**Suffolk County**

# Police Reform & Reinvention

## Task Force Draft Report

*In accordance with New York State Executive Order 203*

*March 11, 2021*

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## From the County Executive

*"Suffolk County has developed an historic policing plan that serves as a model for how to produce real reform, enhance transparency and accountability, and foster community trust. This was a truly collaborative process that spanned many months, listening to leaders and hearing directly from residents across the County who wanted to engage and share their ideas on ways to strengthen the sacred relationship between diverse communities and those who are sworn to protect. This plan is a reflection of the input that was received - a blueprint for lasting change - and will serve as a roadmap to build upon the progress we have already made. I thank the members of the Police Reform Task Force for their invaluable contributions that will surely make a difference in the lives of all of our residents."*

*COUNTY EXECUTIVE STEVE BELLONE*

# Members of the Task Force

## Co-Facilitators

**Vanessa Baird-Streeter**, Deputy County Executive of Community Recovery, Suffolk County
**Jon Kaiman**, Deputy County Executive of Intergovernmental Relations, Suffolk County

## Members

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# Task Force Staff

The Office of the Suffolk County Executive and the Suffolk County Police Department provided administrative services, facilities, staff, equipment, research, coordination and other support services as necessary for the task force to carry out its mission:

### Co-Manager
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# Acknowledgements

100 Black Men of American, Long Island Chapter
African American Advisory Board, Suffolk County
Amistad Long Island Black Bar Association
Association of Black Women Attorneys
Axis Church
Breaking Barriers
Brentwood Public Library
Brighter Tomorrows
Brookhaven NAACP
Central Long Island NAACP
Concerned Taxpayers of Wheatley Heights
Eastern Long Island NAACP
Economic Opportunity of Suffolk County
ERASE Racism
First Baptist Church of Riverhead
Gordon Heights Civic
Hispanic American Advisory Board, Suffolk County
Housing Help, Inc.
Huntington NAACP
Islip NAACP
LGBT Bar Association
Links Eastern Shore Chapter Inc.
Long Island Advocates for Police Accountability (LIAFPA)
Long Island African American Chamber of Commerce
Long Island Area Council of Unitarian Universalist Congregations
Long Island Black Alliance
Long Island Progressive Coalition
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STRONG Youth Inc.
Suffolk Community College Multicultural Affairs
Suffolk County Human Rights Commission
Suffolk County Legal Aid Society
Suffolk County Superintendents Association
Suffolk County Women's Bar Association
The Corridor Counts
Touro Law School Public Advocacy Center
United for Justice in Policing Long Island
Women's Diversity Network
Young Hip Professionals

# Directives of Executive Order 203

## New York State Police Reform and Reinvention Collaborative

*The director of the Division of the Budget, in consultation with the Division of Criminal Justice Services, shall promulgate guidance to be sent to all local governments directing that:*

Each local government entity which has a police agency operating with police officers as defined under 1.20 of the criminal procedure law must perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices, and 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.

Each chief executive of such local government shall convene the head of the local police agency, and stakeholders in the community to develop such plan, which shall consider evidence-based policing strategies, including but not limited to, use of force policies, procedural justice; any studies addressing systemic racial bias or racial justice in policing; implicit bias awareness training; de-escalation training and practices; law enforcement assisted diversion programs; restorative justice practices; community-based outreach and conflict resolution; problem-oriented policing; hot spot policing; focused deterrence; crime prevention through environmental design; violence prevention and reduction interventions; model policies and guidelines promulgated by the New York State Municipal Police Training Council; and standards promulgated by the New York State Law Enforcement Accreditation Program.

The political subdivision, in coordination with its police agency, must consult with stakeholders, including but not limited to membership and leadership of the local police force; members of the community, with emphasis in areas with high numbers of police and community interactions; interested non-profit and faith-based community groups; the local office of the district attorney; the local public defender; and local elected officials, and create a plan to adopt and implement the recommendations resulting from its review and consultation, including any modifications, modernizations, and innovations to its policing deployments, strategies, policies, procedures, and practices, tailored to the specific needs of the community and general promotion of improved police agency and community relationships based on trust, fairness, accountability, and transparency, and which seek to reduce any racial disparities in policing.

Such plan shall be offered for public comment to all citizens in the locality, and after consideration of such comments, shall be presented to the local legislative body in such political subdivision, which shall ratify or adopt such plan by local law or resolution, as appropriate, no later than April 1, 2021; and

Such local government shall transmit a certification to the Director of the Division of the Budget to affirm that such process has been complied with and such local law or resolution has been adopted; and

The Director of the Division of the Budget shall be authorized to condition receipt of future appropriated state or federal funds upon filing of such certification for which such local government would otherwise be eligible; and

The Director is authorized to seek the support and assistance of any state agency in order to effectuate these purposes.

# Historical Context for Reform

In response to the horrific killing of Minnesotan George Floyd on May 25, 2020, and the outcry that followed, Governor Andrew Cuomo issued Executive Order 203 on June 12, 2020. The order required all government jurisdictions with a police agency to perform a comprehensive review of police policies and procedures culminating in a reform plan to be ratified or adopted by the local legislative body by April 1, 2021.

In the NYS guidance that followed Executive Order 203, the United States Department of Justice was quoted emphasizing the need for "trust between citizens and their peace officers so that all components of a community are treating one another fairly and justly and are invested in maintaining public safety in an atmosphere of mutual respect." The guide goes on to say that "Government must ensure residents' sense of personal security in order for communities to thrive and prosper. Police-community relationships must facilitate, rather than impede law enforcement's success in protecting the public against violence and other criminal behavior."

Our nation's history in regard to race, bias, and violence has fallen far short of our founding ideals. While the legacy of structural racism remains a reality in American life, we are poised to make further inroads towards creating a more fair, just and safe nation. In Suffolk County, this means putting a focus on our own institutions in order to be accountable for our failures, aware of our limitations, and effective at achieving a higher level of social justice on behalf of all Suffolk County residents.

Suffolk County has faced issues of bias in the past resulting in Consent Decrees between the county and the United States Department of Justice in 1986 and 2013. In the former case, the federal government challenged the manner in which candidates were hired specifically focusing on the police test that was determined to be unfair and biased. The Suffolk County test and other police exams throughout the country were amended to address the findings of bias. While the immediate effect of the 1986 Consent Decree was the hiring of additional minority officers, in the 25 years since, efforts to diversify the Suffolk County Police Department have achieved mixed results in the hiring of minorities and women. More needs to be done.

The 2013 Settlement Agreement followed a case involving Marcelo Lucero who was murdered in 2008 which was in and of itself a hate crime, but also revealed discriminatory police practices during the course of the investigation. The related Settlement Agreement with the Department of Justice, "calls for SCPD to implement new and enhanced policies and procedures to ensure nondiscrimination in the provision of police services to Latino communities in Suffolk County."

There are many in Suffolk County who have worked diligently to erase bias and racism in our communities and in our institutions. Significant progress has been made, but clearly, more can and must be done.

It is in this context that County Executive Steve Bellone announced the formation of the Suffolk County Police Reform & Reinvention Task Force on September 10, 2020.

The Task Force represents a partnership with a diverse group of community stakeholders who came together to assist the County in the development of a draft plan for police reform and reinvention.

Developed over the course of seven months, through a process defined by transparency and a commitment to excellence, the County aims to produce a plan that not only fulfills the requirements of the Governor's Executive Order, but effectively advances the ongoing quest for equal justice for all.

# About the Suffolk County Police Department

The Suffolk County Police Department (the Department) was founded January 1, 1960 pursuant to referendum that resulted in the merging of the individual police Departments of the townships of Huntington, Babylon, Smithtown, Islip and Brookhaven into one county based Department. At the time, the Department responded to less than 75,000 calls for service with 619 officers.

With over 2,300 sworn members, today the Department is the 11th largest in the nation, with a jurisdiction covering the five western Townships of Suffolk County. The Department also provides specialized services to the five east end townships that are outside the Suffolk County Police District. The Department is divided into seven precincts with specialized commands: Homicide, Arson, Hate Crimes, Emergency Services, Marine Bureau and Canine.

Commissioner Geraldine Hart, a 2018 civilian appointee of County Executive Steve Bellone, leads the Department as the first female commissioner in Department history. Commissioner Hart previously served as head of the Long Island Division of the Federal Bureau of Investigation (FBI) when she was selected by County Executive Bellone to take the helm at the Department.

The Commissioner is supported by two deputy commissioners: Deputy Commissioner James Skopek and Deputy Commissioner Risco Mention-Lewis, the first African American female Deputy Commissioner in the Department's history. The Commissioner's Office is also supported by Chief of Department Stuart Cameron, who oversees the day to day operations of the Department as the most senior uniformed officer in the Department.

The Department is one of the nearly 30 percent of law enforcement agencies in New York State that has achieved accreditation within the New York State Law Enforcement Accreditation Program (NYSLEAP). Continued accreditation requires that the Department undergo a compliance evaluation every five years. The Department was most recently awarded accreditation status in 2020. Accreditation acknowledges the implementation of policies that are conceptually sound and operationally effective. The New York State program, which is voluntary, became operational in 1989 and encompasses four principal goals:

While community needs have changed during the past 60 years, the mission of the Department has always been the same—to protect and serve all individuals, while enforcing the law with impartiality, respect and compassion. Commissioner Hart has worked diligently to implement measured policies and procedures which serve to uphold the Department's mission. Her mandates to implement 21st century policing practices have been prioritized throughout her tenure:

**BUILDING TRUST AND LEGITIMACY:** Police Commissioner Community Forums are held quarterly at various locations throughout the police district; regular meetings with community leaders/advocates to exchange thoughts and ideas on how better to serve the community; strengthened lines of communication between Department Command Staff and community leaders. Our communities are integral in our recruiting efforts, training delivery and development. In addition, the Department has

contracted with an independent third party entity to conduct a community survey to better gauge community perspectives, identify areas for improvement and develop solutions together with our communities.

**POLICY AND OVERSIGHT:** The Department has made significant structural and policy changes to the Internal Affairs Bureau with an eye toward greater efficiency and complainant notification and satisfaction. Improvements include: increased investigator staffing, more frequent communication with complainants and faster case-completion times. We have increased our collection of demographic data on police interactions, compiled and completed annual reports on Internal Affairs and Hate Crimes, and established policies to increase language access for those who need police assistance. In 2019, we completed an overhaul of our promotion and transfer process to ensure a more equitable selection process.

**TECHNOLOGY AND SOCIAL MEDIA:** In 2020, the Department's Real Time Crime Center became part of the New York State Division of Criminal Justice's (DCJS) Crime Analysis Center (CAC) Network. As a member, the network provides the Department access to intelligence information, data-sharing and cutting edge technology. The Center provides a direct line of communication between agencies to promote the timely exchange of information from various sources; this includes law enforcement, public safety and the private sector. The Department develops, utilizes and shares hate crime data using mapping technology that enables it to identify patterns and surge resources accordingly.

**COMMUNITY POLICING AND CRIME REDUCTION:** The Department values community policing and has taken steps to implement it throughout the Agency. There is a strong Community Relations Bureau (CRB), which hosts different community events including: National Night Out, Cooking with a Cop, Coffee with a Cop, Shopping with a Cop, Backpack Give-aways, and Food & Supply Drives. In addition to the many community activities, officers have visited children in hospitals, sworn in children battling cancer as "Honorary Police Officers," donated beds/mattresses to fire victims, and donated $150,000 in grant money to the Wyandanch School District in an effort to keep the high school's sports programs active while the district faced budget issues.

Crucially, violent crime in Suffolk County continues to remain at historic lows with a 6 percent drop in violent crime in 2020. From 2015 to 2020, violent crime has dropped more than 32% with property crime reductions of more than 23%. This drop in crime has been accompanied by a significant drop in Suffolk's inmate population.

# The Police Reform & Reinvention Process

## Forming a Task Force and Public Website, Conducting Public Listening Sessions, Engaging Stakeholders Directly

On June 12, 2020 Governor Cuomo issued Executive Order No. 203 directing each "local government entity" that provides police services "to 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."

The Order goes on to direct that the "chief executive of such local government shall convene the head of the local police agency, and stakeholders in the community to develop such plan." The chief executive, or in Suffolk County's case, the County Executive, in the formulation of the plan with guidance from the police commissioner and convened stakeholders "shall consider evidence-based policing strategies, including but not limited to, use of force policies; procedural justice; any studies addressing systemic racial bias or racial justice in policing; implicit bias awareness training; de-escalation training and practices; law enforcement assisted diversion programs; restorative justice practices; community-based outreach and conflict resolution; problem-oriented policing; hot spot policing; focused deterrence; crime prevention through environmental design; violence prevention and reduction interventions; model policies and guidelines promulgated by the New York State Municipal Police Training Council; and standards promulgated by the New York State Law Enforcement Accreditation Program."

It should be noted that since 2016, the Department has been reviewing, revamping and implementing reforms to police policy and process under former Police Commissioner Tim Sini and current Commissioner Geri Hart. Pursuant to the Governor's guidance, however, a full review of police policies, practices and procedures began anew upon the announcement of the Governor's initiative.

**In August and September of 2020, County Executive Bellone assembled 37 community, legislative, governmental and law enforcement representatives to serve on the county's Police Reform and Reinvention Task Force.**

County Executive Bellone assigned Deputy County Executives Vanessa Baird-Streeter and Jon Kaiman to lead the task force effort facilitating an extensive process necessary to meet the ambitious goals of reform. Both Baird-Streeter and Kaiman have a long history and deep understanding of public service, community recovery, and public engagement.

Having a keen appreciation of the extensive inner-workings of the Department and its policies, procedures, and the collective bargaining processes, both deputies were also tasked with setting the tone for the County's reform process.

In addition, Commissioner Hart and her leadership team embarked on their extensive internal review of police practices as set forth in the Governor's Executive Order and then engaged fully with the task force facilitators and, ultimately, task force members to shed light on all aspects of Suffolk County policing allowing for full and open dialogue throughout the entire process.

With deep relationships in Suffolk's many impacted communities and extensive knowledge of the Department's existing reform efforts, the Task Force began its work on September 21, 2020.

## Forming a Task Force and Public Website

The mission of the Task Force is to collaboratively examine the current policies and procedures of the Department to develop a comprehensive policing plan for Suffolk County that supports safe, effective, and equitable policing. Membership of the Task Force is based on the requirements as set forth in Executive Order 203.

### Task Force Meeting Format and Process Framework

In the introductory meeting of Task Force members on September 21, 2020, all members were introduced to not only their colleagues but also to the initial public input plan and process framework as conceived by the facilitators.

With the understanding that Task Force members brought not only their own voice but also the voices of hundreds in their respective communities and jurisdictions to the table, Task Force members determined what areas of policing they wanted to prioritize. In the second meeting of the Task Force (October 9, 2020) consensus was formed to move forward by examining the following areas of policing:

1. Community Policing
2. Training & Continuing Education
3. Staffing
4. Traffic Stops
5. Arrests & Warrants
6. Mental Health Response
7. Police Accountability & Body Cameras

Over the span of six months, through ten General Task Force meetings and fourteen subcommittee meetings, the following topics were covered: Recruitment, Police Officer Accountability, Traffic Stops, Use of Force, Mental Health Response, Community Policing, Arrests and Warrants and Departmental Oversight.

### Public-Facing Website

Once the Task Force commenced its meetings, the County launched a public-facing website, creating a navigable central hub necessary to ensure that the Suffolk County community would have access to Task Force presentations, registration for and archived videos of Public Listening Sessions, names and biographies of Task Force members, as well as available resources pertaining to police reform and reinvention in Suffolk County.

In addition to Executive Order 203 and the New York State Guidance Document, website resources included a slate of Department policies and procedures already housed online, but difficult for the public to locate. This landing page went live at the beginning of October, well in advance of the first Public Listening Session. The public was encouraged to review the website to become familiar with opportunities for input in the process, resulting in more than 30,000 unique interactions.

## Conducting Public Listening Sessions

A series of Public Listening Sessions were simultaneously initiated, inviting public comment from community members and advocates. Task Force members and internal staff listened to the public's suggestions, recommendations, and personal experiences approximately once a week beginning on October 27 and concluding on December 21, 2020 for a total of eight Listening Sessions.

In total, 1,218 community members registered to attend and listen with 296 community members offering verbal input to be considered as the County engaged in creating a plan to address police reform and reinvention. As referenced above, videos of the public listening sessions were posted on the Task Force's website to ensure that those who didn't have the opportunity to speak or attend had the opportunity to review.

### Public Listening Session Format

With the consensus of the Task Force, Co-Facilitators chose to use a virtual Zoom format to allow for the most participation possible, while taking into consideration COVID-19 gathering guidelines. Each Public Listening Session commenced with the Co-Facilitator's welcome, discussion of housekeeping guidelines, language access availability, and the speakers' format for the public portion of the meeting.

Deputy County Executive Vanessa Baird-Streeter served as the facilitator for Public Listening Sessions, providing updates of Task Force discussions and ongoing SCPD presentations; highlighting the creation of the Task Force website to keep the public apprised and informed, and, introduced Task Force members as well as SCPD command staff.

Each Public Listening Session had, at minimum, ten Task Force members in addition to County staff to receive the public input. Each public speaker was allotted three minutes, and for the purpose of privacy and anonymity, were given the opportunity to identify on Zoom by their assigned speaker number rather than name.

The listening sessions were organized by the geographic boundaries of Suffolk County's seven precincts, with the eighth listening session covering the East End of Long Island.[1] Devising the listening sessions by precinct allowed for commonalities to emerge as they pertained to community-specific policing interactions, and provided the Task Force members the opportunity to identify themes community-by-community.

The common themes highlighted during the Public Listening Sessions served as a basis for conversation and discussion as Task Force members engaged in the reimagining of policing.

## Engaging Stakeholders Directly

A stakeholder engagement process was created by the Co-Facilitators. Many Suffolk County organizations, actively engaged in affecting police reform, were critical partners in the collaborative process. Partners included: faith institutions, community-based organizations, advocates, elected officials, educators, and police fraternal organizations. For those organizations desiring to meet with the Task Force or its staff, the Co-Facilitators chose to use a virtual Zoom format, again taking into consideration the gathering guidelines for COVID-19.

Topics discussed or presented in these stakeholder meetings encouraged open dialogue and discussion in addition to supporting the Task Force's foundational goal of creating community-centered solutions. Insight and recommendations were robust in this sector of the approach to reforming and reinventing policing in Suffolk County and substantially informed the plan to address each priority area.

[1] The Department provides specialized services on the East End as noted earlier in this report.

# Statement from Task Force members:

*"The draft police reform and reinvention plan is a working document meant to meet the requirements set forth in Executive Order 203, but also serve as an action plan for the Suffolk County Police Department upon its adoption. The task force is composed of a diverse array of community advocates, representatives and government leaders including law enforcement management and labor representation. Each task force member retains their individual opinions relating to the scope of this document and recommendations therein, while agreeing that this plan is an accurate reflection of the combined input and consensus of the task force membership. Accordingly, the Suffolk County Reform and Reinvention Task Force presents this document to County Executive Steve Bellone for submission to the County Legislature on March 11, 2021."*

# 1. Community Policing

*This plan seeks to improve community engagement by applying the principles of the Procedural Justice Model. The Task Force proposes a series of targeted reforms to the Department's Digital Engagement and Communications Strategy, to the County's Language Access Plan, and to replicate the model of the Community Relations Bureau throughout the Department. This reinvention plan will include the following components:*

1. *Establishment of Precinct Level Advisory Councils*
2. *Implementation of a Park Walk and Talk Community Engagement Program*
3. *Patrol Officer to Attend Monthly Community Meetings*
4. *Creation of Specialized Community Engagement Units*
5. *New Precinct Officer Introduction Events*
6. *Creation of a Suffolk County Youth Council*
7. *Barber, Beauty & Books Reading Initiative Program Partnership*
8. *Expanding Opportunities for Community-Police Engagement*
9. *Overhaul of Digital Engagement Plan*
10. *Improved Language Access Plan*

## Community Concern: Need for greater investment in community engagement programs

"Procedural Justice and Police Legitimacy" is a model of policing at the core of effective 21st Century Policing, foundational to the success of any police department. **Procedural Justice** focuses on the manner in which law enforcement interacts with the public, and how these interactions shape the public's trust of the police. When police engage communities in a procedurally just manner, community members see police as legitimate public safety professionals.

During Task Force discussions and Public Listening Sessions, the community expressed concern regarding the lack of relationship between certain units of the Police Department and the public. This broad concern stood in contrast to feedback regarding CLO and COPE officers. Community members indicated CLO and COPE officers have established working relationships with community members and organizations throughout each precinct.

The consensus among Task Force members is that the community policing model, inherent to CRB, should be replicated throughout the entire Department by institutionalizing engagement and collaboration with communities to facilitate problem-solving and crime reduction.

During public listening sessions, community members expressed concerns regarding access for those with limited english proficiency to all programs and services in a language they understand, and with the urgency required during moments of crisis such as domestic violence incidents, medical emergencies, crime, and disaster.

## Review of the Community Relations Bureau

The Community Relations Bureau was created to foster trust and open avenues of communication between the Department and Suffolk's communities with the primary mission being to facilitate and sustain community building, improve ongoing communication, and address community policing concerns.

The Department has developed a robust approach to community engagement, creating new positions in headquarters and in each precinct to encourage and coordinate meaningful interaction and communication between the Department and the community. The Department holds regular meetings at the precinct level and countywide. SCPD's *Community Liaison Officers* (CLO), *Community Oriented Policing Enforcement* (COPE) officers, and the command staff of the *Community Response Bureau* (CRB) continue to devote substantial time and energy toward community engagement.

With the mission of establishing channels to gather community input and foster positive law enforcement interactions, **the Bureau enacted the following community programs currently overseen by Deputy Police Commissioner Mention-Lewis:**

- *Community Liaison Officer / Community Oriented Policing Enforcement Programs*
  CLO and COPE Officers are assigned to each of the seven precincts, serving as a bridge between the Department and the communities within the precincts. They are tasked with being community problem solvers. They work with an array of individual community members, advocacy groups, business owners, school officials, and other governmental agencies to help identify important issues and create solutions in collaboration with the communities they serve. CLOs are assigned to CRB which is overseen by the Deputy Police Commissioner and are detailed out to each of the seven precincts; while two COPE Officers are assigned to each precinct and overseen by the Precinct Inspectors. Both regularly participate in monthly Precinct meetings and a variety of community sponsored meetings throughout the police district. When CLO and COPE Officers are not participating in these organized events; they visit with community leaders, individuals and local organizations in order to increase crime awareness, crime prevention, and personal safety.

They also coordinate with our Recruitment, Police Athletic League and School Resource Officers to assist them in providing training, outreach activities and presentations that are tailored to their communities. The mission of CLOs and COPE officers is to work as collaborative community problem solvers addressing issues from crime and blight to COVID induced food insecurities, with focused attention given to communities of color and Limited English Proficient (LEP) individuals.

- *Clergy Council*
  The purpose of the Clergy Council is to help "bridge the gap" between the police and the community. Clergy hold an important leadership position within communities and the police partner with them to ensure community voices are heard. Clergy Council also serves the important role of providing valuable community insight on issues and concerns within their communities. These meetings provide valuable problem solving opportunities where SCPD and Clergy work together to resolve community issues.

- *Suffolk County Police Athletic League (PAL)*
  The Police Athletic League (PAL) is a recreation oriented organization that utilizes sports, various recreational activities and the arts in order to tighten the bond between police officers and youth in the community. The goal of PAL is to engage our youth in hopes of decreasing the lure of gangs, drugs, and other harmful behaviors. The Department works with parents and community volunteers to provide the various activities, and enables more than 20,000 children to engage in a variety of sporting events and activities, and PAL is proud to host the largest youth football program in the State of New York. In addition to team sports programs, PAL programs include cooking classes, karate classes, Swim for Survival, fishing trips, and the presentation "Crash Course in Crash Avoidance". The Department is continuously looking for community members to serve as volunteers in an effort to provide more service to the youth of our communities.

- *Suffolk County Police Explorers Program*
  In concert with community partner the Boy Scouts of America, the Explorers Program is a goal-oriented volunteer public program for individuals between the ages of 14 to 20, who are interested in pursuing law enforcement as a possible career path. Each of the seven SCPD Precincts maintains an Explorer Post where participants are taught criminal law, police procedures and tactics. They also engage in community outreach events and many other law enforcement activities. Police Officer Advisors help guide Explorers by teaching them valuable life skills and giving them insight into the daily life of a Police

Officer. The Department has sixteen Police Officers and six civilian volunteers who oversee more than 200 participants.

- *Suffolk County Police Youth Academy*
  Suffolk Youth Academy is a summer community outreach program which provides high school students the opportunity to experience training similar to actual police recruits and learn about various roles and responsibilities of an officer.

- *School Resource Officers*
  The Department provides qualified School Resource Officers (SROs) as available to school districts that request these services. The Department has worked with school districts and school boards to create Memorandums of Understandings which clearly delineate the role, expectations and responsibilities of SROs. SROs work to provide information, mentor youth and seek to be assets for youth. An important function is to conduct programs to bring critical information regarding trending issues which endanger youth development and their safety. *Please see Arrests & Warrants for further information and analysis.*

- *Department Internship Program*
  The Department has established the student internship program to assist students in furthering their education and experience in the field of criminal justice. The Department offers this unique opportunity for students to observe the functions and operations of the agency. The hope is that these students will enhance their appreciation of policing and will look forward to applying to the Department to serve as officers.

- *Suffolk County Police Civilian Academy*
  The Civilian Police Academy invites Suffolk County residents to receive specialized training given at their Police Academy for the purpose of bringing the Police Department and the community closer together. It opens up the lines of communication and builds trust between the police and the community. The Civilian Academy dispels misconceptions as to how the Police Department operates and lets the public have a better understanding of what their police can and cannot do. Conversely, it allows officers to learn from these civilians

- *Suffolk County Auxiliary Police*
  The Auxiliary Police program is made up of approximately 200 dedicated community members who undergo extensive training from the Department. These Auxiliary officers

are always prepared to lend a helping hand to assist the Department and the community.

## Task Force Reinvention Plan

A central goal of police reform and reinvention is to build positive and effective community relations. Therefore, procedural justice and police legitimacy must be at the foundation of all activities and operations within the Department. The Department recognizes that community relations must be woven into the entire fabric of its operations.

### 1) Police Department to Create Precinct Level Advisory Councils

*The Department will establish Precinct Level Advisory Boards to build upon the CRB's framework.* The CRB promotes procedural justice and police legitimacy and believes that it is crucial to interface with community leaders on a consistent basis. To that end, establishing Precinct Level Advisory Boards will assist in the following areas:

- Addressing community concerns
- Fostering new relationships with community leaders
- Expanding the community engagement reach of each precinct
- Creating community liaisons to field questions and concerns, and provide clear lines of communication between the Department and the community it serves.
- Implementing collaborative police/community solutions

Criteria for Precinct-Level Advisory Council will be developed for who should be considered as part of each Council, with a maximum of 12 members for each.

### 2) Park, Walk & Talks

*The Department will implement a Park Walk and Talk (PWT) policy to encourage police officers to interact with residents to improve community-police relations.* This type of directed patrol is intended to support the Department's community policing strategy.

- Officers will be required to log in their digital memo book that they are doing a PWT for one hour every week. This implementation will allow officers some flexibility, as they can choose the best time to put in the hour.
- Officers will be encouraged to diversify their choice in what neighborhoods they engage with. Specifically, they should consider areas where there may be community concerns, or recent issues. While one hour a week may not seem like a considerable amount of time, with more than 1,421 patrol officers, it adds up to significant positive interaction with community members.

### 3) Patrol Officers to Attend Monthly Community Meetings

*The Department will have patrol officers attend the precinct's monthly community meeting, as they should be very familiar with the communities they serve*. Therefore, this will provide an opportunity for community members to become familiar with the officers who are tasked with providing public safety for their neighborhoods. For officers who patrol on the overnight tour, specially-coordinated evening meetings will be scheduled with community leaders.

### 4) Creation of Specialized Community Engagement Units

*The Department will launch a pilot program that gives specialized units opportunities to engage in organized, community-sponsored events, as the nature of their work rarely allows such opportunities to arise*. This pilot will be launched within the 1st, 2nd, and 3rd precincts to make programs such as the following available:

- Cooking with Cops
- Sporting events
- Youth & Police Critical Conversations
- Vamos Hablar (Conversations with Latino Communities)
- Community Clean-ups & Beautification

### 5) New Precinct Officer Introductions

*CLO and COPE officers will introduce new officers to faith leaders, educational leaders, and civic organizations within their first month of their assignment to the precinct.* This will be to ensure that new officers are familiar with leaders in their community, aware of available resources, and are welcomed by community members.

### 6) Creation of Suffolk County Youth Council

*The Department will regularly meet with the Suffolk County Youth Bureau's new Youth Council to council members to solicit their insight, recommendations, and concerns regarding policing policy and procedures.* Made up of 30 young people between the ages of 14-21, this council is diverse, youth-run and adult-supported. Its members work to identify and prioritize issues of importance to Suffolk County youth such as education, career pathways, civic engagement, juvenile and environmental justice, youth violence, cyberbullying and much more.

## 7) Department to Partner with Barber, Beauty & Books-Reading Initiative

*In partnership with Smart Start Suffolk, officers will participate in special events where the youth of our communities will have the opportunity to read a book or poem of their choice to the officer, barber or stylist.* When the youth has successfully completed the task they will receive a gift card to a neighborhood store to purchase something of their choice.

## 8) Expanding Additional Opportunities for Community-Police Engagement

*An expanded suite of programs will be rolled out to invite community members into to build personal, constructive relationships with police officers.*

- **Bigs in Blue:** A mentoring program designed by Big Brothers and Big Sisters organization designed to connect Suffolk youths with Departmental officers to help nurture positive relationships and build trust between law enforcement and the families they serve.
- **Youth and Police Initiative (YPI):** A program designed to bring County youth together with police officers to strengthen and develop relationships while engaging in honest discussions necessary to resolve daily conflicts with authorities while teaching police officers to step out of their authoritative roles and engaging in genuine conversations.
- **Patrol Engagement ("PE"):** A Department engagement effort to facilitate police/youth interaction through athletic activities. This program will place athletic equipment such as basketballs, soccer balls, baseballs, frisbees, etc. in police vehicles to get patrol officers an opportunity to engage with local youth in a casual and entertaining manner.
- **Clippers N' Cops:** Community building initiative geared at encouraging conversations with officers in community barber shops in an effort to establish genuine community partners and introduce community members to their patrol officers.

## 9) Overhaul of Digital Engagement Plan

*The Department will redesign its website using the Community Relations Bureau's as a model*. SCPD currently uses the following communication tools with the desire to ensure community members are well informed:

- The *Public Information Office*, which issues press releases
- The *Commissioner's Community Forums*
- Collaboration with *Community Based Organizations* and other partners

- Monthly *Precinct Community Meetings*
- *Social Media Engagement,* where the Department leverages its social media accounts to advertise events and programs in an effort to provide the most up to date information possible. It utilizes the platforms of Instagram, NextDoor, Facebook (with pages in Spanish and English), and Twitter (with distinct accounts for all seven precincts in addition to police headquarters).
- The Department will redesign the SCPD Website. The dedicated webpage will be modeled after the Community Relations Bureau's recently-updated website. Overhauled in the beginning of 2021, the CRB's redesign was to modernize its web-based public communication with visual appeal, navigability, and ease of access to information and resources. The Department's communications structure focuses on the idea that localized and frequent communication between communities and the police who serve them builds essential trust between the two. The hope is that this trust permeates the community's awareness through the Department's outreach initiatives, subsequently inspiring and empowering community members, and in modern times, a navigable and appealing website is essential to fulfilling this hope.

## 10) Language Access Plan Improvements

### Overview of Current LAP

The Department began formulating its Language Access Plan in 2012 pursuant to the enactment of Suffolk County Executive Bellone's Order 10-2012. That plan, the "LAP", was issued in early 2013, maintained by the Department as an informational document, and posted on the SCPD webpage. When the Department entered into a Settlement Agreement with the United States Department of Justice (USDOJ) numerous changes and amendments were incorporated into the LAP. An enhanced version was issued shortly after the Agreement was signed, and was then issued as Policy 333.

The original LAP only addressed the language services that were available to the public, while a separate Rule and Procedure outlined the protocols for officers to follow while rendering those services. With the assistance of subject matter experts that were provided by the USDOJ, the Department fine-tuned those protocols and combined the two procedures into Policy 333, the original version of the LAP which is in effect today.

The LAP addresses ensuring community access and service as its primary objective. It provides a roadmap to members of the Department on how to serve the limited English-proficient (LEP) community. It also acts as a reference, describing what services are available to LEP individuals.

It has caused, and continues to inspire, a seismic shift in the way in which police officers interact with non-English speaking members of the community.

The Department has implemented all changes to the LAP and is in the process of evaluating the impact of the quarterly reporting procedure on compliance with interpretation protocols. Preliminary results indicate an improvement in the number of LEP callers receiving language assistance.

LAP updates are also incorporated into the Language Access training program (VIPER) which reaches every member of the Department. In addition to electronic notifications, every member of the service must attend a full day training session which covers the LAP. By the end of 2021 more than 90% of the membership will have attended this course twice.

The LAP addresses community concern as its primary objective. It provides a roadmap to members of the Department on how to serve the limited English-proficient (LEP) community.

**In its present form, the LAP:**

- Informs the public of all language assistance services available to them
- Explains how LEP populations are identified and served
- Details the responsibilities of each level of command in providing language assistance services to the public
- Gives precise instruction to line officers regarding when and how to provide language assistance services
- Establishes robust audit and compliance protocols
- Outlines language training curricula and the process of language skills certification

## Language Access Utilization

**SCPD Language Access, Year Comparison**

| Interpreter Type by Year | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 |
|---|---|---|---|---|---|---|---|
| Language Line Services | 5,294 | 7,079 | 9,697 | 8,974 | 9,887 | 10,155 | 11,285 |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Department Authorized | 0 | 0 | 32 | 43 | 227 | 1,007 | 1,931 |
| Bilingual Member | 0 | 8 | 4 | 5 | 1,804 | 3,056 | 3,125 |
| Temporary SCPD | 351 | 1,083 | 1,492 | 1,962 | 915 | 225 | 90 |
| Temporary Non SCPD | 50 | 326 | 250 | 136 | 131 | 137 | 106 |
| **Total** | **5,695** | **8,496** | **11,475** | **11,120** | **12,964** | **14,580** | **16,537** |

## Enhanced LAP Procedure

*The Department will diligently continue to update the LAP annually to incorporate the latest best practices and the newest technology to aid in the delivery of language assistance services.* Considered a living document, it must grow and evolve to address the changing language needs of the community.

- The Department commits to posting Language Access statistics on a quarterly basis via its website to increase data transparency and access.
- Changes to the LAP which were implemented in 2020 were the result of community input and suggestions from subject matter experts working with the Department on the Settlement Agreement. Those changes included:
    - Express requirement that interpreters readback statements to LEP individuals. (Policy 333.6)
    - Express prohibition of using children as temporary interpreters. (Policy 333.5.3.
    - Detailed responsibilities and workflow for quarterly oversight reports (Policy 333.4

# 2. Training & Continuing Education

*The Task Force proposes a series of six reforms to integrate community perspectives and direct engagement in Department Academy and Officer training programs. These proposals include:*

1. *Solicit the Participation of Community Based Organizations in Academy Training*
2. *Creation of Data-Focused Implicit Bias 2.0 Training*
3. *Incorporation of ICAT De-Escalation Training*
4. *Improve De-Escalation through Engagement with Project Able*
5. *Development of Community Engagement Module in Field Training*
6. *Providing Additional Training for Probationary Police Officers*

## Community Concern: Additional training needed to improve community interactions

During Task Force discussions and Public Listening Sessions, community members expressed concern regarding officer's training and how it might not be sufficient to respond to the complexities of the diverse community officers serve. In addition, community members underscored the training officers do get only applied to new officers and officers who are more seniors do not get the added benefit of getting up to date training that can help them be more effective and sensitive to the communities needs.

## Review of Department Training Philosophy

Smart and effective policing starts with smart and effective training. Training should not end at recruitment; Suffolk County police officers should be encouraged to grow and learn throughout their career. This continuous training must incorporate and reinforce best practices while also emphasizing and instilling values such as accountability, transparency, and fairness in all aspects of policing.

**The Department is committed to the four central principles of procedural justice:** Providing respect, fair treatment, giving people a voice, and conveying trustworthy motives.

To ensure that the Department reflects 21st Century policing principles; all recruits and veteran officers attend the following trainings:

- Professional Communications
- Principled Policing and Procedural Justice
- Cultural Diversity / Bias Related Incidents & Sexual Harassment
- Persons with Disabilities

- Community Oriented Policing & Problem Solving - Media Relations
- Fair and Impartial Policing

To underscore the Department's commitment to proactive policing, the Department has had a long standing commitment to the policies of **8 Can't Wait.**




## Review of Academy Training

During Suffolk County's Task Force meetings, members focused on training modules of the Suffolk County Police Academy and additional in-service training available for sworn personnel.

In New York State, the Municipal Police Training Council promulgates rules and regulations with respect to the content and presentation of police officer training, and determines the minimum bar for acceptable training and employment standards. The NYS Division of Criminal Justice Services assists in the planning and evaluation of basic training courses.

Furthermore, the New York State Basic Training for Police Officers requires seven training modules for each recruit: hours of instruction must total a minimum of 540 hours, and supervised field training, at minimum, must total 160 hours. The Task Force found that the Department exceeds the minimum standard for basic training instruction with a total of 1,150 hours, and meets the requirement for supervised field training.

**Training modules of Suffolk County Police Academy's Basic Officer Training includes:**

- Administration of Justice
- Introduction to Law Enforcement
- Laws of New York
- Law Enforcement Skills
- Community Interaction
- Mass Casualties and Major Events
- Investigation
- Professional Communications

**The Task Force chose to thoroughly review the following three training modules that most directly pertain to the goal of reforming and reinventing officer training in Suffolk County:**

- **Laws of New York** *Use of Physical Force and Deadly Physical Force | Section 3B*

  When the exercise of persuasion is found to be insufficient to obtain cooperation and control, and it becomes necessary to use physical force, in a lawful manner in compliance with NYS Article 35. Officers must act within guidelines of the SCPD Use of Force Model Policy and are instructed to use the least amount of force necessary to effect cooperation and control of a situation, and only when all reasonable alternatives have been exhausted.

- **Law Enforcement Skills** *Defensive Tactics and Principles of Control | Section 4J*

  The "Defensive Tactics and Principles of Control" section focuses on using the four foundational principles, control tactics, searching and transporting prisoners, and the mechanics of arrest. The 40 hours of classroom instruction, practice, and practical application of demonstrated skills/techniques must include: use of ASP; punch defense; holds; takedowns; ground control tactics; handcuffing; restraint of suspects; and protection against persons armed with dangerous or deadly weapons.

- **Professional Communication** *Section 4V*

  This section is intended to develop an officer's communication and human relation skills in all law enforcement contacts. The training includes classroom instruction as well as the practical application of demonstrated skills/techniques in scenario based training/simulations of public contact, including both positive and difficult public interactions.

  - *Goals of Professional Communications, Section 4V:*
    - Develop communication and human relations skills throughout all law enforcement contacts

- Develop problem solving skills by offering options while maintaining the dignity and respect for all involved
- Learn how to communicate both verbally and non-verbally and solicit information

- *Objectives in Professional Communications, Section 4V*:
  - Define Situational Awareness
  - List the Three Stages of Conflict
  - List the Five Maxims of Communication
  - List and define the elements of Professional Communication skills
  - Understand the many barriers to communication
  - Understand the importance of and utilize Persuasion as a tactic
  - Define, understand and perform De-escalation tactics
  - Explain how the concept of "contact and cover" relates directly to officer safety and communication

- The training scenarios are designed for an officer to build foundational professional communication skills and not to create a situation where the solution to the interaction is solely fixated on one course of action. The objective is to develop problem solving skills through communication by offering people options while maintaining the dignity and respect for all involved. Officers learn how to communicate both verbally and non-verbally and solicit information during the practical exercises that follow.

- In Professional Communications, officers are taught specific de-escalation techniques in order to reduce the level of intensity of a situation through a combination of communication, empathy, instinct and sound officer safety tactics. Officers are taught the 5 maxims of communicating and interacting with people: All people want to be treated with dignity and respect, all people want to be asked rather than told to do something, all people want to be told why they are being asked to do something and all people want to be given options rather than threatened.

# Task Force Reinvention Plan

## 1) Solicit Community-Based Organizations to Participate in Academy Training

*To ensure professional communication between police officers and community members, Community members will replace Department training staff and interns in the role play components of Professional Communications training.*

Task Force members identified the *Professional Communications* training module as a prime opportunity to contribute to the Department's improvement within the policing area of Training and Continuing Education, understanding that it is one of many foundations to a police Department that maximizes the abilities of its officers to best serve the public.

As Task Force members reviewed this module with the police training staff, what became evident is that there is a missed opportunity to infuse community members and organizations to participate in components of training. In many instances throughout the training modules, role play is a critical piece of the experiential learning, however the role play actors are Department training staff or interns.

With the goal of ensuring professional communication between police officers and community members, it is best if community members fill these roles. Partnering with community based organizations and college students from Suffolk Community College would provide the "real world" experience for the recruits, foster interactions and dialogue with community members representing diverse backgrounds:

- *Community-Based Organizations*
  Department training staff will solicit the involvement of members from community-based organizations to assist in role play scenarios during the Professional Communications module. Training will be provided by SCPD academy staff to prepare the community for engagement.

- *Criminal Justice Associate Students*
  Department training staff will also solicit the involvement of the Criminal Justice Associate Degree program students to engage in role play scenarios. During the Professional Communications module. Training will be provided by SCPD academy staff to prepare community for engagement

## Review of Sensitivity, Cultural Diversity and Implicit Bias Training

In the first week of training, recruits are introduced to the concepts of sensitivity, cultural diversity, Hate Crimes and bias incidents in lessons on *Police Professionalism, The US Constitution and the Rules and Procedures.*

These topics are then incorporated into varied blocks of instruction and interwoven throughout much of the training. The Basic Course for Police Officers (BCPO) requires a minimum of **5 hours** of instruction in the area titled *Cultural Diversity/Bias Related Incidents/Sexual Harassment*.

The Department provides **32 hours** of instruction in this area:

| **Curriculum** | **Hours** |
|---|---|
| • Sensitivity/Cultural Diversity/Hate Crimes | 14 hours |
| • Ethical Awareness | 14 hours |
| • Language Access Plans and Hate Crimes | 7 hours |
| • Holocaust Awareness for Police Officers | 7 hours |
| • Persons with Disabilities | 7 hours |
| • Stop, Question and Frisk | 3 hours |
| • Victim/Witness Services | 3 hours |
| • Sexual Harassment | 2 hours |
| • Human Rights Commission | 2 hours |

In addition, the following blocks of instruction also cover these areas:

| | |
|---|---|
| • Police Professionalism | 2 hours |
| • US Constitution | 2 hours |
| • Rules and Procedures | 2 hours |
| • Crimes Against the Elderly | 2 hours |
| • Veterans Services | 2 hours |

The Department's Implicit Bias training has been recognized by the Department of Justice and in February of 2021, the Department's training staff provided a Train the Trainer Module for the Ferguson, Missouri Police Department as well as St. Louis PD...

The Tactical Policing with Impartial Perceptions "Implicit Bias Training" module includes 8 hours of instruction, education and exposure. The goal of the course is to engage Police Officers in critical thought and discussion about bias regarding race, gender, sexuality and other identities within the context of law enforcement. The training is centered on identifying traps, implicit bias and

self-threats. Officers are introduced to the concepts of stereotype, prejudice, discrimination and racism and learn to define the difference between a Fast Trap and a Slow Trap. Officers also gain an understanding of the concepts of Police Legitimacy and Procedural Justice.

At the time of this report, 1,898 sworn members have completed the initial round of Implicit Bias training with the goal of completion of the entire Department by the end of 2021.

While this initial Implicit Bias training was designed to expose trainees to what implicit bias is and how implicit bias affects the actions and thought processes of all people, the Department understands that this is just the initial step to understanding and addressing bias.

# Task Force Reinvention Plan

## 2) Creation of a Data-Focused Implicit Bias 2.0 Training

*The Department will commit to a 2.0 version of Implicit Bias training with the focus of including Suffolk County's own traffic stop data and annual analysis of the data by an independent third party.* The intention of this training is to connect the classroom experiential learning with the actual data and analysis for practical understanding and connection to policing activities.

The creation of a real time traffic stop dashboard is currently in the beta testing phase of the Department *(See Traffic Stop Data Dashboard).* This dashboard will allow for Command and Supervisory staff to analyze traffic stop data on a continual real time basis. It is imperative that these levels of review by Department members are prioritized and viewed from a lens of fair and impartial policing. To that end, the Department will engage with Dr. Lori Fridell, a professor of Criminology at the University of South Florida and former Director of Research at the Police Executive Research Forum (PERF), a national expert on biased policing.

*The supervisory training created by Lori Fridell will:*

- Help supervisors identify subordinates who may be acting in a biased manner–including those well-meaning officers whose biased behavior may not be consciously produced;
- Provide guidance to supervisors on how they should respond to officers who exhibit biased policing behaviors;
- Challenge supervisors to think about how bias might manifest in their own behavior; and;
- Provide guidance on how to speak about bias to individuals (e.g., officers, individual community members) and groups/media.

## Review of De-Escalation (Use of Force) Training

De-escalation training is a method of engagement where police focus on their verbal and non-verbal actions to address a person's agitated state. De-escalation tactics are used to address volatile situations to ensure the safety and well-being of the officer and community members.

As the task force experienced and reviewed SCPD police academy de-escalation training, the training was professionally presented and staff were well equipped to present based on the academy curriculum. However, there is always an opportunity to perfect the training and ensure full comprehension and applicability in policing. Therefore, the SCPD is looking to enhance de-escalation training by incorporating the Police Executive Research Forum's (PERF) Integrating Communications, Assessment, & Tactics (ICAT) De-Escalation component.

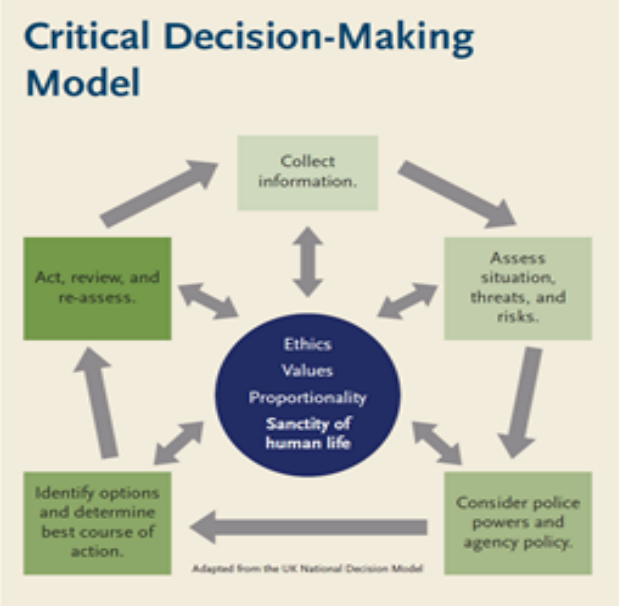
## Task Force Reinvention Plan

### 3) Incorporate ICAT De-Escalation Training

*The Department will enhance de-escalation training by incorporating the Police Executive Research Forum's (PERF) Integrating Communications, Assessment, & Tactics (ICAT) De-Escalation component.* The ICAT training is designed to enhance Department's current curriculum in the following ways:

- Enhance both officer safety and the safety of the individuals they encounter, the training relies on tactics and skills to de-escalate potentially volatile officer-citizen interactions.
- Training is designed for patrol officers responding to circumstances where a person is behaving erratically, and is either unarmed or armed with anything less than a firearm (PERF, 2016b). It is these types of encounters, PERF contends, that have received the most criticism on police training and use of force. By training officers in a wider array of options to handle and "slow down" these situations, officers may have better alternatives to the use of deadly force and potentially avoid the use of force altogether.
- The ICAT curriculum is an integration of crisis recognition and intervention, communication skills, and operational tactics (footnote)
- An integral component of the ICAT training program is the use of Critical Decision-Making Model (CDM).

**CDM (see Figure 1)** is based on a circular thought process as opposed to the traditional linear process and is designed to help officers develop and think through their options in a situation.




This five-step critical thinking process is centered on an agency's core values, ethics, and sanctity of human life. Every action that an officer takes should reflect a consideration of these central themes and should not go against those ideals. While the CDM is particularly useful in critical situations, its application is meant to be much broader and can be used in everyday situations as well.[2]

## Review of Active Bystandership

As the Department was engaged in its internal review of academy training as well as additional in-service training for officers, they reviewed, with a keen eye, components of its curriculum which focused on prioritizing active bystandership - "duty to intervene." After a thorough review, the Department determined that a more dedicated focus to prioritizing the "duty to intervene" is needed as a component of the training for academy recruits as well as the Department. As a Department, it is important to provide the tools to SCPD officers to enable, support and educate sworn personnel on how to intervene to prevent officer misconduct.

[2] *For additional information, see Ervin Staub, The Roots of Goodness and Resistance to Evil: Inclusive Caring, Moral Courage, Altruism Born of Suffering, Active Bystandership, and Heroism (New York, NY: Oxford University Press, 2015); Ervin Staub, "Preventing Violence and Promoting Active Bystandership and Peace: My Life in Research and Applications," Peace and Conflict: Journal of Peace Psychology 24, no. 1 (2018): 95–111, accessed November 10, 2020, https://doi.org/10.1037/pac0000301; and Ervin Staub, "Promoting Healing and Reconciliation in Rwanda, and Generating Active By-standership by Police to Stop Unnecessary Harm by Fellow Officers," Perspectives on Psychological Science 14, no. 1 (2019), accessed November 10, 2020, https://doi.org/10.1177/1745691618809384.)*

# Task Force Reinvention Plan

### 4) Department to Engage with Project Able

*The Department has submitted an application to Project Able, to participate in its Train-the-Trainer Institute.* Under the auspice of Georgetown Law's Innovative Policing Program, the Institute prepares officers to successfully intervene to prevent harm and to create a law enforcement culture that supports peer intervention.

*The training aims to:*

- Create a culture in which officers intervene to prevent misconduct,
- Provide practical skills in active by-standership strategies and give officers the confidence needed to intervene in others' actions, when necessary.
- Avoid police mistakes, and
- Promote officer health and wellness.

Project Able will deliver practical, scenario-based training for police agencies in the strategies and tactics of police peer intervention, and guide agencies and communities on the concrete measures that must be in place to create and sustain a culture of peer intervention.[3]

Officers will engage in the Project Able training and become facilitators and trainers as part of Project Able's Train the Trainer model. SCPD should be accepted into the September cohort of Police Departments.

## Review of Suffolk County Field Training Officers (FTOs)

As task force members reviewed the training of academy recruits, discussion ensued as to what type of in-the-field training new recruits receive once they have completed their academy training.

After recruits satisfactorily complete all instructional aspects of our 30 week Basic Course for Police Officers (BCPO), they are assigned to a precinct and begin field training. They are assigned to a certified FTO and must satisfactorily demonstrate the practical application of the skills learned in the Academy. An FTO evaluates and documents the new officers performance in accordance with the criteria outlined in the Recruit Field Training Guide. There are both Performance and Behavioral dimensions in which the new officers are evaluated.

[3]https://www.law.georgetown.edu/innovative-policing-program/active-bystandership-for-law-enforcement/#:~:text=The%20Georgetown%20Innovative%20Policing%20Program%2C%20partnering%20with%20global,a%20law%20enforcement%20culture%20that%20supports%20peer%20intervention.

In addition to serving as an evaluator, the Field Training Officer serves as a mentor. In this role, the FTO provides guidance and instruction based on their knowledge and experience. When deficiencies are identified, the FTO is expected to utilize the concept of critiquing for success. The goal is to offer feedback and instruction in a constructive manner to give the new officer every reasonable opportunity to improve performance and succeed. FTO's are expected to offer remedial instruction in those areas that the FTO feels the officer needs to improve.

Regarding the selection of Field Training Officers, some of the characteristics sought include:

- Excellent character, credibility and integrity
- Strong communication and reasoning skills
- Desire to serve as an evaluator and mentor
- Significant experience as a police officer

**Field Training Officer Curriculum Overview**

| Curriculum | Hours |
|---|---|
| Introduction and History of Field Training Program | 2 |
| Key Elements of a Successful FTO Program | 2 |
| Role of the FTO | 2 |
| FTO Competency, Evaluation and Documentation | 2 |
| Teaching Skills | 2 |
| Principles of Adult Learning | 2 |
| FTO Liability | 2 |
| Video Evaluation Exercises | 2 |
| One Minute Word Exercises | 1 |
| Search and Seizure | 0.5 |
| Ten Minute Teaching Exercise | 3 |
| Override and Intervention Techniques | 1 |
| Use of Force | 0.5 |
| Video Evaluation Exercises | 2 |
| Remediation Techniques | 1 |
| Ten Minute Teaching Exercise (Oral Presentations) | 3 |
| Review and Test | 3 |

Additionally, task force members reviewed demographic breakdown of Field Training Officers in order to ensure that there was appropriate representation of the demographics of the Department. The demographic breakdown is as follows:

**Field Training Officer Demographic Breakdown[4]**

| Race | Total | Male | Female | Percent of Field Training Officers | Percent of SCPD |
|---|---|---|---|---|---|
| All Field Training Officers | 249 | | | | |
| White | 210 | 173 | 37 | 84.3% | 84.9% |
| Hispanic | 25 | 24 | 1 | 10.0% | 10.2% |
| Black | 9 | 7 | 2 | 3.6% | 2.6% |
| Asian Pacific | 2 | 2 | - | 0.8% | 1.1% |
| Native American | - | - | - | 0.00% | 0.04% |
| Multi-Ethnic | 2 | 2 | - | 0.8% | 0.7% |
| Other | 1 | 1 | - | 0.4% | 0.5% |
| Male | | 209 | - | 83.9% | 88.3% |
| Female | | - | 40 | 16.1% | 11.7% |

Based on the SCPD review of the Field Training Officer's curriculum and certification which is provided by the NYS Department of Criminal Justice Services (DCJS), SCPD became aware that there is no particular focus on Community Engagement as a particular module of training in the New York State curriculum.

Since Field Training officers are the first interactions new recruits have with patrol officers, it is imperative to include a community engagement module as a significant portion of the training and certification of SCPD Field Training Officers.

[4] Data as of 2/17/2021 per SCPD internal statistics.

# Task Force Reinvention Plan

## 5) Create Community Engagement Module for FTO Training

*The Department will expand the hours of Field Training Officer Training and create a new Community Engagement module for the FTO training curriculum.* An essential experience for newly-minted officers, field training provides practical opportunities to apply the principles, knowledge, and skills learned at the academy. The Community Engagement module in FTO training will allow FTOs, in their role as guides, to pass on the importance of building community relationships to all new officers.

Additionally, to augment FTO training statewide, SCPD contacted the New York State Division of Criminal Justice Services to inform them of the need to require Community Engagement as part of their curriculum provided to police Departments throughout NYS.

## 6) Additional Field Training for Probationary Police Officers

*New recruits, who are under the tutelage of Field Training Officers, will now be required to have a week of training with both CLO and COPE officers.* By adding this requirement, new recruits will have first hand knowledge and experience of the important role these officers play in fostering community relations and engagement.

