

CHIEFLY SPEAKING

Monthly Newsletter for New York State Law Enforcement Leaders

October 2021

Responding to Hurricane Ida

Flooding, Rescues and Mitigation

The wrath of Hurricane Ida struck New York State on September 1 and 2, bringing torrential rains and flash flooding. *Chiefly Speaking* spoke with some of our members whose jurisdictions were impacted by the disaster that caused 82 reported deaths, 18 in New York State.



After the storm passed, flood waters remained and vehicles were stranded following Hurricane Ida in the Village of Mamaroneck, New York.

Photo: Village of Mamaroneck Recreation Supervisor

and they received a lot of water from the Mamaroneck and Sheldrake Rivers. “Because we had received so much rain previously, the water table was already high and the ground saturated, so there was nowhere for the water to go.” As the night wore on, DiRuzza’s officers conducted *(continued, page 6)*

In Westchester County, the Village of Mamaroneck was in the crosshairs of the storm. Police Chief Sandra DiRuzza described the events of Wednesday, September 1st, saying, “When the rain started to fall we were checking our flood prone areas and officers set up barricades. But as the evening progressed the weather took a turn for the worse.” Chief DiRuzza noted that Mamaroneck sits lower than other municipalities in the region,



FROM THE PRESIDENT CHIEF TIMOTHY PARISI



The concept of pre-employment polygraph exams for police candidates, as directed in the Professional Policing Act, was recently discussed at the Municipal Police Training Council (MPTC) and Accreditation Council. NYSACOP has members on both boards. NYSACOP was asked for clarification on our position by Commissioner Green of DCJS. The New York State Association of Chiefs of Police is in favor of pre-employment polygraph examinations for police officers. Pre-employment polygraph examinations help to ensure professionalism and weed out undesirable candidates. A polygraph exam is a very effective tool to use in the pre-employment process and we support the use of polygraph exams. It is a best practice.

We do, however, have concerns about the logistics involved in mandating pre-employment polygraph examinations for every police department. New York is a very large state with a wide variety of circumstances and conditions depending on the region in which a police department is located. The availability of polygraph examiners will vary from jurisdiction to jurisdiction. While some departments will have access to a law enforcement polygraph examiner, others will not. Some departments may have access to an independent polygraph contractor, others will not. For some agencies the cost of contracting out polygraph exams may be prohibitive. The cost of the pre-employment polygraph exams could be passed on to the candidate, but in a continuing effort to diversify our departments we often recruit candidates from low-income neighborhoods. We are concerned about making the cost of applying to a police department a hurdle that could not be overcome by low-income candidates.

We know that pre-employment polygraph examinations for police officer candidates is the best practice. We would like to work with DCJS to make this possible for all New York police agencies. The infrastructure needs to be put in place to make polygraph exams and examiners available in every region of New York. We would like to see the state take steps to make polygraphs exams feasible for all agencies prior to mandating the exams. Some possible solutions: establish county-based resources, possibly through civil service commissions that are funded to provide the examinations at no cost to the agency; Make the exams available through the New York State Police; and offer and fund polygraph operator training programs within the state for active-duty law enforcement to increase the number of polygraph examiners in the state.

The New York State Association of Chiefs of Police is in favor of police agencies utilizing pre-employment polygraph examinations, but we know that the resources are not available for all our member agencies. We would be happy to work with the State to make the concept of pre-employment polygraph examinations a

(Continued on page 4)

FROM THE EXECUTIVE DIRECTOR CHIEF/RET. PATRICK PHELAN



This year has brought a number of significant legislative changes which impact policing in New York State. Among them is cannabis reform. Legalized marijuana is a challenge for today's cops, re-training their brains and senses in dealing with legal cannabis. Unlike some other states that legalized marijuana, New York State went farther and allows public consumption akin to the smoking of cigarettes. But that's not all – anyone 21 years or older can now possess, display, purchase, obtain, or transport up to three ounces of cannabis and up to twenty-four grams of concentrated cannabis (§222.05 PL) – that's a lot of weed! While advocates for legalization are celebrating this victory, there are a number of concerns raised in this hastily drafted legislation. While it is lawful for persons age 21 and older to use, possess, purchase, etc... the law does not specifically say that it is unlawful for persons under 21 to do the same. And what about the impact of today's high THC marijuana on young people – their driving abilities, the aptitude for concentrating on critical tasks, and their mental health? For police administrators there are also questions – can you lawfully prohibit your officers from using legal cannabis? What does your drug policy say (and you might want to check it), because if it says “no illegal drugs”, well, marijuana is now legal. And what does it mean for police officers who carry their service weapon on a pistol permit, or even off-duty guns on a permit? We have some answers as well as discussion in our newly released podcast series on Cannabis Reform in New York State (see article on page 12).



In this three-part series, you will hear from experts who talk about the basics of the new marijuana laws, the consequences of the legislation, cannabis-impaired driving, employment and labor concerns, and more. NYPD Assistant Deputy Commissioner Oleg Chernyavsky discusses individual use and possession, and how cannabis can be transferred legally and used in public. One of the issues concerning enforcement, said Chernyavsky, is that the legislature provided for a *civil* penalty rather than a *criminal* penalty for Section 222.10 PL. Monroe County District Attorney Sandra Doorley also talks about that particular section, noting that there is currently no enforcement mechanism for that type of civil offense, although we have heard that there will be some clean-up legislation coming. But when it comes to cannabis use in a car, there is a vehicle and traffic law section that *is* enforceable – §1227(1). Doorley describes that in Part 1, and she also discusses the new limitations of a vehicle search by police based

(Continued on page 9)

reality for all New York State agencies.

As a result of our efforts the state has decided to make pre-employment polygraphs “recommended” rather than “required.”

Thank you to everyone who participated in our survey concerning pre-employment polygraph and psychological examinations. We utilized a survey on pre-employment polygraph to help develop this position. We asked whether our member agencies were conducting pre-employment psychological and polygraph examinations,

and then, whether a mandate for these tests would impose a financial hardship on the municipality.

