

VILLAGE OF COOPERSTOWN

POLICE REFORM PLAN

APPROVED BY VILLAGE BOARD OF TRUSTEES: _____

**TO BE REVIEWED AND REVISED AS NEEDED,
ANNUALLY THEREAFTER COMMENCING - APRIL 2022**

NYS POLICE REFORM AND REINVENTION COLLABORATIVE

The video taped death of George Floyd on May 25, 2020 while in police custody, finally galvanized our nation to the long overdue need to address our history of systemic racism and police violence against communities of color. The relationship between police and the communities they serve is based on trust. That trust must be restored, overseen and renewed to further the administration of justice.

On June 12, 2020, New York was the first state in the nation to take action. The Legislature passed, and Governor Cuomo enacted, the "**Say Their Name**" landmark reform agenda in order to help reduce inequality in policing and reimagine New York's criminal justice system.

The reforms include:

- Allowing for transparency of prior disciplinary records of law enforcement officers by repealing Section 50-A of the civil rights law;
- Banning chokeholds by law enforcement officers;
- Prohibiting false race-based 911 reports; and
- Designating the Attorney General as an independent prosecutor for matters relating to civilian deaths.

The following week, the Governor signed additional reforms requiring state and local law enforcement officers to report within six hours when they discharge their weapon; establishing duty to intervene regulations; requiring courts to compile and publish racial and other demographic data of all low-level offenses; and requiring police officers to provide medical and mental health attention to individuals in custody.

Governor Cuomo issued Executive Order 203 on June 12, 2020. Under the terms of the order, "Each local government entity which has a police agency must convene the head of the police department and stakeholders in the community to (1) perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices, and (2) develop a plan to improve such deployments, strategies, policies, procedures, and practices, for the purposes of addressing the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color. Such plan must be adopted by the governing board by April 1, 2021."

In response the Village of Cooperstown formed an eleven member Community Advisory Board (CAB) to review the needs of our Village and the policies and procedures of the Cooperstown Police Department (CPD).

VILLAGE OF COOPERSTOWN

The Village of Cooperstown is a rural, upstate New York community with a population of approximately 1800 people. Demographic data indicates our community is predominantly white (84%), with the balance composed of the following ethnicities: Asian (8%), black (4%), Hispanic (2%) and other (2%). (<https://censusreporter.org/profiles/16000US3618047-cooperstown-ny/>)

Despite being a small community, Cooperstown has a national reputation largely due to being home to the National Baseball Hall of Fame, and the community welcomes hundreds of thousands of visitors each year, representing a diverse population. Cooperstown is also fortunate to have a premier medical facility, Bassett Healthcare, within the Village. It employs approximately 2500 at its campus in the Village and annually accommodates several hundred thousand inpatient and outpatient visits. Staff and patients reflect greater diversity than is usually found in a small, rural community.

The Village government places an emphasis on being a Welcoming Community. In June 2019 it revised and readopted its Resolution to Condemn Violence. The CAB felt that this Resolution with its emphasis on ensuring a safe environment for diversity, should be intrinsic to our Police Reform Plan.

RESOLUTION to condemn the use of violence, bigotry, and hateful rhetoric:

Whereas Cooperstown is home to people of diverse backgrounds, abilities, and identities, from communities of diverse beliefs and cultures, including immigrants and native-born citizens;

Whereas Cooperstown, as a tourist destination and home to a major medical facility, seeks to welcome people from throughout our region, nation, and world;

Whereas hateful and intolerant acts against others are contrary to the values of acceptance, openness, and fellowship with those of all faiths, beliefs, cultures, backgrounds, abilities, gender identities, and sexual orientations;

Whereas hate crimes and hate speech affect individual victims physically and emotionally and also impact their families, communities, and the entire group whose identity, culture, or beliefs were the motivation for hateful acts and rhetoric;

Now, therefore, be it resolved, the Board of Trustees of the Village of Cooperstown

(1) Condemns the use of violence, bigotry, and hateful rhetoric

(2) Steadfastly confirms its dedication to the rights and dignity of all people

(3) Denounces in the strongest terms the increase of hate speech, intimidations, violence, and hate crimes targeted against immigrants, refugees, people of diverse racial, ethnic, religious, and linguistic backgrounds, individuals with impairments, and those who are LGBTQ

(4) Recognizes that people of every background—irrespective of race, religious belief, national origin, language, gender identification, or impairment—have made countless positive contributions to our community

(5) Declares that the civil rights and civil liberties of all people living in Cooperstown should be protected and preserved

(6) Reaffirms the inalienable right of everyone in Cooperstown to live without fear and intimidation

(7) Acknowledges that the Constitutions of the United States and State of New York fully support this resolution

***Updated and readopted – June 2019
Village of Cooperstown – Board of Trustees***

COOPERSTOWN POLICE DEPARTMENT

Documents reviewed by the CAB, included Village of Cooperstown budgets with actual expenditures for the Cooperstown Police Department for the past four fiscal years (June 1-May 31) as well as the adopted budget for 2020-2021. They reflect annual police department expenditures ranging from approximately \$250,000 to \$400,000, with Personal Services (police officer wages) being the largest component.