# 3. Recruitment & Staffing

*The Task Force reviewed Department Recruitment, Performance Evaluation, and Staffing policies for opportunities to improve diversity in recruitment and promotion, and to directly integrate community engagement criteria in the evaluation process. Several of the Task Force's key recommendations are already in the process of implementation through Suffolk County Civil Service and internal Department initiatives:*

1. *Independent review of rejection appeals from recruitment process by Suffolk County Civil Service*
2. *Enhancement of Transfer Application Procedures*
3. *Integration of community engagement metrics in performance evaluation through Problem Solving Policing model*
4. *Piloting Community Police Aid program*
    a. *Implementing Spanish Speaking Police Aid*
5. *Procurement of dedicated diversity consultant to support Academy Training Program*

## Community Concern: Need for increased diversity on the force and community relations focused performance evaluation criteria

During Task Force meetings, significant discussion focused on the obstacles that have prevented the Department from achieving greater diversity on the force in spite of years of concerted efforts to reform the recruitment process. Questions also arose related to how officers are evaluated for promotions and transfers to specialty commands. Task Force members and Community Feedback questioned the Department's utilization of quantitative metrics, and advocated for the inclusion of qualitative metrics such as problem solving, community engagement, intellect and overall effectiveness in the community as critical considerations in the promotion process. These concerns directly correlate to the goal of Procedural Justice and the community's view of the Department.

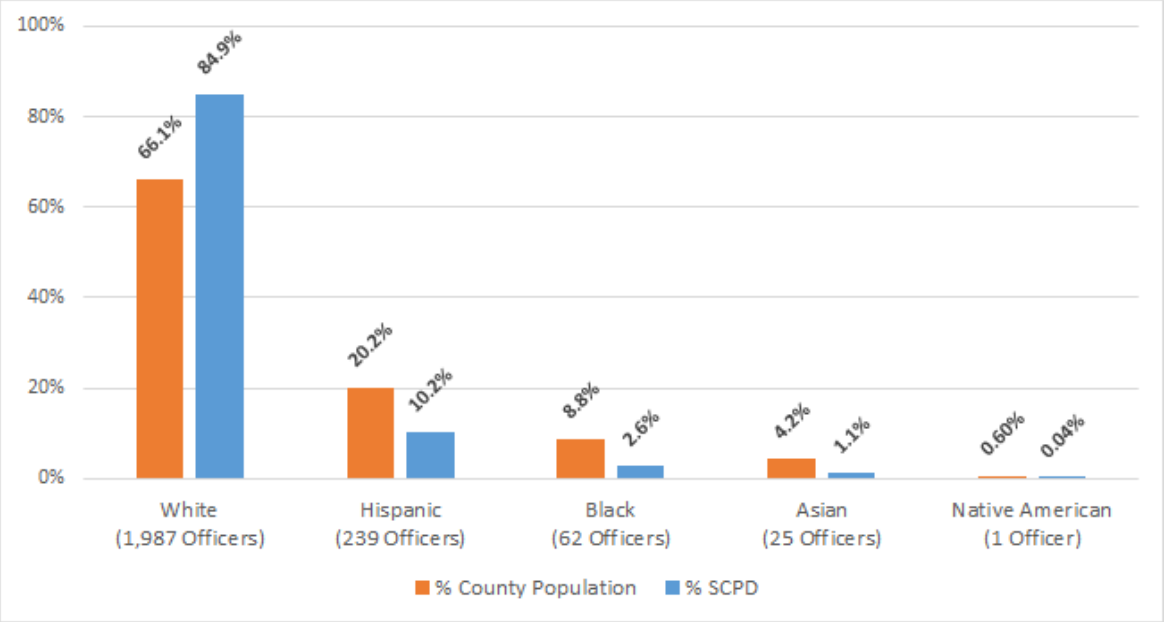
## Review of Diverse Workforce Recruitment

Just as in the case of recruitment training staff, Suffolk County understands the importance of a police Department representing the demographic composition of the communities it serves. When this representation happens, there are more opportunities to build trust, ensure fairness, and address misconceptions and preconceived notions we have about each other. This

acknowledgement is especially vital when noting that Long Island represents the third-most segregated suburb in the United States.[5]

**Demographic Breakdown of the Department Sworn Personnel: 2021**

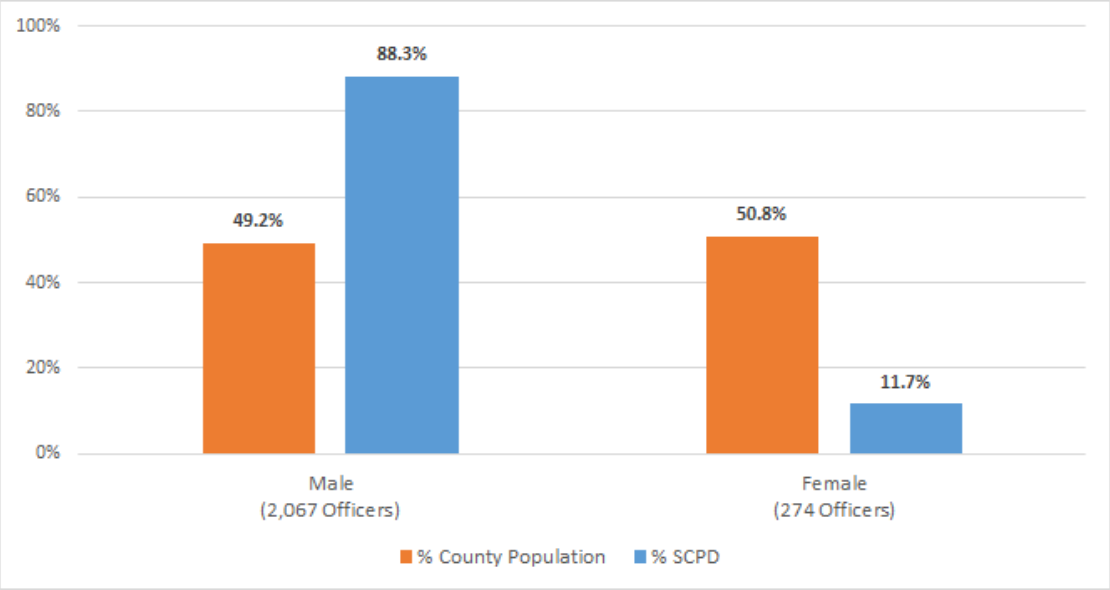
**Ethnic Breakdown[6]**




[5] https://www.nytimes.com/2002/06/05/nyregion/study-calls-li-most-segregated-suburb.html

[6] Data as of 2/17/2021 per SCPD internal statistics. At the time, total Sworn personnel of SCPD was 2,341.

**Gender Breakdown**[7]




*As of 2/17/2021- Total Sworn personnel of SCPD-2,341

Suffolk County has made a concerted effort to prioritize diversity in the Department's sworn personnel by focusing on recruitment initiatives, assessing the SCPD's entrance exam, and reviewing civil service policy and procedures**.**

### 2014-2015 Police Working Group to Address Department Diversity

In preparation for the 2015 Police exam, the County Executive convened a cross-Departmental working group to analyze both the current exam process and hiring process for Suffolk County Police Officers.

- **Cultural Proficiency in the Police Entrance Exam**
  The Working Group was charged with reviewing the Police Exam, with testing consultant EB Jacobs, to ensure the test prioritized cultural competency and contribution to hiring a diverse police class in the Department.

  In conjunction with the testing consultant EB Jacobs, the scales used in the 2011 Police Officer exam were analyzed by the Working Group and it was determined that amending the scales used could help with attracting candidates who have an understanding of cultural competency and attract a diverse candidate pool.

[7] Ibid.

The Working Group decided to utilize the following Personal Characteristic Definition of Cultural Proficiency as developed by EJ Jacobs:

*"Cultural Proficiency means proactively seeking to increase interpersonal effectiveness across a diverse range of settings, cultures and groups by purposefully developing cross-cultural/group self-awareness, knowledge and communication skills; and by encouraging and respecting diverse perspectives."*

An individual with the personal characteristic of Cultural Proficiency is someone who:

- Aims to understand and effectively interact with individuals of all cultures/groups;
- Strives to learn about his/her own culture and its impact on perceptions of other cultures/groups;
- Seeks to understand the traditions, beliefs and values of all cultures/groups and how they are interconnected;
- Maintains an open mind to better understand and adapt to cultural/group differences;
- Treats individuals of all cultures/groups with dignity and respect.

- **Length of Police Entrance Exam**
  The 2011 Police Officer exam consisted of three sections:

  - *Cognitive Ability Test:* 100 multiple choice questions designed to assess candidates on a series of cognitive abilities in the context of face valid test terms.
  - *Work Styles Questionnaire:* 76-personality inventory designed to assess candidates on a series of personality or work style characteristics of relevance to police officer job performance;
  - *Background information and life experience survey:* 62-item biographical data inventory designed to provide information regarding a candidates' work-related behavioral history relevant to police officer job performance.

  National research concludes that most jurisdictions do not use 100 questions on the cognitive portion of their police officer exams. Generally, only 48 or 72 questions are used. Based on this analysis and research, EB Jacobs altered the number of questions on Department's 2015 Police Officer exam by:

  - Reducing the number of questions on the cognitive portion of the 2015 exam from 100 to 64;

- Increasing the number of questions on the work styles questionnaire portion of the exam from 76 to 155; and, increasing the number of questions on the life experience survey from 62 to 108, to align with the cultural proficiency scale.

- **Recruitment Efforts**
  SCPD recruitment efforts have continually strengthened since 2014, evidenced by 2019 receiving the most diverse applicant pool of test candidates in the history of the Department. Leveraging our ongoing partnerships with community and faith based organizations contributed to this diverse applicant pool.

  We collaboratively engaged in the following initiatives to ensure effective outreach to a diverse pool of candidates:

  - Enhanced media campaign to attract a diverse community to the exam;
  - Expanded outreach to colleges, veteran's organizations and community-based organizations;
  - Sought out applicants fitting the statistical profile of prior successful applicants.
  - Engaged in personalized outreach to diverse and female college graduates and students who are eligible to take the Police Exam;
  - Targeted veterans, focusing on minority and female veterans who are within the age restrictions for taking the Police Officer Exam and provide personalized outreach;
  - Invited community groups to Police Officer Orientation
  - Encouraged community-based organizations to assist candidates throughout their application process

## 2019 Police Exam Working Group to Address Onboarding Disparity

In 2018, County Executive Bellone's staff engaged in an analysis to identify where the Department lost candidates of color within the onboarding process. In December of 2018, this analysis was presented to the leadership of the Department and to the County's Department of Civil Service.

From there, Police Commissioner Hart formed a diverse working group of seven sworn members whose mission was to review and revamp current hiring guidelines with the goal of ensuring fairness and equity. Their suggested changes to the onboarding process, which have since been implemented, are as follows:

- **The agility test was identified as an area where a large number of candidates of color were disqualified.** Historically, all applicants did not receive information regarding the physical agility test until they attended orientation. To allow more time to prepare, the

working group suggested that all individuals receive information on the physical agility test two weeks prior to orientation. In addition, the Community Relations Bureau created an agility test video for applicants to familiarize themselves with the requirements of the agility test

- **SCPD Applicant Investigation Section created a link to the recruitment website providing information on the testing process**, including details on the agility test. For those candidates who initially did not meet the exam's standards, a new policy was created to extend the time frame between the initial Agility test and an applicant's second and final attempt.

- **Representatives from the Department's fraternal organizations as well as members of the Community Relations Bureau (CRB) began attending the Police Academy orientation.** These Department members are available to speak with potential recruits regarding various opportunities in the SCPD. The organization representatives are there to highlight the diversity within the Department and to encourage and answer any questions candidates may have.

### Police Commissioner Petitions Civil Service to Amend Section 50 Procedure

In the past, when Police Officer candidates did not appear to meet the background standards of the Police Department, the Department would inform the candidate and request that the candidate sign a declination so that they could be removed from the Police Officer eligibility list. The declination could be either temporary or permanent. If temporary, the candidate would be canvassed during the next class. *The Department no longer requests candidates who do not meet their background standards to sign a declination.*

## Reinvention Plan in Progress

### 1) Evaluation of Appeals by Suffolk County Civil Service

All candidates who appear to not meet these standards are processed in accordance with Section 50.4 and Section 58.1(d) of the New York Civil Service Law by filing a request with the Suffolk County Department of Human Resources, Personnel and Civil Service. This request filing must be included in the reason(s) for requesting the candidate's removal from the Police Officer eligibility list.

The candidate is then sent a written statement from the Department of Human Resources, Personnel and Civil Service which states that the Police Department is requesting their disqualification. This statement includes the reasons indicated by the Police Department for the

candidate's disqualification, and affords an opportunity for the candidate to challenge this request with facts supporting their appeal.

Next, the Suffolk County Personnel Officer, in consultation with the County's Chief Diversity and Inclusion Officer, considers the facts submitted from both the Police Department and the candidate. A decision is made whether to disqualify the candidate and remove his/her name from the eligibility list, or to keep the name active as an eligible candidate .

- **Additional Human Resource Assistance**
  The Department has also received thought leadership on Strategic Human Resources processes and best practices through partnership with the new Department of Human Resources, Personnel and Civil Service. The Human Resources department offers support on HR practices including performance and talent management, diversity and inclusion, recruitment and hiring, learning and succession planning. Primarily provided through the HR Center of Expertise, the Department will receive the benefits of HR data analysis and new technology tools to further facilitate reform and reinvention.

## Review of Promotions & Transfers

### Test-Based & Discretionary Promotions

SCPD as well as all NYS Police Department promotions are made in accordance with the rules and regulations of NYS Civil Service Commission and Suffolk County Civil Service Dept. This applies to the ranks of Sergeant, Lieutenant and Captain.

Members of the Service or Department are designated or assigned as directed by the SCPD Police Commissioner to the following:

- Police Officers to Detectives
- Sergeants to Detective Sergeant
- Lieutenant to Detective Lieutenant
- Deputy Inspectors & Inspectors
- Chiefs, Deputy Chiefs, and Assistant Chiefs

There are three avenues of movement for sworn members:

1. Promotion
2. Designation
3. Application for transfer to a specialized command

### Present State of Patrol Officer Duties

The normal progression for a police officer begins in the Patrol division. The Department has defined policies on the Patrol function, the selection process for Promotions & Transfers and performance reviews of personnel. There are numerous policies guiding Patrol Officer duties that can be found in the Suffolk County Policies and Procedures Manual. Here, detailed explanations and procedures for police officer strategies such as routine patrol, responding to the various 911 calls, handling preliminary investigations and traffic enforcement can be found in the policy manual under Traffic(Policy 500) and Traffic & Parking Tickets(Policy 504) respectively.

Presently, patrol officers spend the majority of their shifts responding to 911 calls for service, many times at repeat locations or with repeat persons. For the 5-year period from 2016-2020, the Department handled an average of 518,002 calls for service per year. Many of these calls revolved around 'high utilizers' of police services that are related to public health issues rather than criminal activity.

### Policy and Procedure for Promotions and Transfers

Supervision of subordinate officers occurs on a continuous basis and is formally documented through daily memorandum book inspections and monthly inspection and performance reviews. The memorandum book review allows the supervisor to assess the employee's job performance on a daily basis and ensure proper training and guidance is facilitated with face to face feedback with the employee.

On a monthly basis a performance review is completed for each employee by their immediate supervisor. The performance review includes but is not limited to, a statistical review of calls for service handled, reports written, attendance (including assignment for the tours), tickets issued, arrests made, stops conducted, community events that officers have participated in (*newly added in 2019), and when applicable the amount of hours spent providing interpretation and language assistance.

During the performance review, there is a discussion between the supervisor and employee to review any positive or negative events that occurred during the month. In an effort to integrate community policing into the culture and daily operations of the entire Department, in 2019, Commissioner Hart instituted a process where police officers record their community engagement efforts in a digital memo book. Previously, community engagement was documented by a Precinct's COPE or Community Liaison Officers on a manually typed form for larger events.

Presently, on a monthly basis, supervisors complete a thorough inspection of their subordinate personnel and address issues such as appearance, documenting any exceptional work, deficiencies, or corrective actions taken within that past month. The officer in charge of that platoon or unit then completes a "Monthly Command Inspection Training Report," which includes:

- A compilation of a subordinate's inspection reports
- Platoon-level trainings completed by the subordinates
- Review of any issues that relate to recently updated Departmental policies

This process is memorialized electronically and forwarded to Precinct or Bureau Command Staff to review. Upon Command Staff review, a report outlining this process and performance of employees is submitted to the Division Chief for final review.

### Departmental Shift toward Problem-Oriented Policing

The current culture and process related to Performance Management in the Department focuses on innovating the best ways to measure an officer's effectiveness and value to the community and Department. Prioritizing problem-solving as a key characteristic of police officers. Prioritizing problem-solving and its merits in officer evaluations.

The philosophy behind Problem Oriented Policing, a foundational vision of the Commissioner, is to provide officers with the resources essential to effectively engage community through collaboration, engagement, and problem-solving rather than the traditional approach where the Department punitively interacts only with criminal issues in the immediate field of vision.

This way of thinking engages employees of the Department at all levels to proactively engage in identifying and solving problems impacting the bigger picture. A priority of problem oriented policing is the partnerships that the police Department develops to address the problems impacting communities.

Problem-Oriented Policing is often confused with Community Oriented Policing since both philosophies attempt to engage community members. However, the primary emphasis of Problem Oriented Policing is to improve the response to public-safety problems by focusing on the collaborative efforts of police and community.

# Reinvention Plan in Progress

## 2) Enhancement of Transfer Application Procedures (Commenced in 2019)

*The application review process for promotions and transfers was overhauled in 2019 and 2020 in an effort to ensure a fair and equitable selection and designation process.*

Established was a detailed application and review process for candidates applying for specialty command transfers and detective designation. Detailed information can be found in the "Transfer Application Procedures for Specialty Commands" and "Detective/Detective Supervisor Designation Process" Department Orders.

The new promotion and transfer process ensures uniformity in job postings, establishes panel interviews where interviewers receive training and utilizes a tracking sheet to aid in the evaluation of selected applicants.

In both aforementioned Department Orders, the selection process for specialty commands and the designation of Detective was updated to thoroughly assess an applicant's knowledge, skill, and abilities relevant to the sought-out assignment. The Department has additional evaluation measures which are outlined in a "Promotional Suitability Assessment" which is submitted by the applicant and their Commanding Officer to Department Command Staff for review and consideration.

## 3) Community Engagement Metrics and Problem-Solving Policing

*The Department will re-design employee evaluations to emphasize community engagement metrics.* SCPD is developing a policy to shift the functionality of Department operations towards the model of Problem Solving, with a focus on People and Places impacting the community.

Solutions to these problems will be evaluated not only in the view of the Police Department, but will also connect all available resources from the Department of Social Services, Department of Public Works, Behavioral Stabilization Hubs (DASH/Family Service League), Veterans Affairs, and other stakeholder groups that may be able to assist in solving individual and community-wide issues.

To institutionalize this cultural shift, the Department will re-design employee evaluations to assess the core competencies valued by the Department in a qualitative way. This will modify criteria used to evaluate an officer and incentivise problem solving rather than simply arrests and summonses. The core competencies will be evaluated to better assess an individual officer's knowledge, skills and abilities as they relate to their current assignment, to community effectiveness, and to future career development.

These changes will be implemented through the enactment of Department orders and working groups to develop best practices for the operational implementation and procedural changes.

## Review of Precinct Front Desks

As the task force engaged in discussions as well as heard from members of the community during public listening sessions, customer service at the precinct level was a common theme. There were a variety of experiences and anecdotal stories regarding engagement with frontline staff.

Many community members visiting precincts are in need of assistance and guidance from the precinct staff covering a multitude of issues and concerns including:

- Filing or receiving a police report
- Domestic violence assistance
- Filing a complaint against a police officer

## Task Force Reinvention Plan

### 4) Community Police Aids to Staff Precinct Front Desk - Pilot Program

*SCPD will pilot a plan to staff non-sworn personnel at the front desk of selected precincts.* Based on Task Force discussions and SCPD's review of front desk staffing, the initiative will allow for specially-trained personnel to serve as the precinct's primary interface with the public.

The civil service title for these positions would be "Community Police Aid." The skill set needed to perform on the job duties include:

- performs specialized duties in a police precinct or headquarters
- ability to deal effectively and courteously with the public;
- good knowledge of terminology, procedures and equipment used in police work;
- ability to interpret Departmental regulations in carrying out assignments;
- ability to establish good working relationships with community and police officers; physical condition commensurate with the demands of the position
- works under the supervision of police or clerical staff members and may be performed on a rotating or shift basis. Does related work as required.

This skill set will be more in line with a customer service model of the SCPD precincts and will allow for the public to feel at ease when inquiring and needing assistance on the precinct level. Implementation of this plan is subject to the collective bargaining process.

### 4a) Bilingual Community Policing Aids (CPAs)

*Certified Spanish Community Policing Aids (CPAs) will provide language assistance at the front desk of the 3rd Precinct to ensure that limited english proficient individuals have the ability to speak to a person in their native language.* In addition to that, the CPA will help to ensure an efficient community-oriented operation at the front desk by assisting community members, in their native language, with understanding and accurately completing the various forms, reports, and documents involved with visiting the Precinct. Additionally, they will serve as a bridge between Spanish-speaking community members and the police personnel who may speak only English.

CPA's duties will also include building relationships with advocates and community based organizations in order to ensure that the full breadth of specialized resources are easily available to all those who come to the Precinct seeking assistance.

Finally, CPA's will also work with the Police Academy to enhance community member participation into police trainings and forums as requested by the community (See page 26)

## Review of Academy Staffing

Discussion ensued as to the lack of representation of the training staff to include African American officers. While the lack of diversity is accurately captured, the task force also realized the limited number of African American officers who could possibly be assigned to the police training academy. It was noted that during Police Academy training, recruits would benefit from a teaching staff that is representative of the varied demographics of Suffolk County.

Under the auspice of reviewing the SCPD Academy training, the task force reviewed the demographics of the training staff:

- 12 male (1 Hispanic and 11 White)
- 7 female (1 Hispanic and 6 White)

## Task Force Reinvention Plan

### 5) Enhance Academy Training Staff through dedicated services of per-diem diversity consultant

*The Department will allocate resources to add a per-diem diversity consultant to Academy Training Staff.* This individual should possess a wealth of knowledge as it pertains to cultural competency, implicit bias, and educational instruction. A retired police officer or individual with an advanced degree in criminal justice would be best suited to this position.

The new consultant will assist in academy instruction and training, initially focusing on the following training modules:

- De-escalation
- Professional Communications
- Police Professionalism
- Communication Interactions

This individual will be integrated into the Academy's training staff, beginning with an orientation of the varied modules they will be tasked with assisting in as pertains to recruit instruction.

# 4. Traffic & Pedestrian Stops

*The Task Force reviewed data on outcomes from current Department Traffic and Pedestrian policy that showed significant inequities in enforcement in communities of color. To address these inequities, the Task Force proposes the following reforms:*

1. *Create a public Traffic Stop Dashboard*
2. *Internal Traffic Stop Data Review Dashboard*
3. *Annual Independent Review of Traffic Stop Data*
4. *Implementation of Early Warning Protocol through Dashboards*
5. *Development of a Safety First Campaign*
6. *Creation of a Pedestrian Stop Dashboard*
7. *Implementation of a Right To Know policy that shifts pedestrian stops to a community engagement model*

## Community Concern: Current traffic and pedestrian enforcement policy creates unequal outcomes for communities of color

One of the most common interactions that a member of our community has with police officers is through a traffic stop -- being pulled over for an equipment infraction, driving over the speed limit, failing to stop at a red light, etc.

During our Public Listening Sessions and in Task Force meetings, community members expressed their concerns about the historically disproportionate frequency of traffic and pedestrian stops people of color receive in Suffolk County. Additionally, numerous community members criticized the practice of pretextual stops, which they believe is a driver of traffic stops inequities and the resultant excess of car searches of people of color and their pedestrians.

## Review of Traffic Stop Data Collection

In compliance with a Department of Justice Settlement Agreement, Suffolk County has been collecting traffic stop data since 2014. The initial processes for data collection was incredibly challenging for the Department, as it required overhauling an antiquated technology system to collect the level of data that was called for by the Department of Justice. In addition, internal data analytics platforms needed to be developed in order to synthesize and review traffic stop records.

In 2019, the County procured the services of the John F. Finn Institute for Public Safety, Inc. (FINN) to analyze the Department's traffic stop records collected between March 5, 2018 and March 4, 2019. Out of 146,320 traffic stop records collected between March 2018 and 2019, 86 collected were incomplete, all occurring in March 2018, the first month of collection. This accounted for .0005% of all records collected and speaks to the integrity of the data that was used for this study.

**The Study Brought to Light the Following:**

Overall, the FINN analysis confirmed that Black and Hispanic drivers are overrepresented in police traffic stops relative to their share of the Suffolk County population, while White drivers are underrepresented. (See Table 1 & 7 below). The recorded reasons for stops vary across racial and ethnic demographics. However, Black and Hispanic drivers represent a higher percentage of individuals who receive tickets for equipment violations.( Table 7)

Table 1. Suffolk County Town and Precinct Populations: Racial/Ethnic Composition

| | Population | % Non-Hispanic White | % Black | % Hispanic | % Other |
|---|---|---|---|---|---|
| Suffolk County | 1,481,093 | 67.2 | 8.7 | 19.8 | 4.3 |
| Babylon [1] | 210,363 | 56.2 | 16.9 | 21.7 | 5.2 |
| Huntington [2] | 201,456 | 76.0 | 4.0 | 12.8 | 7.2 |
| Islip [3] | 330,914 | 55.0 | 10.5 | 31.3 | 3.2 |
| Smithtown [4] | 116,384 | 87.1 | 1.3 | 5.9 | 5.7 |
| Brookhaven [5-7] | 482,536 | 72.5 | 5.9 | 15.6 | 6.0 |

Table 7. Reasons for Stops by Driver Race/Ethnicity

| | Driver Race/Ethnicity | | | | |
|---|---|---|---|---|---|
| Reason | White %s | Black %s | Hispanic %s | Asian %s | Other %s |
| Speeding | 23.18 | 17.31 | 15.58 | 27.24 | 20.48 |
| Red Light | 1.92 | 1.45 | 2.05 | 2.20 | 1.76 |
| Stop Sign | 13.89 | 9.95 | 11.68 | 17.15 | 12.39 |
| Other Moving Violation | 18.16 | 17.82 | 17.56 | 21.72 | 21.92 |
| Equipment Violation | 15.26 | 24.03 | 24.22 | 13.93 | 17.27 |
| Seatbelt | 2.31 | 2.66 | 2.99 | 0.89 | 1.39 |
| Cell Phone | 6.98 | 3.48 | 5.13 | 4.43 | 5.09 |
| Other V&T Law | 17.46 | 21.44 | 19.63 | 12.14 | 18.77 |
| BOLO | 0.09 | 0.18 | 0.07 | 0.07 | 0.06 |
| Reasonable Suspicion | 0.76 | 1.69 | 1.09 | 0.24 | 0.88 |
| Total | 70,961 | 23,651 | 30,051 | 2,915 | 5,328 |

The FINN analysis also found disparity in poststop outcomes[8]. In summary, Black drivers were:

- More than twice as likely to be subjected to a vehicle search;
- 84 percent more likely to be restrained;
- More than three times as likely to be subjected to physical force;
- 59 percent more likely to be arrested; and  To be detained for a longer period of time (28 percent more likely to be detained for more than 15 minutes).

In addition, Hispanic drivers were:

- 16 percent more likely to be subjected to a search of their person;
- 16 percent more likely to be arrested;
- 25 percent less likely to receive a warning; and  to be detained for a longer period of time (16 percent more likely to be detained for more than 15 minutes).

Table 23. Vehicle Search Outcome by Driver Race/Ethnicity

| | Driver Race/Ethnicity | | | | |
|---|---|---|---|---|---|
| Search Outcome | White | Black | Hispanic | Asian | Other |
| None | 39.94% | 46.33% | 43.94% | 43.48% | 26.92% |
| Drugs | 55.2 | 49.93 | 52.61 | 56.52 | 66.67 |
| Weapon | 0.85 | 1.2 | 0.33 | -- | 2.56 |
| Other | 4.01 | 2.54 | 3.11 | -- | 3.85 |
| Total | 1,297 | 1,418 | 899 | 23 | 78 |

Additionally, in October 2020, *Newsday* published an independent report looking at similar data. Titled "NEWSDAY ANALYSIS: SUFFOLK POLICE STOPPED, SEARCHED MINORITY DRIVERS AT HIGHER RATES," the report exhibited similar findings.

# Task Force Reinvention Plan

## 1) Create a Public Traffic Stop Data Dashboard

*The Department will address disparities in traffic stop data by leveraging an online data dashboard to internally overhaul policing oversight and externally provide data to the*

In order to address the disparity in traffic stop data; or, "atypical" traffic stops, the Department utilized the findings of the FINN Report to launch its reenvisioning of traffic stop practices:

**8 Post Stop Outcomes:** the actions that take place during a traffic stop, after the first portion of an officer signaling and pulling an individual over.

In response to the FINN analysis, the SCPD established a working group dedicated to analyzing and developing new policing strategies as they relate to traffic stops in Suffolk County. This team consisted of PD command staff, researchers, and the SCPD Information Technology team.

The working group concluded that in order to properly address community concerns, and to grant SCPD command staff the ability to proactively address disparity in traffic stops, an entirely new toolkit would be needed. From there, the working group developed a first-of-its-kind on Long Island, an online traffic stop data dashboard with two distinct facets: an outward-facing arm for public transparency, and an inward-facing arm for Department oversight, analysis, and correctional response.

The working group presented this traffic stop data dashboard to Task Force members, where additional input led to the final version. **The dashboard aims to serve three main functions:**

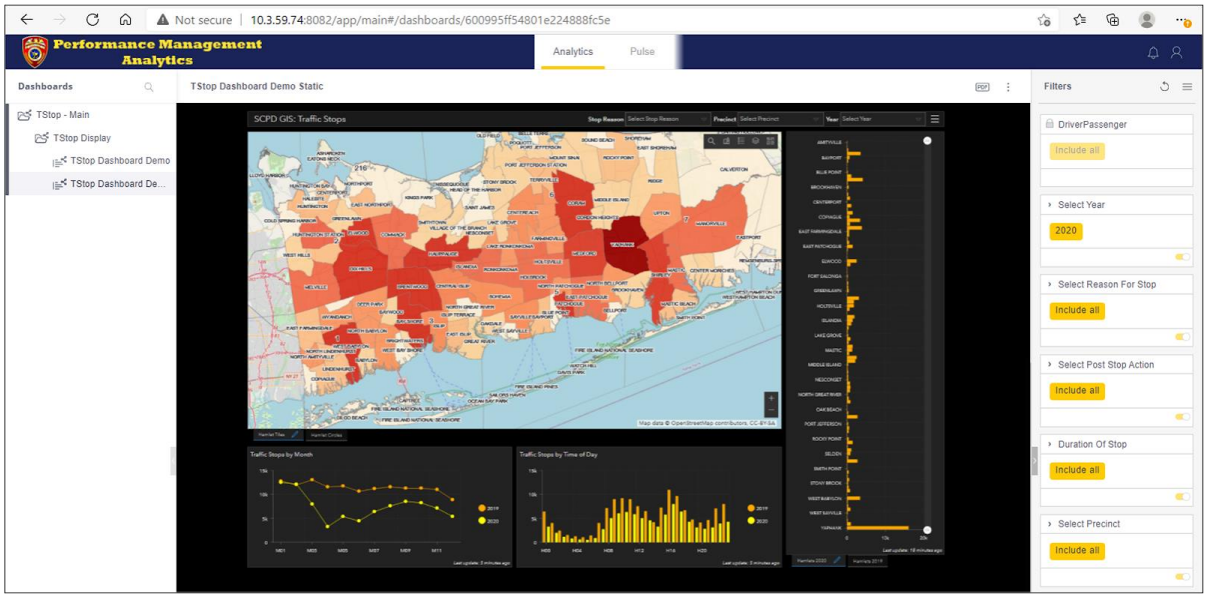
1. Provide the public with transparent and easily-accessible data about traffic stops; and
2. Utilize a proactive, Business Intelligence tool to produce the best service for the people of Suffolk County.
3. Create oversight of traffic stop data to ensure that disparities seen in the FINN report are addressed and eliminated.

The public dashboard will function as an online data hub where the public can easily review SCPD's data and understand the functions of the Department. The dashboard will be updated automatically. This up-to-date analysis will go above and beyond the current method and give the public the ability to review traffic stops, on a daily, monthly, and yearly basis.

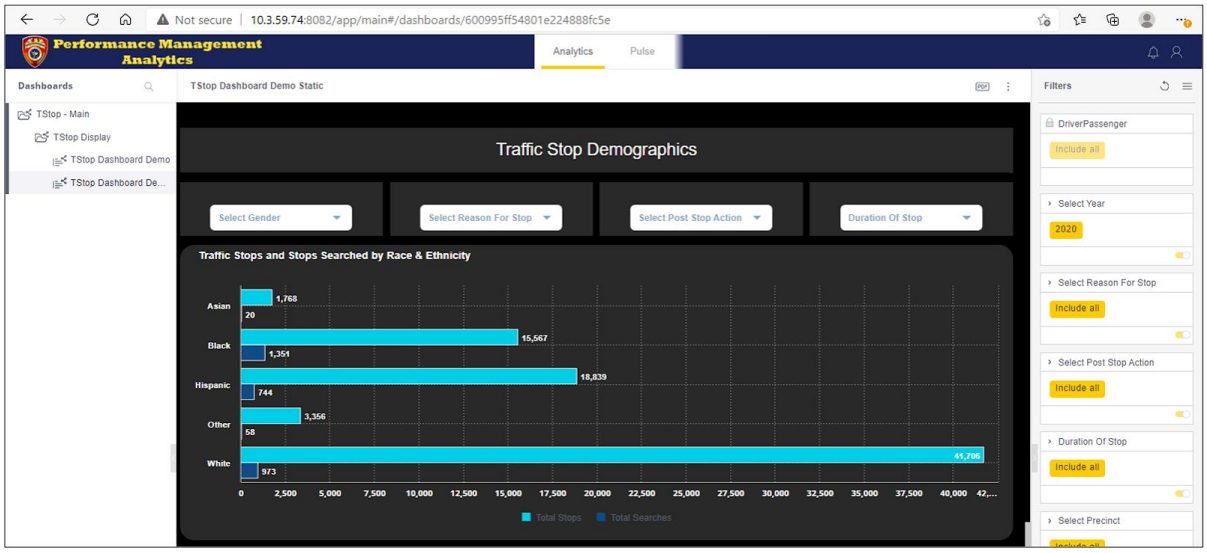
**The public dashboard analyzes the following and other post-stop data:**

- Race/Ethnicity
- Gender
- Geographic Overlay by Hamlet
- Dispositions
- Precinct Comparisons
- Zone Comparisons
- Sector Comparisons
- Stops
- Searches

## T-Stop Dashboard - Heat Map




## T-Stop Dashboard - Demographics Bar Graph



**T-Stop Dashboard - Disposition by Race & Ethnicity**




The Task Force and SCPD believe that this data can better inform the general public as to the service of their police Department. The data transparency afforded by the dashboard will give a full picture of law enforcement activity regarding traffic stops, so the public can review the performance of the SCPD on a real-time basis and SCPD's progress at meeting the goals as outlined within the Reform and Reinvention document. Earning the trust and confidence of the public through transparent data is one of the core beliefs of this process.

## 2) Internal Traffic Stop Data Review Dashboard

*The working group created an interfacing dashboard to monitor Department statistics, creating the opportunity for leadership to recognize atypical traffic stops, and accordingly provide individual officers with retraining and open dialogue to address the concern.*

The internal dashboard will allow for multiple supervisory levels of review on traffic stop data.

Currently, the FINN analysis gave us a picture of traffic stops for the entire police Department for 2018 to 2019. The next step in the deeper dive is giving command staff the ability to see and act upon substantial statistical differences in traffic stops by having tools to monitor Precincts, Squads, Zones and individual officers, in real-time.

The goal of these new data driven oversight tools is to identify disparities and correct them. This tool is specifically designed to highlight disparities so that they can be immediately addressed. The precinct command staff will be tasked with reviewing the data on a consistent basis to ensure the disparities seen in the FINN report are eliminated.

*The internal dashboard focuses on the following and other Post-Stop Outcomes:*

- Department
- PrecinctsComparisons
- Squad Comparisons
- Zones Comparisons
- Sector Comparisons
- Individual officers
- Geographic Overlay by Hamlet
- Stops
- Searches
- Dispositions
- Demographic information on the member of the public stopped

## 3) Annual Review of Traffic Stop Data by an Independent Third Party

*The Department will engage in a procurement with an independent third party to review the Department's traffic stop data annually.* The report will work in concert with the public-facing dashboards to provide a comprehensive yearly analysis of traffic stop data in Suffolk County.

## 4) Early Warning Procedure

*SCPD Commanding Officers will identify and amend atypical patterns of traffic stops and/or enforcement activity by reviewing summary analyses generated by the internal traffic stop data portal.* The goal is to address substantial statistical disparities highlighted in the FINN report.

This review process will take the shape of an Early Warning Intervention System (EIS), which will generate reviews of traffic stop and enforcement activity patterns to identify substantial statistical differences and ensure data integrity. By granting supervisors the ability to access these data reports on a daily basis, the Department will take advantage of robust and transparent data to sustainably monitor, amend, and ensure excellence in individual and broader patterns of policing for the general public.

## 5) Safety First Campaign

*When encountering first-time minor vehicle equipment violations, police officers will provide drivers with a warning and educational resources to promote road safety and agency.*

The "Safety First Campaign" is a first-of-its-kind initiative on Long Island that will build community trust by promoting road and driver safety, while attempting to avoid placing an additional economic burden on those who are financially disadvantaged. Minor vehicle equipment violations are the leading impetus of traffic stops for Black and Hispanic drivers in Suffolk County. SCPD agrees that the disparities highlighted here can and must be addressed through a multi-pronged approach. While it is important to address vehicle equipment failures, an opportunity also exists for police officers to provide education and to address the violation in a time frame that is not prohibitive for those receiving violations.

Officers have the most discretion when stopping a vehicle for an equipment failure, and for Black and Hispanic drivers, most of these stops result in the issuance of a ticket. When a ticket is issued, the driver has the opportunity to correct the equipment failure within 24 hours; but, some drivers may be unable to do so within the narrow timeframe allowed due to any combination of constraints which include time, finances, and ability to access a mechanic.

For those drivers without the ability to correct their minor vehicle equipment failure within the 24 hours to waive the ticket's fee, the driver is thus introduced to the court system as they enter the process of paying the issued fines. Not only does this directly cost the driver financially through the fixed fine amount, but it also costs them time that they may not have. Additionally, should the driver be unable to pay the fine or meet the subsequent court dates, there exists the possibility that they would face license suspension.

**Thus, the Safety First Campaign crafts an approach to public safety that substantially addresses the issue of equipment violation and is not punitive and does not impact motorists disproportionally.**

This new warning-and-education campaign will provide drivers with a warning for their first equipment violation, instead of a ticketed fine. This warning will be paired with educational resources to highlight the importance of addressing the equipment violation. This will inevitably address the experience of police and community interactions during traffic stops, and provide an opportunity to educate and promote road safety for all motorists.

**The SCPD will prohibit the practice of "consent" vehicle searches during routine traffic stops absent documented exigent circumstances. The policy and procedure will be included into the Academy training curriculum.**

## 6) Create a pedestrian stops data dashboard

*The Department will document officer interactions with pedestrian members of the public who they detain, in an effort to ensure transparency and to earn trust from the community.* Review and analysis of Traffic Stops yielded an opportunity to apply its principles of reinvention to pedestrian stops, which are relatively invasive and call for intentional review to ensure bias-free pedestrian detainment discretion.

Using the same Business Intelligence Tool leveraged for Traffic Stop review and response, the Department is in the process of developing a Pedestrian Stop Data Collection system and applicable procedure for officers to input required data when they stop and detain a pedestrian.

The Department will collect and analyze categories in a similar manner to the Traffic Stop Data Collection process including but not limited to the following:

- Detention stops program:
- Is stop related to a cc, if yes cc#
- Reason for stop
- Duration
- Force used
- Show up
- Intel debrief
- Disposition
- Approximate age of person
- Gender of person
- Restrained
- Search conducted
- Reason for search
- Outcome of search
- Apparent race/ethnicity of person

## 7) The Pedestrian's Right to Know Police Interaction Policy

*Police officers will introduce themselves and offer business cards to pedestrian members of the public whom they engage with.* The trust between the public and the institutions tasked with protecting them is sacred; and earning that trust and maintaining it requires hard work, dedication, and taking concrete steps towards transparency and open dialogue. In a myriad of conversations about police officer accountability, traffic stops, and civilian complaint procedures, the Task Force and SCPD command came to the following conclusion to put vital information directly into the hands of our residents:

**The Pedestrian's Right to Know Police Interaction Policy** aims to bolster the community's trust in their police Department through a simple yet straightforward initiative: personal introductions and presentation of business cards with key information, by police officers, when engaging with members of the public.

During pedestrian stops where an individual is detained upon reasonable suspicion, the officer must identify themselves and give an explanation for the stop. By the end of the interaction, officers will also provide the individual with their personal business card, which will contain the following information to empower the individual to engage with their police department as needed:

A. **The officer's professional contact information**
   Name, precinct, badge number, office phone, email

B. **SCPD civilian complaint procedure information**
   To ensure that it is easy and accessible for Suffolk County residents to voice their concerns and complaints when officers conduct themselves in any mode of unprofessional manner

# 5. Arrests & Warrants

*The task force reviewed data and community feedback that indicated communities of color and the LGBTQ+ were exposed to increased risk of police harassment and arrest, and that policies regarding diversion, school safety, and the execution of warrants are creating acute inequities in these communities. To mitigate these outcomes, the Task Force recommends the following:*

1. *Standardization of focused deterrence practices*
2. *Data analysis on outcomes of PIVOT program to ensure racial equity*
3. *Codification of an LGBTQ+ policy and procedure*
4. *Prioritization of SRO placement in middle schools*
5. *Incorporation of a Review of Need in the SRO MOU*
6. *Enhanced command staff oversight of No-Knock Warrants*
7. *CPS oversight of welfare of minors during execution of no-knock warrant*
8. *Creation of After Action Data Portal*

## Community Concern: The execution of arrests and warrants have a disproportionate impact on communities of color and the LGBTQ+ community

During Public Listening Sessions, Task Force meetings, and some stakeholder meetings, many members of the community recounted  incidents of harassment and intimidation by police officers that occurred without any evidence of a crime. These incidents left community members with long-lasting trauma and fear of similar encounters in the future.

Additional concern was expressed as to whether or not Suffolk County's primary diversion program, Preventing Incarceration Via Options for Treatment (PIVOT); was equitably offered to all eligible individuals regardless of their race and ethnicity, citing that diversion programs can be more effective than the traditional criminal justice system, especially for youth offenders.

Community members also expressed concerns regarding the dignity and safety of LGBTQ+ community members, specifically transgender and other gender-expansive individuals, when needing assistance from the police or during the arrest of an LGBTQ+ individual. Community members also highlighted the harm of the "Walking While Trans'' laws and how it has impacted the safety of the trangender community.

During Public Listening Sessions, the Taskforce and Police Department learned that many residents in Suffolk County are disturbed by an alarming national trend that suggests School Resource Officer programs can fuel the School to Prison Pipeline. Community members stressed national statistics showing that students of color are disproportionately arrested and incarcerated in contrast to their white peers. Community members and stakeholders expressed their fear that Suffolk County's SRO Program might similarly put Suffolk County's students of color in danger of entering the criminal justice system.

## Review of Focused Deterrence (Custom Notifications & Call-Ins)

Focused deterrence is an equity theory of policing. Historically, by being so focused on higher crime areas which have higher minority populations, police officers engage a lot of people who have no proximity to criminality and should not be subjected to police scrutiny

**The strategy of focused deterrence begins with using data and analysis to determine the specific individuals involved in criminality in a given community**. Data is gathered through different methods of engagement, for example; officers conduct debriefings when an individual is arrested to determine their criminal social networks; which are small groups of interconnected individuals. Research shows those involved in crime are often connected through these social networks.

Focused deterrence operates on research which has revealed that crime is among a very small portion of any community, approximately 1% of a population and violent crime is committed by 1% of the 1%.. Focus deterrence asks that police focus on the 1-2%, of those in a community actually involved with and committing crime, because research informs us that, but for the 1%, there is no reason to engage members of the community except through greetings, positive engagement and collaboration as desired by the community.

To this end, the Department conducts **custom notifications** and **call-ins**, to individuals identified through social network analysis as belonging to a community's criminal social network or those at risk of being victims of violent crime.

Call Ins and Custom Notifications specifically focus on shootings, which are committed by less than 1% of 1% of within communities. Most shootings occur between groups of people who know one another and usually there is one individual who is the main antagonist, while others follow. **If an identified individual is known to be involved in the social network involved in a shooting, a custom notification is executed in three steps:**

1. Police officers collaborate with Influential and credible stakeholders within communities; like a pastor, sports coach, and others who young people will know and often respect in order to reach out to at-risk individuals with police.

2. A letter from the Deputy Police Commissioner's office is then drafted which informs the individual that the Task Force for Crime Intervention had recently been alerted to their involvement in a specific violent incident, or violent social network. The letter includes their personal mortal and legal ramifications of continuing such involvement, as well as negative impacts on their community, and that resources are available to assist them with their change.

3. The inspector of the Precinct and the credible stakeholder then take the letter to the person's home and give two messages. The Inspector advises them how they came to the attention of the Task Force, provides the letter with their personal legal liability and advises that the police want them safe and to live. The credible stakeholder advises that the community needs to be safe and advises that their community cares for them, needs for them to live and advises of specific resources that are available to them.

## Task Force Reinvention Plan

### 1) Standardization of focused deterrence practices

*SCPD will standardize the Focused Deterrence practices, which uses data and community stakeholders to deter crime, across all precincts as a data driven and equitable approach to policing that reduces trauma and harm to communities.* Leadership will ensure that all precinct command staff fully understand and value the use of this policy to drive down violent crime and employ safe and effective policing practices.

The newly-established Precinct Advisory Boards may be able to assist in serving as supplemental credible stakeholders to reach out to at-risk community members in collaboration with the Department.

## Review of Diversion Programs

**The Council of Thought and Action "COTA"**

COTA is an intervention and reentry initiative based in Cognitive Behavior which works to transform those at-risk, previously incarcerated or have experienced trauma. COTA's weekly meetings support its members and returning residents within their communities with individual services provided by COTA trained staff. The COTA team assists individuals to develop long term planning, instill positive thinking, achieve careers and gives individuals a forward-looking orientation which leads to success. COTA is coordinated by Family Residences and Essential

Enterprises, hires those previously incarcerated as the COTA Team, receives referrals from SCPD, Parole, Probation and clients self refer. In addition, the COTA Team assists those who are engaged in the Call Ins and Custom Notifications to change their lives . COTA has operated in Suffolk County for 8 years and serves 300 people per year.

**The Preventing Incarceration Via Options for Treatment "PIVOT" Program**

The Police Department launched the PIVOT program in October 2017 to address one of Suffolk County's largest public health and safety issues, the opiate overdose epidemic. When an individual experiences an overdose, rather than conduct an arrest, Field Intelligence Officers research and vet individuals to determine if they are appropriate candidates for the program.

The conditions for referral to the PIVOT program are based on overdoses, as they are indicative of potential substance abuse and/or addiction: In 2019, the SCPD referred 330 candidates, and 176 the following year as of November 3, 2020 to LICADD, the Long Island Council on Addiction and Drug Dependence. Licensed counselors at LICADD reach out to the referred individual and their family to encourage entering treatment for their addiction with them.

## Task Force Reinvention Plan

### 2) Collect race and ethnicity data of PIVOT program to ensure racial equity

*Field Intelligence Officers will collect race and ethnicity data for all individuals referred to the PIVOT diversion program to ensure the option is offered to all eligible persons regardless of race or ethnicity.* At the time of these meetings, it was found that the PIVOT program does not currently record demographic data for its applicants and candidates. To address the community's concern of potential racial inequity in PIVOT program referrals, the Task Force and Police Department agreed that going forward, Field Intelligence Officers capture race and ethnicity in their vetting and referrals.

The Department will also reach out to LICADD to ascertain whether or not they already collect racial and ethnic data of referred candidates; ultimately capturing how many people are given the PIVOT option, the total number of persons in this pool, and the racial and ethnic breakdown therein. Through a continuous review of this new data point, we can investigate and then ensure that the PIVOT option is offered to all eligible candidates, regardless of their race or ethnicity.

## Review of LGBTQ+ Arrests Policy

Governor Andrew M. Cuomo on July 2020, signed into law (S.2253/A.654) repealing portions of a law - known as the 'Walking While Trans' ban - which lead to discriminatory policing of transgender people in New York. This law left an extremely broad definition of loitering that led to the disproportionate arrests of law-abiding transgender and cisgender people of color. The Department has reviewed, disseminated, and created new policies to address new New York State Laws.

The Department acknowledges that change is a consistent product of growth and is thus steadfast in its commitment to ensuring that Suffolk County Police evolve with the passage of time. To that end, the Department has established a policy that serves to reaffirm the agency-wide commitment to unbiased law enforcement practices that treat gender-expansive residents with dignity, fairness, and respect in ways that bolster community engagement which helps to instill public trust in the Department.

As reflected on the Department's "Crime Unit Information Handout", any acts or threats of violence, property damage, harassment, intimidation, or other crimes motivated by hate and bias and designed to infringe upon the rights of individuals are viewed very seriously by the Suffolk County Police Department and will be given the highest priority. The Department shall employ necessary resources and vigorous law enforcement action to identify and arrest Hate Crime suspects. LGBTQ+ is designated as a protected class, and thus receives the same protections and rights set forth by NYS Law, and Constitutional protection under the Civil Rights protection clause.

Hence, the Department created an enhanced policy and procedure addressing LGBTQ+ interactions. *(See Appendix - Processing of Adult, Policy 900).*

The Department has memorialized in its Mission Statement which establishes a departmental mandate "to protect the lives, property, and rights of all of the residents of Suffolk County… with impartiality and fairness for all."

The Department has drafted clear and defined language explaining the steps officers should take in order to provide impartial policing (Bias Free Policing, Policy 401).

The Department has outlined policies and procedures for civilian complaints against an officer (Personnel Investigations and Complaints, Policy 1010).

# Task Force Reinvention Plan

## 3) Codifying LGBTQ+ Policy and Procedure

*The Department will publish all relative LGBTQ+ policy and procedure, additional consultants will help craft additional LGBTQ+ training , and any LGBTQ+ complaints on bias policing will be received by the Human RIghts Commission.*

In an effort to increase trust and transparency, the Department will provide all the above referenced policies and procedures on the Department website.

All officers must comply with the requirements of the policy. Specifically, the Department has provided clear directives as to the professional and appropriate behavior of officers while interacting with members of the LGBTQ+ community.

**LGBTQ+ Academy and In-Service Training**
To further ensure the goals of providing fair and impartial policing, SCPD is committed to collaborating with LGBTQ+ leaders and professional educators who will assist the Department in creating additional training to ensure we are fully prepared to serve the gender-expansive and LGBTQ+ community.

Finally, bias policing conducted by an officer will be reviewed by the Human Rights Commission as noted in police systems accountability.

# Review of the School Resource Officer (SRO) Program

The SRO program in Suffolk County is conducted in partnership with School Districts in a manner that is meant to respect the rights and privacy of students at all times. It is a resource that has achieved successful role modeling and public safety results.

While data provided by the SCPD (see below) demonstrates that arrests by SROs in Suffolk County are extremely rare, there is always room for improvement:

- In 2018, SROs arrested a total of 15 individuals: 13 male, 2 female, 4 White, 3 Black, and 8 Hispanic.
- In 2019, 5 individuals were arrested: 2 two were male, 3 were female, 1 student was White, 1 was Black, and 3 were Hispanic.
- In 2020, as of September 30, no SRO arrests were made[9].

[9] Certain arrest statistics may appear to differ from other official records kept by the Police Department, the School Districts, or other government agencies due to records of any law enforcement action taken surrounding such charges under CPL §160.50 and that these statistics are also compiled via a manual process.

Another significant issue raised during public and organizational task force meetings in regard to SROs was the **concern that SROs may be collaborating with the U.S. Immigration and Customs Enforcement (ICE).** Anecdotal stories of students being identified as wearing gang colors or doing something indicative of gang activity resulting in their removal from school, their arrest and ultimate deportation were discussed. **The Department does NOT engage with ICE or any other federal authorities looking for undocumented students.**

Suffolk County has an SRO program consisting of 12 assigned officers distributed among multiple school districts within Suffolk County. The program is generally a sought-after asset that school districts consider essential, successful, and productive. The program is designed to provide schools with an interactive police officer for the sole purposes of mentorship, community building, and safety assistance.

### Purpose and Goals of SRO program:

The current SRO Memorandum of Understanding (MOU) highlights the following:

a. "The SCPD and School District, in order to ensure a successful SRO program, will build a positive relationship between law enforcement, students, and school employees.

b. The goal of the SRO program is to promote a safe school environment, reduce crime, and provide a law enforcement resource to school administrators, teachers and students.

c. The purpose of the Agreement is to provide clarity and understanding regarding the roles and responsibilities of SROs."

More specifically, the current MOU sets forth overall roles and responsibilities of the SRO:

a. "Perform duties, responsibilities of duly sworn SCPD Officer.

b. Forge & maintain effective relationships with students, faculty, staff & administration.

c. Assist school leaders in planning/execution of school safety drills including fire, lockdown, lockout and reunification. Understand the School District's Code of Conduct and assist school personnel in observing/reporting infractions.

d. Plan/assist with emergency response for various circumstances.

e. Assist school officials when matters involving law enforcement officers are required.

f. Observe/evaluate potential threats to safety of the student body.

g. Serve as a visible deterrent to illegal/dangerous activity.

h. Handle requests for service in/around school, follow up on reports generated at School District, and engage parents/community as needed.

i. Conduct safety and security assessments.

j. Assist in the development of emergency management and incident response systems including mitigation/prevention, preparedness, response, and recovery.

k. Integrate appropriate security equipment/technology.

l. Respond to unauthorized persons on School District property.

m. Serve as a member of the School District's Threat Assessment Team.

n. Serve as a member of the School District's District-wide and/or Building Safety Committee(s).

o. Communicate regularly with School District security."

Of note are particular rules and guidance in the MOU documenting certain parameters of SRO conduct. For example it is noted in the agreement that the SRO is not an agent of the school, but strictly responsible to the chain of command in the Department although SRO assignments shall be determined in a collaborative manner with the school districts. SROs must meet various training requirements including SRO training, state mandated sexual harassment training, and school mandated training on the "Dignity for all Students Act (that addresses) race, national origin, ethnic, and gender bias against students which may include a component that provides historical context; trauma management in youth; and de-escalation tactics for working with youth." Schools districts may require additional training at their own expense.

In regard to police officers assigned as SROs, the document requires that SROs "be assigned to the School District with the intent of providing qualified SCPD officers who have the job knowledge, experience, training, education appearance, attitude, communication skills and bearing necessary to perform the unique role of an SRO."

### SRO/Student Engagement

The SRO agreement specifically states that an SRO may not question students in relation to:

- "Immigration status

- "Matters predicated upon a student's perceived race, nationality, color or native language and/or
- "Matters unrelated to the School District such as crimes or suspected criminal activity occurring off school grounds and away from school activities."

In addition, the SRO is bound by school district policy in regard to searches or interrogation of students and they must abide by all due process and protected rights held by all students.

In regard to student discipline, "The SRO shall have no responsibility for student discipline." It should also be noted that under certain circumstances when an alternative course of action is not available, an SRO may restrain or arrest a student who is "endangering the health, safety and welfare of him or herself or others."

**Legal Records**

SROs are bound by the Family Educational Rights and Privacy Act (FERPA) and any and all student documents are protected under prevailing privacy laws.

# Task Force Reinvention Plan

## 4) Prioritize SRO placement in middle school environments

*The SRO program will continue in a modified form, focusing the placement of SROs in middle school environments.* With the goal in mind that this program is intended to be a positive role-modelling and community building experience for students, teachers, parents, and police officers, the middle school environment provides an ideal opportunity to form earlier relationships with law enforcement.

