and EquippingPage 9
- Crowd Control & DemilitarizationPage 9
- “Broken Windows” and “Stop & Frisk”Page 10
- Discrimination & Biased StopsPage 10
- Chokeholds & Breathing RestrictionsPage 10
- Use of Force for Punitive or Retaliatory ReasonsPage 10
- Pretextual StopsPage 11
- Informal QuotasPage 11
- Shooting at Moving VehiclesPage 11
- High Speed PursuitsPage 11
- SWAT & No-Knock WarrantsPage 11
- Less Than Lethal ForcePage 12
- Facial RecognitionPage 12
- Racial Disparity & Restorative JusticePage 12
- “Hot Spots”Page 12
- De-escalationPage 13
- Hate CrimesPage 13
- Community OutreachPage 13
- Citizen Advisory Board (CAB)Page 13

- Partnership with Community Orgs. & Faith CommunitiesPage 14
- Police-Community ReconciliationPage 14
- Leadership & CulturePage 15
- Officer EvaluationPage 15
- Hiring & PromotionsPage 15
- Oriskany Police Dept. Mission Statement & Dept. CulturePage 15
- Use of ForcePage 15
- Weapon DischargesPage 16
- MisconductPage 16
- Police Reports & ComplaintsPage 16
- Policies, Data, Technology, & TransparencyPage 16
- CamerasPage 17
- Values & Culture Off-DutyPage 17
- Citizen Oversight CommitteesPage 17
- AccreditationPage 17
- New Hires & Recruiting a Diverse WorkforcePage 17
- Supporting Officer Wellness & Well-beingPage 18



Introduction:

On June 12, 2020, Governor Andrew Cuomo signed into law Executive Order No. 203 requiring each local government to adopt a policing reform plan. This plan must be submitted to the New York State Division of Budget no later than April 1, 2021.

In an effort to comply with the Governor's order, a committee was formed consisting of local elected officials, members of the Oriskany Police Department, and members of the Oriskany community. The public was invited to join each meeting. The committee also collaborated with the Town of Whitestown, which the Village of Oriskany is part of. Members of the Whitestown police department participated in two meetings and then bifurcated to draft, ratify, and adopt their own individual reform plans.

Several public meetings were held virtually due to the COVID-19 Pandemic. This collaboration is to ensure a healthy, productive engagement and foster a relationship of mutual trust between the police and all segments of the community. Our community relationship between the police and the public is already strong, however, changes can always be made as needed.

These meetings were a collaborative effort to plan, listen, and learn in order to create a comprehensive reform and reinvention plan.

Outreach:

In an effort to make these hearings publicly accessible while abiding by pandemic precautions, the Village of Oriskany and the Oriskany Police Department utilized virtual meeting technology to reach the community safely and effectively. Meetings were hosted with Google Meet, which allowed the public to access the meeting by computer or by telephone. Comments could also be submitted in writing by mail, e-mail, or direct delivery to the village clerk's office. Meeting details were also available from the village clerk by phone.

Meeting dates and times were posted on the door of the village clerk's office, advertised in legal notices of the official local newspaper (the *Rome Sentinel*), published on the village website, circulated on social media, and advertised on the outdoor sign in front of the Oriskany Municipal Building (as weather permitted).

Oriskany's reform efforts were also outlined in a news article written in the *Rome Sentinel* on January 30, 2021 after the first public meeting.

The group reviewed the New York State Police Reform and Reinvention Collaborative: Resources & Guide for Public Officials and Citizens, a workbook issued by Governor Cuomo's office. Any page numbers referred to in this report are from the August 2020 edition of said workbook. Copies of this publication are available from the state or by contacting the Oriskany village clerk's office.

Public Meetings were held on the following dates:

- Tuesday, January 26, 2021 at 7:00 p.m. (workbook pages 1-12)
- Wednesday, February 3, 2021 from 6:00 - 8:00 p.m. (pages 13-41)
- Wednesday, February 10, 2021 from 6:00 - 8:00 p.m. (page 42-116)
- Wednesday, February 24, 2021 from 6:00 - 8:00 p.m. (First draft review)
- Tuesday, March 16, 2021 at 5:00 p.m. (Second draft review)

This document was reviewed and approved by the Village of Oriskany Board of Trustees on Tuesday, March 16, 2021.

