

CHIEFLY SPEAKING



Monthly Newsletter for New York State Law Enforcement Leaders

February 2023

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Governor Hochul Addresses Crime, Bail Reform and Mental Health in State of the State Address

Last month Governor Hochul delivered her State of the State speech and released the State of the State book, which highlights policies that she wishes to advance this year.

During her speech, Governor Hochul outlined accomplishments from the previous year, including strengthening the state's gun laws and working with the city to increase police on the subway.

The Governor noted that last year, the state saw double-digit decreases in homicides and shootings but that we are still far from pre-pandemic levels.

She also noted that there has been no safety issue more controversial than bail reform. She identified a few things everyone can agree on:

The size of someone's bank account should not determine whether or not they sit in jail or go home. Bail reform is not the primary driver of the crime wave.

However, she argued that the way the bail reform law is written leaves room

for improvement and she advocated for constructive conversations to accomplish this during the budgetary process. She indicated that reforms are necessary when they are hearing that people's top concern is crime. She also stated that she



did not believe that a change in the bail reform law would automatically bring down crime.

Many of the proposals from the Governor's speech were expanded upon in the State of the State book.

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Did you know that law enforcement officers are at greater risk for suicide than the general population because of the unique stressors of their jobs? During this training, law enforcement officers will:

- Develop innovative strategies that promote health and wellness.
- Discover ways to interrupt unhealthy behaviors and overcome the stigma of help-seeking.
- Discuss how they can provide support to fellow officers.
- Develop a personal action plan that includes resources that they can access to continue their health and wellness journey.

This project was supported by Grant No. 2018-VI-BX-K003 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the U.S. Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART). Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

The book proposed the following public safety initiatives:

1. Eliminating the standard that judges utilize the least restrictive means when setting bail.
2. Doubling investment to alternatives to incarceration (ATI) by investing more than \$30 million in ATI services.
3. Tripling investment in re-entry services from \$4 million to \$12 million.
4. Launching four new state trooper academy classes.
5. Expanding the State Police community stabilization units to as many as 25.
6. Increasing State Police participation in federal task forces to fight violent crime.
7. Expanding the work of the Crime Analysis Centers (CAC) and include New York City. CACs share criminal intelligence and data between law enforcement agencies. She would dedicate crime analysis and intelligence resources to New York City. As part of this work, she will work with prosecutors and police to send DNA on all criminal guns to the statewide DNA database.

“We will do the hard things — the necessary things to lift up and support New Yorkers and clear a path for them to realize the New York Dream.”

—Governor Kathy Hochul

to evaluate areas where additional resources or technical assistance could improve case processing.

10. Amending the state’s domestic violence model policy.

On mental health, she is proposing to:

1. Expand insurance coverage for mental health services.
2. Expand access to mental health services for children.
3. Add 1,000 inpatient psychiatric treatment beds.
4. Improve admissions and discharge planning.
5. Create 3,500 new housing units for individuals with mental illness.

On Transportation, she is proposing to:

1. Expand electric vehicle charging infrastructure.
2. Allow localities to lower speed limits.
3. Direct the DMV to amend regulations to increase the number of points that drivers earn for dangerous driving and decrease the threshold to disqualify drivers from holding a license.
4. Direct the DMV to lower the bar for permanent license forfeiture for drivers who continue to drive under the influence.
5. Propose legislation to allow the State DOT to suspend licenses and seize large passenger vehicles like buses and vans for dangerous driving.
6. Require drivers involved in a collision with no injury to move their vehicles to a safe location.
7. Amend the law where people involved in multiple DWI collisions involving personal injury cannot be relicensed.



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Inspiration in Challenging Times

In challenging times I look for inspiration or guidance in two places – my mentors and my bookshelf. I'm fortunate to be surrounded by so many smart, courageous, and honest individuals in this association and throughout my network of law enforcement professionals. Similarly, I try to keep a library of books that remind me of principles to live by, strategies for success, and where to look for opportunity.