It is also of the utmost importance that school districts engage with their student body and their families to communicate effectively the purpose of the SRO program and to address any concerns that community members may have.

## 5) Include a Review of Need in the SRO MOU

*The Task Force will enhance the current MOU between SCPD and school districts to include an annual review of need by district, parents, and students, to gauge impact of the SRO program, and community members will be provided with a list of the SRO's responsibilities*

The following amendment to the SRO MOU has been proposed under Section 8 (Community Engagement):

- School districts will engage with appropriate stakeholder/parties including but not limited to: administration, teachers, students, and parents regarding the Review of Need for SROs in their school setting. School districts need not require SROs to be assigned to all schools and should use discernment as to the necessity of an SRO in working with its student body. School Resource Officers should be used in instances where law enforcement personnel would be a positive asset, defined by their stakeholders, and a model for the student body. Ideally, SROs would promote a positive image of law enforcement to students and be used to facilitate a healthier, safer school environment.

- ***A Review of Need*** should take place once a year prior to the following school year in order to gauge the impact of the SRO's presence within the school. School districts shall determine the manner by which stakeholder opinions shall be solicited. A designated school administrator will meet with the assigned SRO as well as SCPD supervisors in order to ascertain the next steps in the partnership according to feedback collected by school officials.
- Community members will also be provided with the list of SRO's Responsibilities via a platform the school district chooses. This step is to assist the community in understanding the role the SRO is playing within their school and help to foster trust between all parties.

## Review of No-Knock Warrants

The general rule is that law enforcement must announce that they are there to execute a search warrant. If by doing so, evidence can be destroyed or the life of the officer could be in danger, specific allegations must be included that support the issuance of a no-knock provision in the search warrant application.

Such situations may arise where: the evidence involves narcotics, which can be easily destroyed; the property to be seized includes information on a computer that can be deleted quickly; and, situations where targets within the location would have weapons.

There must be specific allegations when adding the requests for the any time of the day or night or no-knock provisions to the warrant. General allegations are not enough. There must be specific allegations tailored to the facts of each particular case to justify the addition of these provisions to any warrant.

In current police procedure, to secure a warrant, a sworn investigative member completes a warrant request application, which is reviewed by an immediate supervisor. See required steps below for meeting the threshold to obtain a warrant.

**Pre-Execution of Warrant:**

1. Investigative command contacts ESS supervisor

2. ESS Supervisor reviews all available information, including:
    a. Intelligence provided by investigating command (tactical survey completed by investigating command)
    b. Intelligence regarding persons suspected of being within
    c. Past search warrant executions at a specific location
    d. Warrant reviewed to ensure signed and checked for endorsements (No-knock, Night-time)
    i. Night-time endorsement for execution between 2100 and 0600

3. ESS supervisor will determine team assignments

4. ESS supervisor will brief team personnel
    a. Personnel will be given specific assignments/roles
    b. Scope of search warrant will be detailed to all members of the tactical team.

5. Once scene is "secure", investigative command takes control of scene and suspects/persons located within

**Post-Execution of Warrant:**

6. Thorough debriefing is conducted following execution of No-Knock Warrant

**What a search warrant must include:**

- The name of the Court and the Judge's Signature
- Name of the PO's Department or Class of Officers to whom the Warrant is addressed
- A Description of the Property and or Person Subject to the Search
- Time of Execution - The general rule is that a search warrant may be executed between the hours of 6:00 am and 9:00pm (If looking to search at any time of the day or night, there must be specific allegations for the Judge to consider ie, the evidence will somehow be compromised if we wait. )
- Authorization of a No-Knock if applicable (See below)

In addition, under Search Warrant Requirements, the District Attorney's office abides by Criminal Procedure Law Section 690.35(3)(c) which sets forth the following review of the Probable Cause Requirements for search warrants:

- Facts establishing existence of a crime must be stated;
- The basis of knowledge of the applicant must always be included. The application may be based on the police officer's conversations with other law enforcement personnel or witness' statements. If a search warrant is based on witnesses statements, the knowledge must include that it's based on information and belief.

# Task Force Reinvention Plan

## 6) Enhancing Command Staff Oversight of No-Knock Warrants

*The Department will provide an additional level of review and approval on all warrants before being sent to the District Attorney's office.* In discussions with Task Force members, including legal professionals and those closely associated with recipients of warrant executions, the Department determined that the current level of oversight should be enhanced to include additional review and approval . To that end, when a no-knock warrant is requested, an additional step of oversight will be introduced where a member of the command staff will review and approve before it is sent to the District Attorney's office.

## 7) CPS to Oversee Well Being of Minors Present for No-Knock Warrant Arrest

*If children are present for a warrant arrest, officers will notify the State Central Register and Suffolk County CPS to transfer custody of a minor.* In the listening process, the Taskforce heard stories of minors bearing witness in their home to their adult caregivers being arrested through a no-knock warrant. Such an experience is undeniably traumatic, and it is documented that when unaddressed, children and adolescents will carry their trauma for the rest of their lives, resulting in potential harm to both themselves and the community; and prevent them from living their true potential. The Department has enhanced a policy and procedure that officers are required to follow.

**This policy ensures that the officer will notify the State Central Register and Suffolk County CPS in an effort only to transfer custody of a minor to:**

- Parent who is present and uninvolved in the incident being investigated, or
- A CPS approved transfer to custodian; or in an event that a custodian cannot be approved, CPS takes temporary custody of the child/ren

**CPS then conducts a 48-hour assessment of the custodian, where they assess the following:**

- Does the custodian have a positive relationship with the child?
- Does the custodian have the capacity to protect the child from harm and provide a nurturing and caring environment?
- Ensure that the custodian does not have any prior/current child abuse/criminal activity that is concerning to the safety of the child
- Ensure the custodian will follow through with any services the child has been assessed to need (educational, mental and mental health)
    - If the child is with the caretaker through foster care any and all referrals and services will be made and paid for through Foster Care funds
    - If the child is with the caretaker through other arrangements (custody or direct placement with no foster care) the caretaker is responsible for ensuring adequate coverage for such services, DSS will make appropriate referral

## 8) Creation of After-Action Data Portal

*SCPD will create a comprehensive data portal to be used post-warrant for debriefing and after action review.* Of major concern to both Taskforce members and community members was the fact that when a warrant is executed, children and family members are home; or, other community disturbances take place; which can largely be avoided through well-coordinated information.

Of additional concern to the community is the knowledge that, nationally, it has been documented for civilian lives to be at stake when warrants, especially no-knock warrants, are executed with any gap in understanding by any member of a warrant execution team. In the process of police reform and reinvention, it is also incumbent upon this plan to recognize all fears that may not be based directly on our police Department's own behavior. The Department initiated data collection of Search Warrant executions in 2018.

As part of our Reinvention Plan, SCPD will begin use of a comprehensive data system to organize and enhance this existing data collection of tactical survey information, as well as enhance the accessibility of this information to all personnel. In addition, SCPD will enhance data collection post-warrant as part of de-briefing and after action review.

# 6. Mental Health Response

*Proper management of mental health issues that may present during Police interactions with the community requires specialized training to avoid causing additional trauma and mental health complications. To ensure the best possible outcomes in this area, the Task Force recommends that the Department:*

1. *Initiate an evaluation and overhaul of mental health crisis response*
2. *Implement a mental health specific diversion program based on national best practice*
3. *Creation of a 911 mental health call diversion procedure*
    a. *Ensure 911 operators warm transfer mental health calls to Crisis Hotline*
4. *Explore technology to provide emergency call recording and forwarding*
5. *Pursue additional grant funds for mental health assistance*
6. *Implement a Data Driven Hub and Working Group with mental health professionals to identify those who frequently utilize police services and proactively ensure mental health or substance abuse services are provided*
7. *Expand Crisis Intervention Training for Patrol Officers*
8. *Enhance Officer Wellness and Support*

## Community Concern: Community members facing mental health challenges are especially vulnerable to trauma resulting from police interactions. Additional safeguards are needed to protect this population.

Throughout the public listening sessions, individuals, family members, and mental health advocates shared and validated the concerns regarding management of Mental Health Response raised in the Executive Order and guidance document (Refer to pages 9-14,100-103, & 104-107 of *NYS Police Reform & Reinvention Collaborative Guidance Document*).

Concerns and shared experiences pointed to the following themes:

- Clarifying law enforcement's role in the identification of and response to a mental health crisis;
- Implementation and design of mental health training programs for Police Officers;
- Management and care for Police Officer mental health; and

- The need for adequate funding for local behavioral health organizations to assist in mental health related calls for service

## Mental Health Policy Review

The Department has an ongoing partnership with the Suffolk County Department of Health Services, behavioral health care providers, and State offices to explore ways the Department can facilitate the highest level of care and reduce criminal justice involvement for persons with behavioral health needs.

To that end, over the past two years, the Department has developed a system wide, comprehensive crisis stabilization program including immediate care at the Diagnostic, Assessment, Stabilization Hub (DASH), a 24/7 crisis hotline and a Mobile Crisis Team (MCT), and coordinated with forensic care management, and other services to identify and assist involved persons in accessing treatment and support.

The Department has Rules and Procedures that thoroughly outline the Police Response to Persons in Crisis that is coupled with extensive training for officers and civilian dispatchers. The current state of the Department's 911 call center staffing, as well as the Emergency Complaint Operator training, Officer training and response and an outline of the number of calls for service the Department receives annually is outlined below:

### Calls for Service

As of November 30, 2020, SCPD responded to 4,227 mental health calls for service. Prior to the Police Reform and Reinvention process, protocol for emergency mental health service calls was as follows:

- "Incoming 911 calls for mental health will be routed to a primary Public Safety Answering Point (PSAP). If the call comes from within the police district, the call is routed to SCPD. There are several primary PSAPs in the county...
- "Should the situation require an ambulance, the Emergency Complaint Operator (ECO) ties the appropriate secondary PSAP into the call and, generally, remains on the line resulting in a three way call between the caller, the ECO, and the secondary ECO. The dispatcher will enter the info into the County's Computer Aided Dispatch (CAD) system, and a Public Safety Dispatcher (PSD) will dispatch a car(s)...
- "The secondary PSAP will provide guidance for first aid to the caller (if necessary) and notify the appropriate EMS agency to respond. There are a few secondary PSAPs in our

police district. The largest is FRES, but Babylon Central and Smithtown VFD are also secondary PSAPs…

### 911 Call Center Staffing Demographics by raw number

When community members seek assistance in times of emergency and distress, Suffolk County's 911 Call Centers are the primary contact for community members. The call center currently employs 157 staff members, of which 10 are bilingual; fluent in both English and Spanish.

**Call Center Staff Demographics**

| | Asian Pacific | Black | Hispanic | White | Native/ Indigenous | Other | Total | % Gender |
|---|---|---|---|---|---|---|---|---|
| **Female** | 1 | 2 | 14 | 95 | 0 | 1 | 113 | 72% |
| **Male** | 0 | 0 | 4 | 40 | 0 | 0 | 44 | 28% |
| **Total** | 1 | 2 | 18 | 135 | 0 | 1 | 157 | |
| **% Race** | 0.6% | 1.3% | 11.5% | 86.0% | 0% | 0.6% | | |

### Mental Health Dispatcher Training

The training criterion for 911 operators combines industry standards, best practices and parameters from 21 NYCRR parts 5201. 911 dispatchers currently receive the following mental-health-related trainings:

- *Training For New Hires*
    - Completed within the first 12 months of employment, most dispatchers completing within the first 2-4 weeks.
        - Stress Management
        - Interpersonal Communication ("Verbal Judo")

- *In-Service Trainings*
    - Presentation for the Response Suicide Hotline
    - Overview of Traumatic Brain Injuries, Post Traumatic Stress Disorder, Trauma and Connections to Substance Abuse and Depression

- *Crisis Intervention Training (CIT)*
    - The goal of CIT is to ensure that law enforcement has the knowledge and skills to de-escalate situations with care and appropriateness thereby increasing community safety.
    - The County's current Crisis Intervention Training is offered through a collaborative effort between the NYS Office of Mental Health, NYS Division of Criminal Justice Services, National Alliance on Mental Illness (NAMI), Mental Health Association in NYS (MHANYS), Institute for Police, Mental Health, & Community Collaboration, Family Service League (FSL), individual community members, and various Law Enforcement Agencies throughout NYS.

**Police Officer Response & Training**

As of November of 2020, of the 4,227 calls for service to an individual with mental illness, data shows that 419 required a response that did not involve transport to a psychiatric setting; the overwhelming majority of the remaining 3,808 calls required transport to a psychiatric setting.

Officers understand that responding to these types of calls has an added level of sensitivity and the SCPD has been proactive in engaging with local mental health agencies to respond to such situations. Suffolk County Police Officers receive extensive training related to calls involving those with Mental Health Issues as follows:

Officers currently receive basic and advanced training pertaining to responding to mental health situations. Instruction Includes:

- Recruits receive 24 hours of training and instruction related to Mental Health Incidents including lectures, scenario based training and the involvement of mental health professionals as well as community members. Recruits are trained to identify behavioral signs of emotional distress to assess and intervene safely and effectively.
- Persons with Disabilities training (7 hours)
- Sensitivity, Cultural Diversity, & Hate Crimes training (14 hours)

All SCPD recruits are trained and certified as NYS EMTs, which is the same level of training as the majority of an ambulance company's staffing receives. Advanced mental health instruction includes:

- Five-day Crisis Intervention Training

- Officers trained in CIT (as well as EMT trained officers) receive a block of Mental Health/ Wellness refresher training when they recertify every 3 years. (The current *Mental Health Training Manual* can be viewed in the appendix pgs#)

**Current Response Network**

Suffolk County Police Officers are guided by their training and Rules and Procedures on how to properly identify and handle an incident involving Persons in Crisis. Upon evaluation of a call for service, officers have an array of options to facilitate best response for service:

- If the call is not a mental health crisis call then officers will be guided by current policies and procedures for the identified incident type
- If the incident necessitate a response for mental health services, officers may
  - Contact the Crisis Center Hotline at Diagnostic Assessment Stabilization Hub (DASH)
  - Facilitate a voluntary and willful transport to Family Service League or to DASH

SCPD may also escort a person requiring an emergency and mandatory transport to the Comprehensive Psychiatric Emergency Program (CPEP) located at Stony brook University Hospital when there:

- Is an imminent risk that the individual is a danger to themselves or others
- Is evidence of an apparent mental illness.

**SCPD has a strategic partnership with several support service organizations when triaging mental health calls for services:**

The DASH Center is an innovative and new resource to Suffolk County where mental health professionals will observe, evaluate, and attempt to link the individual in need with mental health services in their area. There have been infrequent instances when DASH has called the police Department to transport an individual to CPEP. Data between September 2019 and October 2020 shows this only occurred on 52 occasions. Meetings between SCPD and DASH are held monthly in order to discuss the progress of the partnership.

The Mobile Crisis Team (MCT,) in partnership with the Family Services League of Suffolk County, is another resource to the Department. The SCPD works alongside the Mobile Crisis Team (MCT) to tackle difficult calls when it comes to responding to constituents under mental and emotional distress. The MCT consists of 1 social worker and 1 certified peer that responds to individuals in

need. This program is not operational 24 hours. MCT, however, is available to respond on weekdays between 11AM and 8PM and 12PM to 8 PM on weekends. The MCT will call SCPD if a constituent shows aggressive behavior that may cause harm to themselves and/or others and does not want to voluntarily seek psychiatric help. (Please see appendix pg# to view the *Systems Map of Community Crisis Response & Law Enforcement Interface* for more in-depth information)

## Task Force Reinvention Plan

### 1) Re-evaluation and overhaul of police response to mental health crisis calls

*The Department will commit to implementing a three-tiered approach to a mental health crisis response overhaul; (1) 911 Call Diversion, (2) ongoing collaboration with mental health partners, and (3) expansion of Crisis Intervention Training.* Through the use of advanced business intelligence software and analytics the Department has increased its ability to more effectively analyze data and visualize trends in data. On average the Department responds to over 5,000 calls categorized as "Persons with Mental Illness" incidents per year and will look to implement a three tiered approach to address police mental health response:

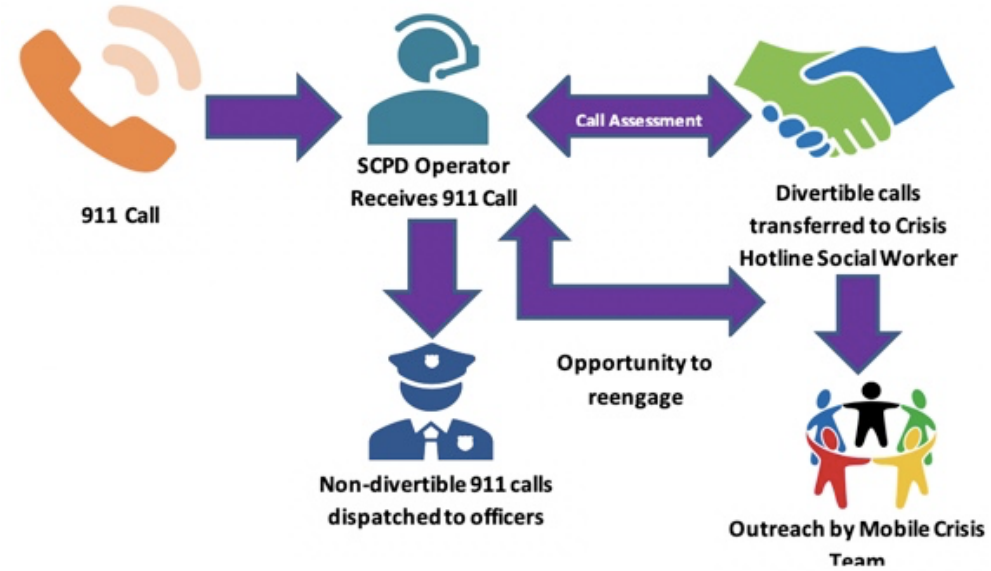



### 2) Implement a Call Diversion Program that models national best practices

*The Department will implement an improved 911 Call Diversion Program based on national models to better support callers for mental health crises in collaboration with community partners.*

SCPD received input from Task Force members and members of the public which requested that SCPD improve its response to those in social emotional crisis. Thereafter, SCPD secured input from service organizations like CAHOOTS, national subject matter experts, the Suffolk County

Multicultural Advisory Committee, as well as multiple State and Local agencies to improve its response. Based upon the community input and research, SCPD has formed a working group with both local and state stakeholders, as well as community-based partners to implement the procedure illustrated:




## 3)Create a 911 mental health call diversion procedure

*The SCPD Communication Section will develop a call diversion procedure to triage mental health 911 calls with the assistance of mental health partners.* The program is a collaboration between SCPD and Family Service League (FSL).

## 3a) 911 Operators to warm transfer mental health calls to Crisis Hotline

*The SCPD Communications Section will modify protocol for transferring mental health service calls from 911 Operators to the Crisis Hotline.*

The 911 Call Operator will speak with the caller to determine the nature of the service needed. Calls that require immediate medical/mental health services or calls which pose a hazard to the responding Service Provider will result in a police response. Alternatively, calls for service that can be triaged by Mental Health Professionals, will be transferred to the Crisis Hotline. There may be many instances where a dual response may be required to ensure the health and safety of all. The Crisis Hotline Operator will then determine the type of services available to the caller. If the Crisis Hotline Operator determines that they are unable to provide needed services, a Police Officer will respond. The SCPD Communications Section has begun training on and testing this new script and procedure.

## 4) Explore technology to provide emergency call recording and forwarding

*The Department will implement a technology platform that records a 911 call for service and forwards it to the responding officer prior to arrival on the scene so the officer can understand the tone and nuance of the call.* This would allow for the officer to better understand the tone and nuance of the call to which they are responding.

## 5) Pursue additional mental health assistance grant funding

*The Department working group will continue applying for federal grants to expand the geographical capacity and services of its Mobile Crisis Team and Crisis Hotline staff.* Recently, SCPD submitted to the DOJ/Bureau of Justice Assistance an application to qualify for grant funding to assist with mental health response. The working group, as of the writing of this plan, continues to draft and submit applications for existing federal grants to continue to enhance response efforts.

## 6) Data Driven Hub & Working Group

*A working group of SCPD and mental health professionals will conduct bi-weekly review of high utilizers and identify and refer the appropriate services to provide help. Measures and evaluation processes will be implemented to track effectiveness of the working group.* The Department's Community Oriented Police Engagement (COPE) and Community Liaison Officers (CLO) will provide collected data to the working group, which consists of SCPD and Mental Health Professionals.

Meeting bi-weekly, the Working Group will conduct assessments of the individuals identified by data as 'high utilizers' of police services as it relates to Mental Health and Substance abuse incidents, and implement an action plan to assist with service oriented-options and follow-up care.

The Workgroup will seek to gather information on the individual, ascertain what current services they have in place, if any, in terms of mental health treatment, and/or substance use disorder treatment, case management, housing, etc. The group will connect with the involved providers to coordinate and possibly enhance services, if available. For individuals that do not have services in place, the Workgroup will outreach the individual and encourage them to accept referrals and additional support resources.

The interventions that are being implemented will be tracked so that they may be evaluated for efficacy. Performance metrics have been and are being expanded upon in order to track the effectiveness of the working group. Measures of success will be related to getting clients access

to services, the reduction of clients reappearing on the "High Utilizer" list, and potentially an overall reduction in 911 calls for service related to mental health incidents. The Department will continue to track if the individual has any further contact with the Police 911 System. Family Service League staff will report back to the PD and the Division any progress or setbacks the individual has made. In some instances, PD COPE Officers will also be a resource to the individual, if necessary.

## 7) Expansion of Crisis Intervention Training for Patrol Officers

*SCPD will commit to training 20% of patrol officers in Crisis Intervention by the end of 2021.* In 2019, the Department partnered with the Suffolk County Office of Mental Health and the New York State Department of Mental Health to participate in a Crisis Intervention Training (CIT) program. This program was instructed by CIT International and included instruction from medical professionals and community members from across the United States that deal with mental health crises in their daily lives and in their communities. The training was initiated through a collaborative workshop held in February of 2019 in Albany.

Stakeholders in the workshop included the NYS Office of Mental Health, NYS Division of Criminal Justice Services, National Alliance on Mental Illness (NAMI), Mental Health Association in NYS, (MHANYS), the Institute for Police, Mental Health, & Community Collaboration, the Family Service League (FSL), individual community members and various Law Enforcement Agencies throughout NYS. The workshop outlined best practices and the methodology for the successful implementation of a CIT program in a local county/agency.

The Department adopted these best practices and began instructing, in partnership with Suffolk County of Mental Health and CIT International, a 5-day CIT training for Officers. Police Academy instructors attended an additional "train-the-trainer" session in Albany, New York to further expand their understanding of the program and become certified CIT instructors.

As of March 2021, the Department has held 10 CIT training programs and certified 189 SCPD and 24 Associated Agency officers. Also, of the 189 SCPD trained officers, 21 are bilingual. The Department also has multiple training classes scheduled for 2021 and is able to utilize funding from the New York State Senate to accomplish this initiative. The 189 SCPD trained officers currently represent 17% of patrol personnel in the Precincts as of March 2021.

SCPD has established a metric target, based on national best practices, to train 20% of its patrol officers in Crisis Intervention Training. In 2021, SCPD is forecasted to reach and exceed the goal of 20% of patrol officers receiving CIT training and should be able to fulfill the desired staffing of 4 CIT trained officers and 1 supervisor per squad.

The Department, in partnership with the Association of Mental Health and Wellness (MHAW), will work collaboratively to implement annual mental health first aid training in order to provide officers with additional resources in responding to Person in Crisis Incidents. The Department currently has over 2,000 police officers and staff who participate in yearly training and will work with MHAW to implement this training over the next five years. *(The CIT & Related Mental Health Training Goal diagram can be viewed in the appendix)*

## 8) Enhanced Officer Wellness & Support

Peer Support Teams have been established to lend aid to members of the Department. Following a peer-to-peer model, the intention is to create a setting where dispatchers and officers can have more candid and open conversations about their day to day experiences so that trauma can be recognized, allowing the individual to talk it out or acknowledge and seek professional help.

Currently, the Department is in the process of designing a *Service Improvement Survey* to gauge personnel opinion of department strengths and weaknesses to improve and provide more targeted and sought services.

# 7. Police Systems, Accountability, & Body Cameras

*The Task Force proposes a series of eight reforms to shift police department culture to one that creates, values, and supports officers as professional problem solvers committed to accountability and transparency. These proposals include:*

1. *Define and implement Problem-Oriented Policing for the entire department*
2. *Invest in the analysis, technological support, and training of all levels, including Executive Leadership to successfully implement valuing problem solvers*
3. *Enhance the Performance Management process by implementing Problem-Oriented Policing Core Competencies*
4. *Implement technology that provides data to officers to enable problem solving when responding to calls*
5. *Deployment of Body-Worn Cameras for all Officers*
6. *Create a Civilian Oversight Review Process*
7. *Designate a Liaison to the NYS Attorney General's Law Enforcement Misconduct Investigative Review Office*
8. *Creation of Open-Access Data Hub for Public Transparency*

## Community Concern: Greater civilian oversight, transparency, accountability, and investment in alternatives to enforcement is needed to build legitimacy with community members

Throughout the listening sessions and task force meetings, individuals speaking from their own experiences and those representing community or advocacy groups consistently asserted the hope and expectation that Suffolk County would adopt a body worn camera policy and procedure, and that greater transparency and civilian oversight was needed to engender community trust. There was also broad consensus that police frequently resorted to enforcement rather than referring cases to alternative services that might divert community members from becoming justice involved.

## Problem Solving Policing: Review & Task Force Reinvention Plan

The Department is committed to shifting the culture of the Department and Patrol Officers to adopt a position of valuing problem solvers in its employees. The goal is for patrol officers to be able to identify and address problems within their assigned area and then have management incentivize these skills. Problem solving policing focuses on people and locations in the

community and allows the officers to focus their attention on innovatively solving these recurring issues by collaborating with internal and external resources.

The notion of Problem Solving Policing or Problem-Oriented-Policing was developed by Professor Herman Goldstein and can be defined as "an approach to policing in which discrete pieces of police business (each consisting of a cluster of similar incidents, whether crime or acts of disorder, that the police are expected to handle) are subject to microscopic examination (drawing on the especially honed skills of crime analysts and the accumulated experience of operating field personnel) in hopes that what is freshly learned about each problem will lead to discovering a new and more effective strategy for dealing with it.
Problem-oriented policing places a high value on new responses that are preventive in nature, that are not dependent on the use of the criminal justice system, and that engage other public agencies, the community and the private sector when their involvement has the potential for significantly contributing to the reduction of the problem. Problem-oriented policing carries a commitment to implementing the new strategy, rigorously evaluating its effectiveness, and, subsequently, reporting the results in ways that will benefit other police agencies and that will ultimately contribute to building a body of knowledge that supports the further professionalization of the police.

This ideology of problem oriented policing is further expressed by the Problem Analysis Triangle. This model focuses on commonalities in solving a problem that are rooted in the relationships between the location, persons, behavior and ultimately the problem. "Effective problem-solving requires understanding how offenders and their targets/victims come together in places, and understanding how those offenders, targets/victims, and places are or are not effectively controlled."

Coupled with this model is providing officers the training and framework for addressing problems and ultimately solving the identified problems. The Department will invest in the analysis, technological support and training of the Executive Leadership, managers/supervisors and front line officers in the successful implementation of valuing problem solvers. Providing officers with a framework to aid them in successfully identifying problems, analyzing problems, soliciting available resources to help solve a problem and assessing the feasibility of solving the problem and ultimately implementing the strategy to address the problem will be key to the successful implementation.

Concurrent with the aforementioned Problem Solving Triangle, the SARA model of problem solving. The SARA model was devised by John Eck and William Spelman in *Problem solving: Problem-oriented policing in Newport News. Washington, DC: Police Executive Research* Forum

and contains a decision-making model termed SARA to give officers a strategy for implementing problem solving solutions and its effectiveness. Problem solving stands for Scanning, Analysis, Response and Assessment.

The Department is committed to adopting this thought process of encouraging problem solving throughout all levels of the Department and value these abilities when conducting performance reviews, promotional and transfer applications and detective designations. This implementation will be a paradigm shift in the culture of the Department and revamp training, performance evaluations, executive level staff meetings and will be a broad impactful change touching every facet of the Department.

This valuation will occur by developing new policies/procedures, evaluation forms and understanding and implementing of the core competencies of Collaboration, Communication, Flexibility/Accessibility, Initiative, Interpersonal ability, Leadership, Problem Solving and Judgement. Problem solvers will be valued and incentivized to perform their functions and responsibilities in this manner. Officers are encouraged to collaborate with both internal and external resources to devise innovative ways to solve a problem. Supervisors and managers will be instructed and trained on how to identify and value subordinate personnel that are exhibiting these core competencies in an exceptional manner and also to identify those that need training and corrective measures to refocus on the core competencies in order to solve problems in the community.

The Police Department is in the process of implementing state of the art technology to provide tools to the patrol officer in order to help with the identification of problems (people and places) and make connections between big data that is available to the police Department for analysis. The goal is to streamline the problem identification process by utilizing business analytics to make connections and relations between large datasets and provide this information to the officers on the road and Commanding Officers of the Precincts. This data will be presented in a way that helps officers visualize problems and trends and pair this new information with the information they already recognize from first-hand direct observations. Policies, Procedures and reporting forms are currently being evaluated by a working group tasked with the implementation and rollout of this shift in culture to the Officer who is actively engaged in problem solving activities.

Through innovative paradigm shifts in the Police Department's culture, training, policies, technological resources and the passionate commitment of the executive leadership team, the Police Department will be able to focus on solving problems within the community and work collaboratively with community members to address what matters most to the residents.

## Reinvention Plan Summary:

**1)** Define and implement Problem-Oriented Policing for the entire department

**2)** Invest in the analysis, technological support, and training of all levels, including Executive Leadership to successfully implement valuing problem solvers

**3)** Enhance the Performance Management process by implementing Problem-Oriented Policing Core Competencies

**4)** Implementation of technology that provides data to officers to enable problem solving when responding to calls

## Review of Body Worn Cameras

Body worn cameras increase transparency, civility, accountability, case resolution, and evidentiary corroboration while also providing a significant and effective training tool for police recruits and even veteran officers.

According to the National Institute of Justice, "studies found that the use of body-worn cameras led to increases in arrests, prosecutions, and guilty pleas. From an efficiency standpoint, the use of the technology reportedly enabled officers to resolve criminal cases faster and spend less time preparing paperwork, and it resulted in fewer people choosing to go to trial."[10]

The benefits to policing and law enforcement outcomes are significant. The presence of video during the arrest process or during any police encounter allows for independent, verifiable corroboration of events. This in turn, resolves or minimizes many disputes that would otherwise be left to interpretation by prosecutors or fact finders. Video corroboration of police accounts of investigations and arrests elevate proof relating to the conduct of suspects, witnesses, and the police officers themselves. While video is not always determinative, it is likely to resolve portions of issues that are in dispute, narrowing the breadth of facts that need to be adjudicated. It has also been shown that awareness of the presence of a body camera increases the civility of both those with whom a police officer is engaged and the police officers themselves, although this is clearly not always the case.

With such corroborative evidence at the disposal of the prosecutor, the defendant and the courts, charges and plea offers are more likely to better support factual allegations and defendants are more likely to plead to charges that they know accurately reflect their conduct.

[10] Brett Chapman, National Institute of Justice, "Body-Worn Cameras: What the Evidence Tells Us," November 14, 2018.

### Departmental Call for Body Worn Cameras

National attention on horrific moments caught on video of police applying extreme physical force on those that are in their custody or with whom they are engaged leaves images of brutality engrained on the national consciousness. With body worn cameras prevalent throughout the country, the lack of such cameras in Suffolk County raises concerns that inappropriate behavior locally is not being recorded and is, therefore, going unpunished or not being addressed in an appropriate manner.Beyond questionable activity by individual police officers who may not be upholding their oath to protect and serve, concerns relating to what some suggest is a culture of police protecting their own abound. These concerns reflect the difficulty faced by a person who is charged with a crime when also being victimized by an officer while others refuse to step in.

Alternatively, the Suffolk County police deal regularly with situations where they and their fellow officers are abused, attacked, and injured while they show restraint during the course of performing their duties. The professionalism and skill displayed by Suffolk County officers in the vast majority of volatile encounters is the norm and does not go unrecognized.

Police encounters that raise concerns can be addressed by utilizing technology that memorializes an incident as it is happening allowing all involved, civilian and sworn, to be held accountable for their actions in the eyes of the law and the public domain.

## Task Force Reinvention Plan

### 5) Deployment of Body-Worn Cameras for all Officers

*The Department will deploy body-worn cameras as standard police-worn equipment for all officers who engage with the public in the course of their professional duties.*

There is universal support amongst stakeholders, task force members, police union representatives, and police management officials for including body worn cameras as standard equipment deployed by the Suffolk Police Department. This includes Challenges presented during the course of the various meetings and presentations relate to the cost of using such equipment in terms of acquiring the cameras, the cost and methods of video storage, and the additional compensation that police personnel would receive for changes in their work rules relating to the wearing and maintenance of camera equipment. In addition, protocols relating to the evidentiary use of video in disciplinary investigations is subject to collective bargaining.

Recent events inspired additional thoughts, observations and questions about what actions could be taken by the Administration to further the shared goal of acquiring and deploying body-worn cameras. It should be noted that presently, pursuant to collective bargaining

agreements, a limited number of police officers are equipped with body worn cameras as part of a pilot program.

The policies, work rules, costs and deployment of this proposal are subject to the county's collective bargaining and budgetary processes.

## Review of Civilian Oversight:

Civilian oversight boards, over municipal law enforcement, have been established in more than 200 jurisdictions throughout the United States and take many forms. According to the National Office of Community Oriented Policing Services, oversight boards generally fall under one of three models: Investigative, Auditing, and Review.

- **Civilian Oversight Investigate Model**
  Investigative oversight generally requires the establishment of a fully staffed agency with subpoena power and other investigative authorization including disciplinary authority. The task force has, in fact, received suggestions, recommendations and guidance on the creation of a fully budgeted independent investigatory civilian oversight agency.

  In this vein, a significant and thorough proposal put forth by a coalition of organizations (Long Island United to Transform Policing & Community Safety, Long Island Advocates for Police Accountability, New York Social Action, and United for Justice in Policing) recommends an 11-member civilian board chosen in a manner that will "reflect the diversity of the county's population" that would oversee a newly created agency that would "fairly and transparently resolve allegations of police misconduct."

  - The coalition's plan proposes that the CCRB be authorized to "investigate complaints by members of the public against officers of the Department for alleged misconduct involving 'excessive use of force, abuse of authority, improper searches, unauthorized detentions, harassment, discourtesy, or the use of offensive language." P. 93.

  - The breadth and depth of the coalition plan is sweeping to the extent that it would fully empower an independent agency to investigate allegations of misconduct, bring charges against individual police officers, adjudicate said charges, and determine disciplinary measures to be taken. Presently, such measures fall under the authority and responsibilities of the police commissioner and the Internal Affairs Bureau of the Department and are also subject to the independent state authorized arbitration process.

However, the creation of a fully budgeted investigative agency with staff, adjudication responsibilities, and disciplinary authority would require:

- Amendment to the county code as approved by the County Legislature and authorized by the County Executive.
- Determination of funding sources i.e. police district tax increase or offsets from other current expenditures and then budget approval.
- Civil Service accommodation to establish staff titles and grades.
- Concurrence by the Police Benevolent Association (PBA), Superior Officers Association (SOA), and the Suffolk County Detectives Association (SDA) pursuant to collective bargaining rules.

There is universal support on the Task Force for a fair, transparent, and effective disciplinary process. Complainants utilizing the county disciplinary process must have confidence and trust that a full and fair investigation and review is being conducted. The task force also believes it is essential that complainants' are updated on case progress, notified of investigatory outcomes, and protected from any form of retaliation. Questions remain, however, as to the viability of a new agency in terms of cost, effectiveness, legislative authorization, and agreement through the collective bargaining process.

- **Civilian Oversight Auditing Model**

  At the other end of the spectrum would be for the oversight function to be data based meaning that the county would collect and share data with the legislature through regular reporting and with the public through an open data portal in order to provide transparency and to invite public scrutiny.

  Under this model, the county would utilize the county police Department internal affairs (IA) process with improved intake procedures and greater interaction with the complainant during the entirety of the process. Collection of data through Suffolk County Stat and the county CRM system would attach to the overall internal affairs process.

  Inherent in this model is that police misconduct will continue to be the exclusive province of the Police Department and its Internal Affairs Bureau. The Department asserts that the specially trained IA Bureau is best situated and professionally equipped to investigate police misconduct in Suffolk County. The IA Bureau is independent of other police personnel, answers directly to the commissioner, and has unlimited access to police personnel and

police records with staff that are professionally trained to conduct police related investigations.

In recent years, the IA Bureau has amended its policies relating to the time frame for investigations, meeting case backlog, and the level of accountability to which police personnel are held. In addition, the Police Commissioner and other police representatives point to the recent repeal by the New York State legislature of 50-a of New York State Law which means that IA findings are no longer confidential. The result is that there is a new level of oversight, transparency and accountability built into the IA process.

Through current and enhanced collection and release of data, the resulting transparency and opportunity for public scrutiny will increase accountability. This model, however, provides only minimal civilian engagement in the process i.e. reviewing data posted on police websites which may be difficult to understand or interpret. The current concerns regarding delays in investigations, inconclusive findings, and subpar communications with complainants remain unresolved.

**Department of Justice Agreement Oversight**

Suffolk County remains subject to its 2014 Department of Justice Agreement. The DOJ settlement agreement included significant oversight and guidance on the reorganization of the IA bureau over the last several years including achieving increased staffing, elimination of backlogs, required timely and thorough investigations, increased supervisor review, and in placing a greater emphasis on allegations involving biased policing. The police Department is subject to periodic review by the DOJ on meeting requirements set forth in DOJ agreement.

# Task Force Reinvention Plan

## 6) Create a Civilian Oversight Review Process

*A civilian oversight review process will be created by the independent Suffolk County Human Rights Commission, in partnership with the Department, that adds greater interaction with the complainant throughout the process and enhanced public reporting.*

It is proposed that Suffolk County create a civilian oversight process in conjunction with the Suffolk County Human Rights Commission that is based on the Civilian Oversight Review Model. The County will also continue to enhance data collection while expanding the public dissemination of data through an open data portal. The county would create, under this proposal, a hybrid review and auditing oversight mechanism that retains independence from

the police Department and adds public access to data allowing for greater transparency and independent scrutiny.

The Human Rights Commission is composed of 15 civilian board members and an Executive Director who serves at the pleasure of the Commission, The Executive Director oversees a team of 4 investigators. While the Executive Director of the Human Rights Commission is an attorney, this proposal would authorize the council to retain additional outside counsel when needed.

New members of the Commission are vetted by Commission members and then submitted to the County Executive for approval. Once approved, the County Executive submits names of potential Commission members to the County Legislature for their approval.

It is proposed that the legislature authorize, pursuant to the adoption of this plan, the Suffolk County Human Rights Commission to include civilian review of police misconduct as part of its mission. The Human Rights Commision Review process would be conducted in tandem with the Department Internal Affairs Division.

Currently, the Human Rights Commission serves as an option for the public to submit complaints relating to policing bias claims and undue force. However, the Human Rights Commission only prepares the complaint and forwards the complaint to the Internal Affairs Bureau. This plan will allow for the Human Rights Commission to receive all complaints regarding potential police misconduct as pursuant to Policy 1010 Personnel Investigations and Complaints. This enhanced complaint intake process will be in addition to filing a complaint at a police precinct, community kiosk or online.

Under this plan, the Human Rights Commission, 5 investigators and the Administration of Justice sub-committee, will handle intake and review responsibilities and the IA Bureau will handle investigative responsibilities.

The Administration of Justice sub-committee of the Human Rights Commission is comprised of 4 independent members who are tasked with actively working with the Department on matters of concern to the Commission, such as: the tracking of complaints against the SCPD, incidents involving the use of undue force, the Internal Affairs Bureau complaint process, policies and procedures regarding the designation of a "hate crime" to incidents involving bias, the recording of racial data on stops and searches, and increasing minority representation in the police service.

**Under this reinvention plan, the Human Rights Commision performs the following:**

- Open police misconduct cases through the Commission's intake process which is now part of the county's performance measurement and data analytics program through the Suffolk County Constituent Relationship Management (CRM) system. Constituents can be connected to this system through 311 as well.
- Human Rights investigators will be assigned to each police misconduct case that alleges undue force and bias in police conduct,
- The Human Rights investigator will collect specific data through a dashboard created for this purpose.
- Upon logging in the complainant's dashboard information and reviewing the matter with the complainant including explaining to the complainant how the process works and how long it should take, the matter is delivered to the police Department IA bureau for investigation.
- The Human Rights investigator will be debriefed by the IA investigation team and advised as to the time table and substance of the investigation.
- The Human Rights investigator and or the Police Department will update complainant.
- Upon completing the investigation, the Internal Affairs Bureau will review the complaint with the investigator, the Executive Director and a member of the Administration of Justice sub-committee. At that time, the Human Rights Commission representatives will have the opportunity to weigh in on the investigative process and, if deemed appropriate, suggest additional steps to be taken as part of the investigation. Once the findings are finalized, the Human Rights investigator and or police Department will provide the final determination and actions to be taken to the complainant.
- The Human Rights investigator will maintain log of case determination and complainant input and notification.
- The Human Rights investigator will document, investigate and report any alleged retaliation against the complainant.
- The Executive Director, investigators and Administration of Justice sub-committee will be trained on the comprehensive Internal Affairs investigative process and policies and procedures of the Bureau on a bi-annual basis. This training will ensure that the

members of the review team are fully apprised of the investigative process Internal Affairs Bureau.

Upon the adoption of the plan, the County Executive will immediately authorize an additional investigator and an administrative assistant and will review staffing needs on an ongoing basis. The additional investigator qualifications should be considered as follows:

- Strong analytical writing and oral communication skills
- Experience in and enjoy building relationships with people from different backgrounds
- Top notch time management, scheduling, and organizing skills
- A background or interest in criminal justice, journalism, public policy, government, or the humanities and liberal arts
- Curiosity in learning about police Department procedures, legal principles around use of force and bias claims and disciplinary rules.
- Bachelor degree preferred.

While this proposal is subject to code, budget, policy and collective bargaining requirements that may pertain to its successful deployment, such changes are minimal.

## 7) Designation of a NYS Attorney General Liaison

*Designate a liaison to the NYS Attorney General's new Law Enforcement Misconduct Investigative Review Office, which goals include enhancing law enforcement effectiveness, protecting civil rights and liberties, and increasing public confidence in law enforcement*

The Suffolk County Task Force proposes that the County Executive's office and the County Legislature designate a liaison to engage with the newly authorized New York State Attorney General's "Law Enforcement Misconduct Investigative Office" (NY Exec. Law Section 75), (bill number S3595c)

**NY Exec. Law Section 75 is as follows:**

Section 75 - [Effective 4/1/2021] Law enforcement misconduct investigative office

1. Jurisdiction. This section shall, subject to the limitations contained in this section, confer upon the law enforcement misconduct investigative office jurisdiction over all covered agencies. For the purposes of this section "covered agency" means an agency of any political subdivision within the state maintaining a police force or police forces of individuals defined as police officers in section 1.20 of the criminal procedure law, provided however, covered agency does not include any agency, public authority, or other entity under the jurisdiction of the state inspector general pursuant to article

four-A of the executive law, the metropolitan transportation authority inspector general pursuant to section one thousand two hundred seventy-nine of the public authorities law, or the port authority inspector general pursuant to chapter one hundred fifty-four of the laws of nineteen twenty-one.

2. Establishment and organization.
    a. There is hereby established the law enforcement misconduct investigative office in the Department of law. The head of the office shall be a deputy attorney general who shall be appointed by the attorney general.
    b. Such deputy attorney general may appoint one or more assistants to serve at his or her pleasure.
    c. The salary for the head of such office shall be established within the limit of funds available therefore; provided, however, such salary shall be no less than the salaries of certain state officers holding the positions indicated in paragraph
        i. of subdivision one of section one hundred sixty-nine of this chapter.

3. The mission of the law enforcement misconduct investigative office shall be to review, study, audit and make recommendations relating to the operations, policies, programs and practices, including ongoing partnerships with other law enforcement agencies, of state and local law enforcement agencies with the goal of enhancing the effectiveness of law enforcement, increasing public safety, protecting civil liberties and civil rights, ensuring compliance with constitutional protections and local, state and federal laws, and increasing the public's confidence in law enforcement.

4. Functions and duties. The deputy attorney general shall have the following duties and responsibilities:
    a. receive and investigate complaints from any source, or upon his or her own initiative, concerning allegations of corruption, fraud, use of excessive force, criminal activity, conflicts of interest or abuse in any covered agency;
    b. inform the heads of covered agencies of such allegations and the progress of investigations related thereto, unless special circumstances require confidentiality;
    c. determine with respect to such allegations whether disciplinary action, civil or criminal prosecution, or further investigation by an appropriate federal, state or local agency is warranted, and to assist in such investigations, if requested by such federal, state, or local agency;

d. prepare and release to the public written reports of investigations, as appropriate and to the extent permitted by law, subject to redaction to protect the confidentiality of witnesses and other information that would be exempt from disclosure under article six of the public officers law. The release of all or portions of such reports may be temporarily deferred to protect the confidentiality of ongoing investigations;
e. review and examine periodically the policies and procedures of covered agencies with regard to the prevention and detection of corruption, fraud, use of excessive force, criminal activity, conflicts of interest and abuse;
f. recommend remedial action to prevent or eliminate corruption, fraud, use of excessive force, criminal activity, conflicts of interest and abuse in covered agencies; and
g. investigate patterns, practices, systemic issues, or trends identified by analyzing actions, claims, complaints, and investigations, including, but not limited to, any patterns or trends regarding Departments, precincts, and commands; and
h. on an annual basis, submit to the governor, the attorney general, the temporary president of the senate, the speaker of the assembly, the minority leader of the senate and the minority leader of the assembly, no later than December thirty-first, a report summarizing the activities of the office and recommending specific changes to state law to further the mission of the law enforcement misconduct investigative office.

5. Powers. The deputy attorney general shall have the power to:
   a. subpoena and enforce the attendance of witnesses;
   b. administer oaths or affirmations and examine witnesses under oath;
   c. require the production of any books and papers deemed relevant or material to any investigation, examination or review;
   d. notwithstanding any law to the contrary, examine and copy or remove documents or records of any kind prepared, maintained or held by any covered agency;
   e. require any officer or employee in a covered agency to answer questions concerning any matter related to the performance of his or her official duties. No statement or other evidence derived therefrom may be used against such officer or employee in any subsequent criminal prosecution other than for perjury or contempt arising from such testimony. The refusal of any officer or employee to answer questions shall be cause for removal from office or employment or other appropriate penalty;

f. monitor the implementation by covered agencies of any recommendations made by the law enforcement misconduct investigative office; and
g. perform any other functions that are necessary or appropriate to fulfill the duties and responsibilities of office.

6. Responsibilities of covered agencies, officers and employees.
   a. Every officer or employee in a covered agency shall report promptly to the law enforcement misconduct investigative office any information concerning corruption, fraud, use of excessive force, criminal activity, conflicts of interest or abuse by another officer or employee relating to his or her office or employment, or by a person having business dealings with a covered agency relating to those dealings. The knowing failure of any officer or employee to so report shall be cause for removal from office or employment or other appropriate penalty. Any officer or employee who acts pursuant to this subdivision by reporting to the law enforcement misconduct investigative office shall not be subject to dismissal, discipline or other adverse personnel action.
   b. Upon receiving at least five complaints from five or more individuals relating to at least five separate incidents involving a certain officer or employee within two years, the head of any covered agency shall refer such complaints to the law enforcement misconduct investigative office for review. The law enforcement misconduct investigative office shall investigate such complaints to determine whether the subject officer or employee has engaged in a pattern or practice of misconduct, use of excessive force, or acts of dishonesty. The referral and investigation pursuant to this subdivision shall be in addition to and shall not supersede any civil, criminal, administrative or other action or proceeding relating to such complaints or the subject officer or employee.
   c. The head of any covered agency shall advise the governor, the temporary president of the senate, the speaker of the assembly, the minority leader of the senate and the minority leader of the assembly within ninety days of the issuance of a report by the law enforcement misconduct investigative office as to the remedial action that the agency has taken in response to any recommendation for such action contained in such report.
   d. Nothing in this section shall be construed to impede, infringe, or diminish the rights, privileges, benefits or remedies that accrue to any employee pursuant to any agreement entered into pursuant to article fourteen of the civil service law.

N.Y. Exec. Law § 75
Amended by New York Laws 2020, ch. 106,Sec. 1, eff. 4/1/2021.Added by New York Laws 2020, ch. 104,Sec. 1, eff. 4/1/2021.

The provision of the above act covers many of the concerns reported to and by Task Force members.

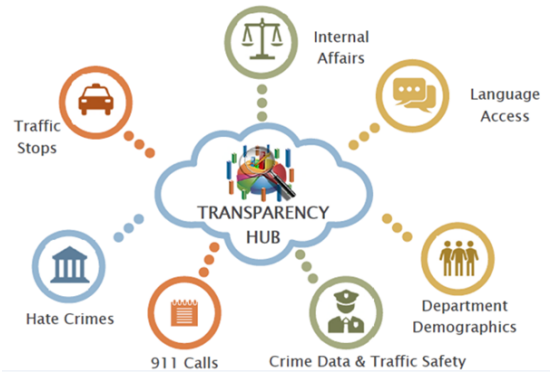
# Reinvention Plan

## 8) Creation of Data Transparency Hub

*SCPD will establish an open-access website for the public to view a multitude of data dashboards related to policing activity.*

The Department is committed to advancing its collection methods, analytics, integrity, governance and transparency of data. To facilitate this, a Data Transparency Hub is being created to allow the public open access to a number of dashboards. The Hub will also be part of a larger SCPD website redevelopment to facilitate the advancements in technology and transparency. In addition, the Department will employ advanced Business Intelligence (BI) software and Geographic Information Systems (GIS) mapping to take the Department's data management, analysis and transparency to the next level. These improvements will accomplish the following:

- Leverage BI & GIS mapping technology for open data and transparency
- Availability of quality data to enable data-driven decision making with measurable outcomes
- Data will be digestible and accessible format to provide powerful statistical insights
- Automated systems streamline data management process to improve data integrity & refocus personnel for comprehensive analysis
- Expanding Hub to include additional dashboards from other accessible datasets



**Exhibits**

Exhibit A: SCPD Police Reforms Community Meetings
Exhibit B: Community Policing SCPD Policy (Comm. Policy 343)
Exhibit C: Community Relations/CRB (Comm. Policy 343.10)
Exhibit D: CLO/COPE/SRO/Recruitment (Comm. Rel. Policy 343.10)
Exhibit E: Limited English Proficiency Services (Lim. Eng. Pro. Serv. Policy 333)
Exhibit F: Training (Policy 203)
Exhibit G: Field Training (Policy 417)
Exhibit H: Transfers, Designations and Promotions (Policy 1002)
Exhibit I: Traffic (Policy 500)
Exhibit J Traffic and Parking Tickets (Policy 504)
Exhibit K: Processing of Adults (Policy 900) (LGBTQ)
Exhibit L: Processing of Juveniles (Policy 901)
Exhibit M: Civilian Arrest (Policy 332)
Exhibit N: Warrant Services (Policy 607)
Exhibit O Contact and Temporary Detentions (Policy 419)
Exhibit P: Custodial Services (Policy 902) (LGBTQ)
Exhibit Q: Crisis Intervention Incidents (Policy 409)
Exhibit R: Mental Health Emergency Admission (Policy 410)
Exhibit S: Personnel Investigation (Policy 1010)
Exhibit T: Department Early Warning Systems (Policy 1029)
Exhibit U: Mobile and Portable Audio/Video - Body Cams (Policy 422)
Exhibit V: Governor Executive Order
Exhibit W: Task Force Website Resources & Meetings

| Police Reform Taskforce Meetings | | |
|---|---|---|
| Event | Dates | Focus |
| General Taskforce Meeting 1 | 9/21/2020 | Introductory Meeting |
| General Taskforce Meeting 2 | 10/9/2020 | IA/Recruitment/App Investigation/Promotions |
| General Taskforce Meeting 3 | 10/21/2020 | IA Part II |
| General Taskforce Meeting 4 | 10/28/2020 | IA Part III |
| General Taskforce Meeting 5 | 11/6/2020 | Traffic Stops |
| General Taskforce Meeting 6 | 11/12/2020 | Use of Force |
| General Taskforce Meeting 7 | 11/17/2020 | Arrest & Warrants |
| General Taskforce Meeting 8 | 12/4/2020 | CAHOOT Mental Health Response |
| General Taskforce Meeting 9 | 1/19/2021 | Meeting with SCDA's Office |
| General Taskforce Meeting 10 | 2/19/2021 | People's Plan Presentation by Collaborating Organizations |
| General Taskforce Meeting 11 | 3/8/2021 | Suffolk County Police Reform Draft Plan Presentation & Discussion I |
| General Taskforce Meeting 12 | 3/9/2021 | Suffolk County Police Reform Draft Plan Presentation & Discussion II |
| General Taskforce Meeting 13 | 3/10/2021 | Suffolk County Police Reform Draft Plan Presentation & Discussion III |

| Task Force Subcommittee Meetings | | |
|---|---|---|
| Event | Dates | Focus |
| Task Force Subcommittee Meeting 1 | 1/12/2021 | Introductory Meeting |
| Task Force Subcommittee Meeting 2 | 1/13/2021 | Training & Staffing/Community Policing |
| Task Force Subcommittee Meeting 3 | 1/14/2021 | Traffic Stops |
| Task Force Subcommittee Meeting 4 | 1/15/2021 | Arrest & Warrants |
| Task Force Subcommittee Meeting 5 | 1/15/2021 | Training & Staffing/Community Policing II |
| Task Force Subcommittee Meeting 6 | 1/19/2021 | Police Systems Accountability & Body Cameras |
| Task Force Subcommittee Meeting 7 | 1/20/2021 | Mental Health Response |
| Task Force Subcommittee Meeting 8 | 1/20/2021 | Training & Staffing/Community Policing III |
| Task Force Subcommittee Meeting 9 | 1/21/2021 | Traffic Stops II |
| Task Force Subcommittee Meeting 10 | 1/22/2021 | Arrest & Warrants II |
| Task Force Subcommittee Meeting 11 | 1/27/2021 | Police Systems Accountability & Body Cameras II |
| Task Force Subcommittee Meeting 12 | 1/28/2021 | Training & Staffing/Community Policing IV |
| Task Force Subcommittee Meeting 13 | 1/28/2021 | Traffic Stops III |
| Task Force Subcommittee Meeting 14 | 1/29/2021 | Arrest & Warrants III |
| Task Force Subcommittee Meeting 15 | 2/2/2021 | Police Systems Accountability & Body Cameras III |

| Stakeholder Meetings | | | |
|---|---|---|---|
| Stakeholder Meeting 1 | 11/20/2020 | Assemblyman Phil Ramos | 8 |
| Stakeholder Meeting 2 | 11/24/2020 | Axis Church | 8 |
| Stakeholder Meeting 3 | 11/25/2020 | SC African American Advisory Board | 17 |
| Stakeholder Meeting 4 | 12/3/2020 | Minority Millenials | 20 |
| Stakeholder Meeting 5 | 12/7/2020 | LI United Coalition | 19 |
| Stakeholder Meeting 6 | 12/7/2020 | SC Hispanic Advisory Board | 15 |
| Stakeholder Meeting 7 | 12/16/2020 | LI United to Transform Policing and Community Safety and Center for Policing Equity | 6 |
| Stakeholder Meeting 8 | 12/16/2020 | LI Advocates for Police Reform and Accountability | 13 |
| Stakeholder Meeting 9 | 12/17/2020 | SC Human Rights Commission | 15 |
| Stakeholder Meeting 10 | 12/18/2020 | New York Social Action Network | 10 |
| | | SCPD Guardians | 11 |
| Stakeholder Meeting 11 | 12/29/2020 | SCPD Guardians | 22 |
| Stakeholder Meeting 12 | 1/11/2021 | Long Island Jobs for Justice | 21 |
| Stakeholder Meeting 13 | 1/19/2021 | Urban League-SOBLI Board | 20 |
| Stakeholder Meeting 14 | 2/8/2021 | SC Branch NAACP Presidents | 12 |
| Facilitators and staff of the Police Reform and Reinvention Task Force had 100's of individual conversations with community | | | |

| Public Listening Sessions | | | | |
|---|---|---|---|---|
| Event | Dates | Focus | Registrants | Speakers |
| Listening Session 1 | 10/27/2020 | 1st Precinct | 86 | 22 |
| Listening Session 2 | 11/4/2020 | 2nd Precinct | 111 | 22 |
| Listening Session 3 | 11/11/2020 | 3rd Precinct | 211 | 46 |
| Listening Session 4 | 11/17/2020 | 4th Precinct | 126 | 33 |
| Listening Session 5 | 12/1/2020 | 5th Precinct | 245 | 63 |
| Listening Session 6 | 12/9/2020 | 6th Precinct | 228 | 60 |
| Listening Session 7 | 12/18/2020 | 7th Precinct | 111 | 25 |
| Listening Session 8 | 12/21/2020 | East End | 100 | 25 |
| | | Total | 1218 | 296 |

# Community Relations

## 343.1 PURPOSE AND SCOPE

The purpose of this policy is to establish responsibilities and objectives of the community relations function.