From the survey we

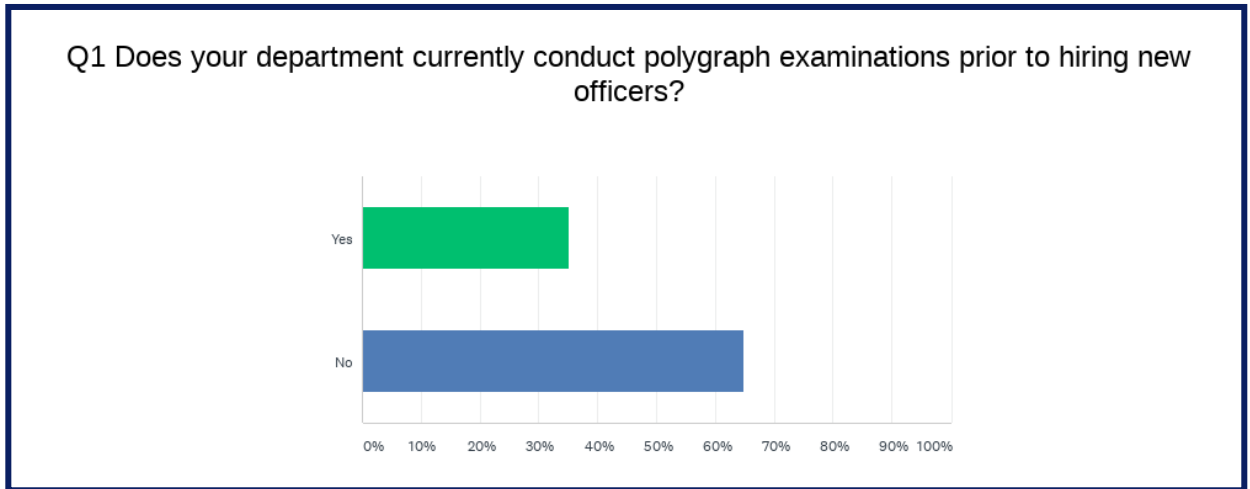
conducted of

our NYSACOP members, we received 142 responses, and I wanted to share with all of you the results of the survey:

Thirty-five per cent (35%) of responding agencies indicated that they currently conduct POLYGRAPH examinations prior to hiring new officers. Eighty-seven per cent (87%) of the respondents said that they currently conduct PSYCHOLOGICAL examinations of police candidates; when asked whether a state mandate requiring POLYGRAPH examinations would have an adverse financial impact on the agency, respondents were split 50-50; however, when asked the same question about PSYCHOLOGICAL examinations, only 16% said that a mandate would have a financial impact.

To me, the results of the survey indicate that most departments have been conducting pre-hire psychological examinations in some form, but that the availability and cost of competent polygraph services is more challenging.

Again, my most sincere thanks to our members who promptly responded to our survey. This objective information was key to allowing us to make a better informed decision on this important topic. As always, your feedback is critical to all of us at NYSACOP and to our membership





SAVE THE DATES:
NOVEMBER 3-4, 2021
**LEADERSHIP
TRAINING
SUMMIT**



The New York State Association Of Chiefs of Police and the New York State Sheriffs' Association announce that a special joint leadership training summit will be held on Wednesday, November 3, 2021 beginning at noon, and concluding mid-afternoon on Thursday, November 4. A networking event will be hosted on Wednesday evening.

Breakout sessions are included which will be tailored to the specific needs of each of the Associations' members.

Location:

Fort William Henry, Lake George, NY

Agenda—[Click Here](#)

To Register, visit our [website](#) and log-in

(Continued from page 1)



Flood damage in the Town of Fishkill, New York.

Photo: Fishkill PD

well-being checks and rescues along with the public works and fire department which used payloaders to help with 50-75 rescues, many from cars which became stranded during flash flooding.



**Yonkers police rescue people from flood waters.
Photo: Yonkers PD**

DiRuzza explained that, as people were rescued, they were brought to an on-street staging area where they were triaged by EMS. Once cleared, victims were transferred to a local school where the Red Cross had set up a shelter.

Mamaroneck village police were tasked with handling the disaster despite having lost power and primary communications. A generator designed to provide emergency power at the police station failed, leaving them without power for at least 6 hours. Telephone service went down, too. DiRuzza said that officers were using portable radios to communicate while their 911 calls were diverted to the Town of Mamaroneck PD.

Town of Mamaroneck Police Chief Paul Creazzo

(Continued on page 7)

(Continued from page 6)

noted how rapidly the events unfolded on Wednesday, September 1st saying, “On the night of the storm I called my desk around 8:00 PM to check in and everything was okay at that point. But then I got a call at 10:15 PM telling me the world’s coming to an end.”

During a 24 hour period beginning at 7:00 PM on the evening of the storm, Chief Creazzo’s department handled 685 telephone calls for his jurisdiction and the Village of Mamaroneck. Creazzo said the storm came at them with a vengeance, “There were abandoned vehicles all over town, on every main road. I’m shocked that we didn’t have any fatalities.”

In the City of Yonkers in Westchester County, police handled 785 calls for service from the onset of the storm (Sept. 1 at 6:00 PM) until midnight the following day. Along with serious flooding on major streets, large sinkholes, and a mudslide were reported as well.

Property Loss and Damage

In the Orange County Town of Chester about 50 miles from Mamaroneck, Police Chief Dan Doellinger said, “We received a lot of rain Wednesday night which resulted in some flooded basements and localized flooding of low-lying sections of our roadways. The saturated ground and some higher wind gusts also brought down a few trees and caused some small-scale power outages.”

The following day in the village of Mamaroneck, Chief DiRuzza described the aftermath as an “apocalypse”. “There were cars in the streets, and cars pushed up against houses, displaced because of the storm.” DiRuzza added, “In the first day and a half we towed about 120 cars that were abandoned in the middle of the road. Since then we tagged another 250 cars around the neighborhoods that received flood damage...”

Assistant Chief Sean Montgomery of the Metropolitan Transit Authority PD said that his agency was also impacted by Ida. “We experienced some trees across the railroad tracks and it took a few days to clear the debris. Some of the ballast eroded under parts of tracks which had to be fixed. But we were back to full operation in a few days.” During the emergency, the



Residents in Mamaroneck begin the process of discarding water damaged property.

