Niskayuna Police Reform and Reinvention Collaborative
Draft Report
Edited 2/28/2021

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TBD
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I. Executive Summary

*Will be inserted as the final Document is presented to the Town Board*
The following testimonial is by Ayah Osman, a Black woman who grew up in, and lives in Niskayuna. Her testimonial below represents the experience of many in America’s Black and Brown communities, and is included here in its original form.

II. Testimonial

Contrary to popular belief, law enforcement officers have not been protecting Americans since the nation’s birth, and they certainly haven’t existed since the beginning of civilization. The idea of formal policing is not as archaic as many of us have been led to believe. In the United States, in particular, police forces are a relatively modern invention, the origins of which can be traced down to slave patrols. The first slave patrol came to be in North Carolina in the early 1700s. The idea spread across the southernmost United States, lasting roughly 150 years. These early police forces were tasked with apprehending and returning runaways as well as deterring slave revolts by instilling immense fear in enslaved people, all in the name of preserving one of this nation’s greatest evils: the institution of slavery. Through means of violence, abuse, and intimidation, slave patrols worked to uphold the status quo.

And when that status quo was disrupted in the aftermath of the Civil War and four million formerly enslaved persons were finally “free” from the horrific American chattel-slavery system, it is no surprise and certainly no coincidence that within two decades every major American city had a fully functioning police force. Under the thirteenth amendment, involuntary servitude was outlawed unless it served as punishment for a criminal act. And hence, law enforcement officers conducted themselves in a way, analogous to their predecessors, the slave patrols of the American south. In an attempt to continue benefiting from free labor, law enforcement officers across the country charged free African Americans with manufactured crimes such as vagrancy, which essentially resulted in the re-enslavement of a mass number of innocent African Americans. Law enforcement officers also systematically surveilled, intimidated, and brutalized African Americans.

The American police force has evolved since the early 1700s. But ask yourself, evolved from what? The earliest form of American policing was instituted with the sole purpose of maintaining and upholding slavery. America’s first police force was quite literally tasked with terrorizing African Americans in order to keep them in bondage. And when African Americans finally received an ounce of autonomy, it became the primary job of every police officer in the country to take it away from them by any means. This nation’s earliest police forces were vehicles
for enforcing White supremacy. Plainly put, police forces served as racist terrorist organizations. And how do you possibly escape a legacy so gruesome? You don’t, you can’t.

It is why on June 12th, 2020, 316 years after the formation of the nation’s first slave patrol, Governor Andrew Cuomo signed Executive Order 203 into law. The order, which requires local governments across the state of New York to adopt a police reform plan was issued in response to months of unrest caused by a string of widely-publicized and incredibly tragic police killing in the United States. Because we can try to deny, to dispute, to escape all we want but the truth is undeniable, the facts are indisputable, the state of our nation, of our race-relations, of our policing, is inescapable. Not enough has changed since the conception of the slave patrol. American policing is still riddled with anti-Black sentiments and standards. Those in power are still clinging to the status quo, still terrorizing Black folk, still finding any reason under the sun to funnel African Americans into the prison industrial complex. We haven’t done as much as look this legacy of discriminatory policing in the eyes, we refuse to speak on it, to acknowledge what is happening and who it is hurting. We mobilize only when the Governor tells us our state funding is on the line, and we ignore the marginalized groups in our communities when they share with us that their lives are on the line. We have so much work to do, and it is nothing short of shameful that it has taken this long to get started.

Because it happens, it happens across the United States, it happens in the Capital Region, and it even happens at the hands of the Niskayuna Police Department. On March 13th of this past year, Breonna Taylor, a 26-year-old EMT with her entire life ahead of her was fatally shot by police as she slept in her bed. Breonna’s boyfriend, Kenneth Walker III says that the plain-clothed officers didn’t even announce themselves. The grand jury that was convened in the aftermath wasn’t even presented with homicide charges. Ironic, considering Walker was initially charged with attempted murder for firing at the unidentified officers he had assumed were home intruders. Those charges were dropped after further investigation but they serve as a reminder that police officers can murder Black people as they sleep without consequence and yet a Black man cannot defend himself against violent intrusion without paying a hefty price. Breonna Taylor did not commit a crime, and even if she had it would have been grossly unjust for her to pay the price with her life. She is gone, she shouldn’t be but she is. And we know why that is the case.

On May 25th, 2020 George Floyd was murdered by Minneapolis police officer Derek Chauvin. The whole world watched as Chauvin knelt on Floyd’s neck for 8 minutes and 46
seconds. A store clerk had alleged that Floyd had used a counterfeit 20 dollar bill, and for that, he was murdered, on the side of the street, breathlessly calling for his mother. This story sounds like it could have taken place in 1720 and yet this tragic series of events unfolded 300 years later.

In 1975, a cruise ship, the S.S. Freeport, landed on New Orleans’ shores. One of the crew members, a 26-year-old African immigrant who donned a big Afro and an even bigger smile, was ecstatic. This was his first time stepping foot on American soil. He had a few hours to explore the lively crescent city before he had to return to the ship, and he intended on taking it all in. But It was a matter of minutes before he found himself pinned to the ground, his belongings ripped out of his hands, and carefully searched as four police officers frisked him in broad daylight. He knew little English, he could barely understand what they were shouting at him. He was afraid, his first day, his first time, his first few minutes in America and he was afraid he wouldn’t walk away with his life. Thankfully, it was all sorted out. The officers had mistaken him for someone else. They left him alone, he still had a couple of hours left to explore. But they had soured his day, so he made his way back to the ship and he sat in his room until it was time to go.

Now I know what you’re thinking. These stories are sad, but are they really all that common? And what’s even sadder is that they are. These stories are not outliers or anomalies, they are reflections of just how broken our policing is and how detrimental its impacts can be. And that isn’t only the case in Louisville, Minneapolis, or New Orleans. It happens here. It happens in Albany, happens in Troy, happens in the Capital District. On August 20th, 2018, an Albany grocery store owner called the police on Ellazar Williams over a minor disturbance. When police arrived they drew their weapons and asked Williams to stop. Williams did not comply with the officer’s orders, fleeing the scene instead. The police fired, permanently paralyzing Williams in the process. In March 2019, a video taken by a police body camera showed Albany police officers, called in because of a loud party, beating three black men on First street. By 1980, the man who was stopped and frisked on a sidewalk in New Orleans had moved to the United States permanently. He was living in Albany, New York and working the graveyard shift as an engineer for IBM. One night, on his way home from work, driving along route 155 as he always did, the man spotted a pothole. And as is common practice when a driver sees a pothole in the street, he briefly and carefully switched into the other lane, avoiding the pothole and returning to his lane once it was out of sight. A state trooper noticed the man, and immediately assumed he was a drunk driver, it was the middle of the night, he had just seen him swerve across two lanes, and so he pulled him over. The officer
approached the vehicle and posed the question “Have you been drinking?” The man responded, “I’m Muslim.” This meant nothing to the police officer who posed the question again. This time the man answered with a simple “no.” “What are you doing driving around so late?” the police officer asked. “I work the night-shift for IBM.” the man replied, but he knew as soon as he had said it that the police officer didn’t believe him. The man reached into his glove compartment so he could present the officer with his registration paperwork. He did this without announcing his movements beforehand, he was too new to the States to know a mistake like that cost men like him their lives. Before he knew it the police officer held a gun to his head. The man thought that was it. It was his time to die. But by some twist of fate, the officer slowly removed the weapon from off the man’s temple. He descended into a rage, shouting at the man for failing to announce what he was doing beforehand. “You’re lucky I stopped you tonight buddy, any other officer would’ve blown your brains out.” The man was absolutely traumatized. It’s safe to say these incidents never should’ve taken place, and if these civilians were not Black, it is very likely that they wouldn’t have.