Additional guidance on community relations and outreach is provided in other policies, including the:

- Hate Crimes and Incidents Policy.
- Limited English Proficiency Services Policy.
- Communications with Persons with Disabilities Policy.
- Chaplains Policy.
- Patrol Policy.
- Intelligence Gathering and Reporting Policy.

## 343.2 POLICY

It is the policy of the Department to foster and preserve open avenues of communication between the Department and the diverse communities which it serves in an ongoing effort to identify, understand and solve the contemporary problems facing those communities.

## 343.3 MEMBER RESPONSIBILITIES

Officers should, as time and circumstances reasonably permit:

(a) Make casual and consensual contacts with community members to promote positive community relationships. See the Contacts and Temporary Detentions Policy.

(b) Become reasonably familiar with the schools, businesses and community groups in their assigned jurisdictional areas.

(c) Work with community members and the Community Relations Bureau to identify issues and solve problems related to community relations and public safety.

(d) Conduct periodic foot patrols in appropriate areas of their sectors. Officers should notify an appropriate supervisor and the Communications Section of their status and location upon start and completion of a foot patrol. Officers should also periodically inform the Communications Section of their location and status during the foot patrol.

## 343.4 COMMUNITY RELATIONS BUREAU

The Community Relations Bureau (CRB) shall be the lead command responsible for coordinating all Department-wide community relations initiatives as described in this policy. Additionally, the Commanding Officer of the CRB shall be designated as the Language Access Coordinator for the Department. The goals and objectives of the CRB are to:

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(a) Strengthen relationships and build opportunities for open communication between the Department and Suffolk County's geographic and demographic communities.

(b) Increase participation of individuals from minority communities working in partnership with the Department on public safety issues.

(c) Respond to community concerns in an honest, timely, equitable and respectful fashion.

(d) Obtain Department-approved training related to its responsibilities.

(e) Respond to requests from Department members and the community for assistance in identifying issues and solving problems related to community relations and public safety.

(f) Organize surveys to measure the condition of the Department's relationship with the community.

(g) Work with Department members, community groups and other community resources to:

1. Identify and solve public safety problems within the community.
2. Organize programs and activities that help build positive relationships between Department members and the community
3. Provide community members with an improved understanding of Department operations.

(h) Coordinate the activities of designated Community Liaison Officers (CLOs) and Community Oriented Police Enforcement (COPE) officers with patrol division command staff to foster community engagement and problem-solving activities.

(i) Recognize Department and community members for exceptional work or performance in community relations efforts.

(j) Attend community meetings to obtain information on community relations needs.

(k) Assist with the Department's response to events that may affect community relations, such as an incident where the conduct of a Department member is called into public question.

(l) Inform the Police Commissioner and others of developments and needs related to the furtherance of the Department's community relations goals, as appropriate.

## 343.5 SURVEYS

The Commanding Officer of CRB shall conduct a satisfaction survey on a quarterly basis of community and political leaders within the Latino community regarding the success of the Department's LEP (Limited English Proficiency) efforts and all programs and efforts of the CRB designed to engage the Latino community. Information obtained through direct solicitation shall be recorded with sufficient specificity to allow accurate identification, tracking, analysis and reporting. The Commanding Officer of the CRB will develop a written survey instrument. The written community survey shall solicit assessments of:

(a) The CRB's success in engaging the community.

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(b) Overall perceptions of the Department's performance.

(c) Success of the Department's LEP efforts.

(d) CRB community engagement programs and efforts.

The Commanding Officer of the CRB shall make the written community survey available in all non-English languages identified as relevant in Limited English Proficiency Services Policy. The Commanding Officer of the CRB shall distribute the written community survey as broadly as possible throughout the Police District, and shall ensure that it is available in print in Department buildings with public access, on the Department's website, and in any other location in the County where individuals go to seek police assistance. Completed community surveys shall be returned to the CRB for analysis. The CRB will forward completed surveys to the Research and Development Section, which will provide the CRB with an analysis of the data retrieved from completed community surveys for review and action.

## 343.6 COMMUNITY AND YOUTH ACTIVITIES AND PROGRAMS

The CRB should organize or assist with programs and activities that create opportunities for Department members and community members, especially youth, to interact in a positive setting. Examples of such programs and events include:

(a) Department-sponsored athletic programs (e.g., baseball, basketball, soccer, bowling).

(b) Police-community engagement activities (e.g., cookouts, meals, charity events).

(c) Youth leadership and life skills mentoring.

(d) School resource officer program.

(e) Neighborhood Watch and crime prevention programs.

(f) Police Athletic League.

(g) Car Seat Inspections.

(h) I-Dent-A-Kit Program.

(i) National Night Out.

(j) Recruitment Program.

(k) Crime Prevention through Environmental Design assessments.

## 343.7 INFORMATION SHARING

The CRB should work with the Crime Stoppers and Public Information Bureau to develop methods and procedures for the convenient sharing of information between the Department and community members on matters such as major incident notifications, significant changes in Department operations, commentary, feedback or positive events. Information should be regularly refreshed to inform and engage community members continuously.

Examples of information-sharing methods include:

(a) Community meetings.

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(b) Social media. See the Department Use of Social Media Policy.

(c) Department website postings.

### 343.8 LAW ENFORCEMENT OPERATIONS EDUCATION

The CRB should develop methods to educate community members on general law enforcement operations so they may understand the work that officers do to keep the community safe. Examples of educational methods include:

(a) Development and distribution of informational cards/flyers.

(b) Department website postings.

(c) Presentations to driver education classes.

(d) Instruction in schools.

(e) Department ride-alongs. See the Ride-Alongs Policy.

(f) Scenario/simulation exercises with community member participation.

(g) Youth internships at the Department.

(h) Citizen academies.

(i) Police Explorer program.

Instructional information should include direction on how community members should interact with the police during enforcement or investigative contacts and how community members can make a complaint to the Department regarding alleged misconduct or inappropriate job performance by Department members.

### 343.9 SAFETY AND OTHER CONSIDERATIONS

Department members responsible for community relations activities should consider the safety of the community participants and, as much as reasonably practicable, should not allow them to be present in any location or situation that would jeopardize their safety.

Department members in charge of community relations events should ensure that participating community members have completed waiver forms before participation, if appropriate. A parent or guardian must complete the waiver form if the participating community member has not reached 18 years of age.

Community members may be subject to a criminal history check before approval for participation in certain activities such as citizen academies.

### 343.10 COMMUNITY ENGAGEMENT PROGRAMS

Community Liaison Officers (CLOs), COPE Officers, School Resource Officers (SROs), and officers assigned to the recruitment function perform duties in furtherance of the Department's community relations functions.

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See procedure for further guidance: SELECTION PROCESS FOR, AND RESPONSIBILITIES OF COMMUNITY LIAISON OFFICERS, COPE OFFICERS, SCHOOL RESOURCE OFFICERS, AND OFFICERS ASSIGNED TO THE RECRUITMENT FUNCTION

### 343.11 TRANSPARENCY

The Department should periodically publish statistical data and analysis regarding the Department's operations. The reports should not contain the names of officers, suspects or case numbers. The CRB should work with the community to identify information that may increase transparency regarding Department operations.

The CRB shall maintain a database for the storage of information as required by this policy. The Commanding Officer of CRB, or designee, shall enter into the database information contained on the following Department forms:

(a) Language Assistance Tracking Form (PDCS-7042c)

(b) Community Survey

(c) Community Meeting Presentation Report (PDCS-1310a)

(d) Activity reports:

1. COPE monthly activity reports
2. COPE and CLO tour reports

The Commanding Officer of CRB shall utilize the database to conduct quarterly analysis of CRB programs, Department Limited English Proficiency Services efforts and Language Access Plan updates.

Precinct Commanders, CLOs and COPE officers shall utilize information in the database to coordinate community relations activities within their respective precincts.

### 343.12 MEMORANDUM BOOK ENTRIES

a. Consistent with the Patrol Policy and Procedure, Patrol Division personnel shall record their participation in all community activities, formal or informal, in their memorandum book.
b. The Police Technologies Bureau shall ensure that electronic memorandum book entries for community activities appear on Patrol Division members' monthly productivity statistics.
c. The Commanding Officer of CRB shall include an accounting of Patrol Division members' participation in community activities in the annual Community Relations Report.

### 343.13 TRAINING

Subject to available resources, members should receive training related to this policy, including training on topics such as:

(a) Effective social interaction and communication skills.

(b) Cultural, racial and ethnic diversity and relations.

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(c) Building community partnerships.

(d) Community policing and problem-solving principles.

(e) Enforcement actions and their effects on community relations.

Where practicable and appropriate, community members, especially those with relevant expertise, should be involved in the training to provide input from a community perspective.

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# Attachments

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# Language Assistance Tracking Form (PDCS-7042c).pdf

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**POLICE DEPARTMENT, COUNTY OF SUFFOLK, NY**
*ACCREDITED LAW ENFORCEMENT AGENCY*

**LANGUAGE ASSISTANCE TRACKING**
PDCS-7042c

**CC #** (If one was drawn - a CC# is not mandatory)

☐ Dept. Authorized Interpreter (DAI) ☐ Temporary Interpreter - SCPD
☐ Certified Bilingual Member ☐ Temporary Interpreter - non-SCPD ☐ Language Line Services : LL Interpreter ID#_____

| **Date of Assistance:** | **Assistance Start Time:** | **Assistance End Time:** |
|---|---|---|
| **Assisted with which Language:** | **Location of Assistance:** | |
| **Name of Individual Requiring Assistance:** | **Name of Victim** (if applicable) | **Name of Witness** (if applicable) |

| **Member Providing Assistance** (Name - Last, First, MI): | **Rank/Title** | **Shield** | **Command** |
|---|---|---|---|
| **Non-Member Assistance Contact Info** (Name - Last, First, MI): | **Address:** | | **Telephone:** |
| **Relationship of Assistant** *(if any)* **to LEP individual:** | **E-Mail:** | | |

**How many interpreters assisted?**_____ **Complete if more than 1 interpreter assisted** (use back of form to enter additional interpreters)

☐ Dept. Authorized Interpreter (DAI) ☐ Temporary Interpreter - SCPD
☐ Certified Bilingual Member ☐ Temporary Interpreter - non-SCPD ☐ Language Line Services : LL Interpreter ID#_____

| **Member Providing Assistance** (Name - Last, First, MI): | **Rank/Title** | **Shield** | **Command** |
|---|---|---|---|
| **Non-Member Assistance Contact Info** (Name - Last, First, MI): | **Address:** | | **Telephone:** |
| **Relationship of Assistant** *(if any)* **to LEP individual:** | **E-Mail:** | | |

| **Member Requesting Assistance:** | **Rank/Title** | **Shield** | **Command** |
|---|---|---|---|

**Summary of Action Taken:** ☐ Criminal ☐ Arrest ☐ No Arrest ☐ Non-Criminal

☐ **No Language Assistance Required**
☐ The 911 caller was not involved in the incident; ☐ The 911 caller is gone on arrival of police; ☐ Aided Case – Not a victim of violence
☐ The 911 caller wishes to remain anonymous; ☐ The victim/complainant spoke sufficient English to effectively communicate;
☐ Other (provide clear explanation as to why no language assistance was required if none of the above are applicable):

| Supervisor: | Rank/Title | Shield | Command |
|---|---|---|---|
| Entered into Database by: | Command: | Date Entered: | |

☐ Dept. Authorized Interpreter (DAI) ☐ Temporary Interpreter - SCPD
☐ Certified Bilingual Member ☐ Temporary Interpreter - non-SCPD ☐ Language Line Services : LL Interpreter ID#_____

| **Member Providing Assistance** (Name - Last, First, MI): | **Rank/Title** | **Shield** | **Command** |
|---|---|---|---|
| **Non-Member Assistance Contact Info** (Name - Last, First, MI): | **Address:** | | **Telephone:** |
| **Relationship of Assistant** *(if any)* **to LEP individual:** | **E-Mail:** | | |

☐ Dept. Authorized Interpreter (DAI) ☐ Temporary Interpreter - SCPD
☐ Certified Bilingual Member ☐ Temporary Interpreter - non-SCPD ☐ Language Line Services : LL Interpreter ID#_____

| **Member Providing Assistance** (Name - Last, First, MI): | **Rank/Title** | **Shield** | **Command** |
|---|---|---|---|
| **Non-Member Assistance Contact Info** (Name - Last, First, MI): | **Address:** | | **Telephone:** |
| **Relationship of Assistant** *(if any)* **to LEP individual:** | **E-Mail:** | | |

☐ Dept. Authorized Interpreter (DAI) ☐ Temporary Interpreter - SCPD
☐ Certified Bilingual Member ☐ Temporary Interpreter - non-SCPD ☐ Language Line Services : LL Interpreter ID#_____

| **Member Providing Assistance** (Name - Last, First, MI): | **Rank/Title** | **Shield** | **Command** |
|---|---|---|---|
| **Non-Member Assistance Contact Info** (Name - Last, First, MI): | **Address:** | | **Telephone:** |
| **Relationship of Assistant** *(if any)* **to LEP individual:** | **E-Mail:** | | |

☐ Dept. Authorized Interpreter (DAI) ☐ Temporary Interpreter - SCPD
☐ Certified Bilingual Member ☐ Temporary Interpreter - non-SCPD ☐ Language Line Services : LL Interpreter ID#_____

| **Member Providing Assistance** (Name - Last, First, MI): | **Rank/Title** | **Shield** | **Command** |
|---|---|---|---|
| **Non-Member Assistance Contact Info** (Name - Last, First, MI): | **Address:** | | **Telephone:** |
| **Relationship of Assistant** *(if any)* **to LEP individual:** | **E-Mail:** | | |

RESET

# Community Meeting Presentation Report (PDCS-1310).pdf

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**POLICE DEPARTMENT, COUNTY OF SUFFOLK**
*ACCREDITED LAW ENFORCEMENT AGENCY*

**COMMUNITY MEETING-PRESENTATION REPORT**
**PDCS-1310a**

**Upon Completion:** **Precinct Commands:** All reports will be submitted to your Precinct Community Liaison Officer (CLO)
**Non-Precinct Commands:** will **FAX** to Community Response Bureau: **852-6112**

| | | |
|---|---|---|
| **Organization Name** | **Telephone #** | |
| **Organization Street Address** | **Town** | **Zip Code** |
| **Organization Contact Person/Leader - Name** | **Telephone #** | |
| **Organization Contact Person/Leader - Address** | **Town** | **Zip Code** |
| **Organization E-mail Address** | **Contact Person E-Mail Address** | |
| **Location of Meeting** | **Date of Meeting** | **Time of Meeting** |

| **Department and Community Members Present - Names** | **Rank/Title** | **Shield #** | **Command #** |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

| **Total # Attendees** | **# Caucasian** | **# African Americans** | **# Hispanic/Latino** | **# Others** |
|---|---|---|---|---|
| | | | | |

**Purpose of Meeting - Presentation**

**Summary of Issues Discussed**

| **Proposed Solutions** | **Referral/Follow Up** |
|---|---|
| | |

# Limited English Proficiency Services

## 333.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

### 333.1.1 DEFINITIONS

Definitions related to this policy include:

**Bilingual** - The ability to use two languages to a level of proficiency sufficient to participate effectively in a conversation on practical, social and professional topics, and the possession of a broad vocabulary, moderate accent and the comprehension level required for a normal rate of speech.

**Bilingual Member** - A member of the Department who has been tested and certified to provide language assistance through monolingual conversation in a language other than English.

**Department Authorized Interpreter (DAI)** - A member of the Department who has been tested and certified to provide interpretation services in the performance of official duties.

**Department Authorized Interpreter List (DAI List)** - A list of members of the Department who are authorized to provide interpretation services in the performance of official duties.

**Interpretation** - The act of listening to a communication in one language (source language) and orally converting it to another language (target language) by an individual possessing the distinct skills and knowledge of both languages to do so.

**Language Assistance Tracking Data** - Information collected to document an interpretation or monolingual conversation. Whenever language assistance is provided, the reporting (requesting) officer shall complete all Language Assistance fields within the Online or Incident Reporting Systems as applicable (ORS/IRS). If access to ORS/IRS is not available, the Language Assistance Tracking (PDCS-7042c) shall be utilized.

**Language Access Coordinator (LAC)** - The Commanding Officer of the Community Relations Bureau (CRB) is designated as the Police Department Language Access Coordinator.

**Language Access Plan** - A roadmap that explains how the Department will provide police services to persons with limited English Proficiency (LEP).

**Language Assistance Services** - Assistance provided by a member of the Department in the form of interpretation, translation, or monolingual conversation in a language other than English.

**Language Line Solutions** - The contracted telephonic interpretation service that provides 24 hour access to interpreters in over 200 languages.

**Limited English Proficiency (LEP)** - Individuals whose primary language is not English and who have a limited ability to read, write, speak or understand English. LEP designations are context specific: an individual may possess sufficient English language skills to function in one setting,

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but these skills may be insufficient in other situations. For example, an individual may possess sufficient English language skills to explain a motor vehicle accident, but may find these skills insufficient to describe the circumstances of a domestic dispute.

**Primary Language** - The language in which an individual most effectively communicates. Department personnel should avoid assumptions about an individual's primary language, and make every effort to ascertain an individual's primary language to ensure effective communication.

**Source Language** - The language of the original document or the principal speaker.

**Target Language** - The language into which someone translates or interprets.

**Temporary Interpreter** - Any member of the Department, or the general public, who is bilingual and capable of interpreting from the applicable source language into the required target language.

**Translation** - The replacement of written text from the source language into an equivalent written text in the target language by an individual possessing the distinct skills and knowledge of both languages to do so.

## 333.2 POLICY

This policy serves as the Department's Language Access Plan (LAP) and contains the procedures for providing Language Assistance Services to all residents of Suffolk County who require or request police service. It shall be updated annually and made available on the Department's website, in print at all facilities open to the public and distributed throughout the police district.

Department personnel shall provide language assistance services in accordance with the procedures contained in this LAP and shall make residents aware that such services are available to them free of charge.

No member of this Department shall inquire about or disclose, any individual's immigration status, unless such inquiry or disclosure is expressly required by law. Use of language assistance services shall not be deemed a basis for inquiring into any person's immigration status.

## 333.3 REFERENCES

(a) U.S. Department of Justice (DOJ) Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting LEP Individuals (67 Fed. Reg. 41455 (2002)

(b) American Translators Association Code of Ethics and Professional Practice

(c) WWW.LEP.GOV

## 333.4 COMMAND AND PERSONNEL RESPONSIBILITIES

333.4.1 LANGUAGE ACCESS COORDINATOR (LAC) RESPONSIBILITIES
The LAC is responsible to :

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(a) Coordinate and implement all aspects of language assistance services;

(b) Create, maintain, update and distribute the LAP, and identify:

1. Additional languages into which vital documents must be translated
2. Additional documents or other information that must be translated.

(c) Identify LEP populations that will likely require language assistance services by reviewing:

1. Departmental records, including documentation of interpretations performed by Department personnel
2. Language Line Solutions billing statements
3. Information obtained from community based organizations such as school districts, hospitals and advocacy groups
4. Information contained in the United States Census Bureau's American Communities Survey.

(d) Audit a random selection of ten percent of the Language Assistance Tracking Data completed each quarter to ensure:

1. The required information is being recorded accurately and completely.
2. The proper interpretation protocols are being followed.
3. Temporary interpreters are not used improperly.
4. Interpretation assets are deployed properly.
5. Deficiencies are referred back to the Commanding Officer of the reporting member.

(e) Provide the Police Commissioner a comprehensive annual report on the Department's language assistance services.

(f) Notify the public about Language Assistance Services.

(g) Oversee the creation and maintenance of signage and vital documents.

1. The list of vital documents will be created and maintained by the LAC
2. Signage, website notices and vital documents shall be printed in English, Spanish, and other relevant languages as identified by the LAC.
3. Signage and Language Identification Charts shall be conspicuously posted at the public entry points of all Department facilities, and on the home page of the Department's website stating in English, Spanish and other relevant languages that interpreters are available free of charge and that written forms and documents are available in languages other than English.
4. Language Identification Charts shall be posted in all public facilities and maintained in all sector cars.
5. The LAC shall procure the required signage in the required languages and arrange for delivery to each Department facility.

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6. On a quarterly basis the LAC, or designee, shall physically inspect each Department facility to ensure the required signage and literature is posted and/ or available.

7. Documents not available in an LEP's preferred language shall be read to the LEP individual in their preferred language utilizing a DAI, Bilingual member or the Language Line.

(h) Represent the Department in its partnership with leaders from the Latino community and other communities with significant LEP populations in order to ensure effective implementation of the LAP.

1. The LAC will conduct a quarterly survey of the Latino community to gauge the effectiveness of the LAP.

2. The LAC will analyze the results of each survey and implement measures to improve the plan.

3. Results of the survey will be published in an annual report.

333.4.2 COMMANDING OFFICER RESPONSIBILITIES
Commanding Officers shall:

(a) Ensure that the required signage, vital documents and other information are posted and visible to the general public entering their facility.

(b) Ensure that subordinate personnel enter all appropriate Language Assistance Tracking Data when utilizing any language assistance services.

333.4.3 INTERNAL AFFAIRS BUREAU RESPONSIBILITIES
The Internal Affairs Bureau (IAB) shall:

(a) Investigate all complaints alleging denial of language access services.

(b) Conduct monthly audits to determine if language assistance services are provided in accordance with this policy.

1. IAB will obtain a list of 9-1-1 calls made by persons with apparent limited English proficiency ("Lima" calls) from the Department's system of records and contact complainants on that list to determine if the complainant received required/ requested services and if the complainant was satisfied with that service.

2. IAB will evaluate negative responses and on a case-by-case basis determine what remedial or disciplinary action will be taken.

333.4.4 ALL MEMBERS' RESPONSIBILITIES
All members of the Department shall:

(a) Adhere to the procedures contained in this Section.

(b) Immediately report to their supervisor any member of the Department who has wrongfully denied anyone language assistance services.

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## 333.5 PROVISION OF LANGUAGE ASSISTANCE SERVICES

Members shall provide free language assistance to all individuals in need of such assistance.

### 333.5.1 LANGUAGE LINE SOLUTIONS

(a) All members have access to the Language Line service 24 hours a day, seven days a week.

(b) Dual handset Language Line telephones are available to the public at:

1. The front desk of every Precinct and Headquarters
2. Crime Section and Detective Squad in every Precinct
3. Airport Operations Section
4. Public window of Central Records Section
5. Domestic Violence Section
6. Hate Crimes Section
7. Homicide Section
8. Internal Affairs Bureau
9. Marine Bureau desk
10. Marine Bureau – Fire Island (two phones)
11. Pistol Licensing Bureau
12. Police Academy Bureau (West)
13. Special Victims Section
14. Special Patrol Bureau

(c) Cell phones programmed to automatically dial Language Line and VoIP-enabled tablet computers programmed to access Language Line are deployed in numerous patrol units throughout the police district.

### 333.5.2 PROCEDURE FOR PROVIDING INTERPRETATION SERVICES TO 9-1-1 CALLERS

(a) When a 9-1-1 operator determines that a caller has LEP, the operator shall ascertain the caller's primary language.

1. If the operator determines that the caller's primary language is Spanish, the operator shall patch the call directly to a Spanish speaking operator. If no Spanish speaking operator is available, the operator shall utilize Language Line.
2. If the operator determines that the caller's primary language is other than Spanish, the operator will immediately call Language Line.
3. The operator will note in the Computer Aided Dispatch system "remarks" section that the caller has LEP, will specify the caller's language, and will assign an "L" designation to the call.

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(b) Dispatchers will make every effort to dispatch a DAI or a bilingual officer, as available, to calls involving LEP individuals.

333.5.3 PROCEDURE FOR PROVIDING INTERPRETATION SERVICES IN THE FIELD

(a) All members of the Department who must communicate with an individual whose primary language is not English shall determine if the individual is LEP.

(b) If the individual is LEP the responding officer shall then determine the individual's primary language, using the Language Identification Memorandum Book Insert, (PDCS-7044) , if necessary.

(c) If the responding officer is designated as a Bilingual Officer or DAI in the LEP individual's primary language, the responding officer may engage the individual in monolingual conversation. If the responding officer determines at any point that they do not possess sufficient language skills to provide service, that officer shall request language assistance from the Communications Section as described below

1. A responding officer who is a DAI or Bilingual Officer shall enter all Language Assistance Tracking Data into ORS/IRS. If access to ORS/IRS is not available, the Language Assistance Tracking (PDCS-7042c) shall be utilized.

(d) If the responding officer is not designated as a Bilingual Officer/Member or a DAI in the LEP's primary language, the responding officer shall:

1. Determine if exigent circumstances are present using any means at their disposal.
2. If exigent circumstances are not present, request language assistance from the Communications Section.
3. The Communications Section shall determine if a DAI or Bilingual Officer/ Member is available.
4. If no DAI or Bilingual Officer/Member is available, the Communications Section will advise the responding officer to utilize Language Line.
5. If a DAI is assigned to assist, that DAI may provide interpretation services to the responding officer.
6. If a Bilingual Officer/Member is assigned to assist, that officer/member may communicate with the LEP individual in order to assist the responding officer handling the call. All language assistance tracking data shall be entered into the Online Reporting System and Incident Reporting System (ORS/IRS). If access to ORS/IRS is not available, the Language Assistance Tracking (PDCS-7042c) shall be utilized.

(e) Under exigent circumstances, personnel who must communicate with LEP individuals in dangerous or rapidly developing situations may temporarily use any available interpreter. Temporary interpreters may include bilingual bystanders, including friends and family members of the LEP individual. When using a temporary interpreter, responding officers shall:

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1. Consider the chosen interpreter's apparent proficiency in both the source and target languages, and shall also consider any apparent bias, personal interest, or confidentiality issues.
2. Develop and ask all questions. A temporary interpreter shall not be permitted to independently question an LEP individual.
3. Evaluate the conduct of the temporary interpreter for signs of poor interpretation such as the interpreter's statements being considerably longer or shorter than those of the LEP individual, the interpreter engaging in multiple side conversations with either the LEP individual or the responding officer, or the LEP individual appearing frustrated, or opting to speak broken English despite the efforts of the interpreter.
4. Only utilize children as temporary interpreters as a last resort.
5. Discontinue the use of any temporary interpreter that is performing poorly.

(f) When the circumstances giving rise to the exigency have passed, responding officers shall determine whether a continued need for interpretation services exists.

1. If police service can be rendered based upon the information already received from the LEP individual, no need for further interpretation services exists.
2. If police service cannot be rendered based upon the information relayed by the temporary interpreter, the responding officer shall request language assistance from the Communications Section. For the purposes of this policy, police service cannot be rendered if at any time the responding officer determines that the quality of interpretation is suspect.
3. Whenever information is obtained through the use of a temporary interpreter, responding officers shall enter all Language Assistance Tracking Data into ORS/ IRS. If access to ORS/IRS is not available, the Language Assistance Tracking (PDCS-7042c) shall be utilized.

## 333.6 INTERROGATION, INTERVIEWS, AND COMPLAINTS

Whenever a written statement must be taken from an individual with LEP:

(a) If a DAI or Language Line is utilized, the investigating officer shall record the statement.

(b) If a Bilingual Member is utilized, that member will record the statement.

(c) The Department member taking the statement shall read it back to the LEP individual in their primary language to confirm its accuracy.

### 333.6.1 CRIMINAL SUSPECTS WITH LEP

(a) Any written statement taken from a LEP suspect must be taken utilizing a DAI or a Bilingual Member. If neither is available the investigating officer shall utilize Language Line.

1. Miranda warning forms shall be given and read in the suspect's primary language, utilizing a DAI, Bilingual Member, or the Language Line.

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2. When conducting an interrogation or interview for an associated agency, members of the Department may utilize an interpreter designated by that agency.

(b) Members of the Department who utilize a DAI or Bilingual Member when taking a suspect's statement shall record within that statement and in ORS/IRS:

1. The date, time and location of the statement.
2. The DAI or Bilingual Officer/Member name, rank and command.
3. The source and target languages.
4. If access to ORS/IRS is not available, the Language Assistance Tracking (PDCS-7042c) shall be utilized.
5. That the statement was read back to the LEP individual in their primary language.

(c) Members of the Department who utilize Language Line when taking a suspect's statement shall record within that statement and in ORS/IRS:

1. The date, time and location of the statement.
2. The name, contact information and Identification Number of the interpreter.
3. The source and target languages.
4. If access to ORS/IRS is not available, the Language Assistance Tracking (PDCS-7042c) shall be utilized.
5. That the statement was read back to the LEP individual in their primary language.

### 333.6.2 VICTIMS AND WITNESSES WITH LEP

(a) All written statements shall be taken utilizing language assistance.

(b) The name and contact information for the interpreter utilized, along with the date, time, location, source and target languages, and Language Line Interpreter Identification Number, if applicable, will be recorded within the victim /witness statement, and entered into ORS/IRS. If access to ORS/IRS is not available, the Language Assistance Tracking (PDCS-7042c) shall be utilized.

### 333.6.3 COMPLAINTS AGAINST DEPARTMENT PERSONNEL

(a) Any LEP individual that wishes to file a complaint against any member of the Department for any reason shall be provided language assistance in their primary language.

(b) The member of the Department taking the complaint shall record the name and contact information for the interpreter utilized, along with the date, time, location, source and target languages, and Language Line Interpreter Identification Number, if applicable, into ORS/IRS. If access to ORS/IRS is not available, the Language Assistance Tracking (PDCS-7042c) shall be utilized.

(c) The disposition of all complaints shall be provided to the LEP complainant in his or her primary language.

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## 333.7 TRANSLATION SERVICES

(a) The Community Relations Bureau (CRB) shall oversee all translation functions within the Department.

1. CRB shall maintain a list of Department members authorized to perform translations.
2. CRB shall coordinate all translation services provided by contract vendors.

(b) Members receiving correspondence in a language other than English shall contact CRB for translation assistance.

1. CRB shall utilize Department Authorized Translators before sending correspondence out to contract vendors.
2. The Commanding Officer of the Internal Affairs Bureau, or designee, may coordinate directly with Department Authorized Translators, or outside vendors to preserve the confidentiality of correspondence when necessary.
3. All translations shall occur within seven days of receipt of the original correspondence.

(c) Compliment/Complaint Information Reports, (PDCS-1300-1a) , in languages other than English will indicate on the form that:

1. Interpretation services are available at no cost at all Police facilities or over the phone; and
2. The Internal Affairs Bureau maintains a dedicated telephone number for Spanish speaking complainants.

## 333.8 TRAINING

(a) The Department will conduct annual training on LEP policies and procedures for all members.

(b) The Language Access Coordinator shall coordinate with the Police Academy Bureau to create and update a comprehensive training curriculum.

(c) The Police Academy Bureau will maintain the curriculum and conduct training to include classroom instruction, Decentralized Individualized In-Service Training (D.I.I.T.), and Department Training Bulletins.

(d) The Department will provide 20 hours of Spanish Culture and Language training in its Recruit Training Program which will include all LEP policies and procedures.

(e) In-Service members will receive annual training in the following:

1. How to identify the language assistance needs of an LEP individual during an in–person or telephone interaction.
2. How to access Department Authorized Interpreters, Bilingual Officers/ Members, Language Line Solutions and the use of interpreters during exigent circumstances.
3. How to work with interpreters and assess interpreter quality.

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4. How to account for cultural diversity and language barriers in policing.
5. Basic phrases, terms and commands in Spanish.

(f) Officers will be issued a Spanish Language Guide Memo Book Insert, (PDCS-7041) , to assist them in police related situations involving LEP individuals.

(g) All members shall complete the Language Line Decentralized Individualized In-service Training (D.I.I.T.) film annually.

## 333.9 QUALIFICATIONS

### 333.9.1 FLUENCY SURVEYS

(a) All members of the Department shall complete a Foreign Language Fluency Questionnaire, (PDCS-7043) , detailing their proficiency in any languages other than English as part of their new-hire processing. The Supervisor of the Personnel Section shall maintain this information in the Personnel System.

(b) The LAC shall compile and maintain the list of DAIs and Bilingual Members in ORS/ IRS.

### 333.9.2 SKILL CERTIFICATIONS

(a) Members of the Department seeking inclusion on the DAI/ Bilingual Member list will make a request for inclusion to the LAC.

(b) The LAC will schedule skills testing via the contract vendor. Tests will be scheduled on an as needed basis and will evaluate the member's:

1. Fluency in English and the tested language
2. Knowledge of basic police terminology
3. Accuracy of interpreting
4. Attentive listening
5. Information retention
6. Ability to follow instructions
7. Role of the interpreter and ethical considerations

(c) Members obtaining certification from the vendor will be placed on the appropriate list.

(d) Members who are unable to obtain certification will be eligible to re-test at the LAC's discretion.

(e) The LAC shall monitor and schedule re-certification tests for each member on the list.

1. Members who do not pass re-certification shall be removed from the list.
2. Any member unable to pass re-certification shall be permitted to schedule a re-test at the discretion of the LAC.

(f) DAIs seeking certification as translators will make a request to the LAC.

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1. The LAC will schedule translator certification tests with the designated contract vendor on an as-needed basis.
2. DAIs passing the designated translation skills test shall be designated as "Translators" on the DAI list.
3. The LAC shall schedule re-certification tests of each member designated as a "Translator". Members who do no pass re-assessment shall have the "Translator" designation removed.

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# Attachments

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# Language Assistance Tracking (PDCS-7042c).pdf

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**POLICE DEPARTMENT, COUNTY OF SUFFOLK, NY**
*ACCREDITED LAW ENFORCEMENT AGENCY*

# LANGUAGE ASSISTANCE TRACKING

**PDCS-7042c**

**CC #** (If one was drawn - a CC# is not mandatory)

☐ Dept. Authorized Interpreter (DAI) ☐ Temporary Interpreter - SCPD
☐ Certified Bilingual Member ☐ Temporary Interpreter - non-SCPD ☐ Language Line Services : LL Interpreter ID#_____

| **Date of Assistance:** | **Assistance Start Time:** | **Assistance End Time:** |
|---|---|---|
| **Assisted with which Language:** | **Location of Assistance:** | |
| **Name of Individual Requiring Assistance:** | **Name of Victim** (if applicable) | **Name of Witness** (if applicable) |

| **Member Providing Assistance** (Name - Last, First, MI): | **Rank/Title** | **Shield** | **Command** |
|---|---|---|---|
| **Non-Member Assistance Contact Info** (Name - Last, First, MI): | **Address:** | | **Telephone:** |
| **Relationship of Assistant** *(if any)* **to LEP individual:** | **E-Mail:** | | |

**How many interpreters assisted?** **Complete if more than 1 interpreter assisted** (use back of form to enter additional interpreters)

☐ Dept. Authorized Interpreter (DAI) ☐ Temporary Interpreter - SCPD
☐ Certified Bilingual Member ☐ Temporary Interpreter - non-SCPD ☐ Language Line Services : LL Interpreter ID#_____

| **Member Providing Assistance** (Name - Last, First, MI): | **Rank/Title** | **Shield** | **Command** |
|---|---|---|---|
| **Non-Member Assistance Contact Info** (Name - Last, First, MI): | **Address:** | | **Telephone:** |
| **Relationship of Assistant** *(if any)* **to LEP individual:** | **E-Mail:** | | |

| **Member Requesting Assistance:** | **Rank/Title** | **Shield** | **Command** |
|---|---|---|---|

**Summary of Action Taken:** ☐ Criminal ☐ Arrest ☐ No Arrest ☐ Non-Criminal

☐ **No Language Assistance Required**: ☐ The 911 caller was not involved in the incident; ☐ The 911 caller is gone on arrival of police; ☐ Aided Case – Not a victim of violence
☐ The 911 caller wishes to remain anonymous; ☐ The victim/complainant spoke sufficient English to effectively communicate;
☐ Other (provide clear explanation as to why no language assistance was required if none of the above are applicable):

| Supervisor: | Rank/Title | Shield | Command |
|---|---|---|---|
| Entered into Database by: | Command: | Date Entered: | |

☐ Dept. Authorized Interpreter (DAI) ☐ Temporary Interpreter - SCPD
☐ Certified Bilingual Member ☐ Temporary Interpreter - non-SCPD ☐ Language Line Services : LL Interpreter ID#_____

| **Member Providing Assistance** (Name - Last, First, MI): | **Rank/Title** | **Shield** | **Command** |
|---|---|---|---|
| **Non-Member Assistance Contact Info** (Name - Last, First, MI): | **Address:** | | **Telephone:** |
| **Relationship of Assistant** *(if any)* **to LEP individual:** | **E-Mail:** | | |

☐ Dept. Authorized Interpreter (DAI) ☐ Temporary Interpreter - SCPD
☐ Certified Bilingual Member ☐ Temporary Interpreter - non-SCPD ☐ Language Line Services : LL Interpreter ID#_____

| **Member Providing Assistance** (Name - Last, First, MI): | **Rank/Title** | **Shield** | **Command** |
|---|---|---|---|
| **Non-Member Assistance Contact Info** (Name - Last, First, MI): | **Address:** | | **Telephone:** |
| **Relationship of Assistant** *(if any)* **to LEP individual:** | **E-Mail:** | | |

☐ Dept. Authorized Interpreter (DAI) ☐ Temporary Interpreter - SCPD
☐ Certified Bilingual Member ☐ Temporary Interpreter - non-SCPD ☐ Language Line Services : LL Interpreter ID#_____

| **Member Providing Assistance** (Name - Last, First, MI): | **Rank/Title** | **Shield** | **Command** |
|---|---|---|---|
| **Non-Member Assistance Contact Info** (Name - Last, First, MI): | **Address:** | | **Telephone:** |
| **Relationship of Assistant** *(if any)* **to LEP individual:** | **E-Mail:** | | |

☐ Dept. Authorized Interpreter (DAI) ☐ Temporary Interpreter - SCPD
☐ Certified Bilingual Member ☐ Temporary Interpreter - non-SCPD ☐ Language Line Services : LL Interpreter ID#_____

| **Member Providing Assistance** (Name - Last, First, MI): | **Rank/Title** | **Shield** | **Command** |
|---|---|---|---|
| **Non-Member Assistance Contact Info** (Name - Last, First, MI): | **Address:** | | **Telephone:** |
| **Relationship of Assistant** *(if any)* **to LEP individual:** | **E-Mail:** | | |

RESET

# Language Identification Memorandum Book Insert ( PDCS-7044).pdf

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**SUFFOLK COUNTY POLICE DEPARTMENT**

*ACCREDITED LAW ENFORCEMENT AGENCY*

## LANGUAGE IDENTIFICATION

**ENGLISH:** Point to your language. An interpreter will be called. The interpreter is provided at no cost to you.

**SPANISH (Español)** ☜

Señale su idioma y llamaremos a un intérprete. El servicio es gratuito.

**CHINESE - Mandarin** (国语/普通话) ☜

请指认您的语言，以便为您提供免费的口译服务

**POLISH (Polski)** ☜

Proszę wskazać swój język i wezwiemy tłumacza. Tłumacza zapewnimy bezpłatnie.

**ITALIAN (Italiano)** ☜

Puntare sulla propria lingua. Un interprete sarà chiamato. Il servizio è gratuito.

**PORTUGUESE (Português)** ☜

Indique o seu idioma. Um intérprete será chamado. A interpretação é fornecida sem qualquer custo parpa você.

**HAITIAN CREOLE (Kreyòl)** ☜

Lonje dwèt ou sou lang ou pale a epi n ap rele yon entèprèt pou ou. Nou ba ou sèvis entèprèt la gratis.

**RUSSIAN (Русский)** ☜

Укажите язык, на котором вы говоритею. Вам вызовут переводчика. Услути переводчика предоставляются Бесплатно.

## How to Access Language Line Services

Language Line Services provides interpretations in over 200 languages. Language Line will be used during any interaction with persons who are Limited English Proficient (LEP).

**Language Line Services can be utilized from ANY phone.**

The procedure is as follows:

1. Ascertain the language spoken by the individual (this can be accomplished by using the *Interpretation Service Available* pamphlets provided with the telephones) or their Country of origin if language cannot be determined.
2. Dial **1-800-523-1786**
3. Provide the Client ID: **102027**
4. Select language by pressing:
   **1** - Spanish;
   **2** - All other languages and state the language;
   **0** - For assistance if language is unknown.
5. Provide the following information to the representative answering the phone:
   a) Department member's shield number (civilian employees must provide their name)
   b) Language spoken (if known)
6. An interpreter will come on the line. Briefly summarize what you wish to accomplish and provide any additional details.
7. To facilitate translation, if circumstances are conducive to using the speaker phone function, press the speaker button. If not, pass the cell phone between yourself and the person with Limited English Proficiency.

# Compliment Complaint Information ReportPDCS-1300-1a Lexipol 1010.pdf

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**POLICE DEPARTMENT, COUNTY OF SUFFOLK, N.Y.**
*ACCREDITED LAW ENFORCEMENT AGENCY*
**COMPLIMENT/COMPLAINT INFORMATION REPORT**

PDCS-1300-1a

| INTERNAL AFFAIRS BUREAU USE ONLY |
|---|
| Received: |
| IAB #: |

The Suffolk County Police Department is committed to providing the highest quality police services to each and every member of the community and your input is important to us. If you have a compliment or a complaint concerning an SCPD employee, please do one of the following:

- Complete this form and submit it directly to any SCPD precinct, or to Police Headquarters, or fax it to **(631) 852-6259**
- Mail it to: ***Suffolk County Police Headquarters, Internal Affairs Bureau (IAB), 30 Yaphank Avenue, Yaphank, NY 11980***
- Telephone the Internal Affairs Bureau at **631-852-6265**, or free of charge by dialing **1-888-382-1798**, or the Human Rights Commission at **631-853-5480**.
- E-mail Internal Affairs at: ***SCPD.INTERNALAFFAIRS@suffolkcountyny.gov***

**Or:** If you prefer, you can instead complete a simple citizen satisfaction survey by visiting us at ***www.suffolkpd.org*** and then clicking on the "Citizen Satisfaction Survey" icon on the homepage.

**Check the appropriate category:** ☐ **Compliment** ☐ **Complaint** **CC #** (if applicable) _____

| Name: Last, First, M.I. | | Date of Birth | ☐ M ☐ F |
|---|---|---|---|
| Address | | Home Phone | |
| E-Mail Address | Cell Phone | Work Phone ☐ Permission to contact | |

| Person Assisting (Interpreter, Representative) | Relationship | Contact Phone # |
|---|---|---|

| If Applicable: Witness Name: Last, First, M.I. | Home Phone |
|---|---|
| Address | Cell Phone |

**INCIDENT**

| Date of Incident | Time of Incident | Location of Incident |
|---|---|---|

**EMPLOYEE INFORMATION** (if known)

| Rank/Title | Command | Shield | Name | ☐ M ☐ F |
|---|---|---|---|---|

| ☐ Plainclothes ☐ Uniform | ☐ On Foot ☐ In Car | ☐ Marked Car ☐ Unmarked | Patrol Car #: | License Plate #: |
|---|---|---|---|---|

Physical Description of Employee (eye color, hair color, approximate height and build, age, etc.)

**DESCRIPTION OF INCIDENT** (please include as much detail as possible)

Would you like a Police Department supervisor to contact you with regard to your comments? ☐ **Yes** ☐ **No**

**Date:** _____ **Signature:** _____

# Spanish Language Guide Memo Book Insert (PDCS-7041).pdf

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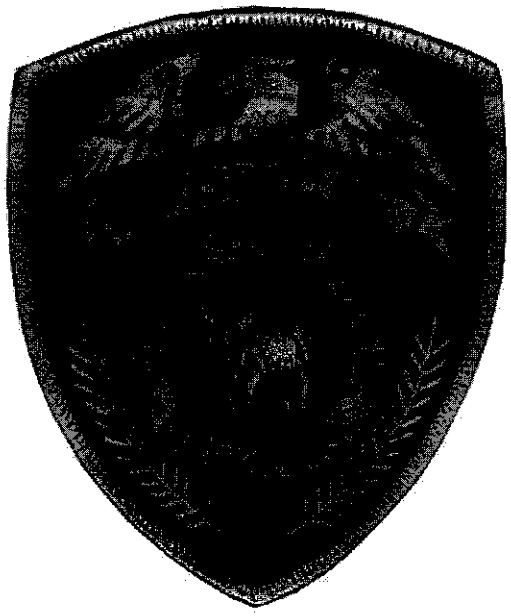
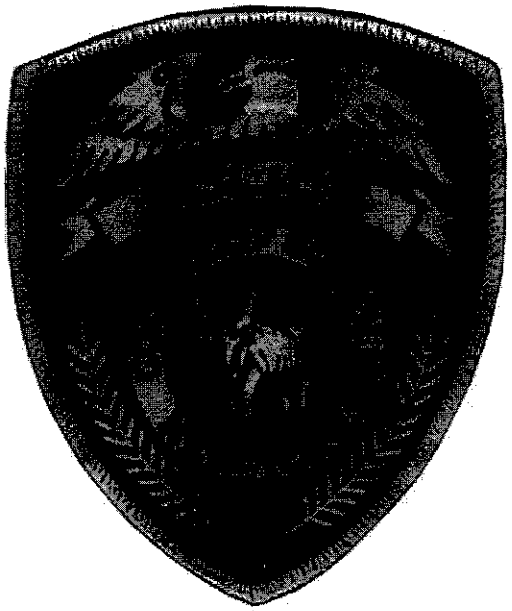


# SUFFOLK COUNTY POLICE DEPARTMENT

## SPANISH LANGUAGE GUIDE

PDCS-7041

53-0676.. 7/99cb

SUFFOLK COUNTY POLICE DEPARTMENT

SPANISH LANGUAGE GUIDE

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## THE SPANISH ALPHABET

The Spanish language consists of the same letters as the English alphabet and these four additional characters: CH, LL, Ñ, RR. Each of these characters is considered as a distinct letter in the Spanish alphabet.

- **CH:** Is pronounced like the "CH" in "Church" at all times.
- **LL:** Like the English consonant "Y" as in "Ella" (her).
- **Ñ:** Like the "NY" in "Canyon".
- **RR:** Very strongly trilled as in "Carro:" (Car). The RR is the most difficult sound for the English speaker because it has no English counterpart. The pronunciation is achieved by striking the tip of the tongue against the teethridge and vibrating the "R" sound.


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- **CH:** Is pronounced like the "CH" in "Church" at all times.
- **LL:** Like the English consonant "Y" as in "Ella" (her).
- **Ñ:** Like the "NY" in "Canyon".
- **RR:** Very strongly trilled as in "Carro:" (Car). The RR is the most difficult sound for the English speaker because it has no English counterpart. The pronunciation is achieved by striking the tip of the tongue against the teethridge and vibrating the "R" sound.

**Alphabet Pronunciation:**

| A | B | C | CH | D | E | F |
|---|---|---|---|---|---|---|
| ah | beh | seh | cheh | deh | eh | eh-feh |
| **G** | **H** | **I** | **J** | **K** | **L** | **LL** |
| heh | ah-cheh | ee | ho-ta | ka | eh-leh | eh-yeh |
| **M** | **N** | **Ñ** | **O** | **P** | **Q** | **R** |
| eh-meh | eh-neh | eh-nyeh | oh | Peh | Koo | eh-reh |
| **RR** | | **S** | **T** | **U** | **V** | |
| eh-rreh | | eh-seh | teh | oo | veh-chica | |
| **W** | | **X** | | **Y** | | **Z** |
| doh-ble-hoo | | eh-kees | | ee-gree-yeh-ga | | seh-ta |

**NUMBERS**

| | |
|---|---|
| 0 - Cero | 19 - Diez Nueve |
| 1 - Uno (un, Una) | 20 - Veinte |
| 2 - Dos | 30 - Treinta |
| 3 - Tres | 40 - Cuarenta |
| 4 - Cuatro | 50 - Cincuenta |
| 5 - Cinco | 60 - Sesenta |
| 6 - Seis | 70 - Setenta |
| 7 - Siete | 80 - Ochenta |
| 8 - Ocho | 90 - Noventa |
| 9 - Nueve | 100 - Cien (Ciento) |
| 10 - Diez | 200 - Doscientos (Doscientas) |
| 11 - Once | 300 - Trescientos (Trescientas) |
| 12 - Doce | 400 - Cuatrocientos (Cuatrocientas) |
| 13 - Trece | 500 - Quinientos (Quinentas) |
| 14 - Catorce | 600 - Seiscientos (Seiscientas) |
| 15 - Quince | 700 - Setecientos (Setecientas) |
| 16 - Diez y Seis | 800 - Ochocientos (Ochocientas) |
| 17 - Diez y Siete | 900 - Novecientos (Novecientas) |
| 18 - Diez y Ocho | 1,000 - Mil |



**Alphabet Pronunciation:**

| A | B | C | CH | D | E | F |
|---|---|---|---|---|---|---|
| ah | beh | seh | cheh | deh | eh | eh-feh |
| **G** | **H** | **I** | **J** | **K** | **L** | **LL** |
| heh | ah-cheh | ee | ho-ta | ka | eh-leh | eh-yeh |
| **M** | **N** | **Ñ** | **O** | **P** | **Q** | **R** |
| eh-meh | eh-neh | eh-nyeh | oh | Peh | Koo | eh-reh |
| **RR** | | **S** | **T** | **U** | **V** | |
| eh-rreh | | eh-seh | teh | oo | veh-chica | |
| **W** | | **X** | | **Y** | | **Z** |
| doh-ble-hoo | | eh-kees | | ee-gree-yeh-ga | | seh-ta |

**NUMBERS**

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| 18 - Diez y Ocho | 1,000 - Mil |

**NUMERO POR NUMERO = NUMBER BY NUMBER**
**SPANISH ALPHABET/NUMBERS** 1

## DAYS OF THE WEEK

| | |
|---|---|
| SUNDAY | DOMINGO |
| MONDAY | LUNES |
| TUESDAY | MARTES |
| WEDNESDAY | MIERCOLES |
| THURSDAY | JUEVES |
| FRIDAY | VIERNES |
| SATURDAY | SABADO |

## MONTHS OF THE YEAR

| | |
|---|---|
| JANUARY | ENERO |
| FEBRUARY | FEBRERO |
| MARCH | MARZO |
| APRIL | ABRIL |
| MAY | MAYO |
| JUNE | JUNIO |
| JULY | JULIO |
| AUGUST | AGOSTO |
| SEPTEMBER | SEPTIENBRE |
| OCTOBER | OCTUBRE |
| NOVEMBER | NOVIEMBRE |
| DECEMBER | DICIEMBRE |

## GREETINGS AND FAREWELLS

1. GOOD MORNING, MISS.
   BUENOS DIAS SEÑORITA.

2. GOOD AFTERNOON.
   BUENAS TARDES.

3. GOOD EVENING, SIR. (GOOD NIGHT)
   BUENAS NOCHES SEÑOR.

4. HOW ARE YOU ?
   ¿CÓMO ESTA USTED?


## DAYS OF THE WEEK

| | |
|---|---|
| SUNDAY | DOMINGO |
| MONDAY | LUNES |
| TUESDAY | MARTES |
| WEDNESDAY | MIERCOLES |
| THURSDAY | JUEVES |
| FRIDAY | VIERNES |
| SATURDAY | SABADO |

## MONTHS OF THE YEAR

| | |
|---|---|
| JANUARY | ENERO |
| FEBRUARY | FEBRERO |
| MARCH | MARZO |
| APRIL | ABRIL |
| MAY | MAYO |
| JUNE | JUNIO |
| JULY | JULIO |
| AUGUST | AGOSTO |
| SEPTEMBER | SEPTIENBRE |
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2. GOOD AFTERNOON.
   BUENAS TARDES.

3. GOOD EVENING, SIR. (GOOD NIGHT)
   BUENAS NOCHES SEÑOR.

4. HOW ARE YOU ?
   ¿CÓMO ESTA USTED?

5. VERY WELL, THANK YOU.
MUY BIEN, GRACIAS

6. HELLO.
HOLA.

7. GOODBY.
ADIOS.

8. SO LONG.
HASTA LUEGO.

**LOW RISK FRISK**

1. STOP! POLICE!
¡ALTO! POLICÍA!

2. PUT YOUR HANDS UP! SPREAD YOU FINGERS!
¡MANOS ARRIBA! ¡ABRA SUS DEDOS!

3. SLOWLY TURN AROUND! STOP
¡DESPACIO VOLTEESE! ALTO

4. PUT YOUR HANDS BEHIND YOUR BACK/HEAD, PALMS TOGETHER!
¡PONGA SUS MANOS, ATRAS DE SU ESPALDA/CABEZA, CON SUS PALMAS JUNTAS!

5. SPREAD YOUR FEET!
¡ABRA SUS PIES!

6. CROSS YOUR FINGERS! RELAX YOUR FINGERS!
¡CRUCE SUS DEDOS! AFLOJE SUS DEDOS!

7. DON'T MOVE!
¡NO SE MUEVA!



5. VERY WELL, THANK YOU.
MUY BIEN, GRACIAS

6. HELLO.
HOLA.

7. GOODBY.
ADIOS.

8. SO LONG.
HASTA LUEGO.

**LOW RISK FRISK**

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¡ALTO! POLICÍA!

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3. SLOWLY TURN AROUND! STOP
¡DESPACIO VOLTEESE! ALTO

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¡PONGA SUS MANOS, ATRAS DE SU ESPALDA/CABEZA, CON SUS PALMAS JUNTAS!