These past few weeks have brought back a devastating scenario for police chiefs across the country and for the neighbors we swear to protect – murder committed by men in uniform. Like many of you, I was outraged by what I saw in Memphis. How do we continue to ask people to trust good honest police officers in the face of such atrocities?

I was inspired by the flood of public statements by law enforcement executives across the country. In the past there have been times where chiefs held their words either because they hoped to be unassociated with bad acts in another region, or because there was caution to rush to judgment. We saw seemingly universal outrage by chiefs of police.

Many of us released public statements because we knew our neighbors needed to hear from us. They needed to hear and read our words of support so they can be confident that our officers will continue to stand for truth and justice. Still, one thing I found distinct this time from the past, was the quick and consistent response from law enforcement executives. It felt like, for the first time, chiefs were no longer afraid to take a stand and tell the truth – that we would never accept this in our own departments and that we're all working hard to prevent police misconduct.

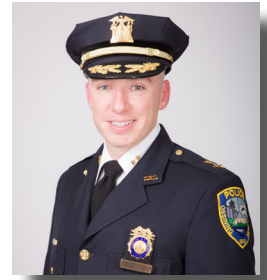
I wondered, how did we get here? What changed and what must be done to ensure law enforcement executives are empowered to take a strong stance on other issues so we can not only rebuild trust where it's been

damaged but to be proactive and talk about our efforts to move forward the profession. I found my answer on the bookshelf. A favorite of mine is *Tipping Points* by Malcolm Gladwell and he describes exactly what we just experienced. Our change came from influential police leaders taking a stand. We then heard those messages shared by national news media outlets who at times have been quick to group all cops with those the bad actors that tarnish our industry.

I was moved by an interview on ABC News with my good friend Chief Jason Armstrong from Apex Police in North Carolina. When asked if additional training would have prevented the attack on Tyre Nichols, Chief Armstrong said, "I'm not certain because the officers in that video that were involved in that incident clearly have been through departmental training beforehand. It's mandatory when you get into the profession. One thing I know is that those individuals seemed to be intent on violence that evening." We can make good people better but it's time we admit that we can't train bad character out of people.

That blunt honesty has resonated with our neighbors and our messages of truth and fairness are being shared throughout our communities. Our efforts and our messages have aligned and we've reached a tipping of the scales where even those chiefs who are reluctant to make public statements suddenly felt empowered to publish their words.

I'm proud to serve as the Chief of the Ossining Police Department and the President of the New York State Association of Chiefs of Police during an era when law enforcement executives are standing together against illegal uses of force by people in uniform and telling our neighbors that we care, we believe in our communities, and that we will never abandon our mission to keep people safe.



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Stop the Bad Apples at the Front Door



The death of Tyre Nichols is a horrible tragedy. That is obvious. As we watched the videos that were released by the Memphis police late on Friday January 27th many adjectives come to mind for the officers that are involved. I won't share the ones that come to my mind. But there's one simple description I will share with you, these are bad people. It is no surprise to us that there are bad people in the world and that bad people do bad things. So, as I process this, the question for me is not "how could these people have done this thing?" I think I am able to understand that bad people do bad things. I also understand that some people have evil inside them, and those people do evil things. There are also people that have no impulse control and no anger management skills and when triggered they act out in violence. So, I understand how acts of violence occur. The question for me is "how on earth did these people become police officers?" It's pretty clear from watching the videos that the officers depicted in those videos should have never been hired to be police officers anywhere on the planet earth.



We can all play a role in preventing these incidents. As long as we hire human beings there is always a risk of human error and poor human behavior, but there are tools to mitigate that risk and minimize it. As police chiefs we are gatekeepers, we decide who becomes a police officer and who does not. You cannot control what cops do at 3:00 am when you are home in bed asleep. But you can control who is out there. To borrow a phrase from my friend Gordon Graham, predictable is preventable. If you take the wrong person and put them out on the street in a uniform, the outcome is predictable. We cannot be expected to be perfect, but

we can expect to perform with a high rate of success. The tools in our possession are not perfect but they have a high rate of success, when we use them properly.