Again, I know what you’re thinking. These incidents may be the norm across the country, across New York State, across the Capital Region even. But not in Niskayuna. Niskayuna must be the exception. Perhaps you were born here, perhaps you spent your life here, raised your children here. And you can’t fathom that these ruthless and unthinkable things could take place here. Not in your Niskayuna. To that I say. You’re right. You’re absolutely right. These things may not happen in your Niskayuna, but they happen in mine. They happen to people you cross paths with at the grocery store and live on the same street as. And it happens daily, routinely, incessantly.

Two Niskayuna police officers delayed medical care to a teenager with a cracked skull, a teenager with injuries so serious they spent multiple days in the Intensive Care Unit after being released from custody. In 2014 a Black Niskayuna resident who prefers to remain unnamed was riding their bike on River Road when a police car with two officers inside slowed down next to them, the officers instructed them to stop, and approached them. Fearfully, the individual who was 16 at the time of the incident followed orders. The officers asked to search their bag and the individual allowed them to. All that was in there were gym shorts and a stick of deodorant. The officers apologized, explained that there was someone burglarizing the neighborhood, and they had suspected perhaps it was them. Then they drove off. By 2008, the man who was stopped and frisked on a sidewalk in New Orleans, and nearly murdered on route 155 had moved to Niskayuna with his
wife and three children. Since then him and his family have been harassed, discriminated against, and intimidated at the hands of the Niskayuna Police Department countless times.

It’s hard to see our town in this light, but some of its residents have never had the privilege to see it any other way. Imagine just for a moment in time how hard it must be for them. The time is past overdue to fight for the marginalized members of our community. To listen to them and believe what they have to say. They deserve to feel safe, to be safe. Because behind each and every one of these stories is a real person. In fact, the man who was stopped and frisked on a sidewalk in New Orleans, and nearly murdered on route 155, the one who moved to Niskayuna only to be discriminated against at the hands of the Niskayuna Police Department as well; If any of those incidents had gone from awry to lethal I wouldn’t be here, writing this, practically begging you to fight for people that look like me, because that man, Mohamed Osman, is my father.

At the end of all of this, you may still hold firm the belief that this isn’t who we are, who we’ve been all along. So I ask you this. If it doesn’t happen here, who would we be protecting by refusing to make a change? We have an opportunity to do real good here, let’s take it. We have upheld the status quo and protected the most powerful members of our society for far too long. Let us demand accountability, safety, and justice for all now.
III. Introduction

On June 12th, 2020, Governor Andrew Cuomo issued Executive Order #203, that all municipalities with police departments undertake a comprehensive Police Reform & Reinvention Collaborative process. The purpose of this Collaborative was to foster trust, fairness, and legitimacy between police departments and the communities they serve, to address any racial bias or disproportionate policing of communities of color. The Executive Order set a deadline of April 1, 2021 for local adoption of police reform plans.

On November 16th, 2020, Town Supervisor Yasmine Syed constituted the Niskayuna Town Police Reform and Reinvention Collaborative at the Niskayuna Town Hall. Supervisor Syed tasked Brian Backus with coordinating the work of the Collaborative. The Niskayuna Town Police Reform and Reinvention Collaborative report consists of analyses as well as recommendations that have resulted from extensive discussions between a diverse group of long-term Niskayuna residents, Chief of Police Frances E. Wall, police officers who were also union members, and Town officials. The report has come out at a time when America is in the midst of a national reckoning around police brutality and racial inequity pervasive in policing communities of color, especially African Americans. The Black Lives Matter movement arose as a direct response to the killings of unarmed African Americans at the hands of police, and in context of their disproportionately high incarceration, a phenomenon also known as “mass incarceration” of people of color.

Background:

Niskayuna is a town of more than 22,000 inhabitants according to a 2019 estimate by the U.S census bureau. The estimate notes that the majority of Niskayuna residents, 84.5%, identify as White, Asians constitute 9.9% of the population, and 2.3% Niskayuna residents identify as Black, 3.1% as Hispanic, and 2.5% as biracial. Between 2015 and 2019, 14.2% of Niskayuna residents were estimated to be foreign born. Niskayuna’s median Household income in 2019 dollars was $110,855, and 3.4% of its people live in poverty. 12% of Niskayuna students qualify for free or reduced lunch at School.

In 2018, the Niskayuna School District investigated students accused of hurling racial slurs at a girls soccer team from neighboring Schenectady. In the summer of 2020, following the police killing of George Floyd, Niskayuna saw peaceful Black Lives Matter rallies organized primarily by current and former students of Niskayuna High School and neighboring Schenectady High School. The featured African American speakers provided testimonials of being unduly harassed by the police in Niskayuna as well as elsewhere and spoke of uneven policing that African Americans are subjected to nationwide. The Town acknowledged the rallies on its official website, and Town officials as well as many residents were in attendance. In the same summer, a top level town employee was suspended when his pictures in Blackface posted on a social media platform evoked a public outcry. He was subsequently removed from employment, soon after that incident, on June 30th, 2020, the Niskayuna Town Board established the Task Force on Racial Equity and Justice. On July 28th, 2020 the Niskayuna Town Board appointed 15 members of the community as members of the Task Force.

On October 19th, 2020, Chief Wall issued General Order A-10-2020 regarding the Niskayuna Police Department’s Use of Force Policy. In November 2020, Niskayuna School Board
adopted an Anti-Racism Policy that committed to focusing on increasing diversity, equity, and inclusion.

In November 2020, Niskayuna settled an excessive force lawsuit over a drunken driver’s arrest with a $192,500 payout.

The 2019 reported crime rate in Niskayuna, NY according to City-Data.com crime index, is 3.6 times lower than the U.S. average. In 2019, Niskayuna’s reported crime rate fell by 32% compared to 2018. In the last 5 years Niskayuna has seen a decrease in reported violent crime and decline in the rate of property crimes. On a scale where a higher number indicates a higher reported crime rate, Niskayuna is rated at 74.1, whereas neighboring Schenectady has a score of 368.4. This difference in numbers is indicative of complex factors at play that include but are not limited to the effects of systemic racism in the form of housing segregation, opportunity gaps, and other deeply ingrained socioeconomic, criminal justice and health disparities. These disparities are exemplified by the differences between Niskayuna High School and Schenectady High School which are less than two miles apart but are a study in contrast in many respects including in graduation rates, poverty indicators, etc.

a. CNA Racial Bias Audit (as provided by Niskayuna Town Comptroller Ismat Alam):

Background:
“On August 17, 2020 Governor Cuomo issued guidelines for the New York State Police and Reinvention by signing into law a series of reform policy items - called the "Say Their Name" agenda. The purpose of the New York State Police Reform and Reinvention Collaborative is to foster trust, fairness and legitimacy within communities throughout our State and to address any racial bias and disproportionate policing of communities of color.