**Photo: Mayor Tom Murphy,
Village of Mamaroneck**

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(Continued from page 7)

MTA PD Emergency Services truck was deployed but became partially submerged while conducting rescue operations.

Chief Keith Dworkin in Fishkill (Dutchess Co.) said that his jurisdiction suffered flooding, though not the major destruction seen by other areas. “Our low lying areas suffered some damage, particularly on Elm Street which is a business district... and Doug Philips Park was submerged.” Dworkin added, “On the north side of town about 10 homes were hit pretty hard and a rescue was coordinated in the middle of the night by our first responders.”

In Chief DiRuzza’s village, she said they were very fortunate that there were no fatalities. The property damage, however, was extensive throughout the region. DiRuzza told *Chiefly Speaking* that her police department lost 3 police cars, 2 motorcycles, and had damage to 2 other vehicles.

The Aftermath

In the days following the disaster, DiRuzza said that they were gradually restoring services and helping the community. “Our village is working hand-in-hand with electricians to expedite the process of going into houses to ensure they are safe. As soon as an electrician certifies the house is okay, Con Ed is here to turn the power back on. It has been a fluid process.” The village is also bringing services to community members who continue to struggle. “Our local courtroom is set up with the Red Cross, Department of Financial Services, FEMA, and mental health professionals all under one roof as our recovery area. It’s the place for the community to get all of the services they need.”

Chief Doellinger said that flood waters had largely receded by Thursday afternoon with little to no permanent damage to infrastructure. But overall, power was restored by the next morning to most Town of Chester residents.

Reflecting

Chief DiRuzza praised the work of her police officers, village crews and mutual aid responders who assisted

Hurricane Ida and the City of Yonkers

42 ambulance requests
15 welfare checks
103 disabled vehicles
9 hit-and-run
38 motor vehicle
crashes
110 vehicles towed
50 alarms

Hurricane Ida and the Village of Mamaroneck

50-75 rescues
120 vehicles towed
250 additional vehicles tagged
3 police cars lost
2 police motorcycles lost
2 police cars damaged

(Continued on page 9)

(Continued from page 8)

during the hurricane. “We all signed up for this line of work, we understand this is part of our job. In a situation like this officers and firefighters leave their homes to come out and help.” The chief added, “We had a couple officers affected by the flooding, and one who lost everything – he barely got out.” Recovery efforts are ongoing in several downstate counties. Declarations for federal Individual and Public Assistance include Bronx, Queens, Kings, Richmond, and Westchester and Nassau counties, with New York County approved for Individual Assistance only as of September 14.

(Continued from page 3)

solely upon the odor of burnt cannabis. Albany County Assistant District Attorney Mary Tanner-Richter is one of our guest speakers in the podcast series, and she discusses issues relating to cannabis-impaired driving. A Traffic Safety Resource Prosecutor specializing in vehicular crimes, Tanner-Richter describes what a prosecutor needs from police to prove impairment by marijuana.

In Part 2 of the podcasts series, Former Chief of Police and Past NYSACOP President Michael Ranalli said that the use by juveniles is a serious concern. He said, “We already have an increasing violence problem with our juveniles, especially in the city. We have large scale mental health problems, magnified by COVID. Now we’re releasing marijuana on these young brains. They are going to negatively impact the mental health of our citizens.”

Employment and labor attorney Mary Louise Conrow joins the discussion in Part 3 where she addresses a number of labor and employment issues – some which you may never have thought about. She urges that all departments check their drug policies and procedures. Do you have a federal grant that requires a drug policy? What does it say? Conrow also discusses *why* police unions should support a no-use policy. She also raises the question, what is your pre-employment drug testing? Are you checking for THC?

I am sure that you will find this series informative and enlightening. The links are in the story on page 12 and can also be found in our *APB: All Points Bulletin* library on our website.

Employment and labor attorney Mary Louise Conrow... urges that all departments check their drug policies and departmental procedures. Do you have a federal grant that requires a drug policy? What does it say?

REAL RISK MANAGEMENT

BY GORDON GRAHAM



Who's Ruining Our Reputation?

Editor's note: This is the latest installment in the Real Risk Management series, designed to introduce the breadth and depth of risk management by organizing risk into 10 Families. To request earlier articles from the series, please contact Shannon Pieper, [Lexipol Sr. Director of Marketing Content](mailto:spieper@lexipol.com), at 949/276-9938 or spieper@lexipol.com.

Gordon Graham here—an embarrassed Gordon Graham at that. As you can imagine, these articles are written several weeks in advance of publication. Madame Editor needs time to wield her red pen and enforce her word count, and the good people at NYSACOP need time to review the article, determine placement in their publication, do the layout and countless other steps I'm not even thinking of. For this reason, Madame Editor encourages me to select "time neutral" topics.

Most of the time, Madame Editor gets what Madame Editor wants. But in my last article, just over 30 days from when I'm writing this one, I mentioned being grateful COVID was near the end and we could get back to some sense of normalcy. Well guess what—I was wrong! Well, maybe I was wrong. As I peruse the news, it tells me the numbers are up and the Delta variant is more contagious and more and more people are testing positive. On the day I'm writing this, nearly 126,000 new cases of COVID were reported. So once again, we are in a mess.

But that's if you believe what you read in the news—and I think a lot of people don't.

Frankly, I understand that. Sometimes I don't know who or what to believe anymore, and that is very troubling. The news media used to be a relatively uniform group that most people believed delivered unfiltered facts. But that belief is long gone. The diversification of voices in media, as well as technologies that allow us to select which voices we want to hear, has led to a loss of credibility. Tying this into my last article, the news media's reputation is shot and—painting with a broad brush—anything one source says can be doubted or refuted by other sources.

For many law enforcement officers, the most obvious sign of media's loss of credibility lies in its anti-police bias. Many law enforcement officers blame news media for convincing Americans that cops are racist, kill tens of thousands of people a year for no reason, regularly falsify evidence and lie in court, continually violate people's constitutional rights—and do it all while being overpaid. And it's not just law enforcement. A casual reader would be forgiven for thinking every fire department has a gender and/or racial equity issue,

public safety unions exist only to protect bad apples, 911 dispatchers suffer from a general lack of empathy and correctional officers are often guilty of greater offenses than the inmates they oversee.