The best tools that we have in our possession are thorough background investigations and psychological testing. When we use these tools and err on the side of caution when making decisions we can be expected to have a high rate of success in hiring the right people. We must rely on the tools that we have and not make excuses.

Psychological exams: Although they are not perfect psychological exams are very effective tool in identifying people with traits, characteristics, and tendencies that both do and do not lend themselves to police work. These exams have evolved over time

to be highly effective. Yes they are expensive, yes they are time consuming, and yes they sometimes eliminate candidates that otherwise look very good. But they are also one of the few tools that we have to guide us in our decision making. In my opinion it is very important to give a psychological exam to every person that you hire, to read and understand the results of these exams, and eliminate candidates that are determined to be risks. A psychological exam will provide insight into a candidate's character and predict future behavior. My advice is to give a psychological exam to every person that you hire, including transfer officers, and trust the exam. Eliminate candidates based on the results of these exams. The exam is your friend, not your enemy.

Thorough Background Investigations: Background



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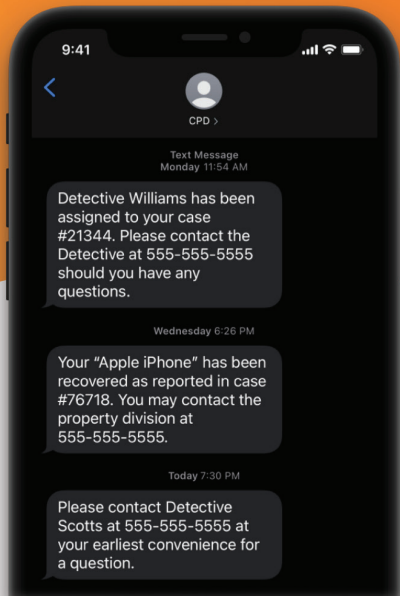
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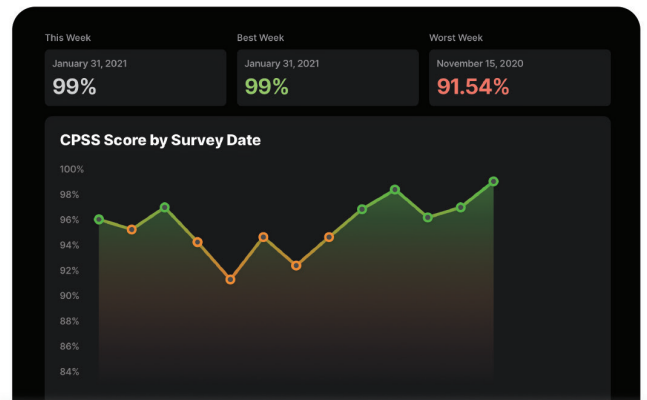
✓ **Keep citizens informed**

"Deputy Karen went out of her way to help me find a ride after the accident."

"Officer Smith was very friendly and helpful."

"Thank you Officer Darby for caring and helping my father."

✓ **Boost officer morale**



✓ **Measure satisfaction**

Stop the Bad Apples at the Front Door (continued)

investigation are the best tool that we have to aid us in making good decisions when hiring police officers. But they must be done properly and they must be done thoroughly. A proper background investigation includes interviews of previous employers, educators, neighbors, roommates, friends, romantic partners, coworkers, supervisors, and any other sources that the investigator can develop. It includes verification of employment history, educational credentials, and professional certificates. The investigation includes a thorough look into everything that candidate has ever done to turn up any concerns that you might have as an employer and may cause you to eliminate the candidate. And it includes a polygraph. A polygraph is a vital tool to disclose information that is otherwise unavailable. Trust the background process and eliminate candidates that do not belong.