In response, the Niskayuna Town Board decided to go above and beyond what was required and to retain an external unbiased racial equity consultant to conduct a racial bias audit. The purpose of the audit was to determine if the Town is promoting racial justice and equity, to assess for any evidence of racism, racial injustice, and inequity and to make recommendations to improve transparency and promote better community engagement. Their purpose was to make sure the Niskayuna Police Department continues to be the best police department possible.

Niskayuna Town Comptroller Ismat Alam was tasked with issuing an RFP, conducting due diligence in the consultants selection process, and to share the results as well as her recommendation with the Town Board. She issued the RFP in October 2020 which drew four responses. The Town Board’s mandate required that the audit should be above local political ties. After in-depth interviews with each consultant, Comptroller Alam recommended CNA. Her decision was based on consideration of their extensive previous experience, as well as recommendations from Albany City Government contacts who had recently worked with CNA. The Town Board approved the resolution in November 2020 to hire CNA for the task of a racial bias audit. The audit was conducted in collaboration with Supervisor Yasmine Syed, Councilwoman Denise McGraw, and Councilman Bill McPartlon. Comptroller Alam was the main contact person and liaison. CNA received data from the Niskayuna Police Department who provided the data necessary for conducting the audit.

CNA Audit Process and Schedule: CNA conducted a kickoff meeting with Supervisor Syed, Councilwoman McGraw, Councilman McPartlon, Comptroller Alam and Police Chief Wall. In that
meeting, they outlined the scope of work, CNA expectations, data requests, level of communications involved, the Town’s expectations as well as the audit timeline. CNA team members were very responsive, especially to Comptroller Alam as the main liaison. Comptroller met with CNA weekly for scheduled meetings in addition to biweekly stakeholder meetings with the team.

CNA data requests: NPD general orders and field guidelines, other relevant NPD policy documents, NPD strategic planning reports (last 5 years) and relevant police reform legislations. Administrative data including use of force data, traffic stop data, field interviews, call for service data, complaint data, personnel information, and community member information including race.

CNA Interviews: CNA interviewed 3 Town officials, 4 police officers, interim Police chief and deputy chief, as well as 7 community stakeholders.

Deliverables: CNA delivered the preliminary audit report to designated Town officials on 2/1/21 and to the Town Board on 2/3/21. On 2/11/21 the CNA report was posted on the town website for public comments and was opened for public comments until 2/18/21. CNA is expected to deliver the final report to the Town, after incorporating comments and revisions, on 2/28/21."

See APPENDIX 1 for a more complete list of CNA Audit findings and recommendations.

While its findings and recommendations are preliminary at present, some key findings pertaining to policing and racism are as follows:

1. Black community members are involved in arrests 2.7 times more often than white community members, compared to overall interactions with police when counting all arrests and all community interactions.
2. Black community members are involved in arrests just as often as white community members, compared to suspect interactions with police when looking at all arrests of suspects only.
3. Black community members are involved in arrests during proactive police response 2.9 times more often than white community members.
4. The number of charges per arrest is higher for Black community members than white community members.
5. The audit states that community members do not have substantial concerns regarding enforcement operations NPD employs nor their impacts on marginalized populations.

(However at the time of this report being written, it was unknown if this finding was derived from information gathered by a group who was representative of the segments of communities most impacted by police interactions. As evident from the Testimonial by a Black Niskayuna resident who was also a member of the Collaborative, trust in the police is not universal.)

6. NPD currently has dash cameras for all patrol personnel, but currently does not employ Body Worn Cameras.
7. NPD personnel and community members do not have a congruent understanding of the complaint process.
8. NPD’s use of force policy is detailed and provides clear guidance to officers about different types of force, particularly OC spray and Taser use.
9. NPD’s use of force policy allows the use of chokeholds.
10. NPD does not currently emphasize a commitment to community policing and engagement. Officers do not use proactive policing strategies and instead rely on reactive policing.
11. NPD has a clear policy on the equality of enforcement.
IV. Methodology and Approach

The findings and recommendations of this report should help the Niskayuna Police Department excel. This plan should enhance the relationship of the Niskayuna Police Department with all of the diverse communities within Niskayuna. The members of this collaborative worked in virtual meetings within a global pandemic environment. The group divided the four major pillars of the Governor’s plan and reviewed the nearly 100 questions posed by the Governor’s initiative. The time and effort put into this report by the collaborative and its community members demonstrate Niskayuna’s commitment to do better. The names on this report represent community residents, Town officials and NPD members who worked collaboratively to ensure that a meaningful document is created.

At the start of the process, in November 2020, NPD reform and reinvention collaborative members were assigned to four workgroups/committees which were as follows.

1. What Functions Should the Police Perform
2. Employing Smart and Effective Policing Standards and Strategies
3. Fostering Community Oriented Leadership, Culture and Accountability.
4. Recruiting and Supporting Excellent Personnel

After the initial ‘kick off’ meeting of the entire collaborative group, the committees met on a regular basis to address their specific areas. Each group consisted of Town official(s), Niskayuna citizen volunteers, police officers, and included Chief Frances E. Wall.

The groups followed the guidance provided in the New York State Police Reform and Reinvention Collaborative Resource Guide for Public Officials and Citizens, by addressing the questions that were raised in the document.

In February 2021, a “consolidation group” was formed with representatives from each committee with the intent of organizing the findings and recommendations from each group into a combined report. The group will present this report for public comment and after the report is finalized, it shall be submitted to the Town Board for approval in time for the April 1, 2021 deadline for submission to the State of New York.

In view of the need for a long term commitment to anti-racism work, and in order to continue this work long after the submission of the report, the Town’s Task Force for Racial Equity and Justice should maintain oversight and conduct periodic reviews of the actions recommended in this report over the years. The task force may then present its findings to the Town Board as well as the community in the form of periodic reports.
V. Niskayuna Police Department

NPD’s mission statement is as below:

"The Niskayuna Police Department is committed to reducing crime through effective implementation of crime prevention and intelligence driven policing strategies. We will actively investigate crimes when they occur to ensure the expeditious arrest and prosecution of criminal offenders.

We will deliver the highest quality police service possible including the fair and impartial enforcement of the law. We will work in partnership with the community and adhere to the framework of the U.S. and New York State Constitutions.

We will conduct ourselves as consummate professionals, both on and off duty."

Detailed data regarding Niskayuna Police’s staffing, arrests, and other activities can be found in the CNA audit, and this report will attempt to avoid redundancy by referring to the CNA document which is attached to this report.

The Niskayuna Police Department currently has a total of 29 sworn officers, of whom 4 are women, the department has mostly White officers, three African American officers, and one person of North African descent. A significant proportion of the Niskayuna Police Department’s enforcement activities deals with individuals who are not the town’s residents. NPD has had a recent change in leadership as Chief Wall has taken over as the new leader of the department. As work was being done on this report, the committee received robust assistance from NPD leadership, we especially want to acknowledge the openness and support from Chief Wall.

The Town allocated $3,789,714 for police services for the year 2021 out of its $26,445,467 total budget.

VI. Findings and Recommendations.

This section will present the findings and recommendations of each committee. Some recommendations and findings were similar even as the committees worked separately, in such cases, we may list it only once for efficiency. This section is largely organized as responses to the questions that the NYS Reform and Reinvention Guideline encouraged the groups to ask themselves. Our governments and the civil society have an obligation to ensure an equitable and just legal system for our community members, especially for communities who we have failed in the past. This collaborative was established to meet the needs of our community and to comply with the Governor’s Executive Order. This Plan is only the beginning.