The irony of the perceived anti-law enforcement bias among news media, of course, is that it led to calls to “defund the police,” which in turn led to cops quitting high-risk units within their agencies or quitting the profession all together, applications for new officers drying up and proactive policing plummeting. And what happened then? In large cities across the country, carjackings have gone through the roof, murders are spiking and gun violence is ravaging communities. The leaders of cities bent on doing away with police six months ago are now begging for more cops and for cops to get more proactive and stop this surge of crime.

Now let’s slow down a bit. I happen to know some people in the media—quite a few actually—and they are good people who try to do their job in a professional, non-biased manner. But some reporters are biased, and it doesn’t take much for their views to dominate and influence the thinking of the general public.

Similarly, some cops have done very bad things; they have no business in the profession and we must get rid of them.

My point here: The reputation of any profession can be impacted (negatively or positively) by the reputation of one or a few members in the group. And that is exactly where we are today in law enforcement. This is not a news flash to you, reader—you would not be reading this article if you did not care about law enforcement as a profession. I feel the same way. It has been my goal now for almost 50 years to improve the quality of the performance of our people and—to use the words of Dr. Tony Kern—“make excellence the norm, not the deviation.”

In law enforcement, our overall goal is preservation of life. To do that effectively, we must have the trust of our communities so they view our work as legitimate. And that, in turn, requires each and every member of our profession to act with the highest level of integrity—not some of the time, not most of the time, but *all* of the time.

Early on in my career I was told, “You are your brother’s keeper” (before you are offended, remember it was almost all men back then). To update this today, “You are your brother’s and sister’s keeper.” If you see behaviors by another member of law enforcement that can negatively impact our profession, you must act. This “mandatory intervention” requirement is now being codified in many states, but smart members in our profession have been doing this for as long as I have been in the business.

These are challenging times for everyone in law enforcement—my hat is off to you for your great work. Do things right, treat people right and keep an eye on your co-workers to ensure they are doing things right. It is our profession, and we must protect it—so we can protect our communities and preserve life.

Gordon Graham is a 33-year veteran of law enforcement and is the co-founder of [Lexipol](#), where he serves on the current board of directors. A practicing attorney, Graham focuses on managing risk in public safety operations and has presented a commonsense approach to risk management to hundreds of thousands of public safety professionals around the world. He holds a master’s degree in Safety and Systems Management from University of Southern California and a Juris Doctorate from Western State University.

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New Podcast Series Explores Cannabis Reform

By Chief/Ret. Mark A. Spawn

Panel of Experts Discuss Possession, Cultivation, Smoking, Impairment, Employment

Legislation passed earlier this year brought sweeping changes that have and will directly change traditional policing operations. Possession of cannabis became lawful for persons 21 years old or older, and while many presume that underage possession is unlawful, the statute is ambiguous. The penal law (Article 221) that police were intimately familiar with was repealed, replaced by a new Article 222. And while the penal law is generally considered a repository of criminal statutes, some of the new cannabis legislation provides for a *civil* rather than *criminal* penalty, leaving parts of Article 222 in question as to how they may be enforced.



Oleg Chernyavsky
Asst. Dep. Commissioner
NYPD Legal Affairs

Michael Ranalli, Esq.
Chief of Police/Ret.

Mary Tanner-Richter
Asst. District Attorney
Albany County

Mary Louise Conrow, Esq.
Coughlin & Gerhardt
Law Offices

Sandra Doorley
District Attorney
Monroe County

(Continued on page 13)

(Continued from page 12)

Concerns have abounded since cannabis reform laws were passed, raising a myriad of questions for police executives: do your officers carry their service weapon ‘on the badge’ or are they required to possess a pistol license under Article 400 of the Penal Law? Do you still subject pre-employment candidates to a drug screening that includes THC? What does your prosecutor need to help prove a cannabis-impaired driving case?

The New York State Association of Chiefs of Police announces the release of an audio podcast series including interviews with experts discussing some of the known, and yet-unknown issues involving cannabis in New York State. The 3-part series highlights many of the concerns important to New York State law enforcement:

Part 1: Cannabis Reform: The Basics – A discussion about the new sections of the penal law governing possession, sale, smoking in public places, and enforceability of certain sections by police; we also explore impaired driving and chemical tests, the limitations of a search of a motor vehicle, and a general overview of the cultivation of cannabis under the new law.

Featuring Asst. Dep. Commissioner Oleg Chernyavsky (NYPD Legal Affairs); District Attorney Sandra Doorley (Monroe County); Asst. D.A. Mary Tanner-Richter (Albany Co.); Police Chief/Ret. Michael Ranalli, Esq.

Duration 20:15

Part 2: Cannabis Reform: The Consequences – What are the implications of legalized cannabis? Our experts discuss mental health issues, impaired driving, fire hazards, and the ability to intercept illegal guns.

Featuring Asst. Dep. Commissioner Oleg Chernyavsky (NYPD Legal Affairs); Police Chief/Ret. Michael Ranalli, Esq.; Asst. D.A. Mary Tanner-Richter (Albany Co.).

Duration 09:57

Part 3: Cannabis Reform: Labor and Employment Issues – Have you checked your workplace policy on drugs since cannabis became a legal drug in New York State? Do you conduct pre-employment drug screening for THC? Are your officers required to carry their firearm on a pistol license? Why should police unions support a no-use policy? Did you know that the New York State Labor Law was amended with the cannabis reform package? Labor and employment attorney Mary Louise Conrow, Esq. delves into all of these issues and more.

Featuring Mary Louise Conrow, Esq., Coughlin & Gerhardt Law Offices.

Duration 14:17

The 3-part audio podcast series is available in the *APB: All Points Bulletin* podcast library at www.nychiefs.org



Eddie Cantor, Honorary Member for Lauding Police in 1935

By Chief/Ret. Mark Spawn

On Sunday, February 17, 1935, vaudevillian actor and Hollywood icon Eddie Cantor (1892-1964) praised the work of the police on his national radio show, *The Eddie Cantor Show*. The singer, songwriter, comedian, author and actor, once considered for the role of scarecrow in the Wizard of Oz, caught the ear of NYSACOP listeners back in New York State.