5. SPREAD YOUR FEET!
¡ABRA SUS PIES!

6. CROSS YOUR FINGERS! RELAX YOUR FINGERS!
¡CRUCE SUS DEDOS! AFLOJE SUS DEDOS!

7. DON'T MOVE!
¡NO SE MUEVA!

**DAYS OF THE WEEK/MONTHS OF THE YEAR GREETINGS AND FAREWELLS/LOW RISK FRISK** 2

**HIGH RISK FRISK**

1. STOP! POLICE!
   ¡ALTO! POLICÍA!
2. PUT YOUR HANDS (HIGHER) SPREAD YOUR FINGERS!
   ¡MANOS ARRIBA! (MAS) ¡ABRA SUS DEDOS!
3. SLOWLY WITH YOUR HANDS UP, COME DOWN TO YOUR KNEES!
   ¡CON SUS MANOS ARRIBA DESPACIO, BAJESE A SUS RODILLAS!
4. SLOWLY, WITH YOUR HANDS IN FRONT OF YOU, COME DOWN TO YOUR STOMACH!
   ¡DESPACIO, CON SUS MANOS EN FRENTE DE USTED ACUESTESE BOCA ABAJO!
5. BURY YOUR FOREHEAD!
   ¡PONGA SU FRENTE EN EL SUELO!
6. PUT YOUR ARMS OUT TO YOUR SIDE, PALMS UP!
   ¡PONGS SUS BRAZOS A SUS LADOS, CON LAS PALMAS BOCA ARRIBA!
7. SPREAD YOUR LEGS!
   ¡ABRA SUS PIERNAS!
8. BURY YOUR HEELS!
   ¡PONGA SUS TALONES EN EL SUELO!
9. PUT YOUR RIGHT/LEFT HAND ON THE SMALL OF YOUR BACK, PALM UP!
   ¡PONGA SU MANO DERECHA/IZQUIERDA EN EL MEDIO DE SU ESPALDA, CON LA PALMA BOCA ARRIBA!
10. PUT YOUR RIGHT/LEFT HAND ON TOP OF YOUR RIGHT/LEFT HAND WITH THE PALM UP!
    ¡PONGA SU MANO DERECHA/IZQUIERDA ARRIBA DE SU MANO DERECHA/IZQUIERDA! ¡CON LA PALMA BOCA ARRIBA!
11. TURN YOUR HEAD TO THE LEFT!
    ¡VOLTEE SU CABEZA, A LA IZQUIERDA!
    * **LEFT HANDED OFFICERS**: VOLTEE SU CABEZA, A LA DERECHA!

**HIGH RISK FRISK**

1. STOP! POLICE!
   ¡ALTO! POLICÍA!
2. PUT YOUR HANDS (HIGHER) SPREAD YOUR FINGERS!
   ¡MANOS ARRIBA! (MAS) ¡ABRA SUS DEDOS!
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11. TURN YOUR HEAD TO THE LEFT!
    ¡VOLTEE SU CABEZA, A LA IZQUIERDA!
    * **LEFT HANDED OFFICERS**: VOLTEE SU CABEZA, A LA DERECHA!

12. DON;T MOVE!
¡NO SE MUEVA!

**REMOVAL OF HIGH RISK SUSPECTS FROM THE VEHICLE**

PUT YOUR HANDS OUTSIDE THE WINDOWS.
PONGA SUS MANOS AFUERA DE LA VENTANA.

DRIVER, SLOWLY WITH YOUR LEFT HAND TURN OFF THE ENGINE AND DROP THE KEYS OUTSIDE.
CHOFER, DESPACIO CON SU MANO IZQUÍERDA APAGUE EL MOTOR Y SUETE LAS LLAVES AFUERA.

DRIVER, WITH YOUR RIGHT HAND, OPEN THE DOOR FROM OUTSIDE.
CHOFER, DESPACIO CON SU MANO DERECHA ABRA LA PUERTA POR AFUERA.

DRIVER, SLOWLY WITH YOUR HANDS UP, GET OUT OF THE CAR.
CHOFER, DESPACIO CON SUS MANOS ARRIBA BAJESE DEL CARRO

TURN AROUND. STOP
VOLTEESE. ALTO

WALK BACKWARDS. STOP.
CAMINE PARA ATRAS, ALTO.

WALK TO THE RIGHT OR LEFT.
CAMINE A LA DERECHA O IZQUÍERDA.

WITH YOUR HANDS UP, SLOWLY COME DOWN TO YOUR KNEES.
CON SUS MANOS ARRIBA DESPACIO BAJESE A SUS RODILLAS.

PASSENGER, SLOWLY WITH YOUR HANDS UP, GET OUT OF THE CAR THROUGH THE DRIVER SIDE.
PASAJERO DESPACIO CON SUS MANOS ARRIBA BAJESE— DEL CARRO DEL LADO DEL CHOFER.

MOVE SUSPECT BACK. CONTINUE WITH HIGH RISK SEARCH.



12. DON;T MOVE!
¡NO SE MUEVA!

**REMOVAL OF HIGH RISK SUSPECTS FROM THE VEHICLE**

PUT YOUR HANDS OUTSIDE THE WINDOWS.
PONGA SUS MANOS AFUERA DE LA VENTANA.

DRIVER, SLOWLY WITH YOUR LEFT HAND TURN OFF THE ENGINE AND DROP THE KEYS OUTSIDE.
CHOFER, DESPACIO CON SU MANO IZQUÍERDA APAGUE EL MOTOR Y SUETE LAS LLAVES AFUERA.

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VOLTEESE. ALTO

WALK BACKWARDS. STOP.
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MOVE SUSPECT BACK. CONTINUE WITH HIGH RISK SEARCH.

**HIGH RISK FRISK/
REMOVAL OF HIGH RISK SUSPECTS FROM VEHICLE** 3

**COMMANDS**

| | |
|---|---|
| DROP THE WEAPON! | ¡SUELTE EL ARMA! |
| DROP THE GUN! | ¡SUELTE LA PISTOLA! |
| DROP THE KNIFE! | ¡SUELTE LA NAVAJA! |
| DROP IT! | ¡SUELTELA/(O)! |
| HANDS BEHIND YOUR HEAD | MANOS ATRAS DE SU CABEZA |
| HURRY UP | APURESE |
| SPEAK SLOWER | HABLE MÁS DESPACIO |
| REPEAT PLEASE | REPITA, POR FAVOR |
| LISTEN TO ME | ESCÚCHEME |
| DO IT | HÁGALO |
| COME WITH ME | VENGA CONMIGO |
| STAY THERE | QUEDESE ALLA |
| SIT DOWN | SIÉNTESE |
| STAND UP OR STOP | PARESE |
| QUICKLY | PRONTO |
| LET'S GO | VÁMONOS |
| DON'T TALK | NO HABLE |
| FOLLOW ME | SÍGAME |
| COME HERE | VENGA AQUÍ |
| GO OVER THERE | VAYA ALLÁ |
| GO AWAY | VÁYASE |
| STAY OUTSIDE | QUÉDESE AFUERA |
| TELL ME QUICKLY | DÍGAME PRONTO |
| TELL ME THE TRUTH | DÍGAME LA VERDAD |
| GIVE ME THE INFORMATION | DÉME LA INFORMACION |

**COMMANDS**

| | |
|---|---|
| DROP THE WEAPON! | ¡SUELTE EL ARMA! |
| DROP THE GUN! | ¡SUELTE LA PISTOLA! |
| DROP THE KNIFE! | ¡SUELTE LA NAVAJA! |
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| HANDS BEHIND YOUR HEAD | MANOS ATRAS DE SU CABEZA |
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| SPEAK SLOWER | HABLE MÁS DESPACIO |
| REPEAT PLEASE | REPITA, POR FAVOR |
| LISTEN TO ME | ESCÚCHEME |
| DO IT | HÁGALO |
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| TELL ME THE TRUTH | DÍGAME LA VERDAD |
| GIVE ME THE INFORMATION | DÉME LA INFORMACION |

| | |
|---|---|
| GIVE ME YOUR LICENSE | DÉME SU LICENCIA |
| SIGN YOUR NAME HERE | FIRME SU NOMBRE AQUÍ |
| WHERE ARE THE KEYS? | ¿DÓNDE ESTAN LAS LLAVES? |
| FIRE | FUEGO |
| GET OUT OF THE HOUSE/APT. | SALGASE DE LA CASA/APARTAMENTO |

**THE PREDOMINANT COLORS**

| | |
|---|---|
| BLACK | NEGRO (NEGRA) |
| BLUE | AZUL |
| BROWN | CAFE (COMPLEXION MORENO) |
| HAZEL/LT. BROWN | CASTAÑO (EYES/HAIR) |
| GREEN | VERDE |
| GREY | GRIS |
| ORANGE | NARANJA/(ANARANJADO, (ANARANJADA) |
| PINK | ROSA |
| RED | ROJO (ROJA), COLORADO (COLORADA) |
| WHITE | BLANCO (BLANCA) |
| YELLOW | AMARILLO (AMARILLA) |
| LIGHT COLOR/CLEAR | CLARO (CLARA) |
| DARK COLOR/OBSCURE | OBSCURO |

**NOTES**




| | |
|---|---|
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| PINK | ROSA |
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| WHITE | BLANCO (BLANCA) |
| YELLOW | AMARILLO (AMARILLA) |
| LIGHT COLOR/CLEAR | CLARO (CLARA) |
| DARK COLOR/OBSCURE | OBSCURO |

**NOTES**

**COMMANDS/COLORS** 4

## MEDICAL AID TERMS

1. ARE YOU INJURED?
   ¿ESTÁ HERIDO?
2. DOES YOUR CHEST HURT? (THE) STOMACH?
   (THE) HEAD?
   ¿LE DUELE EL PECHO? ¿(EL) ESTÓMAGO?
   ¿(LA) CABEZA?
3. WHERE DOES IT HURT? SHOW ME!
   ¿DÓNDE LE DUELE? ¡ENSEÑEME!
4. YOU'RE INJURED, PLEASE DON'T MOVE.
   ¿ESTÁ HERIDO, POR FAVOR NO SE MUEVA!
5. ARE YOU ILL?
   ¿ESTÁ ENFERMO?
6. ARE YOU DIABETIC?
   ¿ES USTED DIABETICO?
7. ARE YOU AN EPILEPTIC?
   ¿ES USTED EPILEPTICO?
8. DO YOU HAVE HEART TROUBLE?
   ¿SUFRE DEL CORAZÓN?
9. HOW DO YOU FEEL?
   ¿CÓMO SE SIENTE?
10. ARE YOU TAKING MEDICATION?
    ¿ESTÁ USTED TOMANDO ALGUNA MEDICINA?
11. WHERE IS YOUR MEDICINE?
    ¿DÓNDE ESTA SU MEDICINA?
12. YOU NEED MEDICAL HELP.
    USTED NECESITA AYUDA MÉDICA.
13. DO YOU WANT A DOCTOR?
    ¿QUIERE USTED UN MÉDICO?
14. DO YOU WANT AN AMBULANCE?
    ¿QUIERE USTED UNA AMULANCIA?


## MEDICAL AID TERMS

1. ARE YOU INJURED?
   ¿ESTÁ HERIDO?
2. DOES YOUR CHEST HURT? (THE) STOMACH?
   (THE) HEAD?
   ¿LE DUELE EL PECHO? ¿(EL) ESTÓMAGO?
   ¿(LA) CABEZA?
3. WHERE DOES IT HURT? SHOW ME!
   ¿DÓNDE LE DUELE? ¡ENSEÑEME!
4. YOU'RE INJURED, PLEASE DON'T MOVE.
   ¿ESTÁ HERIDO, POR FAVOR NO SE MUEVA!
5. ARE YOU ILL?
   ¿ESTÁ ENFERMO?
6. ARE YOU DIABETIC?
   ¿ES USTED DIABETICO?
7. ARE YOU AN EPILEPTIC?
   ¿ES USTED EPILEPTICO?
8. DO YOU HAVE HEART TROUBLE?
   ¿SUFRE DEL CORAZÓN?
9. HOW DO YOU FEEL?
   ¿CÓMO SE SIENTE?
10. ARE YOU TAKING MEDICATION?
    ¿ESTÁ USTED TOMANDO ALGUNA MEDICINA?
11. WHERE IS YOUR MEDICINE?
    ¿DÓNDE ESTA SU MEDICINA?
12. YOU NEED MEDICAL HELP.
    USTED NECESITA AYUDA MÉDICA.
13. DO YOU WANT A DOCTOR?
    ¿QUIERE USTED UN MÉDICO?
14. DO YOU WANT AN AMBULANCE?
    ¿QUIERE USTED UNA AMULANCIA?

15. YOU SHOULD SEE A DOCTOR.
USTED DEBE VER A UN MÉDICO.

16. DO YOU WANT TO GO TO THE HOSPITAL?
¿QUIERE USTED IR AL HOSPITAL?

17. YOU HAVE TO GO TO THE HOSPITAL.
USTED TIENE QUE IR AL HOSPITAL.

**ANATOMY**

1. (THE) ARM ..... (EL) BRAZO
2. (THE) BACK ..... (LA) ESPALDA
3. (THE) BODY ..... (EL) CUERPO
4. (THE) BLOOD ..... (LA) SANGRE
5. (THE) CHEST ..... (EL) PECHO
6. (THE) EAR ..... (EL) OIDO/LA OREJA
7. (THE) EYES ..... (LOS) OJOS
8. (THE) FACE ..... (LA) CARA
9. (THE) FINGERS ..... (LOS) DEDOS
10. (THE) FOOT ..... (EL) PIE
11. (THE) FOREHEAD ..... (LA) FRENTE
12. (THE) HAND ..... (LA) MANO
13. (THE) HEAD ..... (LA) CABEZA
14. (THE) KNEE ..... (LA) RODILLA
15. (THE) LEG..... (LA) PIERNA
16. (THE) MOUTH ..... (LA) BOCA
17. (THE) NOSE ..... (LA) NARIZ
18. (THE) STOMACH ..... (EL) ESTOMAGO
19. (THE) THROAT ..... (LA) GARGANTA
20. (THE) WAIST ..... (LA) CINTURA



15. YOU SHOULD SEE A DOCTOR.
USTED DEBE VER A UN MÉDICO.

16. DO YOU WANT TO GO TO THE HOSPITAL?
¿QUIERE USTED IR AL HOSPITAL?

17. YOU HAVE TO GO TO THE HOSPITAL.
USTED TIENE QUE IR AL HOSPITAL.

**ANATOMY**

1. (THE) ARM ..... (EL) BRAZO
2. (THE) BACK ..... (LA) ESPALDA
3. (THE) BODY ..... (EL) CUERPO
4. (THE) BLOOD ..... (LA) SANGRE
5. (THE) CHEST ..... (EL) PECHO
6. (THE) EAR ..... (EL) OIDO/LA OREJA
7. (THE) EYES ..... (LOS) OJOS
8. (THE) FACE ..... (LA) CARA
9. (THE) FINGERS ..... (LOS) DEDOS
10. (THE) FOOT ..... (EL) PIE
11. (THE) FOREHEAD ..... (LA) FRENTE
12. (THE) HAND ..... (LA) MANO
13. (THE) HEAD ..... (LA) CABEZA
14. (THE) KNEE ..... (LA) RODILLA
15. (THE) LEG..... (LA) PIERNA
16. (THE) MOUTH ..... (LA) BOCA
17. (THE) NOSE ..... (LA) NARIZ
18. (THE) STOMACH ..... (EL) ESTOMAGO
19. (THE) THROAT ..... (LA) GARGANTA
20. (THE) WAIST ..... (LA) CINTURA

**MEDICAL AID TERMS/ANATOMY** 5

**HIGH RISK KNEELING**
**FRISK**

STOP
ALTO

PUT YOUR HANDS UP/SPREAD YOUR FINGERS.
MANOS ARRIBA-MAS ABRA SUS DEDOS.

SLOWLY TURN AROUND, STOP.
DESPACIO VOLTEESE, ALTO.

SLOWLY COME DOWN TO YOUR KNEES.
DESPACIO, BAJESE A SUS RODILLAS.

PUT YOUR HANDS BEHIND YOUR HEAD.
PONGA SUS MANOS, ATRAS DE SU CABEZA.

CROSS YOUR FINGERS.
CRUCE SUS DEDOS.

CROSS YOUR FEET/LEGS.
CRUCE SUS PIES/PIERNAS.

DON'T MOVE.
NO SE MUEVA.

DON'T TALK.
NO HABLE.

**FIELD INTERVIEW/CITATION/PERSONAL DATA**

1. YOUR LICENSE PLEASE.
   SU LICENCIA POR FAVOR.

2. DO YOU HAVE INDENTIFICATION?
   ¿TIENE IDENTIFICACIÓN?

3. WHAT IS YOUR NAME?
   ¿CÓMO SE LLAMA USTED?

4. WHAT IS YOUR LAST NAME?
   ¿CUÁL ES SU APELLIDO?

5. WHAT IS YOUR FIRST NAME?
   ¿CUÁL ES SU PRIMER NOMBRE?

**HIGH RISK KNEELING**
**FRISK**

STOP
ALTO

PUT YOUR HANDS UP/SPREAD YOUR FINGERS.
MANOS ARRIBA-MAS ABRA SUS DEDOS.

SLOWLY TURN AROUND, STOP.
DESPACIO VOLTEESE, ALTO.

SLOWLY COME DOWN TO YOUR KNEES.
DESPACIO, BAJESE A SUS RODILLAS.

PUT YOUR HANDS BEHIND YOUR HEAD.
PONGA SUS MANOS, ATRAS DE SU CABEZA.

CROSS YOUR FINGERS.
CRUCE SUS DEDOS.

CROSS YOUR FEET/LEGS.
CRUCE SUS PIES/PIERNAS.

DON'T MOVE.
NO SE MUEVA.

DON'T TALK.
NO HABLE.

**FIELD INTERVIEW/CITATION/PERSONAL DATA**

1. YOUR LICENSE PLEASE.
   SU LICENCIA POR FAVOR.

2. DO YOU HAVE INDENTIFICATION?
   ¿TIENE IDENTIFICACIÓN?

3. WHAT IS YOUR NAME?
   ¿CÓMO SE LLAMA USTED?

4. WHAT IS YOUR LAST NAME?
   ¿CUÁL ES SU APELLIDO?

5. WHAT IS YOUR FIRST NAME?
   ¿CUÁL ES SU PRIMER NOMBRE?

6. WHAT IS YOU FATHER'S NAME?
CÓMO SE LLAMA SU PAPA?

7. WHAT IS YOUR ADDRESS?
¿CUÁL ES SU DOMICILIO? (DIRECCIÓN)

8. HOW TALL ARE YOU?
¿CUÁNTO MIDE USTED?

9. HOW MUCH DO YOU WEIGH?
¿CUÁNTO PESA USTED?

10. WHAT IS YOUR DATE OF BIRTH? HOW OLD ARE YOU?
¿CUÁL ES SU FECHA DE NACIMIENTO? CUANTOS AÑOS TIENE?

11. WHAT IS YOUR PHONE NUMBER WITH AREA CODE? (HOME) (WORK)
¿CUÁL ES SU NÚMERO DE TELEFONO CON AREA? (DE CASA) (DE TRABAJO)

12. WHERE DO YOU WORK?
¿DÓNDE TRABAJA USTED?

13. WHAT IS YOUR ADDRESS AT WORK?
¿CUÁL ES LA DIRECCION DE SU TRABAJO?

14. WHAT IS YOU SOCIAL SECURITY NUMBER?
¿CUÁL ES SU NÚMERO DE SEGURO SOCIAL?

15. DO YOU HAVE A NICKNAME? (another name)
¿TIENE USTED SOBRE NOMBRE?(¿otro nombre?)

16. DO YOU BELONG TO A GANG? WHICH ONE?
¿PERTENECE USTED A UNA PANDILLA/GANGA? ¿CUÁL?

17. WHAT IS YOUR MOTHER'S NAME?
¿CÓMO SE LLAMA SU MAMÁ? (FOR SUBJECT)

18. WHICH SCHOOL DO YOU GO TO? WHERE IS THE SCHOOL LOCATED?
¿CUÁL ESCUELA VAS? ¿DÓNDE ESTÁ LA ESCUELA?

19. WHERE WERE YOU BORN?
¿DÓNDE NACIÓ USTED?



6. WHAT IS YOU FATHER'S NAME?
CÓMO SE LLAMA SU PAPA?

7. WHAT IS YOUR ADDRESS?
¿CUÁL ES SU DOMICILIO? (DIRECCIÓN)

8. HOW TALL ARE YOU?
¿CUÁNTO MIDE USTED?

9. HOW MUCH DO YOU WEIGH?
¿CUÁNTO PESA USTED?

10. WHAT IS YOUR DATE OF BIRTH? HOW OLD ARE YOU?
¿CUÁL ES SU FECHA DE NACIMIENTO? CUANTOS AÑOS TIENE?

11. WHAT IS YOUR PHONE NUMBER WITH AREA CODE? (HOME) (WORK)
¿CUÁL ES SU NÚMERO DE TELEFONO CON AREA? (DE CASA) (DE TRABAJO)

12. WHERE DO YOU WORK?
¿DÓNDE TRABAJA USTED?

13. WHAT IS YOUR ADDRESS AT WORK?
¿CUÁL ES LA DIRECCION DE SU TRABAJO?

14. WHAT IS YOU SOCIAL SECURITY NUMBER?
¿CUÁL ES SU NÚMERO DE SEGURO SOCIAL?

15. DO YOU HAVE A NICKNAME? (another name)
¿TIENE USTED SOBRE NOMBRE?(¿otro nombre?)

16. DO YOU BELONG TO A GANG? WHICH ONE?
¿PERTENECE USTED A UNA PANDILLA/GANGA? ¿CUÁL?

17. WHAT IS YOUR MOTHER'S NAME?
¿CÓMO SE LLAMA SU MAMÁ? (FOR SUBJECT)

18. WHICH SCHOOL DO YOU GO TO? WHERE IS THE SCHOOL LOCATED?
¿CUÁL ESCUELA VAS? ¿DÓNDE ESTÁ LA ESCUELA?

19. WHERE WERE YOU BORN?
¿DÓNDE NACIÓ USTED?

**HIGH RISK KNEELING FRISK/ F.I./PERSONAL DATA** 6

**DESK GUIDE**
**COMMON SENTENCES**

IS IT AN EMERGENCY ..... ¿ES UNA EMERGENCIA?

DO YOU NEED HELP? ..... ¿NECESITA AYUDA?

WAS THERE A WRECK? ..... ¿HUBO UN CHOQUE?

WAS SOMEONE RUN OVER? ¿HUBO UN ATROPELLADO?

SON/DAUGHTER RAN AWAY HIJO/JIJA JUYÓ DE LA CASA

DO YOU NEED THE POLICE? ... ¿NECESITA LA POLICIA?

DO YOU NEED THE FIRE DEPT.?
..... ¿NECESITA A LOS BOMBERO?

WAS THERE A BURGLARY? ... ¿HUBO ROBO DE CASA?

DID THEY ROB YOU? ..... ¿LE ROBARON A USTED?

DID THEY STEAL YOUR CAR? ¿LE ROBARON SU CARRO?

WHAT IS THE LIC PLATE NUMBER TO YOUR CAR?
..... ¿CUALES SON LOS NUMBEROS DE SUS PLACAS?

DRIVE BY SHOOTING ..... BALACEARON DESDE EL CARRO (HUBO TIROTEO)

ARE THERE ANY WEAPONS?
..... ¿HAY ARMAS/TIENE ARMAS?

WHERE DO YOU LIVE? ..... ¿DÓNDE VIVE USTED?

WHERE DID IT OCCUR? ..... ¿DÓNDE OCURRIO?

DO YOU SPEAK ENGLISH? ..... ¿HABLA INGLES

PLEASE CALM DOWN ..... POR FAVOR CALMESE

GOOD BY ..... ADIOS

CAR INSURANCE ..... SEGURO DE CARRO

**DESK GUIDE**
**COMMON SENTENCES**

IS IT AN EMERGENCY ..... ¿ES UNA EMERGENCIA?

DO YOU NEED HELP? ..... ¿NECESITA AYUDA?

WAS THERE A WRECK? ..... ¿HUBO UN CHOQUE?

WAS SOMEONE RUN OVER? ¿HUBO UN ATROPELLADO?

SON/DAUGHTER RAN AWAY HIJO/JIJA JUYÓ DE LA CASA

DO YOU NEED THE POLICE? ... ¿NECESITA LA POLICIA?

DO YOU NEED THE FIRE DEPT.?
..... ¿NECESITA A LOS BOMBERO?

WAS THERE A BURGLARY? ... ¿HUBO ROBO DE CASA?

DID THEY ROB YOU? ..... ¿LE ROBARON A USTED?

DID THEY STEAL YOUR CAR? ¿LE ROBARON SU CARRO?

WHAT IS THE LIC PLATE NUMBER TO YOUR CAR?
..... ¿CUALES SON LOS NUMBEROS DE SUS PLACAS?

DRIVE BY SHOOTING ..... BALACEARON DESDE EL CARRO (HUBO TIROTEO)

ARE THERE ANY WEAPONS?
..... ¿HAY ARMAS/TIENE ARMAS?

WHERE DO YOU LIVE? ..... ¿DÓNDE VIVE USTED?

WHERE DID IT OCCUR? ..... ¿DÓNDE OCURRIO?

DO YOU SPEAK ENGLISH? ..... ¿HABLA INGLES

PLEASE CALM DOWN ..... POR FAVOR CALMESE

GOOD BY ..... ADIOS

CAR INSURANCE ..... SEGURO DE CARRO

NOTES



NOTES 7

# Foreign Language Fluency Questionnaire (PDCS-7043).pdf

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**POLICE DEPARTMENT, COUNTY OF SUFFOLK, N.Y.**

*ACCREDITED LAW ENFORCEMENT AGENCY*

# FOREIGN LANGUAGE FLUENCY QUESTIONNAIRE

**Name:** _____ **Shield:** _____

**Rank/Title:** _____ **Command:** _____

The Suffolk County Police Department maintains a comprehensive database of members who possess various degrees of fluency in foreign languages (other than English).

The Interagency Language Roundtable (ILR) scale is a set of descriptions of abilities to communicate in a language.

Please review the ILR proficiency levels listed below. For any foreign language(s) in which you meet one of the proficiency levels, please enter the name of that language under the proficiency level which best describes your ability to communicate.

At this time, if you do not possess foreign language proficiency as defined below, please indicate so by checking the English Only box. If your ability to communicate in any foreign language should change in the future, you may update this information.

English Only ☐

**Professional Working Proficiency:**

The ILR describes Professional Working proficiency as the ability to participate effectively in a language in most formal and informal conversations on practical, social, and professional topics. This includes possessing a broad vocabulary, moderate accent, and comprehension which is quite complete for a normal rate of speech.

Language: _____ Language: _____ Language: _____

**Full Professional Proficiency:**

The ILR describes Full Professional proficiency as the ability to use the language fluently and accurately on all levels normally pertinent to professional needs. This includes the ability to understand and participate in conversations with a high degree of fluency and precision of vocabulary. Though rarely taken for a native speaker, can handle informal interpreting from and into the language.

Language: _____ Language: _____ Language: _____

**Native or Bilingual Proficiency:**

The ILR describes Native or Bilingual proficiency as possessing speaking proficiency equivalent to that of an educated native speaker, including complete fluency in the language, such that speech on all levels is fully accepted by educated native speakers in all its features.

Language: _____ Language: _____ Language: _____

# Training

## 203.1 PURPOSE AND SCOPE

This policy establishes general guidelines for how training is to be identified, conducted and documented. This policy is not meant to address all specific training endeavors or identify every required training topic.

## 203.2 POLICY

The Department shall administer a training program that will meet the standards of federal, state, local and the New York State Division of Criminal Justice Services (DCJS) training requirements. It is a priority of this Department to provide continuing education and training for the professional growth and development of its members.

## 203.3 OBJECTIVES

The objectives of the training program are to:

(a) Enhance the level of law enforcement service to the public.

(b) Increase the technical expertise and overall effectiveness of Department members.

(c) Provide for continued professional development of Department members.

(d) Ensure compliance with DCJS rules and regulations concerning law enforcement training.

## 203.4 TRAINING PLAN

It is the responsibility of the Commanding Officer of the Police Academy Bureau to develop, review, update and maintain a training plan and to ensure that mandated basic, in-service and Department-required training is completed by all members as needed or required. The plan should include a systematic and detailed method for recording and logging of all training for all members.

While updates and revisions may be made to any portion of the training plan at any time it is deemed necessary, the Commanding Officer of the Police Academy Bureau shall review the entire training plan on an annual basis.

The plan will include information on curriculum, training material, training facilities and scheduling. The plan will address federal, state and Department-required, minimum-mandated training of officers and other members.

### 203.4.1 MANDATED ANNUAL TRAINING

The annual training plan shall include a minimum of 21 hours of annual in-service training. At a minimum, the plan must include training in firearms, legal updates, and the use of force and deadly force. Firearms training must include actual range training. The Commanding Officer of the Police Academy Bureau should consider recommendations from the appropriate sources to supplement these topics.

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Officers who are certified as general topic or specific topic instructors, as the type of training necessitates, should be utilized for the mandatory 21 hours of training within the annual training plan (9 NYCRR § 6023.1 et seq.; 9 NYCRR § 6024.1 et seq.). If the instructor is not certified, the certifying instructor must review and approve the content of the lesson plans.

The annual training plan must include training for all supervisors that is designed to enhance supervisory skills.

See procedure for further guidance: ANNUAL TRAINING PROCEDURES

### 203.4.2 DECENTRALIZED INDIVIDUALIZED IN-SERVICE TRAINING

The Decentralized Individualized In-Service Training (DIIT) program provides refresher and update training to Department members in the form of video presentations with a testing component. All members are responsible to complete the DIIT training applicable to them annually.

See procedure for further guidance: DECENTRALIZED INDIVIDUALIZED IN-SERVICE TRAINING (DIIT) PROGRAM PROCEDURES

### 203.4.3 SPECIALIZED TRAINING

The Commanding Officer of the Police Academy Bureau, through consultation with the command staff, shall identify the positions that require specialized training beyond that provided in the Municipal Police Training Council (MPTC) Basic Course for Police Officers or the annual training plan. Specialized training may include technical and job specific subjects needed to provide skills, knowledge and ability to adequately perform the tasks required for the specific position.

Examples of specialized training may include, but are not limited to, firearms, defensive tactics, canine, Special Weapons and Tactics (SWAT), scuba, bomb disposal, investigative specialists and field training officer (FTO). Specialized training will be conducted as soon as possible after assignment to a specialized command and will be periodically evaluated to determine if supplemental training is necessary.

See listing of commands identified as requiring specialized training: COMMANDS REQUIRING SPECIALIZED TRAINING

## 203.5 GOVERNMENT-MANDATED TRAINING FOR POLICE OFFICERS

The following lists, while not all inclusive, identify training that is required under state and federal laws and regulations.

(a) Federally mandated training:

1. National Incident Management System (NIMS) training

(b) State-mandated training (General Municipal Law § 209-q):

(a) Newly appointed officers must successfully complete an MPTC-approved Basic Course for Police Officers. This training must be completed within the first year from the date of original appointment. Officers may not carry or use any firearm

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in the performance of their duties, except for Department firearms training, until they have successfully completed the MPTC Basic Course for Police Officers, or a program that meets or exceeds the basic course requirements in use of firearms and instruction in deadly physical force.

(b) Newly appointed first line police supervisors of any rank must successfully complete the MPTC Course in Police Supervision within a year of their appointment (9 NYCRR § 6021.7).

## 203.6 TRAINING COMMITTEE

The Chief of Department may establish a Training Committee, on a temporary or as-needed basis, which will assist with identifying training needs.

The composition of the Training Committee shall be determined by the Chief of Department with the Commanding Officer of the Police Academy Bureau or designee acting as the chairperson. Committee members should be selected based on their abilities at post-incident evaluation and at assessing related training needs. The Chief of Department may remove or replace members of the committee at his/her discretion.

The Commanding Officer of the Police Academy Bureau will consider the recommendations of the committee and determine what training should be addressed, taking into consideration the mission of the Department and the available resources. Training recommendations as determined by the Commanding Officer of the Police Academy Bureau shall be submitted to the command staff for review.

See procedure for further guidance: TRAINING COMMITTEE COMPOSITION

## 203.7 TRAINING ATTENDANCE

(a) All members assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences should be limited to:

1. Court appearances.
2. Previously approved vacation or time off.
3. Illness or medical leave.
4. Physical limitations preventing the member's participation.
5. Emergency situations or Department necessity.

(b) All Department members who wish to attend a conference must receive approval prior to attending.

(c) Any member who is unable to attend training as scheduled shall notify his/her supervisor as soon as practicable but no later than one hour prior to the start of training and shall:

1. Document his/her absence in an Internal Correspondence (PDCS-2042) to his/her supervisor if directed.

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2. Make arrangements through his/her supervisor or command to attend the required training on an alternate date.

See procedure for further guidance: ATTENDANCE AT NON-ACADEMY SCHOOLS AND CONFERENCES

### 203.8 DAILY TRAINING BULLETINS

The Lexipol Daily Training Bulletins (DTBs) are contained in a Web-accessed system that provides training on the Suffolk County Police Department Policy Manual and other important topics. Generally, one training bulletin is available for each day of the month. However, the number of DTBs may be adjusted by the Commanding Officer of the Police Academy Bureau.

Members assigned to participate in DTBs shall only use the login credentials assigned to them by the Department. Members should not share their password with others and should frequently change their password to protect the security of the system. After each session, members should log off the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Department.

Members who are assigned to participate in the DTB program should complete each DTB at the beginning of their shifts or as otherwise directed by their supervisor. Members should not allow uncompleted DTBs to build up over time, and may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any Internet-enabled computer, members shall only take DTBs as part of their on-duty assignments, unless directed otherwise by a supervisor.

Supervisors will be responsible for monitoring the progress of those under their command to ensure compliance with this policy.

### 203.9 TRAINING RECORDS

The Commanding Officer of the Police Academy Bureau is responsible for the creation, filing and storage of all training records. Training records shall be retained in accordance with the established records retention schedule. The Commanding Officer of the Police Academy Bureau will ensure that all employee training records are up-to-date and properly documented for all sworn personnel. Such records will include the dates attended, the total amount of hours and the name of the course. The Commanding Officer of the Police Academy Bureau will ensure that accurate records are on file for all training courses sponsored by the Suffolk County Police Department and/ or attended by sworn personnel, including copies of lesson plans, curricula or course descriptions. Such records shall be retained indefinitely.

#### 203.9.1 MUNICIPAL POLICE TRAINING COUNCIL (MPTC) RECORDS

In-service training conducted by the Department shall be reported to the DCJS within 10 days after the conclusion of the course (9 NYCRR § 6022.5; 9 NYCRR § 6022.5-a).

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### 203.9.2 MPTC RECORDS FOR PEACE OFFICERS

The names and addresses of all peace officers that have completed training in deadly physical force and the use of firearms and other weapons shall be reported annually to the DCJS (9 NYCRR § 6025.9).

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# Field Training

## 417.1 PURPOSE AND SCOPE

This policy provides guidelines for field training that ensure standardized training and evaluation; facilitate the transition from the academic setting to the actual performance of general law enforcement duties; and introduce the policies, procedures and operations of the Suffolk County Police Department. The policy addresses the administration of field training and the selection, supervision, training and responsibilities of the Field Training Officer (FTO).

## 417.2 POLICY

It is the policy of the Suffolk County Police Department that all newly hired or appointed officer trainees will participate in field training that is staffed and supervised by trained and qualified FTOs. In addition to FTO training, officer trainees must successfully complete an 18 month period of probation commencing on the date of appointment.

## 417.3 FIELD TRAINING

The Department shall establish minimum standards for field training, which should be of sufficient duration to prepare officer trainees for law enforcement duties and be a minimum of 160 hours for recruit officers with no prior experience, in compliance with Municipal Police Training Council (MPTC) requirements. The field training is designed to prepare trainees for a patrol assignment and ensure they acquire the skills needed to operate in a safe, productive and professional manner, in accordance with the general law enforcement duties of this Department. The Field Training Guide for Police Officers (PDCS-7502f) shall be used to identify the specific performance criteria the trainee shall be trained and evaluated under by the FTOs.

To the extent practicable, field training should include procedures for:

(a) Issuance of training materials to each trainee at the beginning of his/her field training.

(b) Daily, weekly and monthly evaluation and documentation of the trainee's performance.

(c) A multiphase structure that includes:

1. A formal evaluation progress report completed by the FTOs involved with the trainee and submitted to the Commanding Officer of the Police Academy Bureau and FTO coordinator.
2. Assignment of the trainee to a variety of shifts and geographical areas.
3. Assignment of the trainee to a rotation of FTOs in order to provide for an objective evaluation of the trainee's performance.

(d) Retention of all field training documentation in the officer trainee's training file including:

1. All performance evaluations.
2. A certificate of completion certifying that the trainee has successfully completed the required number of field training hours.

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417.3.1 FIELD TRAINING PROGRAM STRUCTURE

The police officer/recruit shall be designated as a probationary police officer (PPO) upon graduation from the Police Academy and entering into a field training program. The New York State DCJS minimum length of the program is 160 hours (four work weeks) and the maximum is 12 work weeks. Field training will be divided into three phases, each lasting four weeks. The PPO will be assigned to different sectors and FTOs based upon availability and need.

See procedure for further guidance: FIELD TRAINING PROGRAM COMPLETION

Failure of the PPO to successfully complete the field training program will result in a recommendation to the Police Commissioner for termination of employment. There is no mechanism for extending field training beyond 12 weeks unless a PPO misses part of the program due to sickness, injury etc. At the end of the12 week program, a PPO is either acceptable or unacceptable.

## 417.4 FTO COORDINATOR

The Deputy Chief of Patrol shall be responsible for the overall coordination of the field training program. Each Patrol Division precinct shall delegate certain responsibilities to a Precinct Field Training Coordinator (PFTC). Normally, the precinct captain shall serve as the PFTC. The PFTC shall be directly responsible to the Office of the Deputy Chief of Patrol.

The Police Academy Bureau will assign a supervisor as the Academy Field Training Program Coordinator who is responsible for acting as a liaison between the Police Academy Bureau and the field training program, and for all training related to the program.

417.4.1 FIELD TRAINING PROGRAM RESPONSIBILITIES

Each precinct Commanding Officer shall be responsible for the following:

(a) Monitoring the status of the field training program in the precinct.

(b) Ensuring that all required reports and evaluations are prepared and submitted.

(c) Immediately notifying the Chief of Patrol of any significant performance deficiencies identified during the field training or probationary periods.

The PFTC shall be responsible for the following :

(a) Selection of Field Training Officers (FTOs).

(b) Overseeing assignment of trainees to FTOs.

(c) Maintaining program records and ensuring FTO and trainee performance evaluations are completed and submitted to the Police Academy Bureau upon completion of each officer's field training.

(d) Mentoring and supervising individual FTO performance.

(e) Keeping the Commanding Officer and the Office of the Chief of Patrol informed about the trainees' progress and problems.

(f) Maintaining a liaison with police academy staff on recruit officer attendance to ensure that minimum program requirements are met by each recruit.

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(g) Conducting FTO meetings.

(h) Determining upon recommendation from the field training supervisor that a Probationary Police Officer (PPO) has successfully completed field training.

(i) Collecting all daily, weekly and final evaluation forms. After ensuring that the evaluations and the Recruit Field Training Guide portion of the Field Training Guide for Police Officers (PDCS-7502f) have been properly completed, he/she will forward folders containing these forms to the Office of the Chief of Patrol. This will be accomplished within 30 days of the end of field training.

(j) Collecting completed bi-monthly evaluations from sergeants who are responsible for PPOs and ensuring they are submitted to the Office of the Chief of Patrol no later than one week after the end of each bi-monthly period.

(k) Performing other activities as may be directed by the Office of the Chief of Patrol.

The Academy Field Training Program Coordinator shall be responsible for the following:

(a) Maintaining, updating and issuing Department training materials to each FTO and trainee.

(b) Ensuring that recruits are trained about the field training program and its procedures.

(c) Acting as a liaison between the Police Academy Bureau and the field training program and for all training related to the program.

(d) Developing and conducting training for FTOs.

(e) Maintaining a liaison with precinct FTO coordinators and FTO coordinators from other law enforcement agencies.

(f) Training of recruits with regard to the field training program procedures.

(g) Monitoring the overall performance of field training.

## 417.5 FTO SELECTION, TRAINING AND RESPONSIBILITIES

### 417.5.1 SELECTION PROCESS

The selection of an FTO will be at the discretion of the Patrol Division Field Training Coordinator upon recommendation of the precinct Commanding Officer. An FTO must remain in good standing and may be relieved from FTO duties due to discipline, inappropriate conduct or poor performance. Selection of an FTO will be based on the officer's:

(a) Desire to be an FTO

(b) Assignment to a Precinct Patrol Section

(c) Experience which shall include a minimum of three years of patrol experience, with this Department. This factor may be waived by the Patrol Division Program Coordinator.

(d) Demonstrated ability as a positive role model as evidenced by such characteristics as maturity, fairness, impartiality and dependability

(e) Good standing in the Department as evidenced by activity level, attendance record, disciplinary history, etc.

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(f) Evaluation by supervisors.

(g) Possession of, or ability to obtain, MPTC approved certification.

See procedure for further guidance: FIELD TRAINING OFFICER (FTO) SELECTION

417.5.2 TRAINING

An officer selected as an FTO shall successfully complete the Police Field Training Officer Course required by the MPTC, prior to being assigned as an FTO.

All FTOs must complete an FTO update course as appropriate or mandated by MPTC.

417.5.3 TRAINING MATERIALS

The FTO shall receive training materials outlining the requirements, expectations and objectives of the FTO position. FTOs should refer to their training materials or the Precinct FTO coordinator regarding specific questions related to FTO or field training.

417.5.4 RESPONSIBILITIES

The responsibilities of the FTO include, but are not limited to:

(a) Issuing his/her assigned trainee field training materials in accordance with the Training Policy.

1. The FTO shall ensure that the trainee has the opportunity to become knowledgeable of the subject matter and proficient with the skills as set forth in the training materials.
2. The FTO shall sign off on all completed topics contained in the Field Training Guide for Police Officers (PDCS-7502f) , training materials, noting the methods of learning and evaluating the performance of his/her assigned trainee.

(b) Completing and reviewing daily performance evaluations with the trainee.

(c) Completing and submitting a written evaluation on the performance of his/her assigned trainee to the FTO coordinator on a daily basis. See Daily Observation Report (PDCS-5200h) .

## 417.6 FIELD TRAINING SUPERVISOR RESPONSIBILITIES

The responsibilities of each sergeant who has a PPO assigned to them include, but are not limited to:

(a) Monitoring all FTO/PPO field training by meeting with them on a daily basis, collecting and reviewing the completed daily evaluation reports and discussing PPO progress and problems with the PPO and FTO as appropriate.

(b) Completion of the Supervisor's Weekly Report (PDCS-5200-3a) at the end of each work week and submitting it to the Precinct Field Training Coordinator. This report will summarize the results of the Daily Observation Reports (PDCS-5200h) competed by the FTOs during a work week. The PPO shall sign and receive a copy of the Supervisor's Weekly Report (PDCS-5200-3a).

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(c) Interviewing the PPO at the end of each four week phase and advising the PPO of his/her progress during the phase.

(d) Completion of the Final Evaluation Summary (PDCS-5200-2d) and when appropriate, recommendation to the Precinct Field Training Coordinator that a PPO has successfully completed field training.

(e) Commencing upon successful completion of the field training program, completion of a bi-monthly evaluation, pre-printed Internal Correspondence (PDCS-2042) for each assigned PPO. These evaluations will continue for the duration of the PPO's probationary period.

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# Attachments

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# Field Training Guide for Police Officers (PDCS-7502).pdf

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# POLICE DEPARTMENT
# COUNTY OF SUFFOLK, NY

# FIELD TRAINING
# for
# POLICE OFFICERS

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# CHAPTER ONE

## Introduction

# POLICY STATEMENT

The Suffolk County Police Department continually strives to maintain the highest standards of professionalism. The attainment of highly trained police officers shall remain a fundamental goal of the Department.

The Field Training Program has been developed and implemented to help meet this responsibility. The program is assigned to the Patrol Division and shall receive assistance from the In-Service Training Section and the Police Academy Bureau.

It shall be the policy of the Suffolk County Police Department to supplement successful Police Academy Recruit Training with satisfactory performance in the Field Training Program to further enhance an officer's training base and to determine the officer's suitability for permanent assignment as a Suffolk County Police Officer.

The policies of training, evaluation, and program procedures will be determined by the Program Staff personnel in conjunction with the Chief of Patrol's Office and the Office of the Police Commissioner. These procedures will be regularly scrutinized to ensure that they are updated and that they provide for equal and standardized field training and evaluation of all involved personnel.

The standards of performance proficiency set up by the Field Training Program are designed to ensure that each officer successfully completing field training will have received the necessary guidance and instruction under field conditions to meet the standards of performance of the Suffolk County Police Department. Only upon successful attainment of these standards of performance will an officer be permanently assigned to the Suffolk County Police Department.

# FIELD TRAINING PROGRAM OBJECTIVES

The Suffolk County Police Department's Field Training Program has been designed and implemented in order to achieve the following objectives.

1. To produce a highly trained and positively motivated police officer capable of meeting or exceeding the standards of performance required by the Department.

2. To provide standardized field training to all probationary police officers, and to provide remedial training in those areas where skills require improvement, by specially selected and trained police officers known as Field Training Officers [FTO's].

3. To expand upon the foundation of knowledge provided in the Police Academy by creating a "controlled environment" for the probationary police officer to develop the application of classroom learned skills as well as to develop new skills.

4. To improve the Department's Selection process by providing on the job observation and documentation of each probationary police officer's performance.

5. To establish an appraisal system that is directly job related and utilizes a standardized and systematic approach to the documentation and evaluation of probationary police officers performance in order to provide well-rounded and objective feedback of field performance and suitability as a Suffolk County Police Officer.

# CHAPTER TWO

# Program Structure

# ADMINISTRATIVE STRUCTURE

The Field Training Program is administered from the Patrol Division for the following reasons:

1. Field training is a patrol officer learning a patrol function in the patrol environment. Management of the program should be located where field training occurs - in the Patrol Division.

2. To provide unity of command for all personnel involved and to minimize conflict with other divisions within the department.

3. To allow program management to closely monitor Probationary Police Officers' progress and training assignments that may require immediate attention or action.

**The Field Training Program is under the direct supervision of the Deputy Chief of Patrol who acts as the Field Training Program Division Coordinator.**

Each precinct's field training operations are overseen by a Precinct Field Training Coordinator at the Rank of Lieutenant or as designated by the Precinct Commander. There is also a Field Training Coordinator, at the Rank of Sergeant or above, assigned to the In-Service Training Section at the Police Academy to address training needs and to act as a liaison.

These seven [7] Field Training Coordinators, in conjunction with the Field Training Program Division Coordinator, act as the Program Staff Management. These coordinators attend regular staff meetings where recommendations, procedures and program policy are continually updated to maintain a vital program.

# FIELD TRAINING PROGRAM RECORDS

The Precinct Field Training Coordinator will maintain all records pertaining to the Program. These records are **CONFIDENTIAL** and shall be secured as such. Persons seeking access to these records shall do so through the Precinct Field Training Coordinator.

Precinct coordinators should make certain that all Evaluation reports are signed by the appropriate individuals, i.e., all D.O.R.'s must be signed by the P.P.O, F.T.O., and F.T.S.

Upon completion of the Program, all field training records will be reviewed by Precinct Commanding Officers, Precinct Coordinators and the Division Coordinator. The records will then be forwarded to the Police Academy Coordinator for review and storage.

# OVERVIEW OF THE FIELD TRAINING PROGRAM

All probationary police officers (PPO's) will receive all of their field training at their assigned precinct. All PPO's will be assigned to the two-tour chart. No PPO will be assigned to a steady midnight squad.

Field Training is part of the Basic Course for Police Officers; therefore, graduation may not occur until the PPO has successfully completed field training. Field training will begin on the first Monday following the recruit's transition from the Police Academy to their precinct assignment. For the purposes of this program the evaluations will be based on a Monday to Sunday week, regardless of the days of the week that the PPO actually works.

PPO's will be eligible to complete field training at the end of 4 weeks. They must maintain a rating average of 5 or above with no consistent underperformance in any area. After the 3rd week, the Sgt. and the FTC will determine which PPO's meet the standards (as described above). All PPO's meeting the standard will be scheduled to complete field training after 4 weeks. Again, the 4th week should be used as a final evaluation, where the PPO performs all tasks as if he/she were in a single officer vehicle.

The PPO who completes the field training program at any time (weeks 4-12), along with their FTO's, must still complete the recruit field training guide. It must be submitted along with all evaluations and retained by the department.

## 12 Week Duration

At the end of 12 weeks all PPO's must complete field training. The PPO must be performing at an acceptable level, with an average of 4 or better. **BE ADVISED THAT THERE IS NO LONGER ANY MECHANISM FOR EXTENDING FIELD TRAINING BEYOND 12 WEEKS. IF THE PPO IS UNACCEPTABLE AT THE END OF 12 WEEKS A RECOMMENDATION SHOULD BE MADE FOR TERMINATION.**

An extension of field training may be requested in the case of exigent circumstances such as serious illness or injury. The Police Academy Bureau must submit this request to the New York State Bureau of Municipal Police. Therefore, if a PPO meets the standard for an extension of field training the Academy must be notified forthwith.

The evaluation process is discussed in detail in Chapter Five.

# CHAPTER THREE

## The Recruit Field Training Guide

# THE TRAINING PROCESS

## THE RECRUIT FIELD TRAINING GUIDE

The Field Training Program will utilize the Recruit Field Training Guide [RFTG] to structure and standardize the field instruction provided to recruits. The RFTG is a comprehensive listing of the numerous varied tasks that a police officer may encounter in the course of daily job performance. While it would be impossible for a recruit in field training to actually encounter the many varied tasks listed in the RFTG, it is nevertheless **imperative** that the recruit learn to perform these tasks in order to function as an efficient and effective police officer. **The purpose of the RFTG is to assure the recruit, the FTO and the Department that all of these pertinent job tasks have been addressed during field training either through actual job experience or, at least, through one on one field instruction.**

There are many advantages in the use of the RFTG that include the following:

1. The RFTG organizes the Field Training Program by telling the FTO and the recruit **what is to be taught, when it is to be taught,** by providing some common reference points on **how it is to be taught,** and then by **documenting that it was taught.**

2. The RFTG cites the **Rules & Procedures** and the **New York State Manual for Police** for procedures and/or suggestions to aid the FTO/Recruit in field instruction for specific job tasks.

3. An FTO will be able to ascertain what tasks a Recruit has been exposed to by checking the Recruit's RFTG. The FTO can then concentrate on tasks that need to be taught rather than duplicating the efforts of a prior FTO.

4. The Recruit will know in advance what particular tasks will be addressed in the upcoming week or phase and will be able to become familiar with the material before it is presented.

5. When patrol activity is at a low, the FTO can utilize the RFTG to provide constructive training for the Recruit.

**The RFTG is not an evaluation tool.** Its purpose is to function as a guide for field training. Satisfactory performance of all job tasks listed in the RFTG is not mandatory. However, every effort will be made to enable a Recruit to satisfactorily handle as many actual job tasks as is possible.

Additional information on the RFTG, its use, maintenance and storage, as well as specific instructions for the FTO and the RECRUIT, are included in the guide that is contained in this chapter.

# DIRECTIONS FOR THE FIELD TRAINING OFFICER

**1. ALL DOCUMENTATION IS DONE IN THE RECRUIT'S COPY OF THE RECRUIT FIELD TRAINING GUIDE [RFTG].**
The Recruit will carry his/her Recruit Field Training Guide [RFTG] with him/her at all times during the Field Training Program. The Recruit's copy of the RFTG is to be completed as he/she progresses through the program. The FTO has been provided with a copy of the RFTG to be used as a reference to plan and review field training.

**2. RFTG TASKS LISTED IN ORDER OF PROGRESSIVE COMPLEXITY AND BROKEN DOWN INTO PHASES AND WEEKS.** The tasks listed in the RFTG are arranged somewhat in order of difficulty, with the simpler tasks being addressed earlier in the program. The tasks are broken down further into weeks when they will be concentrated on. Some of these tasks may be more mundane while others are more complex.

**3. FTO'S DISCRETIONARY OVERRIDE OF RECRUIT PERFORMANCE.** As an FTO, it is your decision when to exercise discretionary override of a Recruit's performance. In situations other than those involving potential safety/liability concerns, your patience and understanding may be the only limits imposed on how long a recruit will be permitted to "practice" his skills.

**4. TWO METHODS OF FIELD TRAINING THE TASKS LISTED IN THE RFTG.**
There are two methods of field training a Recruit in a particular job task. The first of these is that the task could be actually experienced/encountered during field training. Of course, not all job tasks will be actually encountered during field training. The second field training method will then be utilized - that of field instruction/simulation.

**5. DOCUMENTATION OF ACTUAL EXPERIENCE OF A JOB TASK IN THE RFTG.**
When a Recruit actually experiences/encounters a job task listed in the RFTG, the FTO will locate the task in the RFTG and indicate A/E for actually experienced/encountered in the column with the date. The FTO and the PPO will then place their shield numbers in the appropriate columns.

**6. DOCUMENTATION OF FIELD INSTRUCTION OF A JOB TASK IN THE RFTG.**
When a Recruit has not actually experienced/encountered a specific job task, he/she may be field instructed in that particular task. This method of instruction will be indicated as

F/I and noted in the RFTG as indicated above for actual experience along with appropriate shield numbers and dates.

**7. UTILIZATION OF CITED REFERENCES IN THE RFTG WHEN FIELD TRAINING A RECRUIT.**

FTO's will utilize the methods and procedures cited in the RFTG from the Rules and Procedures and the New York State Manual for Police as reference points when field training Recruits. These methods and procedures are utilized to instruct during Police Academy training. They provide the Recruit with some continuity and provide a frame of reference for the recruit to understand how each officer may differ slightly in the application of these methods and procedures.

**8. FTO'S RESPONSIBILITY TO ADDRESS JOB TASKS WHEN ASSIGNED TO FIELD TRAINING A RECRUIT.**

The FTO is responsible to address all the indicated job tasks listed for that particular week during which he/she is field training a Recruit. This may be done through either actual experience or field instruction. Field instruction or simulation is left up to the discretion and imagination of the FTO. Observing another officer handling an assignment is an excellent method of field instructing a job task.

**9. AREAS OF TRAINING MAY BE RECORDED AS THEY ARE ENCOUNTERED.**

Areas of training may be recorded as they are encountered, if a job task has actually been experienced after it had been initially field instructed. The FTO will locate the particular task in the RFTG and note the actual experience accordingly. Also, if a job task is actually experienced that is located in a future week of the RFTG that the Recruit hasn't reached yet, the FTO may locate the task and indicate actual experience accordingly.

**10. JOCKEYING ABOUT THE RFTG VS FIXED RESPONSIBILITY OF FTO.**

Jockeying about in the RFTG as tasks are actually encountered does not present any problem as long as the FTO understands that he/she is responsible for teaching a recruit as many tasks as possible in the amount of time they ride together. The FTO will need to know if the recruit is eligible for the accelerated - program. If so, they will have greater responsibility in seeing that the RFTG is completed prior to the end of field training, whether that be four weeks or eight weeks.

**11. RFTG IS NOT AN EVALUATION TOOL.**

The RFTG is not an evaluation tool. Satisfactory performance of all indicated job tasks is not mandatory. However, every effort should be made to allow the Recruit to satisfactorily perform as many actual job tasks as is possible. The FTO is encouraged to tie in the training done in the RFTG to the evaluations done on the Daily Observation Report.

**12. FORWARDING OF THE COMPLETED RFTG.**

Upon completion of the Field Training Program, the Recruit's copy of his/her RFTG will be collected by the supervisor who completes the end of the Final Evaluation. The RFTG will be forwarded through the **Chain of Command** for review and storage. A Recruit can make a copy of his/her RFTG. Upon completion of the Field Training Program, the RFTG will be forwarded through the Precinct Coordinator, the Division Coordinator and finally, to the Police Academy Coordinator for review and storage.

**13. FTO/RECRUIT SUGGESTIONS ENCOURAGED.**

The FTO and the Recruit are encouraged to offer suggestions and/or recommendations to amend the contents or use of the RFTG. This may be done on an Internal Correspondence Report [PDCS 2042] sent through the proper **Chain of Command**.

# INSTRUCTIONS FOR THE RECRUIT

1. All Recruits will familiarize themselves with the GENERAL INSTRUCTIONS, INSTRUCTIONS FOR THE RECRUIT, and the DIRECTIONS FOR THE FTO contained in the RFTG.

2. All Recruits will carry their assigned copy of the RFTG with them **at all times** during the Field Training Program. All documentation of training will be done in the Recruit's copy of the RFTG.

3. The RFTG is a training guide and not and evaluation tool. Satisfactory performance of all listed tasks is not mandatory. Every effort will be made to allow the Recruit to actually experience as many job tasks as is possible. Those tasks unable to be actually experienced will be field instructed by the FTO. Recruits are encouraged to ask questions and to familiarize themselves with the specific areas of instruction they will be receiving in each Week/Phase of field training.