1. Functions of Police
2. Employing Smart and Effective Policing Standards and Strategies
3. Fostering Community Oriented Leadership, Culture and Accountability
4. Recruiting and Supporting Excellent Personnel
a. **Functions of the Police:**

Committee members: John Lubrant, Meghna Tetambe, Mike Stevens, Chandler Frontero, Odo Butler, Erica Mortimore, Ismat Alam, Chief Wall, Stephen Signore, Yasmine Syed and members of the Niskayuna Police Department.

Determining the role of the police:

The purpose of law enforcement in a free society is to promote public safety and uphold the rule of law so that individual liberty may flourish.

The New York State Police Reform and Reinvention Collaborative Resource Guide identifies procedural justice as essential in guiding the relationship of trust and respect between law enforcement and the community. NPD Mission Statement and Guiding Principle are consistent with this intent. Mutual trust and respect are based on a shared understanding of the functions of each. The Guide goes on to say that “the premise, according to the Leadership Conference on Civil and Human Rights, is that citizens judge the police based on how they are treated rather than on the outcomes of interactions.”

Procedural Justice can be understood in the light of the 2015 report of the Presidential Task Force on 21st Century Policing as the practice of fair and impartial policing which relies on treating individuals with dignity and respect, giving individuals a voice during law enforcement interactions, being neutral and transparent in decision making, and conveying trustworthy motives.

The Law Enforcement Code of Ethics, as published in the Niskayuna Police Department Policy Manual, states: “I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or abuse and never accepting gratuities. I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.”

The NPD Policy Manual and Niskayuna Town Code, Chapter 37 both contain detailed policy and procedures, while neither specifically refers to “procedural justice”.

Policing and Schools: Niskayuna School District prides itself on the excellence of its students, faculty, and staff. The issue of formal routine police presence on school campuses has been a source of much discussion in the community, and in 2018, the District Superintendent Cosimo Tangorra spoke to the District Board of Education and advised against having a designated School Resource Officer. The High School is in close geographical proximity to the NPD’s offices,
and the officers have the physical ability to enter the school, however there is currently no formal SRO in Niskayuna Schools.

Nationally, a routine presence of officers in the school has been associated with the over-policing of communities of color and has been blamed for the so called “School to Prison Pipeline”. Good schools strive to be a safe, open, and inclusive learning environment for all students. Niskayuna School District Superintendent was asked about this issue more recently, and he responded as follows:

“The Niskayuna Police Department has had an open invitation to our schools since my arrival in the District. Each member of the department has a fob to gain access to all of our buildings at any time. They are welcome to walk in and wander about the buildings and are encouraged to interact with the students if the opportunity presents itself. In addition to the conditions stated above, we find the need from time to contact law enforcement to assist us with the investigation of a crime or possible crime. They have been wonderful partners.”

“My name is Anjalee Modasra and I am a member of the Niskayuna Class of 2020 who served on the Board of Education as a student representative and was also a member of Niskayuna High School’s Student Congress. I spent a lot of time having conversations with and listening to the students I was striving to represent. I also met with individual students and facilitated conversations between school administration and students.

I’ve heard from Black students about their discomfort and anxiety when police were in the school building. Since we are not yet at a point where there is universal trust between the police department and Black residents in the Niskayuna community, I strongly believe there should not be a police presence in Niskayuna High School unless there are active safety concerns. I understand that a police presence has been an integral part of the relationship between Niskayuna schools and the police force, but this can compound the trauma that many Black students have experienced as a result of watching fellow Black citizens die at the hands of the police elsewhere. I think we can agree that schools should be places of learning and must provide spaces for all students to feel safe. However, this is not the case for all students, as Black students are not afforded this sense of safety. I believe that Black residents must be the ones we turn to when determining when universal trust has been developed. Only then should police be in the school building freely.”

**Staffing Needs:**

The New York State Police Reform and Reinvention Collaborative Resource Guide quotes stakeholders who have suggested civilianizing and demilitarizing the police as a way of improving police-community relations. Staffing is a complex issue which should be addressed with the community on an ongoing basis through dialogue and use of data, we believe that civilianizing many of the police’s current functions will help improve the NPD's ability to serve the community.
Crowd Control:

The First Amendment to the U.S. Constitution protects some of our most cherished rights, which include among others, the right to gather publicly in large groups. The First Amendment is at the heart of our democracy. NPD has historically been aware of when crowds form, e.g. parades, festivals, Niska Day, tournaments, demonstrations, public forums, etc., and has not used overly militarized equipment, instead, it has a tradition of working with organizers. However, the Capital Region has had instances when demonstrations have occurred in neighboring municipalities where the law enforcement was noted to harass, use overly militarized equipment like MRAP vehicles, use chemical agents, or otherwise treat poorly the unarmed protestors who had gathered to exercise their First Amendment rights. Niskayuna’s residents rely on the NPD to ensure that their First Amendment rights are protected.

Functions of the Police Recommendations:

1. NPD should establish a clear process for ongoing communication between NPD and the community to help ensure that every person is safe and feels safe, regardless of race, ethnicity, national origin, religion, gender, gender identity, sexual orientation, age, disability, familial status, immigration status, veteran status, health status, housing status, economic status, occupation, proficiency with the English language, or other personal characteristics. CNA audit has covered this area, and to avoid redundancy we will await the finalizing of the CNA audit.

2. NPD should move towards a comprehensive set of qualitative and quantitative metrics that define “procedural justice” in Niskayuna. This area has been covered extensively in the CNA audit, and we will not repeat that content here.

3. We support the CNA audit recommendation of routine body-worn camera use by officers while on duty, in addition to the existing Dashcam to ensure the quality of procedural justice.

4. The NPD and Niskayuna school district should follow the best practices for law enforcement for community policing in that the police should not be used in schools for routine discipline. The Niskayuna school district should engage in internal conversations about having police officers presence in the schools, as student feedback has indicated that there are concerns among students.

5. NPD should invest in training officers in student outreach, as well as provide opportunities for mentorship while maintaining an open line of communication with the school administration. We support the CNA audit’s preliminary recommendation for officers to do formal youth outreach, and to educate the students about their rights/the complaint process but disagree with the recommendations for SRO training.
6. In view of the dynamic nature of the town’s needs, in order to fully assess what the staffing needs of the police department are, the community, town government, and the police need to engage in an ongoing dialog about how to ensure equitable procedural justice access for all community members. This process should be formalized at the Niskayuna town level and should be ongoing.

7. Analysis of data from the Town of Niskayuna and NPD, as well as information derived from research, analysis, and evaluation should be used in determining positions, duties, training objectives and roles within the department.

8. Ongoing community dialogue is needed to determine the need and opportunities for demilitarization/ civilianization of NPD, including for functions like data analysis, communications, citizen outreach, etc.

9. Continue to engage in cooperative and strategic advance planning with the organizers of public demonstrations.

10. Address the use of force in the context of assemblies to minimize injury.

11. Develop clear policies to manage disorderly members of large, otherwise peaceful assemblies.

12. If working with outside agencies. e.g Mental Health agencies, the Sheriff's department, outside police departments, clarify roles of each agency in advance and establish clear and defined responsibilities, and any planned use of force and dispersing techniques in order to protect civilians.