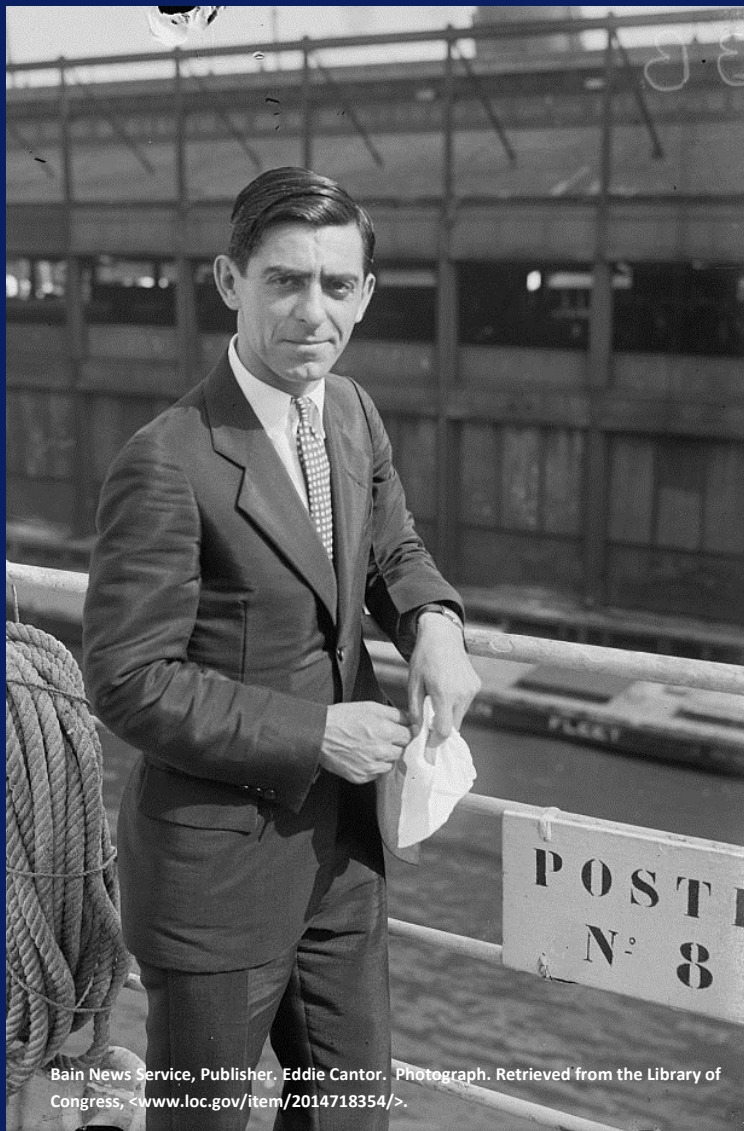
At our 1935 conference in Utica, New York, NYSACOP President Albert B. Moore (Troy PD) said that the famous actor, “did something for the police profession of America that has never been done before. On a coast to coast radio network he took the part of the cops. He gave a broadcast that sent chills up and down the spine of everybody who listened to it. Anybody who has ever worn a uniform must have sat back with a great deal of pride to hear that man defend the police profession.” For Cantor’s kindness, Chief John J. Warren (Dunkirk, NY PD) requested that President Moore make Cantor an honorary member of the New York State Association of Chiefs of Police. So, what *did* Cantor say? In spite of the details of our records which praised Cantor’s comments, the actual words he spoken were not memorialized. A search of Cantor’s radio shows from the era did not produce any clues. Nonetheless, he was made an honorary member and invited to the next NYSACOP Conference for a presentation.

Cantor replied to the Association’s invitation in a letter saying, “It’s such communication as yours that encourages me to inject a serious note in my radio program from time to time.” Unfortunately, a subsequent letter from Cantor expressed his regrets that he could not attend as he would be in production for a new motion picture. He said, “Please convey to your association by deepest appreciation of the honorary membership. I will be waiting for the badge of office so I can strut my shining emblem of importance before Ida and the five girls. You know it’s quiet a job to maintain law and order with so many women—maybe the badge will do the trick! Signed, Eddie Cantor, 100 Sunset Boulevard, Beverly Hills, CA. A subsequent motion suggested that the chief of police Charles Blair of Beverly Hills PD present him with the honor as Blair was a member of the IACP.



Photo: Bain News Service, Publisher. Eddie Cantor family. Photograph. Retrieved from the Library of Congress, www.loc.gov/item/2014711332/.

Looking Back...



Bain News Service, Publisher. Eddie Cantor. Photograph. Retrieved from the Library of Congress, <www.loc.gov/item/2014718354/>.

*Hollywood icon Eddie Cantor, NYSACOP Honorary Member.
Revisiting the rich history and traditions of the
New York State Association of Chiefs of Police.
(see story on page 14, left)*

The Importance of Traffic Enforcement in Public Safety

Attorney General to NYPD: Stop Minor Traffic Enforcement

Many law enforcement leaders recognize the benefits of traffic enforcement –voluntary compliance when motorists regularly observe police conducting traffic stops; police visibility in problem areas, importing a tone of deterrence; and an overall sense of community security. The enforcement of traffic offenses routinely results in the identification of suspended and revoked drivers, uninsured vehicles, stolen property, drugs, guns, and wanted persons. Some of the simplest traffic offenses have also led to larger discoveries – dead bodies in the trunk, fugitives, and kidnap victims.