Currently the CPD consists of 2 Full Time officers and 1 Part Time Police Chief. A third FT position was not funded in the current budget year due to pandemic related revenue losses and subsequent expenditure cuts. In addition, CPD employs 4-5 PT officers in order to provide coverage.

A Police Response Summary for 2019 evidenced that the bulk of calls were “calls of service” - responding to requests for assistance by residents or visitors, responding to complaints, assisting EMS, and dealing with property damage. It was noted that many of the calls also involved individuals experiencing mental health crises, particularly on evenings and weekends when area mental health and support services are limited.

COMMUNITY ADVISORY BOARD (CAB) PROCESS

The CAB began meeting on September 9th, and continued meeting twice a month for the next four months. The group reviewed and discussed Village documents (Police Union Contract; CPD Budgets, Police Response Summary, Use of Force policy) and invited leaders in community services (Social Services, Mental Health, Bassett Public Safety) to meetings, in order to more completely understand the resources available to support individuals who might interact with the Cooperstown Police Department.

In addition to the guidance provided by NYS for this Reform and Reinvention Collaborative, CAB reviewed documents from other police departments and non-profit organizations (New Orleans Community Engagement Manual; Use of Force policies; 8 Can't Wait.org; accreditation programs, etc.). The 2016 VOC Comprehensive Plan, which was developed with a great deal of community input, following numerous charettes and meetings, indicated strong support for a Village police department. Additional feedback included ensuring funding for 7 day a week coverage, for diversity training and for equipment for use in a local community.

F.6 Continue to ensure local law enforcement presence.

The Cooperstown Police Department in cooperation with the State Police and County Sheriff protects the life, individual liberty, and property of residents and visitors within the Village. To ensure a continued local law enforcement presence in Cooperstown, the Village should evaluate the present level of police protection, ensure officers are trained to work effectively with the diverse residential and tourist population, and provide for equipment appropriate for use in the local community.

In particular, CAB found the insights from President Barack Obama’s federal task force on policing, to be helpful. The final report, *The President’s Task Force on 21st Century Policing* (May 2015) provided a format which we felt we could adapt to encapsulate a vision for a “model” police department in the Village of Cooperstown, as well as specifying action items to ensure concrete steps for implementing recommendations and changes.

Pillar One: Building Trust and Legitimacy

Building trust and nurturing legitimacy on both sides of the police/citizen divide is the foundational principle underlying the nature of relations between law enforcement agencies and the communities they serve. The public confers legitimacy only on those whom they believe are acting in procedurally just ways.

Law enforcement culture should embrace a guardian—rather than a warrior—mindset to build trust and legitimacy both within agencies and with the public. Toward that end, law enforcement agencies should adopt procedural justice as the guiding principle for internal and external policies and practices to guide their interactions with rank-and-file officers and with the citizens they serve. Procedural justice focuses on the way police and other legal authorities interact with the public and how the characteristics of those interactions shape the public's views of the police, their willingness to obey the law, and actual crime rates. Procedural justice ensures fairness in the processes that resolve disputes and allocate resources.

Law enforcement agencies should also establish a culture of transparency and accountability to build public trust and legitimacy. This is critical to ensuring decision making is understood and in accord with stated policy. Utilizing the NYS Municipal Police Training Council’s Model Policy for Use of Force (September 2020), the CAB updated Cooperstown’s policy and posted it on the Village website.

Law enforcement agencies should also proactively promote public trust by initiating positive nonenforcement activities to engage their community. 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.

Finally, law enforcement agencies should strive to create a workforce that encompasses a broad range of diversity including race, gender, language, life experience, and cultural background to improve understanding and effectiveness in dealing with all communities. While Cooperstown’s Police Department is not large, it has hired with diversity in mind, both in terms of race and gender.

It is important to decouple federal immigration enforcement from local policing. The Cooperstown Village Board passed a resolution to address this issue.