Key Questions and Insights for Consideration

The “Say Their Name” Reform Package was introduced by New York State to prevent misconduct and abuses of power that were brought to national attention after the deaths of George Floyd, Breonna Taylor, and many others during interactions with police. Law enforcement agencies in New York State are now asked to evaluate their practices to prevent future tragedies and to rebuild trust between communities and their police officers.

- The Oriskany Police Department does not use chokeholds.
- Oriskany already videotaped interrogations prior to the State changes.
- Emergency calls and dispatches are handled at the county level by the Oneida County 911 Center.
- Type of services dispatched is also a 911 Center determination.
- The County District Attorney’s office is spearheading many reforms for county agencies.
- Most local agencies follow or strive for NYS policy guidelines, so there is some continuity between departments.

What Functions Should the Police Perform?

The current primary objectives of the Oriskany Police Department (OPD) are to maintain public order, enforce laws, and prevent crime. The secondary objectives are licenses/registrations, calls for services (e.g. civil disputes), and public visibility (e.g. represent authority).

The group discussed the role of the Oriskany Police Department in the community and agreed that school presence has helped integrate the police department with the community. School Resource Officers and School Safety Officers are present in both school buildings to provide outreach and protection. They dress in plain clothes and are not there to police or enforce school policy, but to act as a community resource to the students.

Bicycle patrols were previously used more frequently in the village, especially during community events. This was discussed as an effective way to interact with the public. The department is interested in reinstating this practice. Officers are

encouraged to get out of their patrol cars, introduce themselves to residents and interact with the community to build trust, especially with children.

Strong community relationships and communication are emphasized in training. Positive community relationships are viewed as important keys to success by local officials, residents in attendance, and the police officers in attendance.

Warrior v. Guardian

Attendees agreed they see Oriskany Police Department officers in a guardian role for the community, with the warrior role to be used only when absolutely necessary. Community policing is about de-escalation and the officer should act as a voice of reason/mediator while enforcing state and village laws at the discretion of the officer.

Ongoing Efforts

The topic of police reform will be added to the Village Board of Trustees' monthly agenda so that the voices of the community can be continually heard even after this reform plan has been submitted. Board meetings are held on the second Tuesday of every month. Questions and concerns can also be submitted in writing until the morning before the meeting or voiced during the public meeting.

Anti-Discrimination

The Oriskany Police Department does not discriminate or profile on the basis of sex, gender identity, sexual orientation, race, color, ethnicity, nationality, religion, caste, or creed.

Community Grievances

The department has only had a handful of informal complaints over the last twenty years and no formal personnel complaints have been filed. The school representative was also unaware of any formal complaints.

Most informal complaints are regarding unfriendly officers or traffic ticket complaints. Formal complaints can be submitted in writing at any time to the

police chief or the village clerk's office. The police chief or his designee will create a formal complaint form.

Mental Illness & Substance Abuse Calls

The County 911 Center dispatches first responders to emergency calls. A local program called Mobile Crisis Assessment Team (MCAT) does help address these calls. An increase in mental illness cases and substance abuse during the pandemic has led to police officers responding first to some situations previously handled by MCAT.

Adding social service resources to these calls would need a state-wide initiative to either train social workers for police work or train police officers for social work to minimize liability issues.

Violence Prevention

Our local community is fortunate to have not experienced gun violence. To continue prevention efforts, the Oriskany Police Department teaches the Eddie Eagle Gun Safety program, which is available from the National Rifle Association (NRA). The program is taught at the Oriskany Summer Program and as requested by the school district. The program teaches children to react safely to firearms, instructing children to not touch firearms and alert an adult if they find a gun.

The school representative expressed interest in seeking grant opportunities for additional safety programs for pupils.