13. We support Chief Wall’s strong commitment to keeping the department away from a “warrior” mindset. Militarizing of the police force will serve to alienate and otherwise harm the community.

b. Employing Smart and Effective Policing Standards and Strategies.

Committee members: Rabbi Matt Cutler, Komieko Mosher, Deputy Attorney Alexis Kim, Councilman Bill McPartlon, Cosimo Tangorra Jr., Chief Fran Wall.
Collaboration with local programs that help with diversion of at risk individuals away from the criminal justice system, programs like The Center for Community Justice. This Program works with first time offenders and moves criminal cases from the court system and works in a different model where accountability, counseling, restitution works together. According to their website: “Restorative Justice helps individuals to take responsibility for the harm they caused to victims and the community. Restorative Justice helps strengthen the community through volunteer action, empowering individuals to take an active role in the safety and well-being of their community.”

For citizens who are deaf, hard-of-hearing or have sensory and stimulation sensitives, or citizens who are English as a New Language speakers, speakers of language other than English or have Limited English Proficiency, communication with law enforcement is more difficult. This could result in law enforcement perceiving these citizens as noncompliant. It is important that officers are able to recognize when a community member may have a disability that could affect the way they communicate. There are a significant number of same sex families in our community as well as individuals whose sexual orientation and/or perception of sexual orientation makes them vulnerable to discriminatory practices.

**Employing Smart and Effective Policing Standards and Strategies Recommendations:**

1. **The Police Chaplaincy Program:** This program will utilize area clergy to assist officers in performance of their tasks. Clergy will assist in “death-notification” as well as aid in other emotionally charged situations as deemed needed by the on-duty officer—follow up to domestic situations, acts of violence to persons and/or property, etc.

2. **Creation of a Community Affairs Officer position,** who can liaison with churches, LGBTQIA communities, English as a New Language, speakers of language other than English, and Limited English proficiency residents. This officer should have opportunities to integrate members of immigrant communities into community discussions on policing. Use Niskayuna School staff members with knowledge of LGBTQIA issues, diversity situations, etc. as well as other community leaders, this group will utilize various community resources and integrate it into the police department through [but not limited to] officer continual education, officer resources during situations, etc.

3. **Consider working with experts and members of the disability community** to create training programs to educate officers to identify and work with disabled community members and their families.

4. **Better education on culture and offering courses to officers** to obtain a basic language skill in most common languages other than English in the Town as well as better access to translators.

5. **Promote and market the monthly Town Council meetings on Policing** as a way to create better community feedback. Meetings could start with a format similar to “Privilege of the Floor”, where members of the community are invited to share experiences, grievances, and concerns. It is the responsibility of the Town Council member to assign follow up and ensure adequate responses to individuals voicing concerns. Accountability will be in the form of a monthly report to the greater Town Council. To ensure confidentiality, reporting will be in generalities, unless the Council and Police Chief deem necessary to report specifics.
6. Annual Community Forum To Address Issues in Community: In a Town Hall format, open
discussion on community issues and need policing consideration:
   a. Discussing how policies, culture, engagement, and other mechanisms can change to
      create a more transparent system built on trust.
   b. Communicating a willingness to improve as well as acknowledge past and
      continuing harm.
   c. Open forum to discuss significant issues such as [but not limited to] racism, drugs,
      traffic, robbery, sexual assaults and domestic violence.

c. Fostering Community Oriented Leadership, Culture and Accountability.

   Committee members: Larry Ritter, Donald Whisenhunt, Ayah Osman, Fred Wetzel, Stephen
   Signore, Jeanne Sosnow, Jon Lemelin, Anjalee Modasra, Ayo Elefontuyi, Chief Fran Wall, and
   members of the Niskayuna Police Department

   Personnel Files and Promotions:

   The process outlined in NPD General Order (GO) #A-17-2006 describes utilizing civil
   service exams and interview committee of command team, "fair and non-discriminatory," selecting
   the most qualified individual, with final approval by the Town Board, however the NPD policy
   manual is not specific about the promotion process. Historically, promotions have been from within
   the department. Chief Wall has committed to hiring Niskayuna graduates/ residents who know the
   community well. As the CNA audit has found, NPD does not track data on promotion, application
   applicants or decisions in a formal database. The audit also noted that NPD personnel find the
   promotional and specialty assignment process to be unfair and exhibit low levels of trust in the
   process.

   Recent CNA audit found that NPD officers are not aware they have access to their
   personnel files. While the audit noted that relationships among line-level officers and their
   Sergeants are very positive, it also noted that NPD currently did not have a formal performance
   evaluation process for sworn and non-sworn personnel in place.

   Officers are encouraged to participate in community events that build relationships, like
   Niska-Day, bike rodeo, farmer's market, coffee with a cop, etc. Positive reports are put into their
   personnel file upon participation. NPD personnel are required to report any behavior that deviates
   from policy and procedure. Individuals so identified receive supervisor counseling, education and
   improvement plans. Repeated violations receive escalating consequences as outlined in contract.
   CNA audit found however that NPD’s complaint process is not clearly written and is poorly
   understood by officers and community members.
Use of Force:

The President’s Task Force on 21st Century Policing recommends that law enforcement agencies should have comprehensive policies on the use of force that include training, investigations, prosecutions, data collection, and information sharing. These policies must be clear, concise, and openly available for public inspection, and Law enforcement agencies are encouraged to implement non-punitive peer review of critical incidents separate from criminal and administrative investigations.

Building on prior use-of-force reporting reforms, Governor Cuomo recently signed legislation requiring that law enforcement officers report all firearm discharges in circumstances where a person could have been injured, whether or not any injury occurred. All and any use of force is expected to be reported immediately by NPD personnel. In 2015, Governor Cuomo issued Executive Order 147 requiring a special prosecutor’s office within the Office of Attorney General (OAG) to investigate killings of unarmed citizens and prosecute when appropriate. In 2020 the Executive Order was codified into state law, creating a permanent Office of Special Investigation within the Office of the Attorney General.

According to Niskayuna Police Department’s response to the committee’s questions, in instances where force is used, threatened or when a less lethal weapon (i.e. O.C. spray, Taser) is displayed or deployed by a member of this department the Niskayuna Police Use of Force Report (NPD Form 111-a) is to be prepared and filed along with any other necessary reports by a police officer involved in such an incident. A supervisory officer that reviews the incident who may request further documentation regarding an incident as necessary. Per New York State Executive Law 840(4d3), NPD reports all uses of force to DCJS.

The CNA audit noted the NPD use of force policy to be very clear and reported 39 use of force incidents between 2015 and 2020. CNA also identified that NPD’s use of force policy allows the use of chokeholds, that NPD currently does not produce and publish a publicly available annual report on use of force incidents.

Early Intervention Systems:

The NYS Police Reform and Reinvention Collaborative Resource Guide asks if the local law enforcement leverages Early Intervention Systems (EIS) to prevent problematic behavior, an EIS is a system that electronically tracks officer performance in an attempt to identify abnormal patterns indicative of problematic behavior. Approximately 114 EIS’s are used across many disciplines, to identify potential threats. In the law enforcement context, these systems are meant to help departments identify officers who may need intervention before a major problem occurs. However, the data about EIS does not show clear efficacy. According to a study from a journal of
experimental criminology, the EIS evaluated does not appear to distinguish between problem behavior and non-problem behavior.