But some people want police to *stop* conducting non-criminal traffic enforcement, and *not* to arrest motorists for open warrants related to minor offenses. Those are the recommendations of the New York State Attorney General (AG) following their investigation into the death of a motorist stopped by NYPD in October 2019. The initial stop was for failure to wear a seat belt, and the motorist provided a false identification, according to the AG [investigative report](#). But the man impersonated by the motorist had three open warrants, and when police advised the man that they were going to conduct a pat down, the motorist managed to get back into his car and a struggle ensued as the motorist repeatedly engaged the gear shift. It is worth reading the investigative report as there is an extensive chronology of events which ultimately led to the subject being tasered, and subsequently shot when a Sergeant believed that the motorist

**Attorney
General
Report**
[click here](#)

had struck another officer, possibly pulling the officer beneath the vehicle.* In a podcast released this month by the New York State Association of Chiefs of Police, NYPD Commissioner Dermot Shea was asked about the AG recommendation concerning traffic enforcement. Shea said, “If you look back, particularly over the past 12 months, there’s a lot of well-intentioned things that have been said, potential reforms. I would put that (AG recommendation) in that category.” Shea continued, “Under close scrutiny, it would be a mistake.”

Deputy Inspector David Regina (Suffolk County PD) said that, “If you take an objective look at the number of traffic stops, and compare it to the number of times

force is used, it is actually very low.” Regina continued, “There have been tragic events, but to assail traffic enforcement is the wrong idea.”

“...there’s a lot of well-intentioned things that have been said, potential reforms. I would put that (AG recommendation) in that category... Under close scrutiny, it would be a mistake.”

NYPD Commissioner Dermot Shea

(Continued on page 17)

(Continued from page 16)

“If you take an objective look at the number of traffic stops, and compare it to the number of times force is used, it is actually very low... There have been tragic events, but to assail traffic enforcement is the wrong idea.”

***Deputy Inspector David Regina
Suffolk County PD***

Commissioner Shea noted that in the six months preceding July 2021, NYPD saw an increase in drive-by shootings and other violence related to vehicles and traffic. He noted that, often, the so-called routine traffic stop turns into something much greater. “I value any recommendation that comes in whether it’s from the Attorney General or others,” said Commissioner Shea. “We’ll listen to it, put it under the microscope. I think this one, though, in the long run, if it was to be enacted it would impact public safety in a negative way,” he added.

The AG concluded that there was insufficient evidence to establish that the NYPD sergeant committed a crime in connection with the death of the motorist, and “would not prosecute the matter. [Report on the Investigation into The Death of Allan Feliz; New York State Attorney General’s Office of Special Investigation; 9/25/2020; p. 2]

Listen to the complete [interview](#) with NYPD Commissioner Dermot Shea and Suffolk County Deputy Inspector David Regina (Suffolk Co. PD and NYSACOP Traffic Safety Committee member).



**Be sure to check the footnote on page 4 which states that the motorist was in possession of “cocaine and methamphetamine in felony-level quantities,” and “Because Mr. Feliz (motorist) was under federal parole supervision at the time of the incident, possession of these controlled substances would likely have violated the conditions of his release...and subjected him to a mandatory New York State prison sentence.” Report on the Investigation into The Death of Allan Feliz; New York State Attorney General’s Office of Special Investigation; 9/25/2020; p. 4*



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Programs, Photos, Retirements...**

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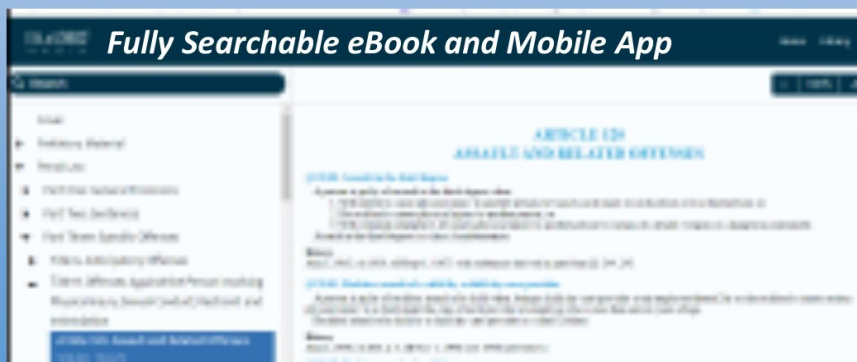
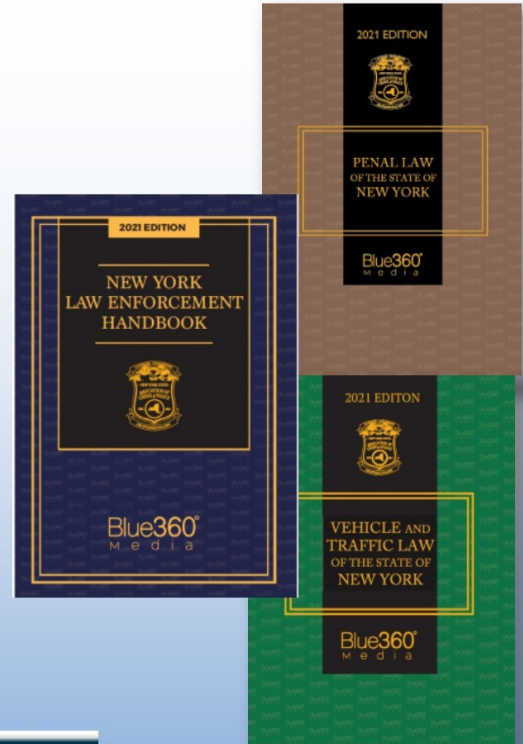


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Law Enforcement Handbook

Featuring the New York Law Enforcement Handbook containing the most frequently used sections of NYS laws with custom content by the New York State Assn. of Chiefs of Police:

- Bail Reform Guide
- Raise the Age Guide
- Federal Crimes
- HIPAA Guidelines
- Good Samaritan and Syringe Law Guides
- Ignition Interlock Device Guidance
- Traffic Resources: special initiatives, training, supporting depositions, VTL index, and more



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Last months' winner of a free New York State Law Enforcement Handbook was Chief John Thomas (Amsterdam PD) for correctly answering our monthly trivia question. Congratulations Chief Thomas—your free New York State Law Enforcement Handbook is on the way from Blue 360° Media!



Man Charged with Stealing Four Cars in One Month



Bail Reform's Catch-and-Release Frustrates Public Safety

by Chief/Ret. M. Spawn

Photo: Pond5

The first of one man's many alleged car thefts began on August 25 in the Town of Manlius in Onondaga County. After an investigation, Paul L. Ross, age 18, was arrested on September 13 for that crime and was released on an appearance ticket, according to a press release from Manlius police.