**A RESOLUTION REGARDING THE CONSIDERATION OF FEDERAL
IMMIGRATION STATUS IN THE VILLAGE OF COOPERSTOWN**

WHEREAS, the Village of Cooperstown values diversity and respects the civil and human rights of all residents and visitors regardless of race, ethnicity, or immigration status; and

WHEREAS, on December 22, 2016, the Board of Trustees of the Village of Cooperstown passed a resolution reaffirming its strong support for fundamental Constitutional rights and its condemnation of the use of violence, bigotry, and hateful rhetoric; and

WHEREAS, the Village of Cooperstown Police Department has made it a priority to gain the trust and confidence of the entire community so that all feel that it is safe to contact and work with police and to access other vital village services; and

WHEREAS, preserving the confidentiality of certain information is integral to the operation of Village government; and

WHEREAS, recent federal immigration raids around the country have caused fear in immigrant communities; and

WHEREAS, this Resolution is not intended to interfere with the enforcement of criminal laws,

NOW, THEREFORE, be it resolved by the Board of Trustees of the Village of Cooperstown, County of Otsego, State of New York, a majority of all members elected thereto concurring:

SECTION 1. VILLAGE SERVICES: The Village of Cooperstown reaffirms its commitment to civil rights and equal access to all Village services, including police and fire protection. Accordingly, no Village Services shall be denied on the basis of citizenship. Village staff shall follow general village, state, and federal guidelines to assess eligibility for Village services. This prohibition shall not apply to persons seeking employment, or as otherwise required by federal or state statute, regulation, or court decision.

SECTION 2. VICTIM OR WITNESS PROTECTION: The Village of Cooperstown recognizes the obligation to balance any decision to enforce federal immigration laws with its daily mission of protecting and serving the community; therefore, it shall be the general practice of the Village of Cooperstown not to inquire about the immigration status of crime victims, witnesses, or others who call or approach Village staff seeking assistance.

SECTION 3. COOPERATION WITH FEDERAL IMMIGRATION AUTHORITIES:

a. The Village of Cooperstown will not avail itself of the opportunity to participate in the Delegation of Immigration Authority provided through Section 287 (g) of the Immigration and Nationality Act (1996).

b. Nothing in this resolution shall be construed to prohibit Village staff from cooperating with federal immigration authorities when required under federal law.

SECTION 4. TRANSMITTAL: The Board of Trustees shall instruct the Village Administrator to transmit copies of this resolution, including any future amendments thereto that shall be made, to every department, committee, board, and employee of the Village of Cooperstown.

SECTION 5. SEVERABILITY: If any part of this resolution, or the application thereof, is held to be invalid, the remainder of this resolution shall not be affected thereby, and this resolution shall otherwise continue in full force and effect. To this end, the provisions of this resolution, and each of them, are severable.

SECTION 6. EFFECTIVE DATE: This resolution shall take effect at the earliest date allowed by law.

Promote a guardian culture of policing—versus a warrior culture

- Purchase uniforms and vehicle identifiers that do not look “militaristic”
- Increase foot patrols and neighborhood engagement
- Incorporate procedure justice principles in training and policies

Ensure a culture of transparency and accountability

- Post CPD policies and information on the Village website
- Utilize print and social media
- Annually review and update policies
- Invite community members to observe trainings

Undertake positive nonenforcement activities

- School safety programs – pedestrian safety
- Host opportunities for the community to meet Village officers – “Cup of Coffee with a Cop”
- PBA outreach to struggling individuals

Create community surveys

- Develop a forum for feedback from the community

Workforce diversity

- Continue efforts to ensure diversity in hiring practices

Decouple federal immigration enforcement from local policing

- Adhere to the precepts of the Village’s Resolution Regarding the Consideration of Federal Immigration Status in the Village of Cooperstown

Pillar Two: Community Policing

In a small community like Cooperstown, community policing is the fundamental role of the Police Department. Community policing emphasizes working with residents to co-produce public safety.

The Cooperstown Police Department supports the Cooperstown Village Welcoming Community Resolution. They will strive to foster positive interactions between all citizens and officers, employ community policing ideals, create opportunities for constructive exchanges, and foster collaboration with the community, while enhancing trust, legitimacy and safety.

In addition, the Cooperstown Police Department should develop and adopt policies and strategies that reinforce the importance of community engagement in managing public safety. The Cooperstown Police Department should also engage in multidisciplinary, community team approaches for planning, implementing, and responding to crisis situations with complex causal factors. This includes coordination with Bassett Healthcare

Network's Director of Public Safety as well as the Otsego County Sheriff's Department and other police agencies.

Communities should support a culture and practice of policing that reflects the values of protection and promotion of the dignity of all— especially the most vulnerable, and those suffering from addiction and mental health issues.

Protect the dignity of all

Promote Community engagement in managing public safety

- Promote programs for pedestrian safety

Infuse community policing throughout police policies

- Continue CPD's supportive and first responder coordination with Cooperstown EMS and private ambulance services
- Provide wellness checks

Use multidisciplinary teams

- Work with Social Services, County Mental Health services and other support networks to ensure individuals receive the support they need
- Work with Cooperstown Fire Department when responding to vehicular accidents to provide increased safety through traffic control

Pillar Three: Policy and Oversight

Police policies must reflect community values.