4. The Recruit will be responsible for providing the FTO with his/her copy of the RFTG upon request.

5. Upon completion of the Field Training Program, the completed RFTG will be forwarded to the supervisor who completes the Final Evaluation. The RFTG will be reviewed and forwarded through the **Chain of Command** for storage. The Recruit may make a copy of their RFTG.

6. Recruits should put their name and shield number on the front upper right corner of the RFTG.

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| PHASE 1 WEEK 1<br>PERFORMANCE AREA | DATE FI/ AE | FTO SHIELD # | PPO SHIELD # |
|---|---|---|---|
| I. RELIEF PROCEDURES - SCPD R&P 10/1 | | | |
| A. Reporting on duty | | | |
| B. Prescribed equipment - SCPD R&P 4/1 | | | |
| 1. Service Weapon<br>2. County authorized ammunition<br>3. Mace<br>4. Memo Book<br>5. Handcuffs and key<br>6. Whistle<br>7. Flashlight<br>8. Police Baton<br>9. Body Armor | | | |
| C. Additional equipment - carry or in private vehicle | | | |
| 1. Riot gear<br>2. Rain gear<br>3. Maps | | | |
| D. Communication with previous tour | | | |
| 1. Sector conditions<br>2. Scheduled activities [parades, etc.]<br>3. Unusual incidents<br>4. Adjoining sectors - status & activity<br>5. Vehicle problems | | | |
| II. VEHICLE AND EQUIPMENT CHECK | | | |
| A. Exterior | | | |
| 1. Damage - report in discrepancy book<br>2. Tires<br>3. All lights<br>4. Siren and P.A. system<br>5. Engine fluid levels | | | |
| B. Interior | | | |
| 1. Cleanliness - floors, seats, windows<br>2. Required forms<br>3. Trunk - required equipment listed on rear of discrepancy booklet<br>4. Radio check<br>5. Patrol check cards, pct. bulletins, etc. | | | |
| C. Care of Departmental property - SCPD R&P 4/3 | | | |

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| | DATE FI/ AE | FTO SHIELD # | PPO SHIELD # |
|---|---|---|---|
| III. RADIO PROCEDURES SCPD R&P 23/1 | | | |
| A. Operation of in-unit and portable radios | | | |
| 1. Radio checks<br>2. Channel selection - primary, data, etc. | | | |
| B. Review | | | |
| 1. Phonetic alphabet<br>2. Radio ten codes<br>3. Radio general alarm codes | | | |
| | | | |
| PHASE 1 WEEK 2<br>PERFORMANCE AREA | | | |
| IV. PRECINCT ORIENTATION & MAP USAGE | | | |
| A. Precinct Orientation | | | |
| 1. Precinct boundaries, sectors and zones<br>2. Main thoroughfares and routes<br>3. Hospital locations<br>4. Telephones - precinct directory & usage<br>5. Review precinct syllabus | | | |
| B. Map usage and orientation skills | | | |
| 1. Availability - Hagstrom, town maps, etc.<br>2. Usage - how to use a map to respond to calls | | | |
| V. MISCELLANEOUS PROCEDURES | | | |
| A. Memo books SCPD R&P 10/1, 10/3, 13/8 | | | |
| B. Meal periods - SCPD R&P 2/2 | | | |
| C. Vehicle procedures | | | |
| 1. Gas<br>2. Servicing<br>3. Out of service - mechanical | | | |
| D. Request for supervision | | | |

| | DATE FI/ AE | FTO SHIELD # | PPO SHIELD # |
|---|---|---|---|
| E. Sick leave SCPD R&P 3/1<br>1. Reporting procedures<br>2. On duty occurrence | | | |
| F. Injured employee SCPD R&P 3/2 | | | |
| G. Requests for personals, response to precinct, etc. | | | |
| VI. RULES AND PROCEDURES REVIEW<br>A. Chapter 2 - General regulations<br>B. Chapter 3 - Absence & attendance<br>C. Chapter 4 - Uniforms & equipment<br>D. Chapter 5 - Discipline & Punishment<br>E. Chapter 10 - Police Officer duties | | | |
| PHASE 1 WEEK 3<br>PERFORMANCE AREA | | | |
| VII. PATROL VEHICLE OPERATION<br>A. Patrol driving<br>1. SCPD R&P 4/3<br>2. NYSMFP - Part 2, 11B1, 11B2 | | | |
| B. Response to calls | | | |
| C. Response to emergency calls<br>1. NYS VTL - Sections 101, 114b, 132a, 1144<br>2. NYSMFP - Part 2 1133 | | | |
| D. Pursuit driving<br>1. SCPD R&P 2/7<br>2. NYSMFP - Part 2, 1134 | | | |
| E. Commentary driving - [what goes on in the mind of an officer operating sector unit] | | | |
| VIII. GENERAL OFFICER SAFETY - REVIEW<br>A. Wear seat belts<br>B. Maintain good physical conditioning | | | |

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| | | DATE FI/ AE | FTO SHIELD # | PPO SHIELD # |
|---|---|---|---|---|
| | C. Maintain and utilize personal safety equipment properly [body armor, weapons, etc.] | | | |
| | D. Search police vehicle prior to tour and after prisoner transport | | | |
| | E. Foresee potentially dangerous situations | | | |
| | F. Advise headquarters when leaving police vehicle | | | |
| | G. Keep all weapons away from suspects | | | |
| | H. Maintain sight of suspect during entire contact - including V&T stops | | | |
| | I. Keep gun hand free during enforcement contacts | | | |
| | J. Have weapon ready when appropriate | | | |
| | K. Cover other officers and be aware of lines of fire | | | |
| | L. Stand to side of entrances when knocking | | | |
| | M. Vehicle and Traffic Stop | | | |
| | 1. Position police vehicle to create zone of safety | | | |
| | 2. Stand behind violator's door | | | |
| | 3. Use flashlight when necessary | | | |
| | 4. Stand clear of vehicular traffic | | | |
| IX. | REVIEW USE OF FORCE | | | |
| | A. SCPD R&P 2/11 | | | |
| | B. NYS PENAL LAW - ARTICLE 35 | | | |
| | C. NYSMFP - PART 2 10-1 through 10-5 | | | |
| X. | THE DUTIES OF A DESK OFFICER | | | |
| | A. SCPD R&P 10/2 | | | |
| | B. Specific Duties | | | |
| | 1. Non-criminal fingerprint procedures | | | |
| | 2. Blotter entries | | | |
| | 3. Fingerprinting/photographing | | | |
| | 4. Bail procedures | | | |
| | 5. Calling for wreckers, signal light companies, dog warden, etc. | | | |
| | 6. Fax machine for fingerprints | | | |

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RECRUIT FIELD TRAINING GUIDE

| | DATE FI/ AE | FTO SHIELD # | PPO SHIELD # |
|---|---|---|---|
| XI. THE DUTIES OF A FOOT PATROL OFFICER | | | |
| A. SCPD R&P 10/1 | | | |
| B. Proper uniform - eight point cap | | | |
| C. Required equipment - SCPD R&P 4/1 | | | |
| 1. Memo book | | | |
| 2. Field Report Book | | | |
| 3. UTT'S | | | |
| 4. Flashlight | | | |
| 5. Police baton | | | |
| PHASE 1 WEEK 4 PERFORMANCE AREA | | | |
| XII. VEHICLE AND TRAFFIC LAW ENFORCEMENT | | | |
| A. Issuing the Uniform Traffic Ticket [UTT] | | | |
| 1. Summons procedure SCPD R&P 13/7 | | | |
| 2. Voiding a summons - SCPD R&P 13/7 | | | |
| B. V & T Stops | | | |
| 1. NYSMFP - Part 2 11B5 | | | |
| a] Recognizing violations - NYS VTL | | | |
| b] Selecting an area for the V&T Stop | | | |
| c] Stopping the motorist - vehicle positions | | | |
| d] Exiting patrol vehicle | | | |
| e] Approach to violator vehicle | | | |
| f] Violator contact | | | |
| g] Returning to patrol vehicle | | | |
| h] Remain observant when completing UTT | | | |
| i] Issuing the UTT - appropriate instructions | | | |
| C. Felony Car Stops - NYSMFP - Part 2 11B6 | | | |
| 1. Stopping procedures | | | |
| 2. Controlling suspects | | | |
| 3. Removing suspects from vehicle | | | |

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| | DATE FI/ AE | FTO SHIELD # | PPO SHIELD # |
|---|---|---|---|
| XIII. FIELD APPEARANCE TICKET PROCEDURES | | | |
| A. Permitted vs prohibited - SCPD R&P 9/4 10.20 | | | |
| B. Issuing Procedure - SCPD R&P 9/4 | | | |
| C. The Field Appearance Ticket Worksheet | | | |
| D. How to complete the UTT as an F.A.T. | | | |
| E. Voiding A F.A.T. - SCPD R&P 9/4.9 | | | |
| PHASE 2 WEEK 5 PERFORMANCE AREA | | | |
| XIV. ARREST PROCEDURES | | | |
| A. Probable cause - review - NYSMFP Part 2, 23 | | | |
| B. Techniques & methods - NYSMFP Part 2,2C,2D | | | |
| C. Arrest paperwork | | | |
| D. Arrest types & procedures - SCPD 16/1 | | | |
| 1. Warrant Arrest | | | |
| a] SCPD R&P 16/3 | | | |
| 2. Arrest without warrant - SCPD R&P 16/1 | | | |
| 3. Civilian arrest | | | |
| a] SCPD R&P 16/1 | | | |
| b] Civilian Arrest Form | | | |
| 4. DWI Arrests | | | |
| a] "Designated DWI Facility" - familiarization w/SCPD R&P 16/2 | | | |
| b] NYSMFP Part 2, Article 7 | | | |
| c] Pre-Screening SCPD R&P 16/2 | | | |
| d] Breath test procedures-SCPD R&P 16/2 | | | |
| e] Blood test procedure- SCPD R&P 16/2 | | | |
| f] Appropriate forms | | | |
| 1. refusal to submit | | | |
| 2. alcohol influence report | | | |
| g] zero tolerance SCPD R&P 9/14 | | | |

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| | DATE FI/ AE | FTO SHIELD # | PPO SHIELD # |
|---|---|---|---|
| 5. Family offenses - SCPD R&P 16/6<br>a] choice of courts<br>b] definition family offenses<br>c] note "domestic incident report"<br>d] certificate of warrant - SCPD R&P 16/8 | | | |
| 6. Orders of Protection- SCPD R&P 16/7 | | | |
| 7. Juvenile Procedures - SCPD 27/2 & 27/3<br>a] P.I.N.S.<br>b] Juvenile Offenders<br>c] Neglected child<br>d] Abused child<br>e] Removal of child<br>f] Transportation and detention - SCPD R&P 27/2<br>g] Appropriate Forms<br>1. Blue Card<br>2. Report of Suspected Child Abuse or Maltreatment Form | | | |
| 8. Arrest of Aliens - SCPD R&P 16/4<br>9. Arrest of Foreign Nationals - SCPD R&P 16/5 | | | |
| E. Un-arrest Procedures - SCPD R&P 16/1 | | | |
| F. Community Mediation Center<br>1. SCPD R&P 9/6<br>2. Referral Form | | | |
| | | | |
| PHASE 2 WEEK 6<br>PERFORMANCE AREA | | | |
| XV. PRISONER PROCEDURES<br>A. Searching of Prisoners<br>1. SCPD R&P 13/6 & 16/11<br>2. NYSMFP - Part 2, 2E1 | | | |
| B. Handcuffing of prisoners<br>1. SCPD R&P 16/10 & 16/11<br>2. NYSMFP - Part 2, 2E2 | | | |

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| | DATE FI/ AE | FTO SHIELD # | PPO SHIELD # |
|---|---|---|---|
| C. Transportation of prisoners<br>1. SCPD R&P 16/10<br>2. NYSMFP - Part 2, 2E4 | | | |
| D. Booking of prisoners SCPD R&P 16/11 | | | |
| E. Detention of prisoners SCPD R&P 10/4 | | | |
| F. Prisoner Property Procedures SCPD R&P 16/11 | | | |
| G. Prisoner Medical Aid SCPD R&P 16/11 | | | |
| H. FOA Lodging - SCPD R&P 16/11 | | | |
| I. Bail Procedures - SCPD R&P 16/16 | | | |
| J. Appearance Ticket Procedures - SCPD R&P 9/4 | | | |
| XVI. CRIME SCENE PROCEDURES<br>A. Safeguard scene - SCPD R&P 14/1 | | | |
| B. Notes and Sketches<br>1. Crime scene log<br>2. SCPD R&P 14/2<br>3. NYSMFP - part 2, 123 | | | |
| C. Searches NYSMFP - Part 2, 12D | | | |
| D. Evidence<br>1. SCPD R&P 14/1<br>2. NYSMFP - Part 2, 12E, 12F, 12G<br>3. Security envelopes<br>4. Location of property locker at precinct | | | |
| XVII. IMPOUND PROCEDURES - SCPD R&P 20/4<br>A. Reasons for impounds | | | |
| B. Request supervision | | | |

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| | DATE FI/ AE | FTO SHIELD # | PPO SHIELD # |
|---|---|---|---|
| C. Types of impounds<br>1. evidence vs non-evidence<br>2. F.O.A.<br>3. safeguard property<br>4. Section 511 VTL<br>5. Vehicle Theft Squad cases<br>6. DWI Seizure<br>D. Appropriate paperwork<br>1. Impound invoice worksheet<br>2. Impound sticker<br>3. Impound release form<br>4. Property disposition card | | | |
| PHASE 2 WEEK 7<br>PERFORMANCE AREA | | | |
| XVIII. PATROL OPERATIONS<br>A. Abandoned vehicles<br>1. as defined in VTL<br>2. specific town policy regarding towing | | | |
| B. Abortion - NYSMFP - Part 3, 1B<br>1. Investigative suggestions | | | |
| C. Air Crashes<br>1. Procedure - SCPD R&P 15/3<br>2. NYSMFP - Part 2, 1C | | | |
| D. Aliens and Diplomatic Immunity<br>1. SCPD R&P 16/4 & 16/17<br>2. NYSMFP - Part 3, Article 3 | | | |
| E. Animal Complaints<br>1. Procedures for contacting Highway Dept., Dog Warden, SCSPCA etc. | | | |
| F. Arson Investigation<br>1. Arson Squad - SCPD R&P 1/4 & 1/5<br>2. Investigative suggestions - NYSMFP Part 3, Article 4B, 4C | | | |

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| | DATE FI/ AE | FTO SHIELD # | PPO SHIELD # |
|---|---|---|---|
| G. Assaults - Investigative Suggestions NYSMFP - Part 3, Article 5B | | | |
| H. Bad Checks - NYSMFP - Part 3, Article 9B | | | |
| I. Bomb Scares and Explosions<br>1. Procedures - SCPD R&P 15/4<br>2. NYSMFP - Part 3, Article 10 | | | |
| J. Bribery and related offenses - NYSMFP Part 3, Article 11B | | | |
| K. Burglary and related offenses<br>1. Burglary Squad<br>2. Investigative suggestions - NYSMFP Part 3, Article 12B | | | |
| L. Civil Defense Emergencies<br>1. Civil Defense Section - SCPD R&P 1/4<br>2. Warning procedure - SCPD R&P 15/7 | | | |
| M. Civil disputes | | | |
| N. Civilian Complaint Procedures - SCPD R&P 5/2 & 5/9 | | | |
| O. Citizen Requests | | | |
| P. Committals/Handling the Mentally Ill<br>1. Response to Mentally ill - SCPD R&P 9/6<br>2. NYSMFP - Part 4, Mental Hygiene Law<br>3. Location of straight jackets at precinct, etc. | | | |
| Q. Conspiracy - NYSFMP - Part 3, 18B | | | |
| R. Controlled substance violations<br>1. SCPD R&P 14/7, 20/2<br>2. NYSMFP - Part 3, 19B | | | |
| S. Creating a hazard 270.10 PL, SCPD R&P 10/15 | | | |

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| PHASE 2 WEEK 8<br>PERFORMANCE AREA | DATE FI/ AE | FTO SHIELD # | PPO SHIELD # |
|---|---|---|---|
| T. Dangerous Conditions - SCPD R&P 10/1 | | | |
| U. Death Investigations- SCPD R&P 8/3.0 -3.16 | | | |
| V. Death Notifications-NYSMFP -Part 3, Art.24 | | | |
| W. Domestic Disturbances<br>1. SCPD R&P 16/6<br>2. Domestic Incident report<br>3. Referral form | | | |
| X. Dying declarations<br>1. SCPD R&P 8/3<br>2. NYSMFP - Part 3, Article 34C | | | |
| Y. Fire Investigations & Natural Disaster Plan SCPD R&P 15/1 - 15/6 | | | |
| Z. General Conduct<br>1. SCPD R&P 2/1 | | | |
| AA. Gun Call Guidelines - SCPD R&P 9.8 | | | |
| BB. Hazardous Materials<br>1. SCPD R&P 14/3<br>2. SCPD R&P 15/5<br>3. NYSMFP - Part 3, Article 33 | | | |
| CC. Homicide and related offenses<br>1. SCPD R&P 8/1, 8/3, 23/5<br>2. NYSMFP - Part 3, Article 34B | | | |
| DD. Hostages and Barricaded Subjects<br>1. SCPD R&P 9/8, 25/5<br>2. NYSMFP - Part 3, Article 35 | | | |
| EE. Informants | | | |
| FF. Interviews and Interrogations - NYSMFP Part 2, Article 5H | | | |
| GG. Intoxicated persons<br>1. SCPD R&P 9/2<br>2. NYSMFP - Part 2, Article 8S, Part 3, Article 41A9 | | | |

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| | DATE FI/ AE | FTO SHIELD # | PPO SHIELD # |
|---|---|---|---|
| HH. Kidnap and related offenses<br>1. SCPD R&P 24/12<br>2. NYSMFP - Part 3, Article 37B | | | |
| II. Labor Disputes and strike scene<br>1. SCPD R&P 15/2<br>2. NYSMFP - Part 3, Article 52 | | | |
| | | | |
| PHASE 3 WEEK 9<br>PERFORMANCE AREA | | | |
| JJ. Larceny and related offenses<br>1. NYSMFP - Part 3, Article 38B | | | |
| KK. Media Relations<br>1. SCPD R&P 26/2<br>2. NYSMFP - Part 1, Article 4c | | | |
| LL. Mentally Ill<br>1. SCPD R&P 9/6<br>2. NYSMFP - Park 4, M.H.L. | | | |
| MM. Missing Person Procedures<br>1. SCPD R&P 9/1<br>2. Appropriate forms including return | | | |
| NN. Mobilization Plans - SCPD R&P 15/13.0 | | | |
| OO. Motor Vehicle Accidents<br>1. SCPD R&P 8/2<br>2. PD/MVA - SCPD R&P 13/13.3<br>3. Appropriate forms | | | |
| PP. Notification procedures - SCPD R&P 23/5 | | | |
| QQ. Organizational Structure -<br>1. SCPD R&P 1/1.0 - 9.4 | | | |
| RR. Parades - SCPD R&P 15/9 | | | |
| SS. Pre-trial identification<br>1. SCPD R&P 16/14<br>2. NYSMFP - Part 2, Article 5G | | | |

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| | DATE FI/ AE | FTO SHIELD # | PPO SHIELD # |
|---|---|---|---|
| TT. Property Procedures - SCPD R&P 20.3 | | | |
| UU. Prostitution and related offenses - NYSMFP - Part 3, Article 44B | | | |
| VV. Public Assemblages - SCPD R&P 15/8 | | | |
| WW. Public Safety Offenses - NYSMFP - Part 3, Article 47 | | | |
| XX. Quartermaster Unit - SCPD R&P 1/4,1/5,4/2 | | | |
| YY. Racial/Religious Incidents<br>1. SCPD R&P 23/5<br>2. SCPD R&P 24/6 | | | |
| ZZ. Riot squad formations - SCPD R&P 15/11 | | | |
| AAA. Robbery<br>1. SCPD R&P 1/4, 1/5<br>2. NYSMFP - Part 3, Article 49B | | | |
| BBB. Sexual Offenses<br>1. SCPD R&P 1/4, 1/5, 5/8<br>2. NYSMFP - Part 3, Article 50B | | | |
| CCC. Schools - Patrol of, drugs at, etc.<br>1. Bomb Scares - SCPD R&P 15/4<br>2. Crossing Guards - SCPD R&P 10/1, 10/2, 4/1<br>3. Drug offenses at - SCPD R&P 14/6.0 | | | |
| DDD. SLA Checks<br>1. SCPD R&P 25/8<br>2. Appropriate forms | | | |
| EEE. Stolen/Recovered Vehicles<br>1. SCPD R&P 20/3<br>2. Appropriate forms | | | |
| FFF. Suspicious Persons/Vehicles<br>1. SCPD R&P 10/1<br>2. Field Interrogation Report | | | |
| GGG. Traffic Control - NYSMFP - Part 2, Art. 11G | | | |

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| | DATE FI/ AE | FTO SHIELD # | PPO SHIELD # |
|---|---|---|---|
| HHH. Traffic light malfunctions - procedures | | | |
| III. Teletype - NYSPIN - SCPD R&P 16/3, 23/4, 23/6 | | | |
| JJJ. Transfers - SCPD R&P 2/2, 3/1, 5/3 | | | |
| KKK. Unusual disorders/disasters - SCPD R&P 15.10 | | | |
| LLL. Victims - SCPD R&P 8/1, 12/1 | | | |
| MMM. Witnesses - NYSMTP Part 21, 5-22 | | | |

# CHAPTER FOUR

# The Field Training Instructional Process

# THE FIELD TRAINING INSTRUCTIONAL PROCESS

The Field Training Program emphasizes four [4] basic steps in the training of Recruits. These steps include: **Basic Instruction, Basic Daily Remediation, Not Responding to Training and Intensive Remedial Training,.**

## Basic Instruction [BI]

The first step of the training process is that the recruit must be given initial basic instruction - **"to show him/her how to do it".** The FTO will assume that a Recruit does not know how to perform a particular job task and will ensure that the Recruit is given reasonable exposure to each task.

What constitutes reasonable exposure to a task will depend on the difficulty of the task. Simple tasks such as relief procedures, bringing the appropriate equipment to work, etc., will require less reasonable exposure than will more difficult tasks such as major felony investigations.

Reasonable exposure may consist of detailed explanation, demonstrations, observations or any manner of instruction by the FTO that will result in the Recruit understanding how to perform the task.

Upon receiving reasonable exposure to a task, the Recruit should then be provided with an opportunity to perform the task. Depending upon the particular task, the Recruit may require a number of opportunities to demonstrate proficiency at a job task.

## Basic Daily Remediation [BDR]

Once the FTO has provided reasonable exposure to a task along with sufficient opportunities for the Recruit to practice his/her skills, and acceptable performance is not attained, the second training step of Basic Daily Remediation will be utilized.

Basic Daily Remediation is a normal part of the training process which identifies an area of performance where a Recruit requires improvement. Nearly all Recruits require Basic Daily Remediation at some during field training. This second training step ensures that the Recruit has had the deficiency brought to his/her attention. The FTO will then direct attention to remediating this deficiency, which might consist of several minutes of verbal counseling to several hours of working on a special assignment.

A narrative comment by the FTO on the Daily Observation Report now becomes essential in identifying the Recruit's progress. The specific job task should be identified along with an explanation of the amount and type of basic remedial assistance offered the Recruit.

**Not Responding to Training [NRT]**

In some cases, a Recruit will not respond to this initial remediation in a manner that will bring performance up to an acceptable level. When an FTO believes that the Recruit has had a reasonable amount of **Basic Instruction** and **Basic Daily Remediation** based on the task difficulty, and is still not performing on an acceptable level, the FTO will move into the third step of training - **NRT.**

This third step is an indication that the problem has occurred in the past, that it has been the object of appropriate remedial effort, and that the remedial effort has not produced acceptable performance. Movement to a different precinct to change the training environment may occur at this stage.

Remediation efforts will now become more specific and intensified. Suggestions for remedial training techniques and strategies are included in this Manual. **NRT** is a normal part of the field training process and may be handled by the FTO and/or first line supervisor.

The FTO will indicate **"NRT"** in the appropriate performance category listed on the Field Training Daily Observation Report [PDCS 5200] and will continue to record the appropriate performance grade, document the Recruit's performance in the narrative section, and note the amount of time utilized for remedial training in that area.

**Intensive Remedial Training [IRT]**

Up to this point, the remediaton of the Recruit's deficiencies has been done as a part of the Officer's normal training progression. In some cases, a deficiency is such that the Recruit must be removed from the program so that specific attention can be given to the deficiency. A pattern of not responding to training **[NRT]** is a pre-requisite for considering **IRT.**

Whenever the need to remove the Recruit from his normal training schedule is considered, an Internal Correspondence

requesting Intensive Remedial Training **[IRT]** will be prepared by the Precinct Field Training Coordinator. This report will be based on the documentation included in the Recruit's Field Training Daily Observation Reports and upon any additional reports prepared by FTO, Supervisors, etc.

The report should be addressed to the Program Division Coordinator at the Chief of Patrol's Office, and should contain the following information:

1. **What is the specific identifiable deficiency?**
2. **Is this deficiency one that appears to be correctable with further training and within a reasonable time period?**
3. **What remedial efforts have been made in the past and what were the results?**

The Field Training Program Division Coordinator will review the involved documentation and a decision will be reached regarding the specific method of remediation. Options may include utilizing the services of the Police Academy, a particular FTO or supervisor that possesses a strength in the Recruit's weak area, etc. An Internal Correspondence Report will be prepared by all personnel involved in a Recruit's Intensive Remedial Training.

Once a Recruit has received Intensive Remedial Training, he/she will be placed back into the Field Training Program for continued evaluation and training. His/her Field Training may be extended at the directions of the Department.

As a general rule, a Recruit will not pass or fail Intensive Remedial Training. The purpose of **IRT** is to correct and resolve a problem. It is still the responsibility of the FTO and Patrol Supervisors to evaluate the Recruit's performance in the field.

## SUMMARY

The Field Training Program is built upon the foundation of training and remediating Recruit performance. Recruit performance problems will be remediated whenever possible due to the time and money invested in the Recruit to reach the Field Training Program. In some cases however, the Field Training Program recognizes that certain personality traits or attitudes will negatively impact on a Recruit's performance. In these isolated cases, it may not be feasible, or possible, to remediate a Recruit's performance beyond the **NRT** stage. All decisions regarding continued remediation efforts will be handled through the Field Training Program Division Coordinator. In the vast

majority of situations, the application of sound professional training techniques and principles, accompanied by thorough documentation, will accomplish the program's goals.

## TYPICAL TRAINING PROBLEMS

Most veteran training officers will identify four [4] primary areas, Geography & Orientation, Report Writing, Decision Making and Radio Usage, as being stumbling blocks to most Recruit Officers. Below are some suggested approaches to be utilized in correcting a Recruit's unacceptable performance.

## GEOGRAPHY AND ORIENTATION

The most common weakness a Recruit will exhibit will be in this area. The FTO must be reasonable and realistic in his expectations of the Recruit. Initially, the Recruit should be expected to know where he is a majority of the time. He should know where he is going and be able to use a map to get from "Point A to Point B". A Recruit cannot possibly know the sector or precinct as well as his FTO does. The FTO's primary responsibility is to teach principles and fundamentals of geography and orientation skills. The primary consideration is not whether the Recruit took the fastest route, but whether the Recruit took a route that got you there in a **reasonable amount of time**, based on his experience and capabilities.

A Recruit Officer should be expected to know how to utilize compass directions, major north-south and east-west streets, and how to read and utilize a map.

Should the Recruit experience difficulty, the following may be helpful in improving his/her performance:

1. **Use of major landmarks.**

2. **Memorizing major streets.**

3. **Have the Recruit highlight street names.**

4. **Have the Recruit verbally drive you from "Point A to Point B".**

5. **Make practice runs by giving the Recruit several locations and having him drive you to them.**

6. **The Recruit should be allowed to drive at least half of each shift. The only exception to this should be during the first weeks of training or if special problems exist and there is documentation to support not driving.**

The above list is obviously not all inclusive, but represents some techniques. Any approach that the FTO can use that works is valid.

**REPORT WRITNG**

An individual's ability to relate in writing what he has done, observed, or needs is probably the most important attribute of a police officer. This skill is also the most difficult to remediate where a major deficiency exists.

If the FTO notes an obvious deficiency in this area, the FTO should review the Recruit's training and establish answers to the following questions:

1. **Has the Recruit received reasonable exposure and hands on application of the skills needed?**

2. **Does the Recruit have any obvious learning disabilities?**

3. **Is the Recruit having difficulty applying laws and policies to the situation or can the Recruit simply not express himself in writing?**

4. **Does the problem appear to relate to an organizational deficiency or educational deficiency?**

Specific documented answers to the above questions should give the FTO a direction from which to work. The FTO Program recognizes that some deficiencies in this area may well be beyond the training and expertise of the FTO. In some cases, resources outside the Department may be sufficient to resolve the problem. In a few isolated situations, however, we must realize that the problem cannot be resolved in a reasonable and timely manner.

If the Recruit does experience problems in the area of report writing, the following may be helpful in improving his/her performance.

1. **Have the Recruit carry a pocket dictionary at all times.**

2. **Have the Recruit write all reports.**

3. **Show the Recruit reports that have been properly completed.**

4. **Have the Recruit "verbalize" the incident, with the action[s] he recommends taking, before ever attempting to reduce the incident to writing. Keep in mind that if the Recruit does not understand what transpired mentally, he will not be capable of relating the incident in writing.**

5. **Have the Recruit hand write and review reports before calling them into the desk.**

6. **Have the Recruit establish a consistent pattern of obtaining information in a specific chronological order.**

7. **Does the Recruit understand, and can he apply, the concept of "Who, What, When, Where, Why, and How?" [i.e., Who did What to Whom? Who saw it happen? When, Where, Why, and How did it happen?]**

8. **Make sure the Recruit understands the relationship between the complainant and suspect[s].**

9. **When a problem in this area begins to surface, make copies of some of the initial report efforts. Include on those copies appropriate corrections, indicating the amount of time it took to produce an acceptable report. If a serious deficiency exists, begin including a more comprehensive sample in your documentation, with appropriate corrections. This method helps clearly establish a pattern of improvement or digression.**

This list is also not all inclusive, but does provide some techniques. The FTO is encouraged to try any method that gets the job done and still remains within the policies of the program and Department.

**DECISION MAKING**

One of the major goals for the FTO to meet is to teach the Recruit how to make a decision. This is a critical skill for any Police Officer to possess.

The most important aspect of "Decision Making" for the FTO to teach the Recruit is, **"Why did you make that decision and what policies or laws did you use to make it?"**. The FTO must realize that the Recruit may well take the **appropriate action, but did he do it for the appropriate reason?** The FTO should utilize every possible opportunity to interact with the Recruit and assess the trainees ability to apply the correct theory, to a realistic situation, in a practical manner. This may well involve complimenting the Recruit for a job well done, but asking, in a low-key manner, **"Why did you decide to handle it that way?"**. In some instances, the Recruit may just note that "it was the right thing to do". Make sure that each decision and each action is based on clear policy or legal guidelines. Also, ensure that the Recruit knows how far he can vary from these guidelines and why.

Remediation of this skill is much more difficult since you are dealing with a performance that is based, in part, on pre-learned behavior. Depending on the nature of the deficiency, the

FTO must first be sure to document and define the weakness. Initial remediation will center around redefining the Recruit's responsibilities and clarifying relevant policies and regulations. It may be wise for the FTO to volunteer for calls, when possible, that relate to the Recruit's deficiency. For instance, volunteering for domestic violence calls where the Recruit is having problems taking control and deciding what to do in a stress situation.

More specific remediation may require special assignment time in which the Recruit will respond only to the type of calls or incidents that give him a specific opportunity to practice these skills. If the deficiency shows a lack of reasonable improvement, and appropriate remediation has been exercised and documented, then the Recruit may need to move into Intensive Remediation.

During this specialized training, the Recruit should be placed with a different FTO. An FTO should be selected who has a background in this type of problem and the maturity to make some critical judgment decisions, relevant to the Recruit. In assigning the Recruit to this remediation, a tour and sector with sufficient activity may also be a consideration.

As noted earlier, the Recruit will not pass or fail this remediation. The Recruit should be given the opportunity to return to his regularly assigned FTO and demonstrate whether or not he can perform at an acceptable level. The important factor in utilizing another FTO for Intensive Remediation is the additional opinion and appraisal of the Recruit's performance and capabilities.

Decision making skills are a critical and required attribute for a Police Officer to possess. A major deficiency here may well affect the Recruit's career potential. This area is also probably the hardest to evaluate since the FTO's communication, perception, and interaction skills will have a bearing on the Recruit's learning and capability. **The FTO should remember that specific and detailed documentation is absolutely mandatory in this category.**

**RADIO USAGE**

Police radio communication skills seem to be a consistent weakness for most Recruits. Most deficiencies revolve around the following:

- **an inability to acknowledge and comprehend dispatcher's comments.**

- **an inability to transmit brief, concise and logical data to the dispatcher and other sector units.**

- **an inability to apply departmental policies as they relate to radio communication skills.**

Remediation of this skill will correspond, at least in part, to the personality and processing skills of the Recruit. The FTO should first be aware that the Recruit has a great deal of data and experience to absorb, in a short period of time. The FTO can, as a general rule, carry on a conversation, observe outside activity, drive the patrol vehicle, and still be aware of relevant radio transmissions. The Recruit has yet to develop and sharpen this skill. Some Recruits will acclimate quickly, others will develop at a slower pace.

If the Recruit develops problems in this area, after a reasonable amount of exposure, the FTO should answer the following questions:

1. **Has the Recruit been shown the proper techniques to use?**

2. **Has the Recruit had the opportunity to practice those techniques and has this been documented?**

3. **Has the FTO addressed the specific deficiency of the Recruit?**

The FTO's remediation of this deficiency should include <u>at least</u> some of the following techniques:

1. **Have the Recruit practice radio transmissions with the FTO during routine patrol.**

2. **Have the Recruit advise the FTO of radio traffic that affects surrounding sectors.**

3. **Ensure the Recruit knows to ask the dispatcher to repeat any transmissions not understood.**

4. **Send the Recruit to the Communications Division for an appropriate amount of time. This will allow the Recruit to interact personally with the dispatcher and relate to how the data is processed from that end.**

5. **Have the Recruit organize his thoughts before making a transmission. Where possible, say it out loud before transmitting the message.**

6. **Ensure the Recruit knows key phrases to note and copy down when interacting with the dispatcher.**

7. **Have the Recruit check suspects, vehicles and property on the radio.**

8. **Have the Recruit talk on the radio on the car to car Channel.**

## CONCLUSION

Only a sample of the common deficiencies experienced by Recruits were addressed in this section. The purpose here was to expose the FTO to "Remediation Progression and Procedures". The reader should have noted that **initial training and documentation are the key factors.** The FTO can instruct, interact, and counsel with the Recruit at length, relative to the displayed deficiency. Without the appropriate documentation, however, the FTO's efforts are meaningless.

# CHAPTER FIVE

## The Field Training Evaluation Process

## INTRODUCTION

Each Recruit's progress in the Field Training Program is recorded through written evaluations. These evaluations are performed on a daily basis by FTO's, weekly, and, at the end of each Phase by Patrol Supervisors. Honest and objective evaluations of Recruit performance are a prime objective of all Members of the Field Training Program.

Evaluations are a vital component of the Field Training Program that have many uses for both the Recruit and the Department. These evaluations are useful in that:

1. **They provide feedback to the Recruit on his/her performance, to the FTO on his/her training efforts and to the Department on the effectiveness and efficiency of the Field Training Program.**

2. **They monitor the progress a Recruit is making during field training.**

3. **They identify areas of performance where improvement is needed to assure the Recruit that he/she is properly performing a task and to assure the Department that a Recruit is capable of performing necessary job tasks.**

4. **They provide documentation of training efforts and progress.**

5. **They measure a Recruit's performance against a specific performance standard to determine a Recruit's suitability as a Suffolk County Police Officer.**

## EVALUATION/PERFORMANCE CATEGORIES

The performance categories that the Suffolk County Police Department has selected are widely utilized in Field Training Programs throughout the United States. These categories represent a breakdown of the many varied tasks that a Police Officer must perform [as contained in the Recruit Field Training Guide] into general performance areas. The **Field Training Daily Observation Report** lists these performance categories in which a Recruit's performance will be evaluated. The **Standardized Evaluation Guideline** lists and define each of the performance categories.

The Standardized Evaluation Guidelines are also utilized to help achieve rating consistency, standardization and objectivity. Recruit performance will be evaluated on the basis of the Standardized Evaluation Guidelines to determine acceptability.

The guidelines provide a description of acceptable behavior for each performance category. They also provide a description for unacceptable and superior performance for each category. Recruits and all other program personnel are provided with the Standardized Evaluation Guidelines to identify acceptable performance for each performance category. All field training personnel must utilize the Standardized Evaluation Guidelines when evaluating Recruit performance in order to insure objectivity, consistency and standardization of the evaluation process.

**NUMERICAL SCALE VALUE APPLICATION**

Perhaps the most difficult task in evaluating a Recruit's performance is the application of a numerical rating to represent observed performance. The difficulty usually involves the raters perspective as opposed to the perspective of someone else. The Standardized Evaluation Guidelines are designed to address this consideration,

The difficulty faced with applying a numerical value to observed performance is that each person views a particular performance from a different perspective. While standardization of ratings is a necessity, standardization of perception is an impossibility. A lack of standardization ensues when one FTO rates a performance as acceptable and another FTO rates the same performance as unacceptable.

The Field Training Program will be utilizing a **"#1 through #7"** numerical scale for the purpose of evaluating a PPO's performance. This can be seen illustrated on the sample Field Training Daily Observation Report contained in this manual.

First, under the "1 to 7" scale, it is apparent that "4" is the median range score. **This "4" is defined as the minimal acceptable level of performance in the Standardized Evaluation Guidelines.** Therefore, a Recruit must be able to perform a specific task at the defined acceptable level in order to receive a rating of "4".

The next step is to define the two extremes of performance, "1" and "7". A **"1" is defined as "unacceptable"** in the Standardized Evaluation Guidelines and denotes a clear inability to perform a task. A **"7" is defined as "Superior"** in the Standardized Evaluation Guidelines and denotes a Recruit's ability to perform a task in a superior or exceptional manner. It is the "easiest" rating to use and is the most abused because superior performance is often confused with superior attitude. **A "7" should be viewed as a goal to strive for in most cases.**

What about performance levels that do not fall precisely in the "1", "4", or "7" ratings? This is where the ratings of "2", "3", "5", and "6" are important. First, is the Recruit's

performance closer to a "1 or a 4" [or to a "4 or a 7"]? The "1 to 7" scale permits the FTO to rate a Recruit's performance as closer to either unacceptable or acceptable by using a "2 or a 3" [the same as the "5 and 6" at the other end of the scale].

Secondly, the "1 to 7" scale can indicate an unacceptable performance progressing towards acceptable, but, not yet reaching that level. **For example:** A Recruit may not perform a task at an "acceptable" level as defined, and is closer to unacceptable than acceptable so a rating of "2" is utilized. Subsequently, the Recruit's performance improves and is closer to the acceptable level, but not yet there.

Another factor in rating that merits explanation is when remedial efforts have been undertaken and the Recruit is not responding to training **[NRT]**. A Recruit who performs at a less than acceptable level might be assigned a rating of "1, 2 or 3" for that task. The FTO must then provide remedial training in that area in an effort to bring the Recruit's performance to an acceptable level. If the FTO has utilized specific remedial efforts and the Recruit's performance remains as that same level, then the FTO should evaluate the Recruit as **"NRT"**. But, when rating **NRT, a numerical rating must still be indicated. For example:** Say a Recruit performs a given task unacceptably at a rating of "2", the FTO then provides basic daily remediation efforts to which the Recruit does not respond, remaining at the "2" rating. The FTO should then indicate **NRT** and the numerical value of "2" to identify what level the Recruit is at while not responding to training. The remedial efforts provided then become more specific and intensified. If the Recruit's performance does not improve, the **NRT** and "2" rating still apply. But, if the Recruit then performs at the "3" level, he has then begun to respond to training so the **NRT** rating is no longer appropriate even though the acceptable level has still yet to be reached. Remedial efforts will then continue until the Recruit's performance reaches the acceptable level or the FTO has exhausted remedial efforts and intensive remedial training is recommended.

## NARRATIVE SUPPORT FOR THE NUMERICAL SCALE RATING

**The most important form of documentation is the narrative.** A numerical rating of "1" or "2" in a particular category is not nearly an informative as an accompanying narrative statement explaining the specific observed performance which supports and justifies a particular rating. The supervisor overseeing the FTO and PPO may require a narrative to be completed by the FTO, regardless of the numerical standing of the PPO. Narrative comments are required for any unacceptable ratings and encouraged for any other ratings at the discretion of the FTO.

The narrative becomes very important when remedial efforts are being made. **What specific efforts, in what specific areas,**

and **for how long,** must be documented in order to properly address a Recruit's deficiency. While one particular FTO may know exactly what remedial training has been provided, a Recruit's next FTO may have no idea. Without supporting narrative documentation of what remedial efforts have been provided, an FTO may end up duplicating efforts in a waste of valuable time.

During Phase One of the Field Training Program, it is expected that the Recruit will make more mistakes and performance will be less polished than at a later time during the Field Training Program. It is therefore reasonable for a Recruit to experience some lower than acceptable ratings. A Recruit should not become overly concerned. New Police Officers throughout the country experience many of the same problems. A sincere effort on the Recruit's part, a willingness and openness to learn, coupled with the FTO's experience in field training new police officers, will result in successful completion of the Field Training Program in the vast majority of cases.

## STANDARDIZED EVALUATION GUIDELINES: PERFORMANCE AREAS

### (1) COMMUNITY INTERACTION

| | | |
|---|---|---|
| #1 | **Unacceptable:** | Abrupt, belligerent and overbearing, introverted and uncommunicative. |
| #4 | **Acceptable:** | Courteous, friendly and empathetic; communicates in a professional and unbiased manner. |
| #7 | **Superior:** | Establishes rapport and is always objective. Always appears to be at ease in any person-to-person situation. |

### (2) APPREHENSION/INTERVENTION

| | | |
|---|---|---|
| #1 | **Unacceptable** | Seemingly confused and disoriented as to what action should be taken in a given situation. |
| #4 | **Acceptable** | Able to assess situation and take proper action. |
| #7 | **Superior** | Requires no assistance and always takes proper course of action. |

### (3) VICTIM/PRISONER INTERACTION

| | | |
|---|---|---|
| #1 | **Unacceptable** | Frequently fails to inform suspect of constitutional rights, when appropriate. Fails to handcuff, restrain and properly search prisoner. Fails to advise victim of prosecution rights and procedures or perform follow-up inquiries to assist victim. |
| #4 | **Acceptable** | Has a working knowledge of proper prisoner/victim interaction procedures and applies them in an appropriate manner. |
| #7 | **Superior** | Exceptional working knowledge of departmental policies and procedures; Actively performs follow-up inquiries to assist victim. |

### (4) PROCESSING ARRESTS

| | | |
|---|---|---|
| #1 | **Unacceptable** | Has no knowledge of procedures in processing an arrested person. |
| #4 | **Acceptable** | Has a working knowledge of most departmental policies, arrest procedures and court preparation. |
| #7 | **Superior** | Exceptional knowledge of departmental policies and procedures involving processing arrests. Has no trouble in completing arrest |

reports and arraignment proceedings. Excellent in preparing for and testifying in court.

**(5) VEHICULAR OFFENSES/ACCIDENTS**

| | | |
|---|---|---|
| #1 | **Unacceptable** | Does not know the basic elements of the vehicle and traffic law articles, is not able to learn them, has made no attempt at improvement. Demonstrates poor techniques in traffic stops. Is unable to investigate or control accident scene. |
| #4 | **Acceptable** | Has a working knowledge of most articles of the vehicle and traffic law, demonstrates proper traffic stop techniques and is able to assess situation and take proper action. Is able to investigate and control accident scene. |
| #7 | **Superior** | Has thorough knowledge of Vehicle and Traffic Law and basic accident investigation, requires no assistance in taking proper course of action. |

**(6) HANDLING SPECIFIC OFFENSES**

| | | |
|---|---|---|
| #1 | **Unacceptable** | Acts without thought, or is indecisive. Relies on others to make his/her decisions. Does not know elements of basic penal law and criminal procedure law sections. Not able to learn; no attempt at improvement. |
| #4 | **Acceptable** | Is able to reason out problems and relate it to what was taught. Has good perception and ability to make own decisions. Has working knowledge of commonly used law sections; relates elements to observed criminal activity. |
| #7 | **Superior** | Excellent perception in for seeing problems and arriving at advanced decisions. Outstanding knowledge of penal and criminal procedure law, and ability to apply it to both normal and unusual criminal activity. |

**(7) POLICE INTERACTION / NOTIFICATION**

| | | |
|---|---|---|
| #1 | **Unacceptable** | Constantly argues with FTO or other superior officers. Belittles FTO or supervisors in front of or to others. Fails to adhere to the chain of command; insubordinate. Abrupt, belligerent and overbearing when dealing with other agencies or citizens. |
| #4 | **Acceptable** | Is able to establish a good teacher-student relationship with FTO. Understands and adheres to the chain of command, respects |

| | | |
|---|---|---|
| | | superior officers. Is courteous, professional, and respectful when dealing with other agencies or citizens. |
| #7 | **Superior** | Establishes excellent teacher-student relationship. Possesses thorough understanding of chain of command and consistently adheres to it. Establishes a working rapport with other agencies and always appears to be at ease when dealing with others. |

**(8) VEHICLE OPERATION / MAINTENANCE**

| | | |
|---|---|---|
| #1 | **Unacceptable** | Continually violates Vehicle and Traffic Law (red light, stop signs) involved in chargeable accidents, lacks dexterity and coordination during vehicle operation. Unnecessary Code-3. Overuses red lights and siren. Excessive or unnecessary speed. Fails to slow for intersection. Continually fails to inspect the vehicle for contraband or weapons; fails to keep patrol vehicle in a clean and serviceable condition. |
| #4 | **Acceptable** | Ability to maintain control of vehicle while being alert to activity outside of vehicle. Practices good defensive driving techniques. Maintains control of vehicle in stress conditions. Evaluates driving situations and reacts properly (I.e., proper speed for conditions). Maintains vehicle in clean and serviceable manner, always searches interior for contraband or weapons. |
| #7 | **Superior** | Sets good example of lawful, courteous driving while exhibiting good manipulative skill required of a patrol officer; i.e., operate radio, utilize APB's. High degree of reflex ability and competence in driving skills. Maintains vehicle in a clean and serviceable manner, identifies and requests needed vehicle repairs. Inspects the vehicle for weapons and contraband. Checks vehicle condition and equipment. |

**(9) REVIEW AND MAINTENANCE**

| | | |
|---|---|---|
| #1 | **Unacceptable** | Unaware of how to locate files; retrieve computer data; to locate law sections, books or departmental memoranda. Fails to consult supervisors or senior officers to ask location of reference materials. Unable to locate departmental policies and procedures. Not able to learn; no attempt at improvement. |
| #4 | **Acceptable** | Has working knowledge of how to obtain information from computer files, where to locate departmental policies ,procedures and memoranda. Will ask various knowledgeable people for relevant information. Is able to locate appropriate law sections |

located in the penal, criminal procedure and vehicle and traffic law.

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|---|---|---|
| #7 | **Superior** | Exceptional knowledge of retrieving information from various sources. Outstanding knowledge of Penal, Criminal Procedure and Vehicle and Traffic Law. Outstanding knowledge of departmental policies, procedures and memoranda. Easily locates and retrieves information from various sources. |

**(10) HANDLING SPECIAL CASES**

| | | |
|---|---|---|
| #1 | **Unacceptable** | Seemingly confused and disoriented as to what action should be taken in a given situation. |
| #4 | **Acceptable** | Able to assess situation and take proper action. |
| #7 | **Superior** | Requires no assistance and always takes proper course of action. |

**(11) VOUCHERING / INVENTORYING**

| | | |
|---|---|---|
| #1 | **Unacceptable** | Seemingly confused and disoriented as to what action should be taken. |
| #4 | **Acceptable** | Able to assess what procedure needs to be followed and takes the appropriate action. |
| #7 | **Superior** | Requires no assistance and always takes appropriate action. |

**(12) REPORTS / CLERICAL DUTY**

| | | |
|---|---|---|
| #1 | **Unacceptable** | Totally incapable of organizing events into written form. Illegible, misspelled words, incomplete sentence structure. Frequently or always requires two to three hours to complete a basic simple report. |
| #4 | **Acceptable** | Converts field situations into a logical sequence of thought to include all elements of the situation. Grammar, spelling and neatness are satisfactory, in that errors in this area are rare and do not impair understanding. Completes simple, basic reports in 30 minutes. |
| #7 | **Superior** | A complete and detailed account of what occurred from beginning to end; written and organized so as to assist any reader in comprehending the occurrence. Very neat and legible; no spelling mistakes and excellent grammar. Completes simple, basic reports |

in no more time than that of a skilled veteran officer (Articulate this dependent on the type of report: what you consider normal time to complete).

**(13) OFFICER SAFETY**

**#1 Unacceptable** Frequently fails to exercise officer safety, i.e.,

A. Exposes weapons to suspect (baton, mace, hand gun, etc.)

B. Fails to keep gun hand free during enforcement situations.

C. Stands directly in front of violator's car door.

D. Fails to control suspect's movements.

E. Does not maintain sight of violator while writing citation.

F. Failure to us illumination when necessary.

G. Fails to advise Communications when leaving a vehicle.

H. Fails to maintain good physical condition.

I. Fails to utilize or maintain personal safety equipment properly.

J. Does not for see potentially dangerous situations.

K. Points gun at other officers.

L. Stands too close to vehicle traffic.

M. Stands in front of door when knocking.

N. Fails to have weapon ready when appropriate.

O. Fails to cover other officers.

P. Fails to search police vehicle prior to duty or after transporting.

Q. Fails to check equipment.

R. Fails to "pat down" suspicious persons.

S. Confronts suspicious persons while still in patrol vehicle.

T. Fails to handcuff potentially hazardous prisoners or felons.

U. Fails to thoroughly search prisoners or their vehicles.

V. Fails to maintain a position of advantage with prisoners to prevent attack or escape.

| | | |
|---|---|---|
| #4 | **Acceptable** | Understands principles of officer safety and generally applies same. Generally displays awareness of potential danger from suspicious persons and prisoners; maintains position of advantage. |
| #7 | **Superior** | Always keeps in a safe position. Always watchful on approach to a call and able to do the same for his/her partner. Does not become paranoid or overconfident. Always maintains position of advantage and is alert to changing conditions. |

## BEHAVIORAL DIMENSIONS

### (14) POLICE ETHICS / INTEGRITY

| | | |
|---|---|---|
| #1 | **Unacceptable** | Fails to maintain confidentiality of cases. Breaches integrity or department guidelines. Constant disciplinary problem. |
| #4 | **Acceptable** | Supports Department policies and guidelines. Not a disciplinary problem. Represents Department favorably. No evidence of breaches of integrity guidelines. |
| #7 | **Superior** | Always on time and punctual. Deportment and performance always reflect a high level of integrity. Willing to risk unpopularity by adhering to principles. Always adheres to Department policies, procedures and directives. |

### (15) COMPREHENSION SKILLS

| | | |
|---|---|---|
| #1 | **Unacceptable** | Constantly needs clarification of written instructions. Fails to comply with written or spoken orders without follow up and explanation. Constantly needs clarification of written instructions. Fails to comply with written or spoken orders without follow-up and explanation. Consistently unable to understand what happened from the description given by a witness or victim. |
| #4 | **Acceptable** | Although some clarification is occasionally necessary, confusion is limited to issues of little consequence and main ideas are clearly understood. Complies with written or spoken orders with |

minimum explanation. Generally able to discern what happened from the description given by a witness or victim.

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|---|---|---|
| #7 | **Superior** | Follows written instructions explicitly with no need for clarification or explanation. Always understands and correctly complies with spoken orders in the first instance. Able to easily discern what happened from a victim's or witness' description. |

### (16) COMMUNICATION SKILLS

| | | |
|---|---|---|
| #1 | **Unacceptable** | Attempts to communicate always result in confusion and misunderstanding. Continually brings up irrelevant issues, is unclear, and the topic of discussion becomes obscure. Enunciation is very poor and language usage is almost always improper. In written excursuses, spelling, language usage and grammar are frequently incorrect and misleading. Includes unnecessary and contradictory information and reports are totally confusing. |
| #4 | **Acceptable** | Able to transmit a message with little distortion. Although some clarification is occasionally necessary, confusion is limited to issues of little consequence and main ideas are clearly conveyed. Written exercises, are understandable. Though there may be minor errors in spelling or grammar, they do not affect the meaning or factual content. |
| #7 | **Superior** | When speaking or answering questions, their ability to communicate is exceptional in that their commands the attention of all listeners. Speaks with forcefulness and clarity and has near perfect enunciation. Statements are concise and deal directly with the subject under discussion. When writing, spelling and use of language are flawless; information is concise and easily understood. All necessary information is included in reports. |

### (17) REASONING ABILITY

| | | |
|---|---|---|
| #1 | **Unacceptable** | Cannot apply rules or procedures to situations or cannot see how events or information relate to the solution of a problem. Does not see how a series of events are related or connected to one another nor can form logical conclusions from the events. |
| #4 | **Acceptable** | Usually applies procedures or rules to a situation. Can usually see how events or elements of a problem relate to a possible solution. Understands connection between events or elements of a problem and forms conclusions. Solution is consistent with evidence or information at hand. |

| | | |
|---|---|---|
| #7 | **Superior** | Always sees relationships between pieces of information and events and is always able to sort out pertinent information. When confronted with a problem is always able to deduce additional areas which must be explored from partial information. Always maintains records, notes, files in a highly organized and logical manner. Always able to determine the next step to take in solving a problem after evaluating available information. |

**(18) INFORMATION ORDERING**

| | | |
|---|---|---|
| #1 | **Unacceptable** | Unable to apply rules to a situation for the purpose of putting information in the best or most appropriate sequence to solve a problem. Does not take the appropriate steps to resolve situations and, in fact, often exacerbates the problem. Unable to determine what happened at the scene of an accident or dispute. |
| #4 | **Acceptable** | Generally able to apply rules to a situation for the purpose of putting information in the best or most appropriate sequence to solve a problem. Usually takes the appropriate steps in the correct sequence to resolve situations. Usually able to determine what happened at the scene of an accident or dispute. |
| #7 | **Superior** | Always able to apply rules to a situation for the purpose of putting information in the best or most appropriate sequence to solve a problem. Always takes the appropriate steps in the correct sequence to resolve situations. Always able to determine what occurred at the scene of an accident or dispute. |

**(19) PROBLEM RECOGNITION**

| | | |
|---|---|---|
| #1 | **Unacceptable** | Fails to recognize existence of a problem even when given additional information. Requires clarification of all or most issues relating to a problem. Cannot identify elements of a problem. |
| #4 | **Acceptable** | Understands the nature of a problem; sometimes requires clarification or additional information; may occasionally have to be given direction. When given direction, generally recognizes the problem and its elements. |
| #7 | **Superior** | Firm grasp of a problem's key dimensions. Readily recognizes existence of a problem without prompting or additional clarification. Recognizes all or most of the elements of a particular problem without additional information. Always understands the underlying problem in a given situation. |

### (20) VISUALIZATION

| | | |
|---|---|---|
| #1 | **Unacceptable** | Unable to identify suspects if there is the slightest change in appearance. Cannot recognize past defendants or suspects when there is any appearance change. Despite helpful descriptions, cannot imagine what changes have taken place in a hostage scene location. |
| #4 | **Acceptable** | Usually able to identify arrestees or suspects after appearance changes from description given. Generally recognizes past arrestees or suspects despite changes in appearance. With some helpful descriptions, can imagine what changes have taken place in a hostage scene location. |
| #7 | **Superior** | Always able to identify suspects even though appearance has changed from description given. Readily recognizes past arrestees/suspects despite changes in their appearance. Extremely adept at imagining what changes have taken place in a hostage scene location. |

### (21) SPATIAL ORIENTATION

| | | |
|---|---|---|
| #1 | **Unacceptable** | Not able to determine the best response to emergency calls for service. Not aware of where they are in relation to the sector. Unable to give directions in response to citizen inquiries. |
| #4 | **Acceptable** | Usually able to determine the best response routes to emergency calls for service. Usually aware of where they are in relation to the sector and precinct. Usually gives correct directions in response to citizen inquiries. |
| #7 | **Superior** | Always able to quickly determine best response routes to emergency calls for service. Always aware of where he/she is in relation to the sector. Always gives correct directions in response to citizen inquiries. |

### (22) MEMORIZATION

| | | |
|---|---|---|
| #1 | **Unacceptable** | Rarely retains any information concerning his or her beat or sector. Rarely remembers the members of the community on beat or sector and any conditions that are prevalent. Never remembers instructions given by supervisors or any information received from sources. Requires constant re-instruction. |
| #4 | **Acceptable** | Learns and retains most information concerning his or her beat or sector. Usually remembers the members of the community on |

beat or sector and any conditions that are prevalent. Usually remembers instructions given by supervisors as well as most information from any source.