When an NPD officer witnesses misconduct by another officer, they are to report it immediately to a supervisor, or command staff.

Citizen Oversight and Community Trust:

Niskayuna Town Board has a Police and Public Safety Committee currently chaired by Councilman McPartlon and attended by the Supervisor. They meet monthly to report on police department activities. The meetings are open to the public, live streamed, recorded and available to the public. The Town Board’s Police and Public Safety Committee will conduct a review of questions about powers, resources, and responsibilities the Review Board should have. This review will consider the experience of other review boards, the resources available in Niskayuna and any other relevant information. It will make recommendations by October 31, 2021 on (1) what responsibilities the Review Board should have (e.g. whether it will review NPD policies as well as individual complaints); (2) what powers the Review Board should have (e.g. whether it should have the power to discipline officers; whether it should have the power to conduct its own independent investigations); (3) what resources the Review Board will need to be effective; and (4) any other questions about the Review Board’s role.

Niskayuna does not at present have a community advisory group. The NYS Police reform and Reinvention Collaborative Resource Guide describes a community advisory board as, “... a group that meets regularly to provide advice and perspectives to executive staff in law enforcement agencies. Membership should reflect and represent the different voices and needs in the community, meaning a board should be as diverse as the community in which it functions.” The International Association of Chiefs of Police (IACP) has taken the position that, “Law enforcement agencies can ask community advisory boards for recommendations and advice on issues related to the community and policing. Advisory boards can assist law enforcement agencies with conducting research, reviewing new policies, providing skilled volunteer services, or supporting community outreach efforts. “As an example, Albany Citizens’ Police Review Board has 9 members, it convenes 10 times per year in open meetings to execute its duties, which are mainly overseeing internal affairs investigations completed by the APD’s Office of Professional Standards (OPS). In addition to reviewing and commenting on OPS investigations of citizen complaints against police officers, the CPRB has the authority to make recommendations to the mayor and the common council regarding police policies, practices, and procedures.”

The 21st Century Policing Presidential Task Force Report recommends that law enforcement agencies should also track and analyze the level of trust communities have in police just as they measure changes in crime. This can be accomplished through consistent annual community surveys. The Task Force report goes on to suggest that law enforcement agencies
should partner with local universities to conduct surveys by ZIP code, for example, to measure the effectiveness of specific policing strategies, assess any negative impact they have on a community’s view of police, and gain the community’s input. Community surveys can help Niskayuna respond to its communities' needs to improve satisfaction and support.

Recommendations for Fostering Community Oriented Leadership, Culture & Accountability:

1. We support CNA recommendations to develop a formal performance evaluation process for sworn and non-sworn personnel, a database that will keep track of the promotion related data, and analysis to identify racial, ethnic or gender based disparities.

2. Define the community-police relationship that the community would want through stakeholder survey(s) to assess attitudes, priorities and needs, and consider a leadership-track training program that prioritizes community policing.

3. We support CNA recommendations to educate officers about their ability to access their personnel files, and that NPD should develop a General Order that outlines the performance evaluation process.

4. To incentivize personnel, NPD should increase participation in creation of goals, internal/external recognition, awards, training and increased responsibilities, and promotions.

5. When NPD is able to roll out a community policing program, we recommend the establishment of awards for excellence in community policing, and include community-policing standards and accomplishments in evaluation and promotion criteria.

6. Publicize individual officer achievements.

7. The police department should not hire officers who refuse to sign a waiver for release of information.

8. Track the use of force in the officers’ annual evaluation. All uses of force should be reviewed during the performance review. Any excessive/ outlier amount of use of force should be reviewed during the regular personnel eval as well as after the incident.
Implement remedial training/corrective action if an officer is found to use force in an unjustified fashion.

9. Identify a way that the subject’s narrative is included in the use of force report to allow a more unbiased review of the report.

10. We support the CNA audit recommendation to ban chokehold, and the recommendation that in the use of force incidents which involve multiple officers, all officers should submit forms, not just one. NY law bans chokeholds. We also support the CNA recommendation that NPD should produce and publish a publicly available annual report that summarizes the use of force incidents in the department.

11. Create an independent Civilian Review Board as recommended by the NYS Police Reform and Reinvention Collaborative Resource Guide. This may allow for better scrutiny over incidents of force that are more severe than others. Implement a process in which unbiased, external reviewers examine use of force incidents within the NPD, including those offenses which are not considered to be most serious or severe (non-deadly physical force incidents).

12. Use of force incidents involving any officer should be recorded through dashcam and BWC.

13. CNA has recommended that NPD should develop policy detailing how the command staff will debrief with officers after critical incidents. We strongly support this recommendation.

14. The Civilian Review Board should review all substantiated complaints of misconduct and settlements or adverse verdicts in lawsuits to improve policies and processes. The Civilian Review Board should report to the Niskayuna Town Board and the Supervisor. We recommend a Police General Order that ensures full cooperation with investigation.

15. Niskayuna Town Board should establish community advisory groups, the groups should represent the larger community with targeted recruiting in an open fashion through public outreach. The groups can serve to provide tailored input and presentation of options for complex issues that the town and polices face. Selection for participation should be determined based on the focus of each advisory group. The advisory groups should report to the appropriate committee of Niskayuna Town Board, and the Supervisor.

16. Off-duty officers must avoid inappropriate behaviors (e.g., harassment, bullying, trolling, doing activities that would attract law enforcement attention, binge-drinking, making controversial social media posts, etc.) both in-person and online.
17. Establish and publicize an easy and accessible process for members of the community to report complaints about police misconduct. Consider multiple methods, including online, hard-copy, telephone, etc. We support the CNA audit’s recommendation for publicizing the complaint process.

18. Design and conduct meaningful community surveys and follow them up with interactive public discussion forums. We recommend reaching out to local academic institutions for assistance with survey design and implementation plans.

**d. Recruiting and Supporting Excellent Personnel:**

Committee members: Aliya Saeed, Bob Winchester, Deputy Attorney Alexis Kim, Ellen Daviero, Chief Frances Wall and members of the Niskayuna Police Department.

“The stress that accompanies being a law enforcement officer cannot be understated. For this reason, the mental and physical health of officers is crucial to effective and equitable policing, which is why promoting safety and wellness throughout an agency is important. Endorsing practices that support officer safety and wellness (e.g., evaluating and adjusting shift lengths or requiring officers to wear bulletproof vests) will enable officers to better do their jobs.” - *Final Report of The President’s Task Force on 21st Century Policing.*

**Recruiting a Diverse Workforce:**

Niskayuna Police Department hires from the Civil Service List by using the rule of 3 (choosing from the 3 top scores). At present, there is no formal mechanism in place for citizen input during the hiring process, nor during the onboarding process. This creates a disconnect between the recruits and the citizens whom they hope to serve and protect and puts NPD at greater risk of hiring officers with problematic past actions in the community.

Chief Wall as well as the rest of the group strongly supported the idea that the department’s recruitment, hiring, and other practices should focus on ways of increasing racial, ethnic, and gender diversity. The percentage of women and other minority populations are underrepresented in the current workforce. The requirements of the mandated system that selects officers from the required posted list of eligible candidates affect the Town’s ability to increase diversity among its police force.