Addressing Trauma & Violence

Oneida County Department of Social Services, Mobile Crisis Assessment Team (MCAT), the local YWCA, and other local agencies to help provide services to address these issues.

Environmental Design

Effort should be made to prevent dark spaces, trim brush and maintain street lighting to help prevent blind spots that may shelter criminal activity.

The department has an ambition to train an officer in Crime Prevention Through Environmental Design (CPTED) certification to further these initiatives.

Presence in Public Schools

The group consensus was that there should be a community police presence in schools. All school officers are currently certified School Resource Officers (SROs), even those serving as School Safety Officers (SSOs). Feedback from the school, staff, and parents has been positive. SROs and SSOs are there to prevent outside harm, not to police students. They are in support role for students, staff, and administrators. The school handles truancy cases, not SROs/SSOs.

Uniforms can intimidate students. School officers dress in plain clothes (golf shirts and slacks) to make themselves more approachable to children and the school community. This also allows them to blend in should a threat arise.

A Memorandum of Understanding (MOU) currently exists between the police department and the school district.

Staff, Budgeting, and Equipping

Oriskany currently employs fourteen officers (2 females and 12 males), all of whom work part-time. Some officers are certified to work as SROs/SSOs in the school district; some of which also provide village patrols and emergency services.

The current Police Department structure is the police chief, one sergeant, and 13 officers, all working part time. Six officers are certified as School Resource Officers.

Crowd Control & Demilitarization

For large events, the Oriskany Volunteer Fire Department typically handles crowd control. Auxiliary police or BOCES criminal justice students are sometimes brought in to help with traffic during community events.

The Oriskany Police Department is not militarized. Officers are instead trained in de-escalation tactics. The department purchased patrol rifles in October 2004, but has no other access to military-grade equipment such as hummers, tanks, etc.

Military-style equipment has never been requested or needed for such a small agency. The department does not have riot gear because it has never been needed for crowd control. If sophisticated equipment was needed, the mutual aid of Oneida County and/or New York State is available.

“Broken Windows” and “Stop & Frisk”

The Oriskany Police Department does not condone Stop and Frisk techniques. These policing approaches are not currently used in Oriskany, but shall be specifically addressed in the departmental policy to prevent their use.

Discrimination & Biased Stops

The Oriskany Police Department does not use biases for stops. The departmental policy shall be amended to explicitly prevent future officers from using bias in policing. A specific policy will help support disciplinary actions if discrimination or bias were used by an officer.

Chokeholds & Breathing Restrictions

Chokeholds are not used by the Oriskany Police Department. They are not taught in the basic police academy training and are not used by the department members. A headlock is a chokehold. If someone is handcuffed while on their stomach, they should be assisted to sit or stand as soon as possible. Breathing restrictions are now outlawed at the state level and the local policy should clearly state the ban.

Use of Force for Punitive or Retaliatory Reasons

The formal policy should explicitly prohibit punitive action under their use of force policy. Officers are taught to only use such force necessary to mitigate force encountered.

Pretextual Stops

The Oriskany Police Department does not use pretextual stops in their policing methods.

Informal Quotas

The Oriskany Police Department does not use formal or informal quotas for tickets or citations. To show that there is no ambiguity, the police chief's report will no longer include the total number of tickets/summons issued per month.

Shooting at Moving Vehicles

Article 35 of the New York State Penal Law dictates that police officers will not shoot at moving vehicles. Officers are taught in the basic academy the specifics of Article 35 and refreshers are given at the required annual firearms in-service training.

High Speed Pursuits

High speed pursuits should be used only when necessary. Larger departments have a supervisor to consult but chases are currently at officer discretion within bounds. The decision lies with type of stop, time of day, and traffic. The officer must weigh good judgement and reason against the danger of a high speed pursuit to the officer and the public, and the seriousness of the offense.

SWAT & No-Knock Warrants

SWAT and no-knock warrants are handled by the state or county sheriff's office by officers who have specialty training. No-knock warrants are reserved for high risk, violent suspects or armed fugitives. The State Police or Sheriff's Office acts as the primary agency with the local department as secondary support.