#7 **Superior** Quickly learns and retains all new information concerning beat, post or sector. Always remembers the members of the community on beat, post or sector and any conditions that are prevalent. Always remembers instructions given by supervisors as well as any information received from any source.

**(23) JUDGEMENT**

#1 **Unacceptable** Does not demonstrate any ability to make sound conclusions. Draws conclusions that are based on little or no information which is available. Fails to obtain readily available additional information necessary to arrive at a proper conclusion. Unable to manage time.

#4 **Acceptable** Able to reach good conclusions based on information available. Conclusions are practical and sound. Recognizes need for more information to aid in drawing conclusions. Time management is usually appropriate.

#7 **Superior** Always demonstrates an excellent ability to make sound conclusions based upon all information available. Conclusions are consistently sound and very practical. Obtains all necessary information required in making decisions. Always manages time efficiently.

**(24) INNOVATIVENESS**

#1 **Unacceptable** When faced with a problem, does not have the ability to formulate a creative solution. Not resourceful: is unable to develop new procedures to overcome an obstacle. Not capable of devising a way of improving existing procedures and tactics.

#4 **Acceptable** When faced with a problem, has the ability to formulate a creative solution. Occasionally resourceful: when confronted with obstacles, may be able to develop a new procedure, tactic or system to overcome the obstacle. Sometimes capable of devising a creative way to improve existing procedures and tactics.

#7 **Superior** When faced with a problem, is always able to formulate creative solutions. Extremely resourceful: when confronted with obstacles, always able to develop new procedures, tactics or systems to

overcome the obstacle. Constantly devises creative ways to improve existing procedures and tactics.

**(25) ADAPTABILITY**

| | | |
|---|---|---|
| #1 | **Unacceptable** | Unable to change approach to problem even when that approach is not working. When situations change, cannot alter approach. As circumstances change, loses sight of original goals. As environment changes, approach always stays the same. |
| #4 | **Acceptable** | Usually able to modify approach to attain goal. Generally adapts approach as environment changes. When new facts are added or facts change, he/she can change his/her approach. Generally keeps goal in mind when the circumstances change. |
| #7 | **Superior** | Always able to adapt his/her approach on own initiative to attain objectives or achieve goals. Readily able to change his/her approach in varied environments. Always able to change his/her approach when confronted with new or changed facts about the problem or situation at hand. Always keeps original goal in mind as circumstances and situations change. |

**(26) DRIVE / INITIATIVE**

| | | |
|---|---|---|
| #1 | **Unacceptable** | Needs constant supervision. Sits around idly unless specifically directed to work. Always takes shortcuts. Tries to pass off work to others. |
| #4 | **Acceptable** | Sometimes requires direction or prompting to resolve problems. Usually checks records or files to assist in his/her problem resolution. Usually meets deadlines. Makes notifications on time. |
| #7 | **Superior** | Always works on problems with little or no supervision. Always takes a personal interest in beat/sector. Always makes every effort to meet deadlines. Never complacent regarding work. Volunteers for difficult problems. Relentless in pursuit of resolutions. |

**(27) INTERPERSONAL SKILLS**

| | | |
|---|---|---|
| #1 | **Unacceptable** | Abrasive, abusive, inconsiderate or tactless. Shows little concern for feelings of others. Displays bias or prejudice against others due to race, color, creed, culture, gender or sexual preference. Annoys, alarms, or unduly intimidates witnesses. Never displays positive leadership. |

| | | |
|---|---|---|
| #4 | **Acceptable** | Develops rapport with others. Is able to handle sensitive situations with a degree of care and empathy toward the feelings of others. Displays tact and concern. When required, assumes leadership. |
| #7 | **Superior** | Always develops an excellent rapport with witnesses, victims and supervisors. Handles extremely sensitive problems without raising undue antagonism or creating hostility in the community. Extremely tactful in situations where a potential for conflict exists. Displays an extremely high degree of empathy for victims and others in sensitive situations. Extremely diplomatic, outgoing and personable. A leader. |

**(28) APPEARANCE**

| | | |
|---|---|---|
| #1 | **Unacceptable** | Fails to dress appropriately for assignment. Appearance seldom in accordance with professional duties. Uniform and equipment are not clean and serviceable. Fails to conform to Department guidelines for hair and/or mustache and sideburns although professional capacity does not preclude compliance. Individual is physically unfit. |
| #4 | **Acceptable** | Dresses appropriately for assignment. Projected image in accordance with related duties/capacity. Accordingly, meets Department guidelines for hair and/or mustache and sideburns. Any relevant uniforms and equipment maintained in a clean and serviceable fashion. Individual is physically fit for duty. |
| #7 | **Superior** | Always dresses appropriately for assignment. Appearance always in harmony with professional capacity. Reflective of a positive self-image and professional pride. Applicable uniformed articles and equipment utilized are always clean and serviceable. Dependent on official duties, always meets Department guidelines for hair and/or mustache and sideburns. Individual is always physically fit. |

## EVALUATIONS: CRITERIA AND SUPERVISORS RESPONSIBILITY

**DAILY OBSERVATION REPORTS** (P43):
Each day that a Recruit is assigned to an FTO during field training a Daily Observation Report (DOR) of the Recruit's performance will be completed. **Only certified FTO's (those who have attended one of the Field Training Officer schools) will complete a DOR.** The DOR will be completed utilizing the Standardized Evaluation Guidelines.

FTO's will counsel and advise recruits throughout the day on their particular job performance. The DOR will be completed when the FTO has the time to perform a complete and thorough evaluation. This will usually occur after the completion of the scheduled tour of duty. The FTO is responsible to discuss the PPO's performance, however the FTO should avoid having the PPO sign the DOR on a daily basis. The FTO should sign the report and forward it to the immediate squad supervisor.

**WEEKLY EVALUATIONS:**
For the purpose of evaluations the "WEEK" shall begin on Monday and end on Sunday, (see G.O. 01-90). After averaging the performance categories from the DOR's the Squad Sgt. will complete a weekly evaluation and present the DOR's and Weekly Evaluation to the PPO for discussion and signature. It is at this time that all DOR's should be signed by the PPO. The Squad Sgt. should add narratives where appropriate, based upon those of the FTO and/or personal observation of the PPO's performance.

**END OF PHASE EVALUATIONS:**
For the purpose of field training a phase will last 4 weeks, and there will be 3 phases. Prior to the end of phase one the supervisor will need to assess those recruits eligible for accelerated field training and determine whether or not they have satisfied the criteria, as described in the "Overview of the Field Training Program (p3). The appropriate squad supervisor will complete an End of Phase Evaluation of the PPO's performance based upon the weekly evaluations completed during that phase. The supervisor should arrange a meeting with the PPO to discuss his/her evaluations and have PPO sign all evaluations.

**FINAL EVALUATIONS:**
A Final evaluation will be completed based upon the End of Phase Evaluation(s). According to New York State Bureau of Municipal Police standards there are no extensions of field training. A PPO who does not meet the minimum acceptable requirements at the end of 12 weeks should be recommended for termination.
Each PPO should have a complete package, including all DOR's, Weekly, End of Phase and One Final Evaluation, along with the completed Recruit Field Training Guide.
**The PPO, FTO and appropriate supervisors must sign all evaluations.**

The precinct package should be sent to the Chief of Patrol's Office for review within two weeks of the completion of field training, as they are due at NYSBMP 30 days after completion of field training

PPO's who complete field training in 4 weeks should have 4 weekly evaluations, one end of phase evaluation and one final evaluation, besides all DOR's. PPO's who complete field training in 8 weeks should have 8 weekly evaluations, 2 end of phase evaluations and one final evaluation, besides all DOR's. **Also please remember that the Recruit Field Training Guide must be completed prior to release from Field Training.**

**CONTESTED EVALUATIONS:**
The PPO may contest any evaluation he/she does not agree with. The PPO should submit an Internal Correspondence to the appropriate Squad Supervisor addressing the specific nature of the contested evaluation with supporting narratives and documentation. The squad supervisor will accept the contested report and attempt to reach an agreement with involved parties. The report will be filed with along with the other evaluations as a matter of record.

**DOCUMENTATION**: A final word on documentation. It cannot be stressed enough the importance of good documentation, this is especially true of the PPO who is displaying any difficulty performing and/ or is not responding to training. Leniency in rating is very common in the field training evaluation process and FTO's are reluctant to write descriptive narratives of a poor performer. However, they are extremely helpful to both the PPO and supervisors. All remedial training, transfers between FTO'S due to personality or performance conflicts, formal or informal interviews with the PPO should be documented and kept in the PPO's Field Training Package.

# CHAPTER SIX

## Termination Process

# TERMINATION PROCEDURES

## WHEN TERMINATION MAY OCCUR

In all cases, where possible, the Recruit should be given the benefit of all the remedial training steps in the Field Training process. **However, a Recruit may be terminated at any point in the program if he/she:**

1. **Is a threat to his/her own safety or to the safety of others.**

2. **Repeatedly brings discredit or embarrassment to the Department.**

3. **Cannot perform basic tasks that are necessary to allow him/her to proceed in the program.**

## THE DECISION TO RECOMMEND TERMINATION

Before a decision to terminate is recommended, the following questions **must** be considered:

1. **What precisely are the performance problems that the Recruit is experiencing?**

2. **What is the apparent cause of these performance problems?**

3. **What has been done to overcome these problems?**

4. **How much remedial training has been completed?**

5. **Has there been any improvement in performance following remedial efforts?**

6. **What are the possibilities that the Recruit's performance will improve in the near future?**

7. **Have all efforts and results been properly documented?**

Once these questions have been satisfactorily addressed the Field Training Program Division Coordinator, in conjunction with the Office of the Police Commissioner and other appropriate personnel, will reach a decision regarding a Recruit's termination.

The Recruit will be notified as soon as possible of the decision to terminate. At the time of notification, a Recruit should be placed on administrative leave until the termination procedure has been completed.

## THE TERMINATION PACKAGE

The appropriate Precinct Field Training Coordinator will oversee the compiling of all related paperwork related to a Recruit's termination. This termination package could include:

1. **All Daily Observation Reports and any additional reports completed by FTO's.**

2. **All weekly and End of Phase Evaluations and any additional reports completed by Squad Supervisors.**

3. **The Recruit's Field Training Guide.**

4. **Any additional Administrative Reports regarding remedial efforts, etc.**

A Recruit's training file is confidential and shall be reviewed only by persons connected to the program and/or with approval of an appropriate supervisor. Agencies conducting background checks on former employees will be directed to the Personnel and Accounting Bureau for information.

## TERMINATION

**The Police Commissioner will make the final decision of termination.** Once this decision has been reached, the appropriate supervisor [Commanding Officer, Precinct Coordinator, etc.] will notify the Recruit. As a matter of policy, a Recruit may discuss the termination recommendation with anyone involved in the decision to terminate. The Recruit may be offered the option to resign after the decision to terminate has been made.

# CHAPTER SEVEN

# The Duties and Responsibilities of the Recruit in the Field Training Program

## GENERAL INFORMATION

The Field Training Program is a vital component of the total training and selection process utilized to produce a Suffolk County Police Officer. Field Training provides the **"on the job"** training needed to bridge a Recruit's classroom learning experience with actual job performance. It also enables the Department to determine a Recruit's suitability as a Police Officer under actual job conditions.

The Recruit is the primary focus of the field Training Program. **The objective of the program is to produce a highly trained, capable and confident professional.** The Recruit will be guided through the program by the Recruit Field Training Guide [an extensive job task "checklist"], by Daily, Weekly, End of Phase evaluations, and by the continual efforts and attention of some of the Department's most highly skilled officers called Field Training Officers [FTO's]. FTO's are regular patrol officers that have been specially selected and trained to perform in this role. A Recruit will be assigned to an FTO on a daily basis and will perform regular patrol duties.

When a Recruit meets acceptable "on the job" performance standards, he/she will be "graduated" from the Field Training Program to regular patrol duties. The Recruit will then have approximately nine [9] months left of the eighteen-month [18] probationary period. **The immediate Squad Supervisor will then evaluate the Recruit every two months until the end of the probationary period.**

**Every possible effort will be made by the Department to have a Recruit successfully complete the Field Training Program and the probationary period.** A sincere effort on the Recruit's part, coupled with an open mind and a willingness to learn, will result in successful completion of the program in the vast majority of cases.

## DUTIES AND RESPONSIBILITIES

### FAMILIARIZATION WITH THE FIELD TRAINING PROGRAM MANUAL

Recruits are to familiarize themselves with the contents of this training manual in order to fully understand the following:

1. **The specific duties and responsibilities of the Recruit Officer in the Field Training Program.**

2. **The specific duties and responsibilities of all other personnel involved in the program.**

3. **The objectives of the program.**

4. **The administrative structure of the program.**

5. **The structure of the program [training phases].**

6. **The Field Training process.**

7. **The Field Training evaluation process.**

Familiarization with these areas will provide the Recruit with a thorough understanding of what is expected of him/her by whom, when, where, how and why. Any questions regarding the manuals' content may be addressed to an FTO or appropriate Squad Supervisor.

## RECRUIT DEMEANOR

**The Field Training Program is a continuation of a Police Officer's basic training.** FTO's are field instructors and will be accorded the same respect a classroom instructor was accorded during Academy training. However, the use of formal titles, such as **"Sir"**, when addressing an FTO is **not** required. A first name basis with officers of the same rank is encouraged.

Recruits are encouraged to develop good working relationships with their first line supervisors. These personnel work very closely with Police Officers and can prove to be a very valuable asset on the job. **Recruits are encouraged to familiarize themselves with Chapter Six, Title One of the Department's Rules and Procedures - " Respect Accord to Rank".**

Recruits will be well advised to behave as mature professionals when dealing with FTO's, with other members, and with the public as well. Disagreements of philosophy and/or technique with FTO's should be handled professionally.

## ATTENDANCE DURING THE FIELD TRAINING PROGRAM

**A Recruit's Field Training may very well be the most important training that he/she will receive.** Field training is mandated by the New York State division of Criminal Justice Services and by the Department. Every effort should be made by the Recruit to have regular attendance throughout the Field Training Program. Any special considerations or problems should be brought to the attention of the appropriate Squad Supervisor. A Recruit's administrative records are kept by the precinct where field training occurs. Therefore, any requests for days off, overtime considerations, etc., must be handled at the precinct level.

## EXTENSION OF FIELD TRAINING PROGRAM

A Recruit's Field Training may only be extended under exigent circumstances including extended sickness, injury, or military leave. N.Y.S. Bureau of Municipal Police will determine whether or not an extension shall be granted.

## REQUIRED REPORTS

**The Recruit Field Training Guide**

**The most important form of documentation that the Recruit will be held responsible for is the Recruit Field training Guide [RFTG].** Recruits are to familiarize themselves with this guide in order to understand the manner in which field training will be provided. There are specific instructions for the Recruit located within the RFTG.

The Recruit is responsible to have their copy of the RFTG available **at all times** during their field training. Remember, if the recruit is eligible to complete field training after 4 weeks, the RFTG must still be completed.

## SUMMARY

Training for a Police Officer is a long and continuous process. Recruits are encouraged to continually give forth their best efforts during Field Training and to have patience in enduring the frustrations that accompany any new learning experience. Learning the job of a Police Officer is difficult and there will be mistakes made. Police Officers everywhere make similar mistakes. The Field Training Program is designed to allow a Recruit to learn from their mistakes in somewhat of a controlled setting. Recruits are encouraged to learn by experience during the program since **there is only one way to become a good cop - experience!**

# Daily Observation Report PDCS-5200h.pdf

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NYS DIVISION OF CRIMINAL JUSTICE SERVICES
OFFICE OF PUBLIC SAFETY
BASIC COURSE FOR POLICE OFFICERS
SUPERVISED FIELD TRAINING ORIENTATION AND REVIEW
DAILY OBSERVATION REPORT
PDCS-5200h

| Agency: | Date: | DOR Number: |
|---|---|---|
| Recruit Officer Name - Printed: | Shield Number: | Phase Number: |
| Field Training Officer Name - Printed: | Shield Number: | Shift: |

**Rating instructions: The Field Training Officer should rate observed behavior utilizing the scale which is described in the guide and outlined below. Written comments pertaining to the most and least satisfactory performance must be placed in the "Narrative" section. Narrative comments can be provided for any behavior observed; however, are required whenever a rating of, "2" or less, "6" or more and "NRT" is given in any category. "N.O." should be circled if behavior is not observed in a given area. A description of any remedial training provided, including the amount of time utilized, should be noted in the narrative section.**

**#1 - Unacceptable, #4 - Acceptable, #7 - Superior**
**NRT - Not Responding to Training, NO - Not Observed, NAR - Narrative, REM - Remedial Training**

| PERFORMANCE AREAS<br>Rating Number | | | RATING | | | | | | | | | FTO/RO |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1. | ___Community Interaction | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 2. | ___Apprehension/Intervention | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 3. | ___Victim/Prisoner Interaction | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 4. | ___Processing Arrests | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 5. | ___Vehicular Offenses/Accidents | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 6. | ___Handling Specific Offenses | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 7. | ___Police Interaction/Notification | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 8. | ___Vehicle Operation/Maintenance | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 9. | ___Review and Maintenance | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 10. | ___Handling Special Cases | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 11. | ___Vouchering/Inventorying | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 12. | ___Reports/Clerical Duties | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 13. | ___Officer Safety | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| BEHAVIORAL DIMENSIONS | | | | | | | | | | | | | |
| 14. | ___Police Ethics/Integrity | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 15. | ___Comprehension Skills | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 16. | ___Communication Skills | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 17. | ___Reasoning Ability | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 18. | ___Information Ordering | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 19. | ___Problem Recognition | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 20. | ___Visualization | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 21. | ___Spatial Orientation | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 22. | ___Memorization | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 23. | ___Judgement | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 24. | ___Innovativeness | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 25. | ___Adaptability | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 26. | ___Drive/Initiative | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 27. | ___Interpersonal Skills | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |
| 28. | ___Appearance | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ ____/____ |

NARRATIVE

The **most** acceptable area of performance today was rating category number____
A specific incident which demonstrates today's performance in this area is:

The **least** acceptable area of performance today was rating category number_____
A specific incident which demonstrates today's performance in this area is:

Documentation of performance and comments:
Category number:

Recruit Officer_____ Field Training Officer_____

# Supervisors Weekly Report PDCS-5200-3.pdf

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NYS DIVISION OF CRIMINAL JUSTICE SERVICES
OFFICE OF PUBLIC SAFETY
BASIC COURSE FOR POLICE OFFICERS
SUPERVISED FIELD TRAINING ORIENTATION AND REVIEW

# Supervisor's Weekly Report

PDCS-5200-3a

| Agency: | Date: | DOR Number: |
|---|---|---|
| Recruit Officer Name - Printed: | Shield Number: | Phase Number: |
| Field Training Officer Name - Printed: | Shield Number: | Shift: |

**Rating instructions: The Supervisor should rate observed behavior utilizing the scale which is described in the guide and outlined below. Written comments pertaining to the most and least satisfactory performance must be placed in the "Narrative" section. Narrative comments can be provided for any behavior observed; however, are required whenever a rating of, "2" or less, "6" or more and "NRT" is given in any category. "N.O." should be circled if behavior is not observed in a given area. A description of any remedial training provided, including the amount of time utilized, should be noted in the narrative section.**

**#1 - Unacceptable, #4 - Acceptable, #7 - Superior**

**NRT - Not Responding to Training, NO - Not Observed, NAR - Narrative, REM - Remedial Training**

| PERFORMANCE AREAS<br>Rating Number | | RATING | | | | | | | | | | | FTO/RO | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1. | ___Community Interaction | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
| 2. | ___Apprehension/Intervention | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
| 3. | ___Victim/Prisoner Interaction | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
| 4. | ___Processing Arrests | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
| 5. | ___Vehicular Offenses/Accidents | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
| 6. | ___Handling Specific Offenses | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
| 7. | ___Police Interaction/Notification | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
| 8. | ___Vehicle Operation/Maintenance | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
| 9. | ___Review and Maintenance | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
| 10. | ___Handling Special Cases | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
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| 12. | ___Reports/Clerical Duties | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
| 13. | ___Officer Safety | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
| BEHAVIORAL DIMENSIONS | | | | | | | | | | | | | | |
| 14. | ___Police Ethics/Integrity | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
| 15. | ___Comprehension Skills | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
| 16. | ___Communication Skills | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
| 17. | ___Reasoning Ability | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
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| 19. | ___Problem Recognition | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
| 20. | ___Visualization | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
| 21. | ___Spatial Orientation | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
| 22. | ___Memorization | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
| 23. | ___Judgement | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
| 24. | ___Innovativeness | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
| 25. | ___Adaptability | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
| 26. | ___Drive/Initiative | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
| 27. | ___Interpersonal Skills | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |
| 28. | ___Appearance | NO | NRT | 1 | 2 | 3 | 4 | 5 | 6 | 7 | NAR | REM | Time_____ | ___/___ |

Supervisor's Narrative Comments

**This evaluation has been discussed with the Probationary Police Officer.**

Field Training Supervisor: _____ Date: _____

Signature Required

P.P.O: _____ Date: _____

Signature Required

# Final Evaluation Summary PDCS-5200-2c.pdf

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NYS DIVISION OF CRIMINAL JUSTICE SERVICES
OFFICE OF PUBLIC SAFETY
BASIC COURSE FOR POLICE OFFICERS
SUPERVISED FIELD TRAINING ORIENTATION AND REVIEW
FINAL EVALUATION SUMMARY (4/2015)

**PDCS-5200-2d**

| Agency: | Date: | ES Number: |
|---|---|---|
| | | |

## COMMENTS/NARRATIVE SUMMARY

## OVERALL EVALUATION OF PERFORMANCE

_____ Acceptable: The officer generally met performance expectations in a good, competent manner. This is the expected and usual level of performance. I am recommending the recruit be passed in this segment of training.

_____ Unacceptable: The officer generally did not meet performance expectations. I am recommending the recruit be failed for this segment of training.

## REVIEW/CERTIFICATION

**By signing below, the agency is certifying that the recruit officer has completed the mandated hours of Supervised Field Training Orientation and Review in the Basic Course for Police Officers in an acceptable manner. The recruit officer is still subject to local agency training requirements, Civil Service law, and any required probationary field training.**

| Chief Executive Officer – Printed: | Title: | Chief Executive Officer – Signature: | Date: |
|---|---|---|---|
| Field Training Officer – Printed: | Title: | Field Training Officer – Signature: | Date: |
| Recruit Officer – Printed: | Title: | Recruit Officer – Signature: | Date: |
| Field Training Supervisor – Printed: | Title: | Field Training Supervisor – Signature: | Date: |
| Academy Director – Printed: | Title: | Academy Director – Signature: | Date: |

# PDCS-2042 Probationary Police Officer Evaluation.pdf

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**POLICE DEPARTMENT, COUNTY OF SUFFOLK N.Y.**

*ACCREDITED LAW ENFORCEMENT AGENCY*

INTERNAL CORRESPONDENCE

TO: DATE:

FROM: COPY TO:

SUBJECT: **PROBATIONARY POLICE OFFICER BI-MONTHLY EVALUATION**
**RATING PERIOD FROM** _____ **TO** _____

**PROBATIONARY POLICE OFFICER** _____

| | UNACCEPTABLE | | ACCEPTABLE | | | SUPERIOR | | NOT OBSERVED | NOT RESPONDING TO TRAINING REQUIRES NARRATIVE |
|---|---|---|---|---|---|---|---|---|---|
| **APPEARANCE** | | | | | | | | | |
| General Appearance | ☐ 1 | ☐ 2 | ☐ 3 | ☐ 4 | ☐ 5 | ☐ 6 | ☐ 7 | _____ | _____ |
| **CRITICAL PERFORMANCE TASKS** | | | | | | | | | |
| Field Performance | ☐ 1 | ☐ 2 | ☐ 3 | ☐ 4 | ☐ 5 | ☐ 6 | ☐ 7 | _____ | _____ |
| Self-Initiated Field Activity | ☐ 1 | ☐ 2 | ☐ 3 | ☐ 4 | ☐ 5 | ☐ 6 | ☐ 7 | _____ | _____ |
| Officer Safety | ☐ 1 | ☐ 2 | ☐ 3 | ☐ 4 | ☐ 5 | ☐ 6 | ☐ 7 | _____ | _____ |
| Control of Conflict | ☐ 1 | ☐ 2 | ☐ 3 | ☐ 4 | ☐ 5 | ☐ 6 | ☐ 7 | _____ | _____ |
| Use of Good Judgment | ☐ 1 | ☐ 2 | ☐ 3 | ☐ 4 | ☐ 5 | ☐ 6 | ☐ 7 | _____ | _____ |
| **FREQUENT PERFORMANCE TASKS** | | | | | | | | | |
| Driving Skill | ☐ 1 | ☐ 2 | ☐ 3 | ☐ 4 | ☐ 5 | ☐ 6 | ☐ 7 | _____ | _____ |
| Routine Forms | ☐ 1 | ☐ 2 | ☐ 3 | ☐ 4 | ☐ 5 | ☐ 6 | ☐ 7 | _____ | _____ |
| Report Writing | ☐ 1 | ☐ 2 | ☐ 3 | ☐ 4 | ☐ 5 | ☐ 6 | ☐ 7 | _____ | _____ |
| Use of Radio | ☐ 1 | ☐ 2 | ☐ 3 | ☐ 4 | ☐ 5 | ☐ 6 | ☐ 7 | _____ | _____ |
| **KNOWLEDGE** | | | | | | | | | |
| Of Dept. Policies & Procedures | ☐ 1 | ☐ 2 | ☐ 3 | ☐ 4 | ☐ 5 | ☐ 6 | ☐ 7 | _____ | _____ |
| Of Penal Law/Evidence/ Search & Seizure | ☐ 1 | ☐ 2 | ☐ 3 | ☐ 4 | ☐ 5 | ☐ 6 | ☐ 7 | _____ | _____ |
| Of V.T.L. | ☐ 1 | ☐ 2 | ☐ 3 | ☐ 4 | ☐ 5 | ☐ 6 | ☐ 7 | _____ | _____ |
| **ATTITUDE & RELATIONSHIPS** | | | | | | | | | |
| Acceptance of Criticism | ☐ 1 | ☐ 2 | ☐ 3 | ☐ 4 | ☐ 5 | ☐ 6 | ☐ 7 | _____ | _____ |
| Attitude toward Police Work | ☐ 1 | ☐ 2 | ☐ 3 | ☐ 4 | ☐ 5 | ☐ 6 | ☐ 7 | _____ | _____ |
| Relationships w/Citizens/ Fellow Officers | ☐ 1 | ☐ 2 | ☐ 3 | ☐ 4 | ☐ 5 | ☐ 6 | ☐ 7 | _____ | _____ |

**Narrative Comments** (mandatory):

I have reviewed the above evaluation with my supervisor, Sgt. _____

_____ _____

Signature- Probationary Police Officer Signature – Sergeant

PDCS-2042

# Transfers, Designations and Promotions

## 1002.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for transfers, promotions, making assignments and making detective designations within the Suffolk County Police Department.

## 1002.2 POLICY

The Suffolk County Police Department determines assignments, transfers, detective designations and promotions in a nondiscriminatory manner based upon job-related factors, candidate skills and qualifications, and promotional examination scores, as applicable. Assignments, transfers, detective designations and promotions are made by the Police Commissioner in accordance with applicable law and Department policies.

## 1002.3 TRANSFER REQUESTS

An officer makes an application for a desired change in detail or assignment to his/her commanding officer through the chain of command on appropriate forms.

See procedure for further guidance: APPLICATION FOR TRANSFER

### 1002.3.1 GENERAL REQUIREMENTS

The factors listed below should be considered when selecting a candidate for an assignment or transfer other than to a specialized command or for detective designation, as applicable to the position sought. The selection process may be waived for temporary assignments, emergency situations, training and at the discretion of the Police Commissioner.

(a) Relevant experience

(b) Probationary status

(c) Possession of or ability to obtain any certification required by the Municipal Police Training Council (MPTC) or law

(d) Exceptional skills, experience or abilities related to the assignment

### 1002.3.2 EVALUATION CRITERIA

The following criteria should be used in evaluating candidates for assignment or transfer:

(a) Prior job performance.

(b) Ability to work cooperatively with other employees, supervisors and the public.

(c) Presents a professional, neat appearance.

(d) Maintains a physical condition that aids in his/her performance.

(e) Expressed an interest in the assignment.

(f) Demonstrates the following traits:

1. Emotional stability and maturity

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2. Stress tolerance
3. Sound judgment and decision-making
4. Personal integrity and ethical conduct
5. Leadership skills
6. Initiative
7. Adaptability and flexibility
8. Ability to achieve Department goals and objectives in a positive manner

## 1002.4 DETECTIVE DESIGNATION

Selection of personnel for designation as a detective or detective supervisor shall be at the discretion of the Police Commissioner.

Detective and detective supervisor vacancies occur in the Department on a recurring basis, primarily due to retirements and promotions out of rank. The proper selection of candidates to fill these vacancies is a critical staffing function for the Department. The Department is committed to a fair and equitable selection process. Ensuring the integrity and fairness of this process and the ultimate selection of the most qualified candidates is paramount.

The process for the applicant consists of two parts: the application and the panel interview. Both serve to identify an individual candidate's talents, knowledge, background, performance, and individuality as well as other qualifications that will be evaluated. A qualifying application and successful panel interview is the only pathway to further consideration for designation to detective or detective supervisor.

The Detective Designation Application (PDCS-1039) shall be prepared by an applicant seeking a Detective, Detective Sergeant or Detective Lieutenant position within the Detective Division or for an applicant seeking a Detective or detective supervisor position within the Homeland Security and Criminal Intelligence Bureau.

See procedure for further guidance: DETECTIVE AND DETECTIVE SUPERVISOR CANDIDATE EVALUATION

## 1002.5 PROMOTIONAL REQUIREMENTS

(a) The Suffolk County Department of Civil Service manages and distributes detailed information pertaining to promotional examinations, including eligibility, rankings, weight of criteria, veteran's credits, seniority credit, duration of validity period of eligibility lists and certification of eligibility.

(b) If applicable, the Department shall distribute study guides to all eligible candidates.

(c) Discriminatory hiring and promotional practices are prohibited. The Suffolk County Police Department is an equal opportunity employer.

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### 1002.6 PROMOTIONAL SELECTION PROCESS

Selections for promotion to the ranks of sergeant, lieutenant, and captain are made according to the Civil Service Law from the applicable Suffolk County Department of Civil Service eligible list, which ranks candidates by respective score. Selection of personnel for promotion to the rank of Deputy Inspector or above shall be at the discretion of the Police Commissioner.

Final selection of candidates for promotion shall be made considering the following criteria:

(a) Appearance - A member's ability to present a professional appearance to the public as a representative of the Department.

(b) Attendance - A record of a member's attendance.

(c) Civilian Complaint Record - A detailed review of any civilian complaints made against a member and the resolution of the complaint or the stipulation that no complaints have been made. Significant weight shall be given to a member's documented history of bias-free policing. Officers who have a history of engaging in biased policing practices will not be entitled to promotional opportunities, except as required by collective bargaining laws and Civil Service laws, rules and regulations.

(d) Commendations/Awards - Official citations from the Department, outside community organizations, as well as compliments from the public.

(e) Communications Skills - The ability to communicate effectively with coworkers, supervisors and, most importantly, members of the public.

(f) Disciplinary Record - A detailed record of the member's disciplinary record since graduation from the Police Academy.

(g) Education - Number of undergraduate and graduate credits particularly those disciplines that are law enforcement service-related courses, training and seminars.

(h) Initiative - Willingness and ability to make appropriate decisions and take necessary action when required.

(i) Interpersonal Skills - The ability to interact with people and to build strong relationships with a cross-section of the public.

(j) Judgment - The capability for making sound decisions based on a careful analysis of circumstances and uses discretion wisely.

(k) Knowledge of Department Policies and Operations - A thorough understanding of the Department Policy and Procedure Manual and associated forms. A clear understanding of how the Department systems work, such as the Intranet, the MDC system and forms of verbal communication systems.

(l) Report Writing - The ability to write a complete, accurate and objective report with all pertinent facts included.

(m) Report Reviewing - The ability as a supervisor to critically review reports of members and provide direction to rectify any ongoing report writing deficiencies.

(n) Performance Evaluation - By the member's commanding officer.

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(o) Supervisory Skills - If applicable, how this officer was viewed by his/her commanding officer and subordinates in supervisory skills such as:

1. Leadership
2. Understanding assignments
3. Delegation of assignments
4. Verification that assignments were completed as directed
5. Training/performance of subordinates

(p) Years of Service - Total years of service as a law enforcement professional.

## 1002.7 SPECIALTY ASSIGNMENTS

1002.7.1 POSITIONS CONSIDERED SPECIALTY ASSIGNMENTS
The following commands are considered specialty assignments:

(a) Patrol Division:

1. Airport Operations Section
2. Aviation Section
3. Canine Section
4. Crime Scene Section
5. Emergency Service Section
6. Highway Patrol Bureau (bureau and all sections)
7. Marine Bureau (bureau and all sections)
8. Patrol Firearms Suppression Team Section
9. Precinct Community Oriented Police Enforcement (COPE) Sections
10. Precinct Crime Sections (all units/assignments)

(b) Detective Division - All commands and task force assignment s other than the Precinct Detective Bureau and detective positions within the Homeland Security and Criminal Intelligence Bureau.

See procedure for further guidance: TRANSFER TO SPECIALTY ASSIGNMENTS

## 1002.8 CIVILIAN TRANSFER AND PROMOTIONS

Civilian members of the Department are assigned and promoted at the direction of the Police Commissioner in accordance with procedures promulgated by the Suffolk County Department of Civil Service and applicable laws and regulations. Civilian members of the Department desiring to transfer make application for the desired change in assignment to their Commanding Officers through the chain of command on appropriate forms.

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### 1002.9 HIRING OR PROMOTING RELATIVES OF COUNTY OFFICIALS (SUFFOLK COUNTY ADMINISTRATIVE CODE § A6-3)

Whenever the County of Suffolk desires to promote or hire a person for a position not being filled by way of a competitive examination as per the New York State Civil Service Law and that person is a relative of a County official as those terms are defined in Suffolk County Administrative Code § A6-3, then such hiring or promotion shall not be effective unless it receives approval by the County Executive and by a resolution of the Suffolk County Legislature.

Any individual hired or promoted to a position not being filled pursuant to Civil Service Law competitive examinations shall sign a Truth-In Nepotism Hiring-Promotion Affidavit (PDCS-1097b) at least five business days prior to the commencement of employment with the County of Suffolk stating whether or not such individual is a relative of any county official as defined herein. This affidavit shall be filed with the Suffolk County Department of Civil Service at least one business day prior to the commencement of employment with the County of Suffolk.

See procedure for further guidance: HIRING OR PROMOTING RELATIVES OF COUNTY OFFICIALS

#### 1002.9.1 HIRING OR PROMOTING RELATIVES OF JUDGES

The County of Suffolk shall not hire or promote the spouse, issue, brother, sister, parent, brother-in-law, sister-in-law, parent-in-law, niece or nephew of a Suffolk County District Court Judge, Family Court Judge, County Court Judge, Surrogate, Supreme Court Justice or Judge of any court thereto for any position not being filled pursuant to New York Civil Service Law competitive examination.

The above restriction may only be waived via a duly enacted resolution of the County of Suffolk, in which case the hiring or promotion shall not take effect unless or until such resolution is enacted into law. The hiring or promotion shall be of such duration as set forth in such resolution.

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# Attachments

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# Detective Designation Application (PDCS-1039).pdf

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**POLICE DEPARTMENT COUNTY OF SUFFOLK**
*ACCREDITED LAW ENFORCEMENT AGENCY*
**DETECTIVE DESIGNATION APPLICATION**
PDCS-1039

**INSTRUCTIONS:** Type 3-part carbonless form. The Chief of Detectives will be responsible for the distribution of this form.
**WHITE** – Personnel Section; **YELLOW** – Office of the Chief of Detectives; **PINK** – Returned to applicant.

THIS APPLICATION SHALL REMAIN IN EFFECT FOR THE PERIOD OF TWO YEARS UNLESS RESCINDED BY THE APPLICANT.

****APPLICANT MUST ATTACH A RESUME****

**APPLICANT'S NAME (LAST, FIRST, MIDDLE)** **RANK, SHIELD, COMMAND**

**HOME ADDRESS** **PHONE #**

**POSITION APPLYING FOR:** ☐ **Detective** ☐ **Detective/Sergeant** ☐ **Detective/Lieutenant**
ARE YOU UPDATING A PREVIOUS APPLICATION, e.g., College Degree Earned? ☐ Yes ☐ No
If "Yes", list updated qualifications in Applicant Section and sign.
HAVE YOU HAD A PANEL INTERVIEW IN THE PAST FOR THE RANK YOU ARE APPLYING FOR NOW? ☐ Yes ☐ No
If "Yes", when _____

**APPLICANT**: THIS APPLICATION IS TO FILL ANY DETECTIVE VACANCY WITHIN THE DEPARTMENT. BRIEFLY INDICATE THE QUALIFICATIONS YOU POSSESS TO SUPPORT THIS REQUEST. IN ADDITION, YOU MAY LIST ANY SPECIALIZED COMMANDS THAT INTEREST YOU AND YOUR RELEVANT QUALIFICATIONS.

_____
APPLICANT'S SIGNATURE & DATE

**APPLICANT'S COMMANDING OFFICER:** STATE YOUR REASONS WHY THE APPLICANT'S REQUEST SHOULD BE APPROVED OR DISAPPROVED. IN THE CASE OF AN UPDATED APPLICATION, COMMENTS ARE NOT NECESSARY. SIGN AND DATE.

_____
SIGNATURE OF COMMANDING OFFICER & DATE

**APPLICANT'S DIVISION CHIEF:**
☐ FORWARD FOR CONSIDERATION ☐ DENIAL

_____
SIGNATURE OF DIVISION CHIEF & DATE

**PERSONNEL SECTION:** DATE RECORDED _____

**CHIEF OF DETECTIVES:**
☐ FORWARD FOR CONSIDERATION ☐ DENIAL

_____
SIGNATURE OF CHIEF OF DETECTIVES & DATE

# Truth-In Nepotism Hiring-Promotion Affidavit (PDCS-1097b).pdf

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# POLICE DEPARTMENT COUNTY OF SUFFOLK

*ACCREDITED LAW ENFORCEMENT AGENCY*

## TRUTH-IN-NEPOTISM HIRING/PROMOTION AFFIDAVIT

**PDCS-1097b**

**NOTE:** Pursuant to Local Law No. 32-1989, Local Law No. 9-1996, Local Law 26-1999, and Local Law 24-2005, any individual hired or promoted to a position not being filled pursuant to Civil Service Law Competitive Examination, shall sign a sworn affidavit at least five business days prior to the commencement of employment with the County of Suffolk stating whether or not such individual is a spouse, issue, brother, sister, parent, brother-in-law, sister-in-law, parent-in-law, niece or nephew of any of the following County Officials: the County Executive; a County Legislator; any other elected official or official appointed to an elected County position or any department head with the power to hire, fire or promote; all Chief Deputy County Executives and Deputy County Executives; all Commissioners and Deputy Commissioners of County Departments; a County police official holding the rank of Captain or above; a Suffolk County District Court Judge; Suffolk County Family Court Judge; Judge of the County Court of Suffolk County; Suffolk County Surrogate; Suffolk County Supreme Court Justice; or judge of any Suffolk County court or any successor court thereto.

**STATE OF NEW YORK)**
**SS:**
**COUNTY OF SUFFOLK)**

I, _____, being duly sworn, depose and say: That I am neither the spouse, issue (children, grandchildren, etc.), brother, sister, parent, brother-in-law, sister-in-law, parent-in-law, niece or nephew of any of the following County Officials to wit: the County Executive; a County Legislator; any other elected official or official appointed to an elected County position or any department head with the power to hire, fire or promote; all Chief Deputy County Executives and Deputy County Executives; all Commissioners and Deputy Commissioners of County Departments; a County police official holding the rank of Captain or above; a Suffolk County District Court Judge; Suffolk County Family Court Judge; Judge of the County Court of Suffolk County; Suffolk County Surrogate; Suffolk County Supreme Court Justice; or judge of any Suffolk County court or any successor court thereto except: (Name of Suffolk County Official/Judge/Position of such official). **(If none, so state "NONE").**

_____

_____

That I acknowledge receipt of a copy of Section A6-3 of the Suffolk County Administrative Code, I have read the aforesaid section, and make this affidavit with the full knowledge that the County of Suffolk will rely upon this affidavit.

_____
Signature

**Sworn to before me this**

**____day _____20____**

_____
**Notary Public**

# Traffic

## 500.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for improving public safety through education and enforcement of traffic-related laws.

### 500.1.1 DEFINITIONS

The following definitions apply to this policy:

**Traffic Stop (T-Stop)** - Any time an officer initiates contact which results in the detention of a motorist. A traffic stop does not include contacts initiated to provide assistance to a motorist or any contacts associated with broadcast notifications or calls for service.

**Precinct Traffic Stop Report** – A statistical analysis of traffic stop activity which includes:

(a) comparisons of the number, reason and disposition of traffic stops and vehicle searches across the Department;

(b) a list of incomplete stops by officer; and,

(c) a comparison of the number of stops to the number of tickets written by officer.

**Traffic Stop Study** – A scholarly analysis performed by a contracted subject matter expert focused on the relationship between race/ethnicity and traffic enforcement.

**Checkpoint Commander** - A supervising officer, at the rank of sergeant or above, who is in charge of a roadway safety or sobriety checkpoint.

## 500.2 POLICY

It is the policy of the Suffolk County Police Department to educate the public on traffic-related issues and to enforce traffic laws. The efforts of the Department will be driven by such factors as the location and/or number of traffic accidents, citizen complaints, traffic volume, traffic conditions and other traffic-related needs. The ultimate goal of traffic law enforcement and education is to increase public safety.

## 500.3 DEPLOYMENT

Enforcement efforts may include such techniques as geographic/temporal assignment of Department members and equipment, the establishment of preventive patrols to deal with specific categories of unlawful driving and a variety of educational activities. These activities should incorporate methods that are suitable to the situation; timed to events, seasons, past traffic problems or locations; and, whenever practicable, preceded by enforcement activities.

Several factors will be considered in the development of deployment schedules for Department members. State and local data on traffic accidents are a valuable resource. Factors for analysis include, but are not limited to:

- Day, time and location

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- Violation factors
- Requests from the public
- Construction zones
- School zones
- Special events

Department members assigned to uniformed patrol or traffic enforcement functions will emphasize the enforcement of violations that contribute to traffic accidents and also will consider the hours and locations where traffic accidents tend to occur. Members will take directed enforcement action on request and random enforcement action when appropriate. Members shall maintain high visibility while working general enforcement, especially in areas where traffic accidents frequently occur.

The Department may use speed measuring devices in traffic enforcement operations. Members must be properly trained in the use and operation of such devices. The Department will ensure that all such equipment is properly calibrated and that all necessary records are maintained so as to ensure that speed measurements are legally admissible. The Highway Patrol Bureau is responsible for training on device use, distribution of devices to other commands for use and for maintenance, calibration and record maintenance on devices.

## 500.4 ENFORCEMENT

Traffic enforcement will be consistent with applicable laws and take into account the degree and severity of the violation committed. This Department does not establish ticket quotas. The number of arrests or tickets issued by any member shall not be used as the sole criterion for evaluating member overall performance.

Traffic enforcement should be focused on the prevention of traffic accidents.

### 500.4.1 WARNINGS

Warnings are a non-punitive option that may be considered by the member when circumstances warrant, such as when a minor violation was inadvertent.

### 500.4.2 TICKETS

Tickets should be issued when a member believes it is appropriate. When issuing a ticket for a traffic violation, it is essential that the rights of, and requirements imposed on, motorists be fully explained. At a minimum, motorists should be provided with:

(a) An explanation of the violation or charge.

(b) The court appearance procedure, including the optional or mandatory appearance by the motorist.

(c) A notice of whether the motorist can enter a plea and pay the fine by mail or at the court.

See the Traffic and Parking Tickets Policy for further information.

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### 500.4.3 PHYSICAL ARREST

Physical arrest should generally not be made for a traffic infraction unless the officer cannot verify the driver's identity, has reason to believe that the driver will fail to appear in court or has reason to believe that the driver will continue to violate the law and place others at risk.

Officers should exercise discretion in determining whether a physical arrest is appropriate for misdemeanor traffic offenses. Physical arrests shall be made for offenses involving alcohol or drug intoxication or impairment and felony traffic offenses.

See the Appearance Tickets Policy for additional guidance.

See the Driving While Intoxicated and Related Offenses Policy for additional guidance.

## 500.5 SUSPENDED OR REVOKED LICENSES

If an officer contacts a traffic violator who is driving with a suspended or revoked license or operating privilege, the officer should issue a traffic ticket or make an arrest as appropriate.

An officer shall impound a vehicle for Aggravated Unlicensed Operation of a Motor Vehicle in the First or Second degree pursuant to Vehicle and Traffic Law (VTL) § 511-b, if any of the following factors exist:

(a) The driver is the registered owner of the vehicle.

(b) The vehicle is not properly registered.

(c) Proof of financial security is not produced.

(d) The driver is not the registered owner of the vehicle, and no other licensed driver authorized to drive the vehicle is present.

If the driver is not the owner of the vehicle, the Department is required to notify the owner (VTL § 511-c).

Under certain circumstances, officers are required by Suffolk County Code to impound vehicles in conjunction with Aggravated Unlicensed Operation in the Third degree, Unlicensed Operation of a Motor Vehicle and several other offenses.

See the Vehicle Towing Policy for additional information.

## 500.6 TRAFFIC ENFORCEMENT AND ACCIDENT RESPONSE STRATEGY

Each precinct executive officer is responsible for developing and overseeing the implementation of the precinct's traffic enforcement and accident reduction strategy.

The Highway Patrol Bureau will perform an analysis of all fatal and serious physical injury motor vehicle accidents and report pertinent information to the Office of the Chief of Department for use in enforcement strategy planning, as well as, education and engineering referrals to outside agencies.

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## 500.7 HIGH-VISIBILITY VESTS

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests and raincoats to increase the visibility of Department members who may be exposed to hazards presented by passing traffic or by maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601).

### 500.7.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn when increased visibility would improve the safety of the Department member or when the member will be exposed to the hazards of passing traffic or will be maneuvering or operating vehicles, machinery and equipment.

Examples of when high-visibility vests should be worn include traffic control duties, traffic accident investigations, traffic checkpoints, lane closures and disaster scenes.

When emergency conditions preclude the immediate donning of the vest, members should retrieve and wear the vest as soon as conditions reasonably permit.

Use of the vests shall also be mandatory when directed by a supervisor.

### 500.7.2 CARE AND STORAGE

High-visibility vests and raincoats are individually issued. Each vest or raincoat should be stored in such a manner as to protect and maintain the vest and raincoat in a serviceable condition.

## 500.8 POLICE AGENCY REQUEST FOR DRIVER REVIEW OR SAFETY HEARING

When an officer becomes aware of a motor vehicle being operated in an unsafe manner, and he/she believes that the danger to highway safety can only be eliminated through the suspension or revocation of an individual's driver's license, driving privileges, or vehicle registration, he/she shall make the appropriate request to the New York State Department of Motor Vehicles (DMV).

A driver review is a DMV driver's license retesting procedure. It may include all or part of the usual original driver's licensing requirements. A motorist's driver's license or registration may be suspended or revoked as a result of this review.

See procedure for further guidance: DRIVER REVIEW REQUEST

A safety hearing is a DMV hearing based on a specific incident(s) such as a DWI arrest, a certain number of points on a driver's license or a complaint from a police officer, etc., in which a motorist's driver's license or privilege may be suspended or revoked.

See procedure for further guidance: SAFETY HEARINGS

## 500.9 TRAFFIC STOP DATA COLLECTION

In support of the Department's commitment to bias free policing, the Traffic Stop Data Collection Program shall collect data on all officer-initiated traffic stops throughout the police district. This collected data will be analyzed to ensure that all traffic enforcement operations are conducted in a bias-free manner.

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Data shall be collected on all traffic stops. Data shall be entered into the Mobile Data Computer (MDC) or on the Traffic Stop Data Collection Report (PDCS-3226c) if an MDC is not available.

If an MDC is not available, officers shall complete the Traffic Stop Data Collection Worksheet (PDCS-3226c) for each tour of duty in which traffic stops occur. The data collected on this form will be entered into the Traffic Stop Data Collection Program by the officer when a computer is available.

See procedure for further guidance: TRAFFIC STOP DATA COLLECTION WITH MDC

500.9.1 SUPERVISOR RESPONSIBILITIES

(a) Patrol sergeants shall confirm database entries are made for observed traffic stops and check incomplete entries for their subordinates on a weekly basis.

(b) Patrol lieutenants shall monitor the incomplete traffic stop records and disseminate this information to their subordinate supervisors.

(c) Commanding Officers shall:

1. Review the quarterly Precinct Traffic Stop Report
2. Submit a report to the Chief of Patrol which acknowledges review of the Precinct Traffic Stop Report, lists all officers identified as exhibiting deficiencies or irregularities in traffic enforcement activities, and explains any remedial action taken.

(d) The Office of the Chief of Patrol shall:

1. Disseminate Precinct Traffic Stop Reports to the Commanding Officers of each precinct and Highway Patrol Bureau on a quarterly basis
2. Provide the Police Commissioner a report summarizing the responses received from each subordinate command.

500.9.2 RESEARCH AND DEVELOPMENT SECTION RESPONSIBILITIES

The Research and Development Section shall collect the raw T-Stop data and provide it to the subject matter expert contracted to perform the analysis and author a report.

500.9.3 OFFICE OF THE POLICE COMMISSIONER RESPONSIBILITIES

The Office of the Police Commissioner shall:

(a) Publish Traffic Stop Data Collection Program (TSDCP) raw data on the Department's web page.

(b) Create and provide to the Chief of Patrol Precinct Traffic Stop Reports.

(c) Create and publish an annual summary of Precinct Traffic Stop Reports.

(d) Publish traffic stop studies received from contractors.

(a) Studies which contain actionable evidence of individualized biased policing shall be referred to Internal Affairs for investigation.

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(b) Publication of all studies shall be delayed or redacted to preserve the integrity of any pending investigation initiated as a result of a study's findings.

### 500.10 ROADWAY CHECKPOINTS

The purpose of a safety checkpoint is to ensure that motorists are licensed and carefully operating their vehicles and that their vehicles are fit for safe operation. The purpose of a sobriety checkpoint is to reduce the number of persons who drive while impaired or intoxicated. While officers assigned to checkpoints are expected to make arrests of motorists that are operating motor vehicles while impaired or intoxicated, they should be mindful of the public education facet of these operations. Sobriety checkpoints serve as a public education tool by establishing a perception that the probability of being arrested for driving while impaired or intoxicated is great. The United States Supreme Court has ruled that a checkpoint may not be used for suspicionless criminal investigations. However, this ruling does not preclude the use of appropriately tailored checkpoints in response to exigent circumstances.

See procedure for further guidance: PERSONNEL

See procedure for further guidance: SITE SELECTION

See procedure for further guidance: TIME OF OPERATION

See procedure for further guidance: EQUIPMENT

See procedure for further guidance: EXIGENT CIRCUMSTANCES

See procedure for further guidance: CHECKPOINT COMMANDER RESPONSIBILITIES

See procedure for further guidance: BRIEFING OF PERSONNEL AND POST CHECKPOINT REPORTS

See procedure for further guidance: SCREENING OF MOTORISTS

See procedure for further guidance: COMMUNICATION WITH MOTORISTS

See procedure for further guidance: UNCOOPERATIVE MOTORISTS

### 500.11 ATTENDANCE AT NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES HEARINGS

All Department personnel assigned to a DMV hearing (DWI Refusal, Zero Tolerance, etc.) at the NYS Office Building in Hauppauge are required to appear as scheduled.

The DMV Hearing Office is located at:
250 Veteran's Memorial Highway
Room 3B49
Hauppauge, NY 11788
(631) 952-6724

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If an assigned officer is sick or otherwise unable to complete his/her required DMV appearance, the officer must ensure that, upon notifying his/her command, he/she makes the command aware of their scheduled DMV appearance for that date/time. The officer's command must immediately contact the DMV Hearing Office directly to reschedule the officer's appearance. The Officer-in-Charge shall document these circumstances via submission of an Internal Correspondence (PDCS-2042) through the chain of command to the Office of the Chief of Patrol.