According to its manual, NPD has hiring policies and procedures in place to screen new recruits through employer references, education, military record, driving record, reference checks, credit check, criminal history record checks, medical exam, and psychological examination administered by qualified professionals to ensure psychological fitness. Demographics of the community show that NPD serves 19 identified local hamlets, communities, and neighborhoods.

Arrests breakdown by residency status show the following- Schenectady – 44.19%, Other – 20.75%, Niskayuna – 16.84%, Albany – 9.94%, Troy – 3.27%, Rotterdam – 1.67%, Scotia – 1.38%, Clifton Park – 0.87%, Amsterdam – 0.58% and Glenville – 0.51%. Others include out of state/Country, homeless etc.
When compared to the Town of Niskayuna and the nonresident population it serves, NPD has fewer employees who are from communities of color, especially Asian American Pacific Islander (AAPI) communities who are not represented at all at present. Women and non-binary genders are also not represented well at present. The committee had a consensus that a diverse police force whose life experiences and cultural understanding reflect the diversity of the communities that they serve is necessary. Not only will this diversity help NPD understand the cultural and personal challenges of the individuals whom they serve, but the individual officers can also act as bridges that promote community trust and cooperation in keeping Niskayuna residents safe.

The NPD has gone through a transition in leadership in 2020; the new chief is committed to increasing diversity in the department. Community members and NPD are engaging in exhaustive discussions about how to increase diversity in the department. Historically, NPD has recruited and hired from the top 3 positions of the Civil Service Exams list. However, the group's impression is that candidates for Civil Service Exams are often not from underrepresented communities and genders. It is the committee understanding that the current town policy on hiring is that Niskayuna residents receive priority before county residents. Outreach to underrepresented groups is necessary to effectively identify barriers.

While an analysis of the systemic and historic barriers is beyond the scope of our group, we believe strongly there is a need to increase access to police careers among underrepresented communities. Transparency and accountability enhance public satisfaction. General population is often unaware of realities of police work that is carried out by NPD. Preconceived notions of police officers may prevail at times. Not all community members have the same type of interactions with police, and problematic police interactions needs to be acknowledged and addressed for there to be trust. Chief Wall stated that despite an increase in population, while in 2006 there were 31 members, there are 29 in 2020; with 4-5 officers currently out. Budget limitations have impacted training opportunities. When discussing community policing, Wall reported that currently NPD are short staffed and that more staff is needed so NPD can engage in a more robust community policing approach.

Training and Continuing Education:

Ongoing training is critical for excellence in policing as well to prevent burnout. It is important however for training to be meaningful and relevant to the officers' work, and it should have demonstrated efficacy. We recommend being mindful of training programs that check various boxes but do not add value. For example, a common tactic for addressing racism at organizations is implicit-bias training, but some studies have found that some of these training modules did not change people's behaviors in the long term whereas positive department culture reinforces officers’ behaviors better in the long term. Police Academy one and Lexipol are now being utilized for training. Niskayuna Police officers stated that contractual mandatory training days are a way to ensure that officers receive high quality, and relevant training without distraction. NPD has ongoing relationships with other first responders, e.g. other police departments, Fire departments etc. The school district covers areas in three counties, five towns, two hamlets and the police are expected to interact with all these institutions, plus with police in Schenectady, Colonie, Glenville as well as the State Police, private security services and many federal police/agencies.
Ongoing assessment and improvement in the quality and efficacy of training is a critical need for any professional organization. NPD is seeking accreditation by the NY Department of Criminal Justice Services. The Accreditation Program is a set of standards developed to enhance the capabilities of an agency, and is divided into three categories, namely, standards in the administrative section, training standards, and Operations standards.

Officer Wellness and Well-being:
Law enforcement can be an inherently stressful profession, and historically, officers have struggled with seeking professional help. Officer wellness does not just benefit the officers and their loved ones; it also leads to better policing. Chief Wall is currently considering implementing the Asher model as a way of promoting wellness.

Career advancement is important to officers and learning from experts about leadership opportunities can enable NPD members to strive for excellence and will help prevent burnout.

NPD officers reported that NPD has a recurring issue with scheduling due to staffing shortages, that addressing low staffing numbers would improve officer wellness and would be all around, smarter scheduling. NPD officers felt that mandates in which an officer would be forced to work a 16-hour shift would lessen if this issue is resolved, decreasing stress and fatigue. Better staffing, according to NPD, would minimize low staffing during the shifts, allowing officers some time to collect themselves on busy nights where calls for service are back-to-back, and stress remains high throughout the shift. The officers reported that NPD appears to be chronically understaffed, esp. since some of the officers who are on the payroll, are not working due to medical, personnel or other issues. In order to cover all shifts, staff often end up working long hours. We believe that there needs to be a robust discussion about this issue of double shifts and mandatory shifts. The group learned that while officers cannot work 24 hours in a row, they can work up to 22 hours at a time. Having officers work long shifts or excessive overtime is not only harmful to the officers and their family’s well-being, it also interferes with their policing skills. Excessive overtime burdens the town and department both at the time as well as in retirement allocations.

NPD officers requested a ‘solid’ plan to add a debrief session and some type of third-party counseling after a traumatic event which should be available to the officer(s) involved in a traumatic incident. We believe that Police departments should acknowledge trauma as a hazard of police work. A plan for when, how, where and who is involved in a debriefing after any major incident or crisis. Both an internal method of debriefing as well as options for individuals to get additional support outside of the department. Stigmas associated with debriefings or seeking additional support need to be addressed PRIOR to the support being needed. Standard practice for department members is to undergo debriefing and encouraged to seek additional support if an officer or superior deems necessary. The well-being of the NPD officers both in the aftermath of a tragic event and or due to the stress of serving routinely in their jobs also needs to be addressed in policy and in practice. The officers also asked for fostering an atmosphere of family where concerns are addressed when they are minor, so they do not have an opportunity to compound.

The stigma that is placed on seeking mental health care within our society as well as the police community in particular makes dealing with mental health a real challenge. Nationally, 173
police officers committed suicide in 2020, highlighting the toll of unmet mental health needs. Acknowledging their mental health issue is thought to have both personal and professional ramifications of job security and advancement, this needs to be addressed and connected in order to improve mental health within NPD.

**Recommendations for Recruiting and Supporting Excellent Personnel:**

1. Encourage and formalize civilian input during the recruitment and hiring process. This can be achieved through the formation of a diverse civilian board with rotating membership with knowledge of the community’s needs and desires. Not only will this ensure that the citizens have input, but also that through their knowledge of the community, the board can help NPD screen out officers who are not a good match for the community, esp. if they have a history of unprofessional conduct.

2. Additional 1 FTE for a data analyst position. This will allow for robust data analysis to better serve the community’s needs while ensuring that the community’s civil liberties and rights to privacy are respected and protected. Such data analysis is necessary not just to ensure that resources are directed effectively, it also serves to inform the leadership of challenges that range from disparities in policing, to the disproportionate use of force to a greater need for community outreach. This data analysis can help set appropriate short term, intermediate and long term training goals.

3. Increase recruitment efforts to promote greater linguistic, ethnic, gender and racial diversity to better represent all the communities they police. The NPD shall focus on reaching out to potential recruits who have a greater knowledge/background in a wider range of cultural and religious areas.