The Oriskany Police Department does not have a SWAT team and therefore does not have a SWAT policy. Village and county warrants for search or arrest typically specify hours and are less intrusive.

Less Than Lethal Force

All officers are trained and certified with firearms, tasers, and pepper spray. Firearms are deadly force, while tasers and pepper spray are considered less than lethal force. Tasers and pepper spray serve a separate purpose and are not interchangeable with firearms in a deadly force situation. Tasers should only be used in compliance with the department's taser and use of force policies.

Officers in the schools do not carry tasers or pepper spray in the normal course of duty.

The "wheel of force" previously used in basic police academy training should be removed from the police policy and updated based on guidelines from the Department of Criminal Justice Services as they become available.

Facial Recognition

Facial recognition technology is becoming less expensive and more accessible but poses privacy issues. Data management is also a burden for small departments. The Oriskany Police Department does not use facial recognition.

Racial Disparity & Restorative Justice

New York State bail reform has expanded the use of court summons in lieu of arrest to help with racial disparities within the criminal justice system. Summons are used for crimes like petty theft. Changes are also already being made through the courts and the County District Attorney's office to address racial disparities within those systems. Oriskany Police Department will keep apprised of these efforts to prevent racial disparity within our community.

"Hot Spots"

The County Crime Analysis Center (CAC) in Utica alerts local departments regarding changes or events in the community that may create "hot spots." These could range from traffic concerns during a protest to notices about spikes in drug overdoses. The Center coordinates with other agencies regarding relevant data.

De-Escalation

The county may introduce new deescalation courses in light of these reforms. When pandemic restrictions ease, more in-person opportunities for training should be available. The Mohawk Valley Police Academy also offers training. Officers would benefit from updated training as it becomes available. Advances in online training during the pandemic may make courses more accessible going forward.

Hate Crimes

The Oriskany Police Department will investigate hate crimes. Depending on the severity of the crime, other resources may be needed for a full investigation.

Community Outreach

This reform plan is just the initial effort toward community outreach. Moving forward, the monthly village board meeting agenda will include an opportunity for public comment on police reform and concerns. Reform is an ongoing process.

Citizen Advisory Board (CAB)

A Citizen Advisory Board is to be established. This new board shall consist of three residents to weigh in on public safety concerns as they arise. The Board shall help identify community problems and collaborate with the local police department to produce meaningful results for the community. The Board shall also provide perspective to law enforcement leadership.

Two members of this forum will serve in the first year of this board. Going forward, the board will be appointed by the Board of Trustees in conjunction with the Mayor and will meet annually, or more often, at the village board's discretion. Appointees should be residents of the Village of Oriskany with sufficient knowledge of the community to adequately represent the public. Efforts should be made to appoint a diverse board that is representative of the community.

Partnership with Community Organizations & Faith Communities

Outreach to faith communities and community organizations helps break down barriers and open channels of communication. The Oriskany community does not have specific faith-based neighborhoods. The small population helps facilitate strong relationships because there is often an overlap in group membership between organizations.

Outreach in the school district also helps build relationships with local residents.

Police-Community Reconciliation

The Oriskany Police Department strives to be a trustworthy partner in achieving public safety for all residents of the Village of Oriskany. While the Oriskany community does have residents of varying ethnic and racial backgrounds, the committee is unaware of any distinct community or neighborhoods of a single identity.

Residents from all backgrounds, including (but not limited to) different races, ethnicities, sexual orientations, gender identities, cultures, and religions, are seen as members of the community as a whole. Oriskany is home to less than 1,500 people who are all interconnected by their friends, family, neighbors, businesses, community organizations, and local institutions.

The Oriskany Central School District is the largest and most diverse institution within the Village of Oriskany. School Resource and Safety Officers shall continue to interact with the student body to build trust with students and staff of all backgrounds.

The County 911 Center offers translation services should any language barrier arise. Communication services are also available for those with any visual or hearing impairments.

If any member of the community has additional insight, we ask that they please share their views so any concerns can be addressed openly.