In the early morning hours of September 6, Manlius Police stopped a vehicle, again finding Ross to be the driver, and determined that the car he was driving had just been stolen from the Liverpool Fire Department in the Town of Salina. Ross was charged with unauthorized use of a motor vehicle and again released on an appearance ticket. He was also allegedly linked to several other crimes in the Town of Salina.

On September 18, Manlius Police received another report of a stolen vehicle from a victim in their jurisdiction. The next day, North Syracuse Police located the car which was again allegedly operated by Paul Ross who was arrested for a third time, and released on an appearance ticket.

On September 27, the New York State Police were tracking a stolen car from the Town of Sullivan in Madison County. When they stopped the car, they found Ross to be the driver. It was reported that police recovered several items of stolen property in the car, and also connected Ross to other stolen vehicles. Ross was again arrested, this time taken for arraignment on unauthorized use of a motor vehicle, criminal possession of stolen property, and grand larceny.

In all of Ross' prior arrests, he was released on appearance tickets as required under New York State bail reform legislation. Manlius Police Chief Michael Crowell said, "Bail reform has in essence removed the ability of local judiciary to limit serial offenders resulting many times in an increased rate of victimization."



COP TALES

ASST. CHIEF/RET. BRIAN SMITH,
CALIFORNIA HIGHWAY PATROL

Staying Alert Even When Off-Duty

It's nice to get some days off to spend with family and friends. On one such occasion, I was attending a friend's wedding at a large hotel in the afternoon. The reception room was very large and sliding glass doors led out to a patio which was approximately 25 feet above the hotel's pool area.

I was standing across the room while a lot of the guests were dancing after the dinner and festivities. I just happened to look across the room and down into the pool area when I saw a little girl sinking down into the pool. She kicked up enough to take a breath, then struggled as she sank down again. As I ran across to the doors, I saw she was losing the battle and not getting her head out of the water. Her mother and father were lying on the lounge chairs next to the pool with their eyes closed. As I approached the sliding glass doors, I thought they were open and I slammed into one of the closed doors. Many people at the reception laughed and pointed as they thought I had too much to drink. I yanked on the doors in a panic and ran out to the balcony.

I then leaned over the railing and yelled to the parents. I continuously yelled, "Hey, she is drowning." I had to yell several times before the parents finally looked up at me. I pointed to the girl and repeated, "She is drowning!" The father jumped up and dove in to save her. By that time, several of our wedding guests joined me on the patio to see what had occurred.

Even though I hadn't had anything to drink before running into the door, a nice cold beer did taste good after that incident.

The author served four years in the United States Marine Corps, and retired as an Assistant Chief with the California Highway Patrol. He resides in Bakersfield, CA. If you have a personal "Cop Tale" to share, please contact Brian at bmsmith778@gmail.com

Colonie Police Video Sets High Bar

Explosive - Riveting - A Must-See!

Many police departments have showcased their agencies with videos shared through social media. Lip-sync montages, community messages, recruitment themes, ranging from self-produced to professionally produced, videos have been used to help engage the community, demonstrate the human side of policing, and serve as a



recruitment tool. But the Colonie Police Department has raised the bar with their four and half minute production, a combination of expert writing, dynamic production, heartfelt testimonials, and even some self-deprecating humor. Chief Michael Woods (Colonie PD) told *Chiefly Speaking*, “We wanted a video to help with our recruitment efforts, so we took it to the next level and had a production company come in.” Woods added, “The video shows our normal, everyday side. It tells the story that we’re regular people, and that we’re looking for good people.”

The video begins with an overview of the Town of Colonie, its geography and population, and continues with a showcasing of the various specialized units of the department. Throughout the production, the video injects



humor, drama, and heartfelt emotion. When the video begins to seem, perhaps, a bit sugary sweet, a Colonie PD commander is shown on the phone with the producer saying, “Hey buddy, what are you doing with the footage?! *It needs more sizzle!*” The video promptly takes a dramatic and cinematic turn with high speed

(Continued on page 22)

(Continued from page 21)

driving, a dynamic building entry by the SWAT Team, and the explosive breaching of a door, to which the Commander returns to the screen, saying to the producer, “Whoa, easy there! *Too much sizzle!*”

A compelling testimonial by Colonie Police Officer J. Martinez (pictured, right) frames up the personal side of policing, and how life changing it can be. Martinez describes his struggles as a youth, including several youthful arrests that would be life



changing. “I made some bad decisions as a young man, and I had actually been arrested by the Colonie Police Department multiple times,” said Martinez. “Through that, I was forced to look at myself in the mirror and say, what kind of a man do I want to be?” he added. Martinez says that the justice system afforded him the opportunity to get his act together, and become a contributing member of society. He said, “I wanted to take control of my life, and serve the community on the opposite side of the law.”

Toward the end of the video production, Chief Michael Woods invites viewers to join the CPD team, saying, “These are our neighbors and friends. It’s about being something bigger than ourselves.”

Since the video was released through social media channels, Chief Woods said they have received overwhelming reaction from the public. “We received a lot of positive feedback, hundreds of people calling in and commenting.” Nationally, many police agencies have experienced difficulties in recruiting new personnel. But if the latest entrance examination is any indication, Chief Woods said the numbers at Colonie are about the same as in previous years. Check out the Colonie PD video [here](#).

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Recent and archived publications; NYSACOP Partners; membership directory; podcasts; training, and much more.