4. Outreach to Asian, Hispanic, and African American clergy not just to benefit from their cultural and community perspective about serving the community, but also to request help with recruitment efforts. Expand clergy outreach to include a wider selection of faiths.

5. Advertise and promote the announcement for the civil service exam, test prep to the community via town website/newsletter, other appropriate means, as well as a robust digital strategy to reach town residents before civil service testing application deadline. Incorporate “Coffee with a cop” program, as well as regularly scheduled sessions at the library to include information on the civil service exam and test prep.

6. Niskayuna graduates should be encouraged to consider serving in the local police department as a worthwhile way to serve their community. We recommend a robust discussion with the school district to identify ways that such career paths can be encouraged and can include venues like career education/ career day presentations as well as others that the school district may identify.
7. Surveying the community for input is necessary. There may be many venues for that, including that NPD may participate in the “Thought Exchange” type program.

8. NPD to establish both short- and long-term policing goals and then align its training with these goals. Goals to be targeted in the short term to achieve specific results in how the police functions. Long-term goals to be designed to move the department forward as society changes and the requirements of the police force change with it. Both sets of goals should be evaluated and reformulated each year. Involve officers in the formulation of short- and long-term goals designed to both meet current needs and move the individual and the department forward.

9. Niskayuna should allocate adequate funds specifically for training and long-term career advancement for its police workforce.

10. Use of professional grant writing expertise, possibly as a shared resource with the Town to apply for State and Federal training grants available for law enforcement agencies.

11. Encourage officers to seek out opportunities to improve their individual skills and their knowledge base and ensure that the staffing of the department allows for these opportunities.

12. Pursue NY Division of Criminal and Justice Service accreditation.

13. Establish police-community relation metric(s).

14. Encourage training opportunities between NPD officers and officers in other police and fire departments both on the local and state level.

15. NPD should engage in learning about, and implementing Trauma Informed Policing.

16. De-escalation training, reality-based training, best practice training should be regularly reviewed both in group and individual settings with officers.

17. After major incidents, require debriefings in accord with policies with the purpose of understanding what worked and what might be improved in the future. Debriefings are not punitive but to recognize accomplishments and improve future response. Establish a crisis debriefing team that meets and helps those involved in an incident, by working through both short and long-term consequences.

18. Develop and implement policies, practices and training that encourage the safe and proper management of bystander behaviors.
19. Ongoing Implicit bias training for all levels of NPD is recommended. Instead of
generic training, we recommend meaningful training and exercises that incorporate
NPD’s data analytics and inform the officers regarding local issues like the history
of race relations. Local well reputed experts can be sought who can provide
meaningful training that incorporates information relevant to the Capital District
area.

20. Training/Education programs available through both the town and police
department that should be designed to educate and build cohesiveness. The first
responders across different Niskayuna departments who show up for incidents
should have undergone bias trainings that meet similar (high) standards.
Training/Education programs available through both the town and police
department that should be designed to educate and build cohesiveness.

21. Mental health emergencies are some of the most difficult challenges that the NPD
members respond to within the community. Mental health and domestic dispute
calls within the NPD make up over 350 calls per year. Due in part to our current
health systems’ failure to provide adequate outreach and mental health services on
a consistent basis, police officers are often called upon to deal with those in mental
health crisis. It is imperative that NPD leadership has procedures in place that
incorporate best practices for dealing with these issues. NPD officers had
complained in the course of the Collaborative meetings about inadequate
emergency mental health resources in the community when dealing with
individuals in the midst of mental health crises. We recommended close
coordination between local, county and state agencies to look for gaps in the
existing system resources and to identify solutions. However Schenectady
County’s recent agreement with Northern Rivers Mobile Crisis is a new
development which may alleviate this issue. Since the program has just launched
recently, the Collaborative is looking forward to its success.

22. Use training resources that are already available in the area. Examples include, but
are not limited to: Mental Health First Aid for Public Safety (MHFA), this course
does have communication skills built in as training points and is supported by CIT
International, IACP, etc. https://www.mentalhealthfirstaid.org/, Justice Clearing
House. https://www.justiceclearinghouse.com/calendar-page/. The group supported
the current use of Lexipol. Local police officers in the Capital region who are
known to have expertise in training in de-escalation and carry out such training.
The NY Office of Mental Health can provide train the trainer classes.

23. The NPD should take advantage of training opportunities provided by other
departments and agencies in the area and, when available, statewide.

24. Pursue and maintain DCJS accreditation.
25. Evaluate NPD for quality of training, and then strive to improve the metrics. Since this is an area that is undergoing immense change at present, we recommend a formal relationship with local academic organizations and, or research groups who specialize.

26. We recommend regularly scheduled Leadership Luncheons where the department’s officers can spend time (in person or remotely) learning from outside speakers who can range from senior law enforcement leaders to academics to clergy members. The Capital region in general and Niskayuna in particular have an abundance of highly achieved individuals who are considered experts in their fields. In addition to outside experts, we strongly encourage seeking qualified local volunteers for the Leadership Luncheon. Invite mental health professionals to Leadership luncheons.

27. Officer driven wellness programs should be encouraged. A department wide wellness approach that not only destigmatizes the process of help seeking, but also encourages it, shall help create a resilient police force, which will ultimately enable compassionate policing for the community. The departmental culture should value, and incentivize physical fitness, proper nutrition, and rest. NPD should create opportunities for wellness practices like mindfulness and meditation training for officers. Supervisors, leaders, and trainers should evaluate police fatigue, stress, post-traumatic stress, health, safety, and injury with officers in a coherent, supportive, and compassionate fashion. NPD should collect baseline and ongoing data on officer fatigue, health, and stress, as well as consider shift lengths’ effects on officer wellbeing. NPD needs to increase data collection about accidents, near misses, and injuries. The department shall maintain an easily accessible regularly updated list of counselors and clergy who are trained and available for helping officers deal with issues related to the stress of their job as well as to help them with difficulties from outside their job that impact on their mental health.

28. Review staffing levels needed, and establish limits for overtime/continuous shifts. Analyze data to determine the number of times 16–22-hour shifts are implemented and if there is a disproportionate number of these being assigned to the same officers. Consider shift structures that allow officers to get more sleep, work less overtime, and improve their work-home life balance.

29. NPD leadership to explore participation in law enforcement focused suicide prevention programs that are being offered by outside agencies.

VII. Conclusion and Plan

The Town of Niskayuna Office of the Supervisor and the Town Board shall formulate and present a structured plan in collaboration with the community and the Police department. They will outline planned actions on the Collaborative’s recommendations, as well as a time frame for completion based on relative urgency, the complexity of effort and the availability of resources.
A Conclusion will be drafted and inserted by the Town Board prior to adoption of the Plan and prior to submission to the State of New York prior to April 1st, 2021.

VIII. List of Appendices
Supporting Documents that informed the development of the Collaborative Plan will be inserted here.

1. CNA Racial Bias Audit Report
2. Resolution 2020-159
3. Resolution 2020-189
4. NYS Executive Order #203
5. Sub Group analysis and recommendations
6. UCC Call data from 2014-2020
7. Use of Force Data
8. Kick-off meeting Presentation dated November 16, 2020
9. Resolution 2021-44
10. TBD