These tools must be used, and questionable candidates must be eliminated. Predictable is preventable. I have been from one end of the state to the other on many occasions over the last few years talking to Police Chiefs, listening to their concerns, and looking for opportunities to provide assistance. I know that we are all in the same boat. The interest in being a police officer is at an all-time low, we have very low numbers for our entrance exams. There are less candidates to choose from, and we are all working shorthanded. I understand, I had the same experience when I was a Police Chief, always understaffed, always looking to hire, and always trying to figure out how to shuffle the pieces around and make everything work. Making matters worse, if you work shorthanded for too long and nothing horrific happens the politicians figure everything's fine and you can get by with less cops so they lower your manpower numbers and pocket the money. Add in the current trend of municipalities offering signing bonuses and officers jumping from one agency to another and our job seems impossible. I get it. But what we're doing



Officers Tadarrius Bean, Demetrius Haley, Emmitt Martin III, Desmond Mills, Jr., and Justin Smith were all fired. They had been with the department since Aug. 2020, Aug. 2020, March 2018, March 2017, and March 2018, respectively

is too important and the stakes are too high for us to compromise our hiring standards. Hiring someone that is questionable is simply gambling, and you're gambling with people's lives because a police officer has the ability to take someone's life. We can't fall into the trap of compromising our standards, No matter how bad our personnel situation becomes, it's just to dangerous. The best method that we have to eliminate bad cops is to simply not let them through the front door, we stop them on the front steps and say no thank you. By doing this you save yourself and your community from that bad persons predictable behavior.

I will share with you one of the adjectives that comes to my mind when watching the Memphis video. Cowards, these men are cowards. Our profession has no room for cowards like men who would hit a handcuffed injured man or men that would standby and let it happen. There is no place for cowards in our profession. We have to identify them and stop them at the front door. Lives depend on it.

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<u>Monday – 3/20/23</u>	9:00 – 1:00	Arrival and Registration
	1:00 – 2:30	<u>Tops Shooting Overview</u> – Buffalo Police Comm. Joe Gramaglia & FBI Buffalo ASAC Darren Cox
	2:45 – 5:00	<u>Creating Organizational Culture</u> —Newberg Police Chief Anthony Geraci
	5:00 – 7:00	<u>Ice Breaker</u>
<u>Tuesday – 3/21/23</u>	9:00 – 11:00	<u>Risk Management: Contemporary Challenges for Law Enforcement Leaders</u> —Chief (Ret.) Mike Ranalli
	11:15 – Noon	<u>Evidence Based Policing Overview</u> – Charles Tyree—DCJS Supervisor Public Safety programs
	Noon – 1:00	<u>Lunch Break</u>
	1:00 – 3:00	<u>NYS Crime Analysis Center Network Overview</u> —Director Dave Phelps—Monroe Crime Analysis Center
	3:15 – 5:00	<u>Law Enforcement Recruiting/Retention</u> —Rochester PD Sgt. Justin Collins, Charles Woody –Director of Community Engagement & Recruiting for Broome County Sheriffs Office
	<u>Wednesday – 3/22/23</u>	9:00 – Noon
	Noon – 1:00	<u>Lunch Break</u>
	1:00 – 2:45	<u>Navigating GML 207 claims & the Police Disciplinary Process</u> —Jaclyn Goldberg—Keane & Beane Attorneys at Law
	3:00 – 5:00	<u>4 Pillars of Leadership</u> —Chief (Ret.) Greg Veitch
<u>Thursday – 3/23/23</u>	9:00 – Noon	<u>Officer Wellness for Command Personnel</u> —Mt Vernon PD Comm. Jennifer Lackard, Scott Neff—DCJS, Matt Carpenter—Rochester PD
	Noon – 1:00	<u>Lunch Break</u>
	1:00 – 2:00	<u>Traffic Safety Briefing</u> —NYSACOP Traffic Safety Liaison Chief (Ret.) William Georges
	2:15 – 3:30	<u>Municipal Budgeting</u> —Megan Wnek CPA & Nicole Ruf—Drescher & Malecki LLP, Lt. Jonathan Luterek—West Seneca PD
	3:45 – 5:00	<u>Transitioning to the Position of Chief of Police</u> —Chief (Ret.) Dan Denz
<u>Friday – 3/24/23</u>	9:00 – 11:00	<u>Internal Affairs Investigations</u> —Buffalo Police Det. (Ret.) Brian Ross