Welcome New Members

Dep. Chief Nelson Castilla
SUNY Stony Brook PD

Acting Chief Leigh Wenske
Saranac Lake PD

Chief Dominick Bueti
Briarcliff Manor PD

Chief Edward Baker
West Seneca PD

Capt. Damian Waters
Oswego PD

Chief Adam Eirand
Greenwood Lake PD

Asst. Chief Steven Barker
Troy PD

Chief Gina Cocchiara
Bethlehem PD

Lt. Michael Anfuso
Rye PD

Lt. Ryan St. Gelais
Menands PD

Asst. Chief Brian Whipple
Schenectady PD

Calendar of Events



NYS Domestic Violence Fatality Review Team (webinar recording): Recognizing Lethality Risk in Domestic Violence Cases and the Role of Law Enforcement” [View here](#)

Recognizing the Cannabis Impaired Motorist—various locations./dates [Link](#) [Questions](#)

Fundamental Crisis Intervention Skills for LE: Instructor Level Training - Erie, Monroe and Oneida Counties (various dates—see link) [Link](#) [Questions](#)

Suicide Prevention in County Jails and Police Lockups: Instructor Level Training - Erie, Monroe, Oneida and Suffolk Counties [Link](#) [Questions](#)

ICISF Assisting Individuals in Crisis—Chautauqua Co. (Oct. 5-6); Schoharie Co. (Oct. 7-8) [Link](#) [Questions](#)

Use of Force Updates/2 Day Refresher: St. Lawrence—Oct. 25-26; Erie—Oct. 27-28; NYC—Nov. 19-20 [Registration](#) [Questions](#)

DCJS Defensive Tactics Booster Training Series—Rockland: October 13-14; Jefferson: December 1-2; Niagara: December 13-14 [Link](#) [Questions](#)

MPTC Defensive Tactics Instructor Course - Nassau County – October 18-29, 2021 [Link](#) [Questions](#)

Breath Analysis Operator Student Course—Ontario - Oct. 26-28; Broome County - Nov. 16-18; Dutchess County—Dec. 8-10 [Register](#) [Questions](#)

Transformational Leadership by Chief/Ret. Greg Veitch—Schenectady, NY \$150 [Register](#) [Questions](#)

NYSACOP-NYSSA Leadership Summit, Ft. Wm. Henry—Nov. 3-4 [Info](#) [and Reg](#)

Property/Evidence Room Management Course
Rockland County **FULL** (Nov. 3-4); Monroe County **FULL** (Dec. 1-2); Oneida County (Feb. 1-2); Nassau Co. (Feb 24-25); Saratoga County (Mar. 1-2) Erie Co.(Mar. 22-23) [Announcement](#) [Registration](#) [Questions](#)

(Continued on page 24)

(Continued from page 23)

Reality Based Training Instructor Course—
Oswego Co.; Nov. 8-12 [Registration](#)
[Questions](#)



Commercial Vehicle Enforcement Training -
Oneida (Nov. 10-12) and Westchester (Mar. 9-
11, 2022) Counties [Information](#) [Register](#) [Questions](#)

ALERRT Active Attack Integrated Response Course Train-the-Trainer—
Albany Co., Dec. 6-10 [Registration Form](#)

Ethics and Professionalism Workshop Training—Erie (Dec. 21); Onondaga
– (Dec. 22); Warren – Jan. 21; Westchester – Feb. 21. [Announcement](#)
[Registration](#) [Questions](#)

Crash Management Course Training Series - various levels at [Oneida](#) and
[Dutchess](#) Counties (2021-2022) [Questions](#)

IPTM Pedestrian/Bicycle Crash Investigation Course :
Saratoga County – January 24 - 28, 2022
Westchester County – June 27 – July 1, 2022
[Ped/Bike Course Registration](#) [Motorcycle Course Registration](#)
[Announcement](#) [Questions](#)

Welcome New Members

Chief of Detectives Joanne Renaud
Onondaga Co. District Attys. Ofc.

Comm. Jose Gomez
Newburgh PD

Police Investigative Mgr.
Jeffrey Schaffler
Port Authority NY NJ

Chief Donald Hepkins
Brant PD

Dep. Chief Paul Arteta
Montgomery PD

Chief Paul Burlingame
SUNY Albany PD

John Garbedian (Ret.)
Great Neck Estates PD

Daniel Gallagher (Ret.)
NYPD



Facebook Post of the Month

LEROY POLICE
Reposted from a mother whose
son, Carmelo, wants to be a
police officer some day, treated
to a tour of a police car:

...a big shout out goes to... the
entire Village of Le Roy Police
Department for all that you do
for our community! You guys
rock! (9/21/2021).



Contact Us

Share your stories, photographs,
comments and questions:

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Crawford Police Department

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Chief Michael D. Woods
Colonie Police Department

Zone 7
Chief Michael J. Crowell
Manlius Police Department

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Endicott Police Department

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Chief Samuel Farina
Fairport Police Department

Zone 10
Chief Joseph Wehrfritz
Orchard Park Police Department

Retired Member Rep.
Chief (Ret.) Joseph DelBianco/Mamaroneck

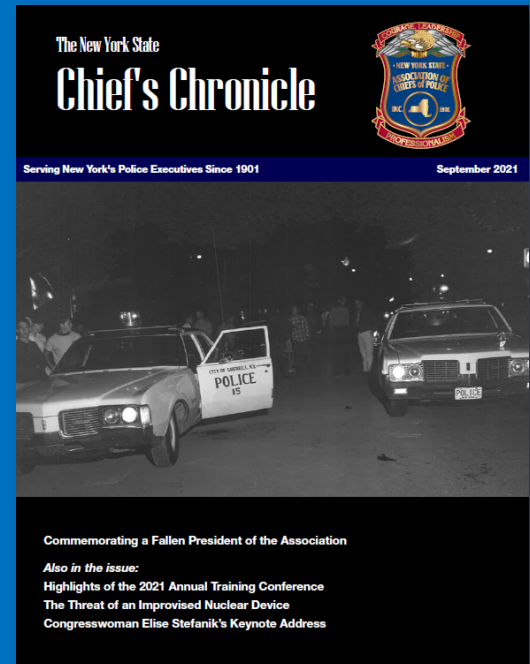
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Check out the
September edition
of our magazine,
*The Chief's
Chronicle.*

Click on
Publications
at nychiefs.org



NEW MEMBER INCENTIVE: NO DUES FOR BALANCE OF 2021

Join your colleagues throughout New York State now! The New York State Association of Chiefs of Police is offering a one-time incentive for free membership to New Active Members for the balance of 2021.

A new member will then be billed for their annual membership at the beginning of 2022 in the amount of \$175.

Join Questions