To achieve this end, the Cooperstown Police Department should have clear and comprehensive policies on the use of force (including training on the importance of de-escalation), consent before searches, officer identification, racial profiling, and performance measures. These policies should also include provisions for the collection of demographic data on all parties involved. All policies and aggregate data should be made publicly available to ensure transparency.

To ensure policies are maintained and current, the Cooperstown Police Department is encouraged to periodically review policies and procedures, conduct nonpunitive peer reviews of critical incidents separate from criminal and administrative investigations, and establish civilian oversight mechanisms with their communities.

The CPD Use of Force policy was reviewed and updated (fall 2020), utilizing the Use of Force Model Policy developed in September 2020 by the Municipal Police Training Council, NYS Division of Criminal Justice Services.

Ensure community input and involvement

Annually review and update as needed the Use of Force policy

Document response data on all police-public interactions

Ensure there are no quotas for tickets

Utilize consent and informed search and seizure

Require officer identification and reason for stops

Prohibit profiling and discrimination, in particular as it relates to LGBTQ+ and gender nonconforming populations as well as race and ethnicity

Encourage shared services between jurisdictions

- Continue the Mutual Aid Agreement with Otsego County police agencies

Utilize National Register of Decertified Officers

Pillar Four: Technology & Social Media

The use of technology can improve policing practices and build community trust and legitimacy, but its implementation must be built on a defined policy framework with its purposes and goals clearly delineated. Implementing new technologies can give police departments an opportunity to fully engage and educate communities in a dialogue about their expectations for transparency, accountability, and privacy. But technology changes quickly in terms of new hardware, software, and other options. Law enforcement agencies and leaders need to be able to identify, assess, and evaluate new technology for adoption and do so in ways that improve their effectiveness, efficiency, and evolution without infringing on individual rights.

Investments in technology must address compatibility, interoperability, and implementation needs both within local law enforcement agencies and across agencies and jurisdictions and should maintain civil and human rights protections. Law enforcement implementation of technology should be designed considering local needs and aligned with these national standards. Finally, law enforcement agencies should adopt model policies and best practices for technology-based community engagement that increases community trust and access.

Establish technology standards for compatibility and interoperability

Address human rights and privacy concerns

Fund body-worn cameras and other emerging technologies

- Secure funding via grants and budgeting to ensure body-worn cameras for all officers

Public records laws—update to keep up with emerging technologies

Provide for transparency and accessibility for the community through technology

- Re-establish Cooperstown Police Department Facebook page
- Post policies (Use of Force) on Village website
- Share Police Reform Plan on Village website

Pillar Five: Training & Education

As our nation becomes more pluralistic and the scope of law enforcement's responsibilities expands, the need for expanded and more effective training has become critical. Today's line officers and leaders must be trained and capable to address a wide variety of challenges including international terrorism, evolving technologies, increasing global immigration, changing laws, new cultural mores, and a growing mental health crisis.

Pillar five focuses on the training and education needs of law enforcement. To ensure the high quality and effectiveness of training and education, law enforcement agencies should engage community members, particularly those with special expertise, in the training process and provide leadership training to all personnel throughout their careers.

Ensure all required training and certifications are up to date

Incorporate the following in basic recruitment and in-service trainings:

De-escalation

Implicit bias and cultural responsiveness

Social interaction skills and tactical skills

Disease of addiction

Crisis intervention teams (mental health)

How to work with *LGBTQ+* and gender nonconforming populations

Reinforce policies on sexual misconduct and sexual harassment

Higher education for law enforcement officers

Use of technology to improve access to and quality of training

Engage community members in trainings

- Invite community members to observe trainings

Pillar Six: Officer Wellness & Safety

The wellness and safety of law enforcement officers is critical not only for the officers, their colleagues, and their agencies but also to public safety. Pillar six emphasizes the support and proper implementation of officer wellness and safety as a multi-partner effort.

Law enforcement agencies should also promote wellness and safety at every level of the organization. For instance, every law enforcement officer should be provided with individual tactical first aid kits and training as well as anti-ballistic vests. In addition, law enforcement agencies should adopt policies that require officers to wear seat belts and bullet-proof vests and provide training to raise awareness of the consequences of failure to do so. Internal procedural justice principles should be adopted for all internal policies and interactions.

Establish multifaceted officer safety and wellness initiative

Promote officer wellness and safety at every level

Encourage officers to stay physically fit

Scientifically supported shift lengths

Tactical first aid kit and training

Anti-ballistic vests for every officer

Collect information on injuries and near misses as well as officer deaths

Require officers to wear seat belts and bulletproof vests

Have peer review error management

Utilize smart car technology to reduce accidents