SAVE THE DATE

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Broome County Announces Police Academy

On behalf of Sheriff Fredrick J. Akshar, I would like to announce the tentative dates for the Broome County Sheriff's Law Enforcement Academy 2023 Basic Course for Police Officers commencing on March 27th and ending on October 27th of 2023. This course will consist of 1,184 hours of training; 705 hours of mandated topics. Additional courses include, but not limited to:



- **A 32 hour Radar/Lidar Course – at the completion, student will be a certified radar operator**
- **A 24 hour Breath Analysis Course – at the completion, student will be a certified breathalyzer operator**
- **A 80 hour Reality Based Training Course – an intensive scenario based course featuring real life situations the student can expect to encounter during his police career**
- **A 80 hour Emergency Vehicle Operators Course-involving low and high speed maneuvers**
- **An 16 hour Conducted Energy Device Course- at the completion, student will be certified to carry and deploy a TASER or other conducted energy device.**
- **Multiple course's in a variety of topics such as: Landlord/Tenant Disputes, Child Passenger Safety, K-9 uses and handling, Gang Awareness, Search and Rescue and Child Abuse.**

The fee for this course is \$900.00. This course includes all course materials and uniforms. Free lodging is available for Recruits outside Training Zone 6; this is offered on a first come-first serve basis and space is limited to 20 Recruits.

The Academy runs Monday thru Friday, 0800-1600 hrs. daily.

For further information or reservations, please contact Sergeant Jan Cower, Director of Training, at 607-778-8726 or by email at jan.cower@broomecountyny.gov.

Sincerely,
Sergeant Jan Cower
Training Director
155 Lieutenant Van Winkle Drive
Binghamton, NY 13905
Email: jan.cower@broomecountyny.gov
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***Neil Blanchard, Senior Dispatcher
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**(Ret.) Chief Garcia
Phoenix Police Department**

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Harland L. Fox, Sheriff's Investigator, Long Time Central Square Police Chief

Harland L. Fox, Jr., 77 of Hastings, died January 28, 2023 at St. Joseph's Hospital. He retired as a Criminal Investigator for the Oswego County Sheriff's Department in 2000 and was the long time Chief of Police for the Village of Central Square. He was a Navy veteran of Vietnam. He served his country and community for over 50 years. He enjoyed fishing on the St. Lawrence River and spending time with his granddaughter. Harland is survived by his wife Susan, daughters, Amy (Kenneth), Beckie(Mark), Granddaughter, Maggie, Brother, David(-Terri), Brother-n-law Jon(Beth), other extended family and many friends. There are no calling hours or services at his wish. The family will hold a celebration of life for him in the Spring. Contributions may be made to NationalPolice-Association.org www.traubfh.com



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Cicero Police Department, NY

January 23 at 5:38 PM · 🌐

We had a great time at our first of several Coffee With a Cop events planned for 2023. We would like to thank our Cicero Starbucks for sponsoring our Coffee with a Cop, and Town of Cicero planning board member Ashley Hogan for stopping by.



Brighton Police Department ✓

January 24 at 11:07 PM · 🌐

Big thank you to [Brighton Lady Bulldog Basketball](#) for inviting us to their game tonight for Heroes Night. We loved cheering you on. Go Bulldogs!



New York State Association of Chiefs of Police



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