Leadership & Culture

Current leadership selection processes have so far produced a positive police-community relationship. Hiring for the Oriskany Police Department is done through Oneida County Civil Service Office and the Oriskany Village Board of Trustees appoints all new police officers.

Officer Evaluation

Officers receive internal recognition for good policing. Recognition includes letters and pins. These efforts keep morale up within the department and provide opportunities to recognize good conduct.

The command staff of the Oriskany Police Department recognizes good conduct and gives recommendations as appropriate to promote a positive work environment. Individual feedback and constructive criticism are given as needed.

Hiring & Promotions

Diversity in hiring is limited by the candidates available through the County Civil Service system. The civil service is designed to put forward the best candidates regardless of race, sex, etc. Six females have served with Oriskany Police Department over the past several years. There are currently 2 female and 12 male officers.

Oriskany Police Department Mission Statement (Dept. Culture)

“The Oriskany Police Department, in partnership with our community, provides professional law enforcement service and protection with cutting edge technology. We strive to maintain the trust and confidence of our citizens while working to improve the quality of life and environment for all.”

Use of Force

All use of force must be reported to the Oriskany Police Department. A Use of Force Report must be filed and reviewed by the officer's supervisor.

Weapon Discharges

Any and all weapon discharges must be reported per department policy, even if used for wildlife dispatching.

Misconduct

In the event of a misconduct allegation, such as a questionable use of force, the Citizen Advisory Board would be asked to review the incident. The Oriskany Police Department would also prepare their own review and ask an alternative agency to write a peer review of the incident in question. The three independent reviews would then be submitted to the Village of Oriskany Board of Trustees to evaluate and move forward on any suspension or disciplinary action in accordance with the police union contract.

This process should be introduced into the Oriskany Police Department policy in a timely manner. Officers should report any misconduct to their supervisor.

The Oriskany Police Department welcomes investigation by the District Attorney into any reports of misconduct.

Police Reports & Complaints

Reports to the Oriskany Police Department should be submitted in writing. This applies to the public and employees. A standardized form shall be introduced and made available on the village website and at the village office/police department.

The open forum at village meetings is to discuss community policing, not submit police reports.

Policies, Data, Technology, & Transparency

Transparency is available through the Freedom of Information Law (FOIL) requests in accordance with state law and at the recommendation of the Village Attorney.

Cameras

The Oriskany Police Department does not currently use body cameras due to the high cost in both dollars and man power.

Values & Culture Off-Duty

The Oriskany Police Department intends to develop a policy regarding off-duty conduct.

Citizen Oversight Committees

The community and the department are not large enough to justify maintaining a board larger than the Citizen Advisory Board established earlier in this document.

Accreditation

The Oriskany Police Department strives to meet state accreditation standards, but full accreditation is unlikely due to space limitations and other budgetary constraints.

New Hires & Recruiting a Diverse Workforce

The Oriskany Police Chief interviews new applicants and completes full background and reference checks before hiring. Diversity of applicants is limited by Civil Service Law and available applicant pool.

To reach out to youth about potential careers in police work, the department works with local criminal justice students, including providing field experience opportunities during high-traffic community events. The Oriskany Police Benevolent Association (PBA) also sponsors two local scholarships and supports the Oriskany Little League. Career Day appearances and public safety demonstrations also contribute to these efforts.

Continuing education for officers is driven by the Mohawk Valley Police Academy and other training outlets as mandated by the NYS Department of Criminal Justice Services.

The Police Chief is a member for the Criminal Justice Advisory Board for the Madison-Oneida Board of Cooperative Education Services (BOCES) and participates in the Madison-Oneida BOCES Career and Technical Education Job Fair Program.

The Sergeant currently serves as an active member of the advisory committee for Oneida Herkimer Madison BOCES Career & Technical Education's Criminal Justice Program.

Supporting Officer Wellness and Well-being

Resources are available for officers who need help addressing work stress, personal problems, officer deaths, fatal fires, or any other situation that is negatively impacting their well-being. Officers are encouraged to speak with their supervisor so they can be directed to the best help available for their situation.