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# Attachments

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# Traffic Stop Data Collection Report PDCS-3226 Lexipol 500.pdf

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| CC #: | Date: |
|---|---|
| Unit: | Post: |

Page ____ of ____

**POLICE DEPARTMENT COUNTY OF SUFFOLK, NEW YORK**
*ACCREDITED LAW ENFORCEMENT AGENCY*
**TRAFFIC STOP DATA COLLECTION WORKSHEET** PDCS-3226c



| Plate # | State | Location of Stop |
|---|---|---|
| | | |

**Reason for Stop:** ☐ Speeding ☐ Cell Call/Text ☐ Red Light ☐ Stop Sign ☐ Reasonable Suspicion of a Crime ☐ Other Moving Violations ☐ Seat Belt ☐ Other VTL

| Duration of Stop: | Force used During Stop: | Total Tickets Issued: | Equipment Violations: |
|---|---|---|---|
| ☐ 0-15 Min ☐ 16-30 Min ☐ 30+ Min | ☐ Yes ☐ No | ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5+ | ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5+ |

| Vehicle Searched: | Reason for Search: | Outcome of Search: | Canine Called |
|---|---|---|---|
| ☐ No Search Conducted ☐ Search Conducted w/o Consent ☐ Search Conducted with Signed Consent ☐ Search Conducted w/o Signed Consent | ☐ Plain View ☐ Consent ☐ Probable Cause -Drugs ☐ Probable Cause -Other | ☐ Nothing ☐ Drugs ☐ Weapon ☐ Other | ☐ Yes ☐ No |

**☐ Driver**

| Approximate Age: | Gender: | Apparent Race/Ethnicity: |
|---|---|---|
| ☐ 16-25 ☐ 26-35 ☐ 36-45 ☐ 46-55 ☐ 56-65 ☐ 66 to Over | ☐ Male ☐ Female | ☐ Hispanic ☐ Black/African American ☐ Asian/Pacific Islander ☐ White Non-Hispanic ☐ Other |

| Search Conducted: | Reason for Search: | Outcome of Search: | Asked to Exit Vehicle |
|---|---|---|---|
| ☐ Yes ☐ No | ☐ Protective Frisk ☐ Probable Cause ☐ Plain View ☐ Consent ☐ Incident to Arrest | ☐ Nothing ☐ Weapon ☐ Contraband ☐ Other | ☐ Yes ☐ No |

**Where Was Driver Placed:** ☐ Back of Unit ☐ Side of Road **Restrained:** ☐ Yes ☐ No **Disposition:** ☐ Ticket Issued ☐ Verbal Warning Issued ☐ Arrest ☐ Other

**☐ Passenger**

| Approximate Age: | Gender: | Apparent Race/Ethnicity: |
|---|---|---|
| ☐ 16-25 ☐ 26-35 ☐ 36-45 ☐ 46-55 ☐ 56-65 ☐ 66 to Over | ☐ Male ☐ Female | ☐ Hispanic ☐ Black/African American ☐ Asian/Pacific Islander ☐ White Non-Hispanic ☐ Other |

| Search Conducted: | Reason for Search: | Outcome of Search: | Asked to Exit Vehicle |
|---|---|---|---|
| ☐ Yes ☐ No | ☐ Protective Frisk ☐ Probable Cause ☐ Plain View ☐ Consent ☐ Incident to Arrest | ☐ Nothing ☐ Weapon ☐ Contraband ☐ Other | ☐ Yes ☐ No |

**Where Was Passenger Placed:** ☐ Back of Unit ☐ Side of Road **Restrained:** ☐ Yes ☐ No **Disposition:** ☐ Ticket Issued ☐ Verbal Warning Issued ☐ Arrest ☐ Other

**☐ Passenger**

| Approximate Age: | Gender: | Apparent Race/Ethnicity: |
|---|---|---|
| ☐ 16-25 ☐ 26-35 ☐ 36-45 ☐ 46-55 ☐ 56-65 ☐ 66 to Over | ☐ Male ☐ Female | ☐ Hispanic ☐ Black/African American ☐ Asian/Pacific Islander ☐ White Non-Hispanic ☐ Other |

| Search Conducted: | Reason for Search: | Outcome of Search: | Asked to Exit Vehicle |
|---|---|---|---|
| ☐ Yes ☐ No | ☐ Protective Frisk ☐ Probable Cause ☐ Plain View ☐ Consent ☐ Incident to Arrest | ☐ Nothing ☐ Weapon ☐ Contraband ☐ Other | ☐ Yes ☐ No |

**Where Was Passenger Placed:** ☐ Back of Unit ☐ Side of Road **Restrained:** ☐ Yes ☐ No **Disposition:** ☐ Ticket Issued ☐ Verbal Warning Issued ☐ Arrest ☐ Other

**☐ Passenger**

| Approximate Age: | Gender: | Apparent Race/Ethnicity: |
|---|---|---|
| ☐ 16-25 ☐ 26-35 ☐ 36-45 ☐ 46-55 ☐ 56-65 ☐ 66 to Over | ☐ Male ☐ Female | ☐ Hispanic ☐ Black/African American ☐ Asian/Pacific Islander ☐ White Non-Hispanic ☐ Other |

| Search Conducted: | Reason for Search: | Outcome of Search: | Asked to Exit Vehicle |
|---|---|---|---|
| ☐ Yes ☐ No | ☐ Protective Frisk ☐ Probable Cause ☐ Plain View ☐ Consent ☐ Incident to Arrest | ☐ Nothing ☐ Weapon ☐ Contraband ☐ Other | ☐ Yes ☐ No |

**Where Was Passenger Placed:** ☐ Back of Unit ☐ Side of Road **Restrained:** ☐ Yes ☐ No **Disposition:** ☐ Ticket Issued ☐ Verbal Warning Issued ☐ Arrest ☐ Other

**Officer:** _____ **Signature:** _____
Name Rank / Shield / Command

DISTRIBUTION: ORIGINAL – CENTRAL RECORDS; COPY – COMMAND

# Traffic and Parking Tickets

## 504.1 PURPOSE AND SCOPE

This policy outlines the responsibilities for issuing, correcting and voiding traffic and parking tickets.

## 504.2 POLICY

It is the policy of the Suffolk County Police Department to enforce traffic laws fairly. Authorized members may issue a traffic ticket, parking ticket or verbal warning based upon the circumstances of the contact and in the best interest of the motoring public and community safety.

## 504.3 RESPONSIBILITIES

Members of the Suffolk County Police Department shall only use Department-approved traffic and parking ticket forms. Tickets will be kept in a secure location and issued to members by their respective commands. Members will sign for the tickets when issued and upon return of unused tickets.

Commanding Officers, or their administrative officers, shall ensure that :

(a) Officers assigned to their commands are instructed as to the proper jurisdiction to which a ticket is returnable

(b) All un-issued tickets are stored in a secure area

(c) A supply of summonses is available to officers on a 24 hour basis

Officers shall:

(a) Ensure that a violator is charged correctly and when court is indicated, directed to the appropriate court at the proper time, date, etc.

(b) Have readily available, during their tour of duty, records of all summonses they have issued during the previous six months.

(c) When a paper ticket is used, legibly print all entries, including the officer's name.

Supervisors shall:

(a) Upon receipt of the completed ticket, review it for accuracy of court designation, date of return, etc.

(b) Inspect all paper tickets submitted to ensure that they are filled out properly as per the New York State Department of Motor Vehicles Universal Traffic Ticket Guidebook (UT-62) .

(c) Upon determination that the ticket has been completed correctly where appropriate, legibly place his/her rank and shield in the designated section and forward all parts to the command's administrative office for posting and transmittal to the appropriate court or agency. TraCS generated summonses do not require supervisory review.

## 504.4 TRAFFIC TICKETS

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### 504.4.1 TICKET TYPE AND ISSUANCE

There are two types of paper tickets issued by the Department, the New York State Universal Traffic Ticket (UT-50) and the Suffolk County Universal Summons (PDCS-6160).

The UT-50 is utilized for all New York State Vehicle and Traffic Law traffic infractions and misdemeanors as well as Tax and Transportation Law violations involving motor vehicles. It is not utilized for parking infractions. The UT-50 can be issued via the Traffic and Criminal Software System (TraCS) summons function or by utilizing a paper version.

The Universal Summons (PDCS-6160) is used for all other offenses where a ticket is authorized including parking tickets and Field Appearance Tickets. This includes tickets charging offenses in the Parks, Recreation and Historic Preservation Law, Environmental Conservation Law and Navigation Law.

Court return dates shall be scheduled in accordance with established court return date schedules. For First District Court and the Suffolk Traffic and Parking Violations Agency (TPVA), the First District Court Memo Book Insert (PDCS-7123) shall be utilized. When issuing tickets for other courts (e.g., villages) return dates shall be in accordance with the return schedules established by the courts, consistent with applicable discovery requirements (CPL § 245).

When a violator is cited for multiple offenses, the officer enters only one offense on each ticket. If the jurisdiction for any of these offenses is in a village or district court, all the summonses will be returnable to that court. Unless administrative agreements exist between First District and village courts for prosecution of certain misdemeanors, all misdemeanor offenses shall be returnable to First District Court.

See procedure for further guidance: UTILIZATION OF NEW YORK STATE UT- 50

See procedure for further guidance: ISSUANCE AND DISTRIBUTION OF THE NEW YORK STATE UT-50

See procedure for further guidance: SUFFOLK COUNTY UNIVERSAL SUMMONS (PDCS-6160) UTILIZATION

See procedure for further guidance: ISSUANCE AND DISTRIBUTION OF THE SUFFOLK COUNTY UNIVERSAL SUMMONS (PDCS-6160)

See procedure for further guidance: TICKET TRANSMITTAL SHEET COMPLETION

### 504.4.2 COURT JURISDICTION

(a) For offenses committed within the boundaries of a village where a police Justice Court is established, the village court has primary jurisdiction over the following offenses:

1. Infractions of the Vehicle and Traffic Law (VTL)
2. Certain misdemeanors of the VTL, if administrative agreements exist between First District Court and the Village Police Justice Court
3. Village ordinances

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(b) Outlying District Courts have primary jurisdiction over town ordinances. Generally, TPVA has primary jurisdiction over all VTL infractions outside the jurisdiction of village courts.

(c) First District Court has primary jurisdiction over all other offenses. There are exceptions if administrative agreements exist between First District and village courts for prosecution of certain misdemeanors.

504.4.3 CORRECTION
TraCS tickets, once issued, cannot be corrected. If an error is discovered, the ticket must be voided and a corrected replacement issued.

When a paper traffic ticket is in need of correction, the member issuing the ticket shall submit the ticket and a completed letter of correction to his/her immediate supervisor requesting a specific correction. Once approved, the ticket and letter shall then be forwarded to the returnable court as well as the defendant.

504.4.4 VOIDING AND LOST TICKETS

(a) If lost, mutilated, destroyed, illegibly printed or rendered unsuitable for use due to damage

(b) An improperly written ticket

(c) TraCS-related: printer malfunctions or insufficient paper

All copies of the voided ticket shall be presented to a supervisor for approval. The ticket and copies shall then be forwarded to the Central Records Section.

See procedure for further guidance: VOIDED TICKET

See procedure for further guidance: LOST OR MISSING NEW YORK STATE UT-50 TICKETS

504.4.5 DISMISSAL
Members of the Department do not have the authority to dismiss a traffic ticket once it has been issued. Should a member determine that a traffic ticket should be dismissed in the interest of justice or where prosecution is deemed inappropriate, the member shall advise the prosecutor.

504.4.6 DISPOSITION
The court and file copies of all paper tickets issued by officers of this Department shall be forwarded to the officer's immediate supervisor for review by the end of each shift. The ticket copies shall then be transmitted by command administrative personnel to the proper court or agency for adjudication. TraCS tickets are automatically transmitted to the proper court.

## 504.5 TRACS TICKET SYSTEM PROCEDURES

504.5.1 TRACS TICKET SYSTEMS ADMINISTRATOR
A TraCS ticket system administrator should be appointed by the Police Commissioner. The Police Technology Bureau is designated as the TraCS system administrator.

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504.5.2 DUTIES OF THE ADMINISTRATOR
The TraCS system administrator is responsible for:

(a) Coordinating routine and periodic software updates of the TraCS software.

(b) Coordinating with the TraCS vendor for updating the system databases including, but not limited to, all violation codes in use and court appearance information.

(c) Completing routine maintenance and damage repair of devices.

(d) Overseeing the periodic upgrade and replacement of devices as wear and system requirements mandate.

(e) Monitoring data transfers from the ticketing devices to the Department servers, to the courts of jurisdiction for the issued ticket and to any state-mandated receiver. This includes the timely transmittal of the data as per the defined schedule.

(f) Reviewing data on common user error and providing feedback for use at briefings.

(g) Analyzing data on common system errors and providing feedback to the system vendor for correction.

504.5.3 INOPERABLE TICKETING DEVICE
At the beginning of every tour of duty, every member operating a vehicle equipped with TRaCS software and a printer should run a system check to validate that the device functions properly. The Information Technologies Section will be notified to correct any malfunctions found.

## 504.6 SUFFOLK COUNTY TRAFFIC AND PARKING VIOLATIONS AGENCY ATTENDANCE

TPVA appearances are a foremost priority. Prosecution of traffic offenses is integral to the Department's overall traffic enforcement efforts. Unnecessary absences from scheduled TPVA hearings negatively impact the effectiveness of traffic enforcement and reflect poorly on the Department. Such absences shall be avoided whenever practical, therefore:

(a) Members will not be granted discretionary leave time, assigned to training, prisoner transports or special assignments on their previously scheduled TPVA dates.

(b) TPVA hearings are given priority over DMV safety hearings such as DWI refusals and zero tolerance held at the New York State Office Building in Hauppauge. Officers scheduled to hearings with conflicting appearance times will notify the Court Liaison TPVA Unit. Liaison personnel will make the necessary adjustments with the appropriate office to permit the officer to attend the other scheduled hearing upon completion of his/her TPVA hearing.

(c) Any supervisor who grants discretionary leave time, schedules a training assignment, prisoner transport or special assignment to an officer, or excuses an officer due to any other work assignment which results in that officer's unavailability for, or untimely response to, a scheduled TPVA appearance, shall be required to submit an Internal Correspondence (PDCS- 2042) to his/her Commanding Officer outlining the reason(s) for his/her decision.

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(d) Under most circumstances, the only attendance codes that can be granted for non-scheduled leave when a TPVA appearance is scheduled are: Sick Leave codes 301 or 302, Union Business codes 408 or 428 or Bereavement Leave codes 402 or 403.

See procedure for further guidance: TVPA SCHEDULING AND ATTENDANCE

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# Attachments

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# NYS DMV UTT Guidebook (UT-62).pdf

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# NEW YORK STATE

# DEPARTMENT OF MOTOR VEHICLES

# UNIVERSAL TRAFFIC TICKET

# GUIDEBOOK

**FOR USE IN BOTH**

**TRAFFIC VIOLATIONS BUREAU (TVB)**

**AND**

**TRAFFIC SAFETY LAW ENFORCEMENT AND DISPOSITION (TSLED)**

UT-62 (6/08)

## INTRODUCTION

The Universal Traffic Ticket (UTT) is for use throughout New York State by multiple agencies. Some of the information on this ticket may not apply to your jurisdiction or area of adjudication.

Below are instructions for completing the Universal Traffic Ticket. To help guide you in completing the ticket, the numbers printed on the sample ticket sections coincide with the numbered areas shown on each page of instructions.

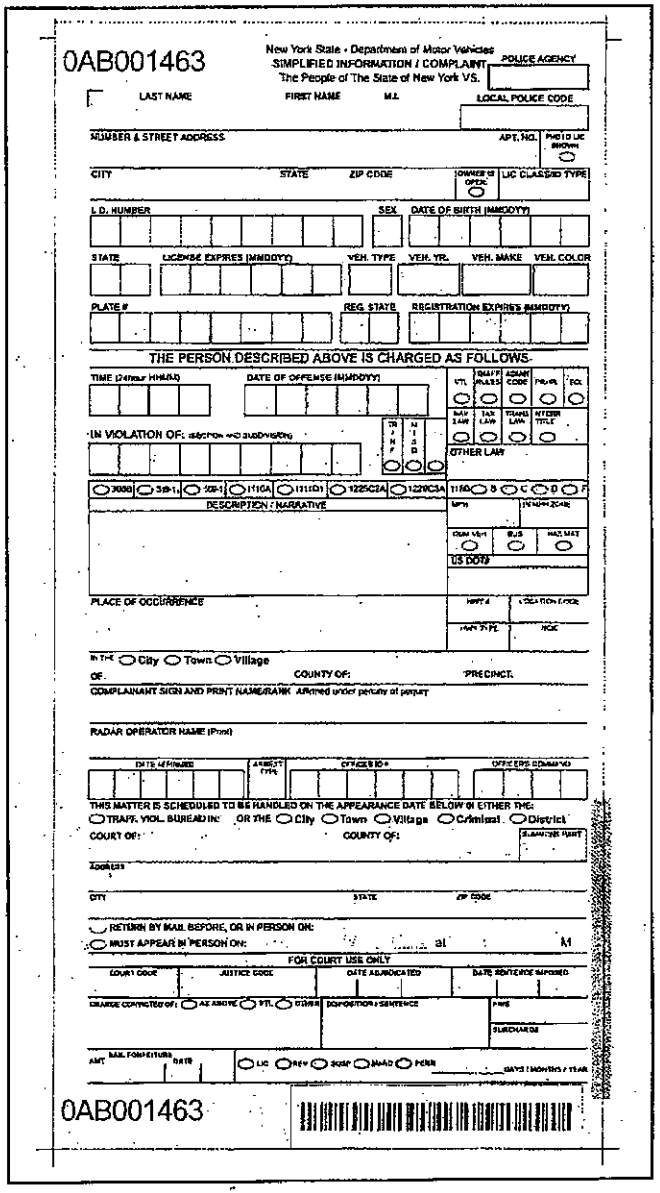
The UTT consists of one original and several copies. Therefore, the issuing officer must use a black ballpoint pen and press hard enough when completing the ticket to ensure that the last copy is legible. **Care should be taken to prevent information from one ticket bleeding through to the one underneath. Place one ticket at a time on a hard surface or place a protector between the tickets.**

Some of the information on the UTT is to be entered into a restricting box. When entering information in a restricting box, please place the character in the center of the box and take care not to have the character touch any side of the box, or extend any portion of the character outside the box. When using a "bubble" or "oval" to record information, take care to completely fill the oval without making marks outside the lines. DO NOT WRITE OUTSIDE OF DESIGNAGED AREAS.



Correct Incorrect Incorrect

# TICKET SAMPLE



0AB001463

New York State - Department of Motor Vehicles
SIMPLIFIED INFORMATION / COMPLAINT
The People of The State of New York VS.

POLICE AGENCY

LAST NAME FIRST NAME M.I. LOCAL POLICE CODE

NUMBER & STREET ADDRESS APT. NO. PHOTO LIC SHOWN

CITY STATE ZIP CODE OWNER IS OPER. LIC CLASS/ID TYPE

L.D. NUMBER SEX DATE OF BIRTH (MMDDYY)

STATE LICENSE EXPIRES (MMDDYY) VEH. TYPE VEH. YR. VEH. MAKE VEH. COLOR

PLATE # REG. STATE REGISTRATION EXPIRES (MMDDYY)

THE PERSON DESCRIBED ABOVE IS CHARGED AS FOLLOWS:

TIME (24hour HHMM) DATE OF OFFENSE (MMDDYY) VTL DMAFF RULES ADMIN CODE PRIVIL EOL

IN VIOLATION OF: (section and subdivision) TRAFF MISD NAV LAW TAX LAW TRANS LAW INTERR TITLE

OTHER LAW

3000 319-1 509-1 1110A 1111D1 1225C2A 1229C3A 1180 B C D F

DESCRIPTION / NARRATIVE MPH SEMIFIN ZONE

COM VEH BUS HAZ MAT

US DOT#

PLACE OF OCCURRENCE HIPPA VIOLATION CODE

HAZ TYPE NOC

IN THE City Town Village

OF: COUNTY OF: PRECINCT:

COMPLAINANT SIGN AND PRINT NAME/RANK Affirmed under penalty of perjury

RADAR OPERATOR NAME (Print)

DATE AFFIRMED ARREST TYPE OFFICER ID# OFFICER'S COMMAND

THIS MATTER IS SCHEDULED TO BE HANDLED ON THE APPEARANCE DATE BELOW IN EITHER THE:

TRAFF. VIOL. BUREAU IN: OR THE City Town Village Criminal District

COURT OF: COUNTY OF: SUMMONS PART

ADDRESS

CITY STATE ZIP CODE

RETURN BY MAIL BEFORE, OR IN PERSON ON:

MUST APPEAR IN PERSON ON: at M

FOR COURT USE ONLY

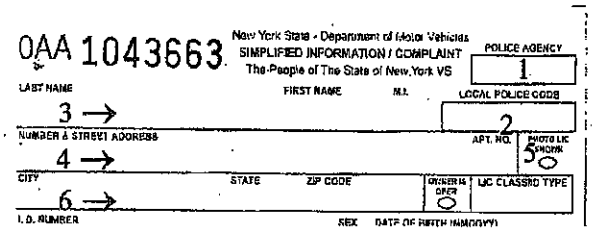
COURT CODE JUSTICE CODE DATE ADJUDICATED DATE SENTENCE IMPOSED

CHARGE CONVICTED OF: AS ABOVE VTL OTHER DISPOSITION / SENTENCE FINE SURCHARGE

AMT BAIL FORFEITURE DATE LIC REV SUSP MAND PERM DAYS / MONTHS / YEAR

0AB001463

# INSTRUCTIONS




1. POLICE AGENCY - Print the name of the issuing officer's Police Agency.

2. LOCAL POLICE CODE - Print the Police agency's incident number or tracking number, if issued by the officer's agency.

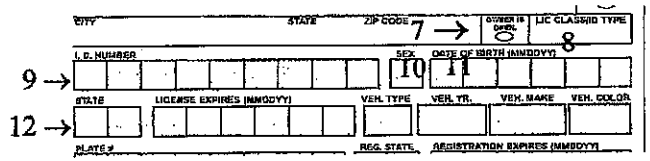
3. NAME - Print the offender's name exactly as it appears on the driver license.
   - If another type of identification is presented, or if none is provided but verbally presented, print LAST NAME with suffix (Sr., Jr., III, etc.) if any, then FIRST NAME and MIDDLE INITIAL.
   - If the ticket is issued to a pedestrian, bicyclist, passenger, etc.; enter the name in the same sequence as if they were a driver.

4. NUMBER & STREET ADDRESS - Print the offender's number and street address exactly as it appears on the driver license. If another type of identification is presented, or if none is provided but verbally presented, print the number and street address.

5. PHOTO LIC SHOWN - Fill in the oval if the offender presents a photo driver license. If another type of photo identification is presented, note this fact in the description/narrative box (#27).

6. CITY, STATE, ZIP CODE - Print the city, state, and zip code exactly as they appear on the driver license. If another type of identification is presented, or if none is provided but verbally presented, print the City, State, and Zip Code.






7. OWNER IS OPERATOR - Fill in the oval if the vehicle is registered to the motorist that is operating the vehicle at the time of the offense.

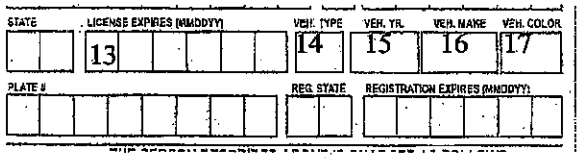
8. LICENSE CLASS/ID TYPE - Print offender's license class as stated on their driver license. If offender presents another type of identification, print the type of identification provided. (For example, Social Security Card, Student ID.)

9. I.D. NUMBER - Print the Client ID number from the driver license, printing one number in the center of each box.
   - If the ID or Out-of-State motorist ID number is longer than nine digits, print the additional numbers in the description/ narrative box (#27) indicating that it is the ID number.
   - If the offender does not have a client ID or motorist ID number, leave blank, and enter the identification number of any type of identification in the description/narrative box (#27) indicating that it is an ID number.

10. SEX - Print M for male, or F for female, or C for Corporation.

11. DATE OF BIRTH - Print the offender's date of birth following the MMDDYY format, printing one number in the center of each box.

12. STATE - Print the approved two-letter alpha abbreviation for the jurisdiction that issued the license, printing one letter in the center of each box.
   - If jurisdiction is from a Canadian Province or another jurisdiction, enter the appropriate two-letter alpha abbreviation. The approved two-letter alpha abbreviations are at the end of this guidebook.
   - If the ticket is issued to an UNLICENSED OPERATOR, then enter UN.




13. DATE LICENSE EXPIRES - Print the expiration date of the driver's license following the MMDDYY format, printing one number in the center of each box.

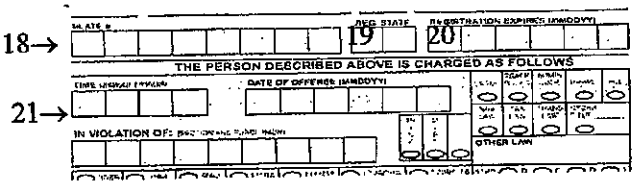
14. VEHICLE TYPE - Print the approved **single alpha or numeric code** identifying the type of vehicle, if any, being operated at the time of the offense. The approved vehicle codes are at the end of this guidebook.

15. VEHICLE YEAR - Print the **four-number** year of the vehicle. (For example, 1986, 2002.)

16. VEHICLE MAKE - Print the make of the vehicle, using the following accepted abbreviations:
    i. If the vehicle make is one word, print the first four letters of the name (i.e.: Cadillac = CADI, Hyundai = HYUN, Volkswagen = VOLK).
    ii. If the vehicle make is two words, print the first two letters of each word (i.e.: Alpha Romeo = ALRO, Mercedes-Benz = MEBE).
    iii. If the vehicle make is an abbreviation consisting of letters only, print the letters using no punctuation (i.e.: GMC, BMW).

17. VEHICLE COLOR - Print the approved **two-letter alpha** abbreviation for the motor vehicle color, if any, being operated at the time of the offense. The approved color codes are at the end of this guidebook.
    - If no registration is presented, leave this space blank.
    - If the vehicle color on the registration is different from the actual color of the vehicle, print the two-letter abbreviation of the color from the registration.



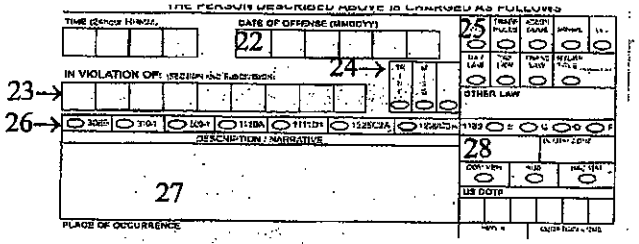



18. PLATE # - Print the alphanumeric characters of the license plate # on the vehicle, starting on the left, printing one character in the center of each box; do not include dashes.
    - If the license plate contains more than eight (8) characters, print the additional characters in the description/narrative box (#27), indicating that they are the plate #.
    - If there is no plate number or if this information is not applicable, leave this field blank.
    - If two different license plates are on the vehicle, enter the rear plate in this field and print the front plate number in the description/narrative box (#27), indicating that they are the FRONT PLATE #.

19. REGISTRATION STATE
    - Print the approved two-letter alpha abbreviation for the state, province, or other jurisdiction that issued the certificate of registration, printing one letter in the center of each box.
    - The approved two-letter alpha abbreviations are found at the end of this guidebook.
    - If the ticket is issued to a bicyclist or pedestrian, leave the boxes blank.
    - If the ticket is issued to an unregistered vehicle, enter the abbreviation UN.

20. REGISTRATION EXPIRES - Print the expiration date of the certificate of registration, following the MMDDYY format, printing one number in the center of each box.

21. TIME OF THE OFFENSE - Print the time the offense occurred using twenty-four hour or "military time." Zero (0) hundred hours is midnight and twelve (12) hundred hours is noon. (i.e.: An offense that occurred at 1:35 pm is to be printed 1335, if 2:16 am it is to be printed 0216). Print only one number in the center of each box.



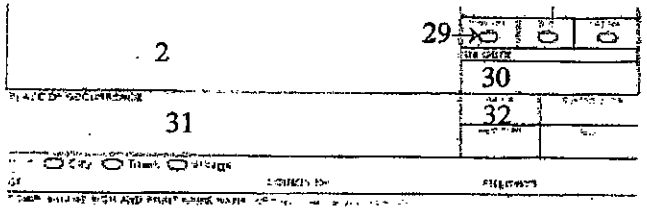

22. DATE OF OFFENSE - Print the date of the offense following the MMDDYY format, printing one number in the center of each box.

23. IN VIOLATION OF - Print the section and subdivision of the offense charged from the appropriate law, using only numbers and letters, starting in the left box.
    - If the law section and subdivision has more than nine (9) characters, print the additional characters in the description/narrative box (#27) indicating that it is a section and subdivision of law. Print only one character in the center of each box.
    - If one of the eight ovals is filled in below this box, do **NOT** write the section and subdivision of law in this box.

24. VIOLATION TYPE - Fill in the appropriate oval to indicate whether the offense being charged is a TRAFFIC INFRACTION or MISDEMEANOR.

25. LAW TYPE - Fill in the appropriate oval to indicate the type of law being charged. If the law is not listed, list the type of law in the OTHER LAW box below.

26. LAW SECTION OVALS - If applicable, fill in the appropriate oval to indicate the section of V&T Law being charged for the offense committed. If the oval is filled in, do **NOT** write the section and subdivision of V&T Law in Box 23 above. Please note that the section and subdivision is printed to the right of the oval. If the violation is for any other subdivision, the section and subdivision must be printed in Box 23.




27. DESCRIPTION/NARRATIVE - Print the description of the offense being charged (i.e.: Passed stop sign, etc.). Print the Vehicle Identification Number (VIN) for any violation that requires the VIN, indicating that the number is the VIN (i.e.: No insurance, improper plates, etc.).
    - Print any pertinent information required that has no other designated area (i.e.: weights and measures information, no insurance, improper plates, unregistered, etc.).
    - Identify and print any other miscellaneous information that may be required.

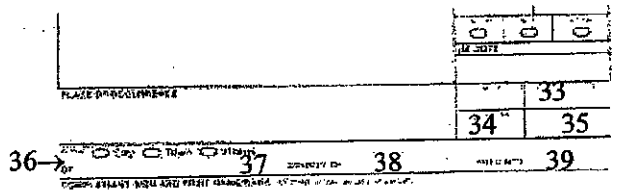
28. MPH/IN MPH ZONE - Use for speed in zone violations; print the actual speed in MPH box. Print the posted speed limit in the MPH ZONE box.

29. COM VEH, BUS, HAZ MAT - If applicable, fill in the appropriate oval if a commercial vehicle or bus is being operated at time of offense, and/or if hazardous material is transported.

30. US DOT # - Print the US Department of Transportation number (US DOT #), if appropriate.

31. PLACE OF OCCURRENCE - Print the address and street name where the offense occurred (i.e.: Central Av E/B at Main St., IFO 1060 Madison Av, I-90 E, east of exit 2, etc.). Use route numbers, if assigned, instead of street names if possible.

32. HWY # - Print the number assigned to the street or highway where the offense occurred, and enter the numeric digits only.
    - If more than one number is assigned, use only ONE number. First use Interstate #, if none, use State #, if none, use County #, if none, use Local #.
    - If no number is assigned, then a dash (-) is to be entered in this box.




33. LOCATION CODE - Print the appropriate four-digit location code. This number is based on your geographic location. The first two digits indicate the County of occurrence; the last two indicate the political subdivision within the County.
    - The LOCATION CODE list is prepared by DMV and distributed to each agency.
    - New York City does not have a location code; the Officer's Command Code is sufficient for determining a location (see #45)

34. HWY TYPE - Print the approved numeric digit to indicate the type of highway upon which the offense occurred. The approved list of highway types is at the end of this guidebook.

35. NCIC - Print the five digit NATIONAL CRIME INFORMATION CTR or ORI number assigned to the issuing officer's agency.

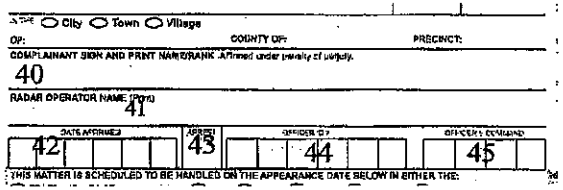
36. IN THE (Political Subdivision) - Fill in the oval to indicate whether the offense occurred in a City, Town, or Village.

37. OF (Name of Jurisdiction) - Print the name of the Jurisdiction where the offense occurred.

38. COUNTY OF - Print the first four letters of the name of the County where the offense occurred (i.e.: Albany = ALBA; Queens = QUEE; New York County = NEWY).

39. PRECINCT - Print the number of the Precinct, if any, where the offense occurred.






40. COMPLAINANT - The officer issuing the ticket is to both sign the ticket and clearly print his/her rank followed by name, printing last name, first name, and middle initial. This section is affirmed under penalty of perjury.

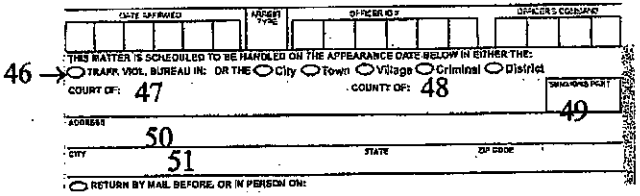
41. RADAR OPERATOR - If an officer other than the issuing officer was the Radar Operator, enter the Radar Operator's name, by clearly printing the last name, first name, middle initial and his/her rank.

42. DATE AFFIRMED - Print the date the ticket was affirmed following the MMDDYY format, under penalty of perjury.

43. ARREST TYPE - Print the **approved one character alpha** or **numeric code** for the type of activity or investigation where the issuing officer was participating, which resulted in the ticket's issuance. The approved codes for ARREST TYPE are at the end of this guidebook.

44. OFFICER ID # - Print the number used to identify the issuing officer. This number may be the Shield or Badge number, a Personal Identification Number (PIN), or a Tax Registry Number, as assigned by the issuing officer's agency.

45. OFFICER'S COMMAND - If applicable, print the alpha or numeric characters that designate the location of the issuing Officer's Command. The information entered in this box will be determined by the issuing officer's agency. The issuing agency may use this box for their own geographic breakdown, if they desire.




46. COURT/ADJUDICATION INFORMATION - Indicate the court or jurisdiction (TVB or TSLED Court) where the ticket is returnable, by filling in the appropriate oval.
    - Choose ONLY ONE oval. Jurisdiction is based on variable factors, such as geographic location and type of offense being charged.
    - Issuing officers are to follow the directives of their respective agencies as to where to make the ticket returnable.

47. COURT OF - Print the name of the TSLED court where the ticket is returnable. If the ticket is returnable to a TVB, the information is preprinted on the motorist's copy so no other information is required.

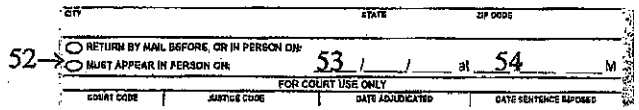
48. COUNTY OF - Print the name of the county where the court is located.

49. SUMMONS PART - If applicable, print the designated summons part of the TSLED Court where the ticket is returnable.

50. ADDRESS - Print the address of the TSLED Court where the ticket is returnable.

51. CITY, STATE, ZIP CODE - Print the city, state, and zip code of the TSLED Court where the ticket is returnable.






52. APPEARANCE INFORMATION - Indicate whether the offender can choose to reply by mail or in person, or must appear in person, by filling in the appropriate oval. The issuing officer is to familiarize themselves with the offenses that require a personal appearance by the offender.

53. DATE OF APPEARANCE - Print the date of appearance where the ticket is returnable using the MMDDYY format.

54. TIME OF APPEARANCE
    - Print the time the offender is to appear in the TSLED Court noted above.
    - Use twelve-hour time (for example, 9:30 AM, 7:30 PM).
    - Print an 'A' for appearances in the forenoon hours (AM from 12:01am until 12:00 Noon), or print a 'P' for appearances in the afternoon hours (PM from 12:01 Noon until 12:00 Midnight).

**NOTE:**
**THE REMAINING PORTION OF THE TICKET IS TO BE COMPLETED BY TVB OR TSLED COURT PERSONNEL ONLY.**

# TRAFFIC TICKET CODES

## VEHICLE TYPE

| Type | Code | Type | Code |
|---|---|---|---|
| Passenger | 1 | Truck/Trailer | 6 |
| Bus | 2 | Recreation Vehicle | 7 |
| Motorcycle | 3 | Farm Vehicle | 8 |
| Moped | 4 | All Others | 9 |
| Truck | 5 | No Vehicle | 0 |
| Pick-Up Truck | P | All Terrain Vehicle | A |
| Van | V | Bicycle | B |

## HIGHWAY TYPE

| Type | Code | Type | Code |
|---|---|---|---|
| Interstate | 1 | City | 6 |
| State | 2 | Off Road | 7 |
| County | 3 | Parking Lot | 8 |
| Town | 4 | Parkway | 9 |
| Village | 5 | | |

## ARREST TYPE

| Type | Code | Type | Code |
|---|---|---|---|
| Patrol | 1 | Personal Injury Accident | 6 |
| Radar | 2 | Fatal Accident | 7 |
| Road Check | 3 | Air Craft | 8 |
| Scales | 4 | Other | 9 |
| Property Damage Accident | 5 | Vascar | V |
| Work Zone | 6 | Laser | L |

## COLOR OF VEHICLE

| Color | Abbr. | Standard Color | Abbr. |
|---|---|---|---|
| Black | BK | Pink | PK |
| Blue | BL | Purple | PR |
| Brown | BR | Red | RD |
| Gold | GL | Tan | TN |
| Gray | GY | White | WH |
| Green | GR | Yellow | YW |
| Maroon | MR | Multicolor | MC |
| Orange | OR | | |



# TRAFFIC TICKET CODES
# STATE OF LICENSE REGISTRATION

### NCIC State Identifiers

| | | | |
|---|---|---|---|
| ALABAMA | AL | MONTANA | MT |
| ALASKA | AK | NEBRASKA | NB |
| ARIZONA | AZ | NEVADA | NV |
| ARKANSAS | AR | NEW HAMPSHIRE | NH |
| CALIFORNIA | CA | NEW JERSEY | NJ |
| COLORADO | CO | NEW MEXICO | NM |
| CONNECTICUT | CT | NEW YORK | NY |
| DELAWARE | DE | NORTH CAROLINA | NC |
| DISTRICT OF COLUMBIA | DC | NORTH DAKOTA | ND |
| FLORIDA | FL | OHIO | OH |
| GEORGIA | GA | OKLAHOMA | OK |
| HAWAII | HI | OREGON | OR |
| IDAHO | ID | PENNSYLVANIA | PA |
| ILLINOIS | IL | RHODE ISLAND | RI |
| INDIANA | IN | SOUTH CAROLINA | SC |
| IOWA | IA | SOUTH DAKOTA | SD |
| KANSAS | KS | TENNESSEE | TN |
| KENTUCKY | KY | TEXAS | TX |
| LOUISIANA | LA | UTAH | UT |
| MAINE | ME | VERMONT | VT |
| MARYLAND | MD | VIRGINIA | VA |
| MASSACHUSETTS | MA | WASHINGTON | WA |
| MICHIGAN | MI | WEST VIRGINIA | WV |
| MINNESOTA | MN | WISCONSIN | WI |
| MISSISSIPPI | MS | WYOMING | WY |
| MISSOURI | MO | | |

### NCIC Canadian Province Identifiers

| | |
|---|---|
| ALBERTA | AB |
| BRITISH COLUMBIA | BC |
| MANITOBA | MB |
| NEW BRUNSWICK | NK |
| NEWFOUNDLAND (Includes Labrador) | NF |
| NOVA SCOTIA | NS |
| ONTARIO | ON |
| PRINCE EDWARD ISLAND | PE |
| QUEBEC | PQ |
| SASKATCHEWAN | SN |
| YUKON (Territory) | YT |
| NORTHWEST TERRITORIES | NT |

### Other

| | |
|---|---|
| US GOVERNMENT | US |
| FOREIGN LICENSE | FO |
| INTERNATIONAL LICENSE | IT |
| ANY AREA NOT COVERED | ZS |
| UNLICENSED/UNREGISTERED | UN |

# Bias-Free Policing

## 401.1 PURPOSE AND SCOPE

To define and prohibit biased-based policing in all forms.

### 401.1.1 DEFINITIONS

Definitions related to this policy include:

**Bias-based Policing** - Synonymous with "discriminatory policing" and means selective enforcement or non-enforcement of the law, including the selecting or rejecting of particular policing tactics or strategies, based upon an individual's race, ethnicity, national origin, age, gender, religion, disability, status as a victim of domestic violence, English language proficiency, economic status, sexual orientation, or gender identity or expression. Biased-based policing does not mean using any trustworthy information, relevant to the locality and time frame, to identify a person of a particular race, ethnicity, national origin, age, gender, religion, disability, status as a victim of domestic violence, English language proficiency, economic status, sexual orientation, or gender identity in a reliable and recent suspect-specific description.

**Routine or Spontaneous Law Enforcement Activities** - Actions taken by members of the Department in the course of official duties, such as:

(a) Vehicle stops and searches

(b) Pedestrian stops and questioning

(c) Frisks and bodily searches

(d) Consensual and non-consensual searches of persons or property

(e) Detentions, arrests or issuance of summonses

## 401.2 POLICY

Members of the Suffolk County Police Department shall provide fair and equitable police service to all, and shall treat all persons with dignity and respect.

By providing bias-free police service to all persons and communities within Suffolk County, members will increase the effectiveness of the Department as a law enforcement agency and will build mutual trust and respect with those persons and communities.

The Suffolk County Police Department

## 401.3 BIAS-BASED POLICING PROHIBITED

Members are prohibited from engaging in bias-based policing.

(a) Members shall not use race, ethnicity, national origin, age, gender, religion, disability, status as a victim of domestic violence, English language proficiency, economic status, sexual orientation, or gender identity when engaging in routine or spontaneous law

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enforcement activities, except when engaging in appropriate suspect-specific activity to identify a particular person or persons.

(b) Members shall take no action, nor make any decision, based upon a motive influenced by bias, prejudice or discriminatory intent.

Members who have engaged in, ignored or condoned biased-based policing shall be subject to discipline.

(a) Members who have observed or are aware of other members who have engaged in bias-based policing shall immediately report such conduct to a supervisor.

(b) Supervisors receiving notification that a member has engaged in bias-based policing shall report such conduct to the Internal Affairs Bureau in accordance with the Personnel Complaints Policy.

(c) Internal Affairs investigators shall investigate all allegations of bias-based policing in accordance with the Personnel Complaints policy.

No member shall retaliate against any person who reports or provides any information regarding an act of bias-based policing committed by any other member.

## 401.4 PROCEDURE

When engaging in routine or spontaneous law enforcement activities, members should:

(a) Assess situations before initiating individual contact only by objectively evaluating indicators of potential criminal activity and/or suspect specific characteristics.

(b) Once individual contact is initiated, members should:

1. Willingly share the reason for the stop or detention, unless doing so would compromise officer safety or the safety of the public.
2. Make decisions regarding subsequent courses of action based upon an objective assessment of the circumstances.
3. Ensure that detentions take no longer than is reasonable for the known or suspected offense or incident.

(c) After individual contact has ceased, members should follow standard reporting practices as outlined in these the Policy Manual and its associated procedures, including the receipt, notification and referral of any complaints.

### 401.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

When documenting a contact, (e.g., arrest report, Intelligence Debriefing Worksheet (PDCS-1206b) , the involved officer should include those facts giving rise to the contact.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

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401.4.2 REPORTING TRAFFIC STOPS
Each time an officer makes a traffic stop, the officer shall report any information as required in the Traffic Policy.

## 401.5 SUPERVISOR RESPONSIBILITIES
Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

## 401.6 ADMINISTRATION
The Police Commissioner or designee should periodically review the efforts of the Department to provide fair and objective policing to identify any changes in training or operations that should be made to improve service.

## 401.7 TRAINING
Training on fair and objective policing and review of this policy should be conducted as directed by the Commanding Officer of the Police Academy Bureau.

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# Attachments

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# Intelligence Deriefing Worksheet (PDCS-1206b).pdf

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**POLICE DEPARTMENT, COUNTY OF SUFFOLK, NY**
*ACCREDITED LAW ENFORCEMENT AGENCY*
**INTELLIGENCE DEBRIEFING WORKSHEET**

**CC#** _____ **CIS#** _____

*Person Type: P=Person Interviewed C=Company of T=Target A=Arrestee O=Other

| LAST NAME, FIRST, MI: | *PER TYPE | STREET NAME / ALIAS: | SOCIAL SECURITY # | DOB |
|---|---|---|---|---|
| | | | | |

| ADDRESS, CITY, STATE | DATE | TIME | SECTOR |
|---|---|---|---|
| | | | |

| HOME PHONE | CELL PHONE | WORK PHONE | E-MAIL ADDRESS |
|---|---|---|---|
| | | | |

| LOCATION OF INTERVIEW | COUNTRY OF BIRTH |
|---|---|
| | |

| OCCUPATION / EMPLOYER | BUSINESS ADDRESS | PREVIOUS ARREST |
|---|---|---|
| | | ☐ YES ☐ NO ☐ UNK<br>☐ FILE CHECK ☐ WARRANT CHECK |

**DESCRIPTION**

| SEX | RACE | HAIR | COMPLEXION | FEATURES |
|---|---|---|---|---|
| | | | ☐ LIGHT ☐ MED ☐ DARK<br>☐ POCK MARK ☐ OTHER | ☐ GLASSES ☐ BEARD<br>☐ MUSTACHE |

| HEIGHT | WEIGHT | EYES | MARKS | TATTOO TYPE | TATTOO LOCATION |
|---|---|---|---|---|---|
| | | | ☐ SCAR<br>☐ TATTOO | ☐ GANG RELATED<br>☐ NON GANG | ☐ ARMS ☐ TORSO<br>☐ LEGS ☐ HEAD |

**Is the subject a confirmed Gang member?** ☐ **Yes** ☐ **No** **If yes, circle criteria codes as per Debriefing Guide and explain in Remarks:**

**One of the following: (1) (2) Two of the following: 1 2 3 4 5 6 7 8 9 10**

| GANG ACCESSORIES | OUTER GARMENT DESCRIPTION / COLORS |
|---|---|
| ☐ BEADS ☐ MEDALLIONS ☐ OTHER | ☐ BLOUSE ☐ SWEATER ☐ SHIRT/JACKET/COAT ☐ PANTS ☐ SUIT ☐ DRESS/SKIRT ☐ HAT/BANDANA |

**VEHICLE**

| COLOR | YEAR | MAKE | MODEL | VIN NUMBER |
|---|---|---|---|---|
| | | | | |

| DRIVER/PASSENGER | LIC NUMBER | STATE | PLATE | VEH OCCUPIED |
|---|---|---|---|---|
| | | | | |

| Per 1 | Type | Name (Last, First, Middle) | Per 2 | Type | Name (Last, First, Middle) |
|---|---|---|---|---|---|
| Address | | | Address | | |
| D.O.B. | Home Tel # | Cell Tel # / E-mail | D.O.B: | Home Tel # | Cell Tel # / E-mail |
| Per 3 | Type | Name (Last, First, Middle) | Per 4 | Type | Name (Last, First, Middle) |
| Address | | | Address | | |
| D.O.B. | Home Tel # | Cell Tel # / E-mail | D.O.B. | Home Tel # | Cell Tel # / E-mail |

**Background:** ___ Criminal Intelligence Gang Database checked? ___ File 15 check done? ___ Other, CJIS Data (DMV Multiname check, etc.)

☐ **Y** ☐ **N** Subject on Parole? If yes, name of Parole Officer _____ **NOTIFIED** ☐ **Y** ☐ **N**
☐ **Y** ☐ **N** Subject on Probation? If yes, name of Probation Officer _____ **NOTIFIED** ☐ **Y** ☐ **N**
☐ **Y** ☐ **N** Is Subject a Registered Sex Offender?
☐ **Y** ☐ **N** Search of Person, Premise or Vehicle. If yes, note in Remarks section below.

**COVER THE FOLLOWING TOPICS IN DEBRIEFING**

| | | | | | | |
|---|---|---|---|---|---|---|
| Criminal Gangs | Wanted Persons | Hate Crimes | Drug Crimes | Sex Crimes | Graffiti | Buying, Selling, Possessing Guns |
| Stolen Property | Homicide | Burglaries | Robberies | ID Theft | Criminal Mischief | Current Criminal Patterns/Trends |

**REMARKS / RESULTS OF DEBRIEFING**

**Debriefing Officer:** _____ **Entered by:** _____

**CASE REFERRED TO:** **Command:** _____ **Officer:** _____

DISTRIBUTION: **Original —Field Intelligence Officer**

**PDCS-1206b**

# Personnel Investigations and Complaints

## 1010.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Suffolk County Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact with a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

## 1010.2 POLICY

The Suffolk County Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local laws, county rules and the requirements of any collective bargaining agreements.

It is also the policy of the Department to ensure that the community can report misconduct without concern for reprisal or retaliation.

## 1010.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of Department policy or federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

### 1010.3.1 POLICY/PROCEDURAL COMPLAINTS

Policy/procedural complaints are those complaints lodged that allege an inadequate or improper Department policy or procedure. Policy/procedural complaints do not allege misconduct on the part of a member of the Department.

See procedure for further guidance: POLICY AND PROCEDURAL COMPLAINTS

### 1010.3.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

(a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.

(b) Any Department member becoming aware of alleged misconduct shall immediately notify a supervisor or the Internal Affairs Bureau. Members may make such complaints anonymously through the confidential hotline (631-852-6378) provided by the Department.

(c) Supervisors shall initiate a complaint based upon receipt from any source alleging misconduct.

(d) Supervisors may initiate a complaint as appropriate upon observed misconduct.

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(e) Anonymous and third-party complaints shall be accepted and investigated to the extent practicable.

(f) Upon receipt of a Notice of Claim and/or a summons and complaint.

(g) Suffolk County Human Rights Commission and other external agency referrals.

## 1010.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

### 1010.4.1 ACCEPTANCE

Any person wishing to make a personnel or policy/procedure complaint shall be promptly referred to a supervisor. Complaints may be filed in writing, by email or orally, either in person or by telephone. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit an online complaint form via the Blue Team program as appropriate. If the Blue Team program is not available, the Civilian Complaint Form PDCS-1300f will be completed and the information will be added to the Blue Team program when the program becomes available. A copy of either a printed online Civilian Complaint Report or the manually completed Civilian Complaint Form PDCS-1300f shall be given to the complainant upon initial completion. When the online report is utilized, the complainant shall also be given the "Record ID#". This number is automatically generated when the civilian complaint is entered online and the complainants can utilize the number to identify their complaint. The "Record ID#" is indicated on the Citizen Complaint Summary. Copies should also be forwarded to the Commanding Officer of the reporting command.

Once a supervisor has been notified that a person wishes to report employee misconduct, the supervisor will make every effort to assist the person. This shall include recording the allegation where the person is physically located, unless doing so would jeopardize officer safety, interfere with a criminal investigation, or interfere with other police activity to an unacceptable degree. If it cannot be immediately determined that a member of the Department was involved in the alleged misconduct, but the person describes circumstances that would warrant the reception of a complaint, the supervisor shall receive the complaint.

### 1010.4.2 COMPLAINT/COMPLIMENT FORMS

Compliment Complaint Information Report (PDCS-1300-1d) forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the Department website. Forms may also be available at other county facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

### 1010.4.3 ALLEGATIONS OF MISCONDUCT BY EMPLOYEES OF OTHER AGENCIES

If a person alleges employee misconduct by a law enforcement officer or civilian employee of another law enforcement or government agency, members of the Department shall immediately notify a supervisor. When a supervisor is advised that a person alleges employee misconduct by a member of another law enforcement agency, that supervisor shall immediately contact the Internal

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Affairs Bureau, who will be responsible for notifying the concerned agency. Such notifications to the Internal Affairs Bureau will normally be made by telephone. During those hours when the Internal Affairs Bureau is not staffed, notifications shall be made via Internal Correspondence (PDCS-2042), sent by facsimile.

If there is an allegation of serious misconduct or a threat to any person, the supervisor shall also immediately notify the concerned agency and the Commanding Officer of the Internal Affairs Bureau or his/her designee. The Communications Section supervisor can assist with obtaining contact information.

## 1010.5 DOCUMENTATION

Supervisors shall ensure that all complaints are documented as described in the Acceptance section of this policy. The supervisor shall ensure that all pertinent information is documented.

A Supervisor's Complaint Report (PDCS-2213) shall be completed when the complaint originates from a supervisor who observes or has knowledge of the circumstances.

## 1010.6 ADMINISTRATIVE INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows.

### 1010.6.1 SUPERVISOR RESPONSIBILITIES

The Internal Affairs Bureau (IAB) will be notified of all allegations of employee misconduct, either automatically through the online civilian complaint reporting system, or by the reporting member forwarding the manually completed Civilian Complaint Report (PDCS-1300f) , or by the citizen-completed Compliment Complaint Information Report (PDCS-1300-1d) , or by any other report, as soon as possible via facsimile. Thereafter, the normally required form distribution process shall be followed.

In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, or whenever a member of the Department may have engaged in conduct of a serious or sensitive nature, such as drug use, bribery, or excessive force resulting in significant injury, that supervisor shall immediately notify the Commanding Officer and the Internal Affairs Bureau, and prepare any reports deemed necessary.

All allegations of officer misconduct relating to illegal profiling, bias-based policing or discriminatory policing, regardless of the manner in which reported, shall be forwarded to Internal Affairs Bureau as soon as practicable, but no later than 48 hours from receipt. The Commanding Officer of Internal Affairs Bureau, or designee, shall verify that this deadline is met by comparing the "report date" with the date of receipt in IAB.

Depending on the circumstances and nature of the conduct alleged, the Internal Affairs Bureau may either assume direct responsibility for the investigation or refer the complaint to the appropriate division for follow-up investigation. The division chief or designee shall assign the investigation to the appropriate command.

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If the Commanding Officer to which a case has been assigned believes the investigation should be conducted by another command, that recommendation should be noted in a report to the appropriate division chief. If the division chief concurs with the recommendation, the Commanding Officer will notify the complainant advising of such action, giving the name, business phone number, and command of the person who has been assigned to investigate the complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include, but are not limited to:

(a) Ensuring that upon receiving or initiating any complaint, an online complaint form is completed via the Blue Team program, or a Supervisor's Complaint Form (PDCS-2213) is completed as applicable.

(b) Responding to all complaints in a courteous and professional manner.

(c) Ensuring that the Acknowledgement of Complaint Form (PDCS-1300-3) is immediately mailed to the complainant.

(d) Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.

(e) When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.

1010.6.2 INTERNAL AFFAIRS BUREAU RESPONSIBILITIES

Responsibilities of the Internal Affairs Bureau include the following:

(a) Conducting investigations as directed by the Police Commissioner, including those involving allegations against members of the Department emanating from legal action and those received from the Suffolk County Human Rights Commission.

    1. These investigations shall be conducted timely and, absent any unforeseen circumstances, shall be completed within 60 days. The Police Commissioner or designee shall be notified in writing of all instances where investigations exceed 60 days.

(b) Conducting investigations when the following specific misconduct is alleged against members of the Department:

    1. Criminal conduct and/or corruption, with appropriate consultation with the District Attorney's Office

    2. Biased/discriminatory policing and/or illegal profiling

    3. Excessive force (excluding minor injury)

    4. Improper drug and alcohol use

(c) The Internal Affairs Bureau will investigate those complaints which, by their nature, sensitivity or circumstances, are not appropriate for referral to a division for investigation.

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(d) Notify the Police Commissioner and appropriate division chiefs of the outcome of all civilian complaints or investigations conducted within the command. All completed cases involving allegations of biased/discriminatory policing and/or illegal profiling shall be forwarded to the Police Commissioner immediately upon completion for review.

(e) On a semi-annual basis, forward a report to the Department Title VI. Designee (as defined in the Discrimination, Harassment and Workplace Violence Policy) which summarizes the year-to-date intake and disposition of civilian complaints alleging biased-based, discriminatory policing, illegal profiling and/or ADA requests for accommodation.

(f) Immediately contact the Police Commissioner or designee of alleged misconduct requiring timely notifications.

(g) Retain written records of disciplinary actions of Department members. Records shall be kept on file in perpetuity unless otherwise ordered by the Police Commissioner.

(h) Review, for approval, all completed civilian complaint investigations forwarded from the divisions.

(i) Maintain records of civilian complaint and investigations and report statistics as directed by the Police Commissioner.

(j) Conduct routine audits to ensure Departmental compliance with the intake process for civilian complaints.

1010.6.3 PERSONNEL COMPLAINT INVESTIGATIONS

The command tasked with the investigation shall send a letter on Department letterhead to the complainant, thanking them for bringing this matter to the Department's attention and including the following:

(a) Internal Affairs Case Number

(b) Name of the investigator

(c) Contact information for the investigator

(d) Notification that the complaint will be thoroughly and impartially investigated

(e) A request that the complainant contact the investigator with any additional witnesses, documentation or information regarding the allegation

Contact with the complainant shall be in their primary language in accordance with the Department's Limited English Proficiency Policy.

Investigations will be conducted by an officer of a rank superior to that of the accused member, as designated by the Commanding Officer of the investigating command. This requirement shall not apply to investigations conducted by the Internal Affairs Bureau.

Investigating supervisors shall immediately report any additional misconduct unrelated to the current investigation that is discovered or the involvement of other Department members.

The investigation will be completed in a format designated by the Internal Affairs Bureau.

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All relevant evidentiary information will be obtained and reviewed, including related Departmental records, complainant and witness statements and any other evidence necessary to formulate a conclusion. Due to the possibility of perceived coercion, no statements/interviews related to an ongoing civilian complaint investigation shall be taken from any person in police custody. The responsibilities of the command tasked with the investigation also include, but are not limited to:

(a) Ensuring that the procedural rights of the accused member are followed.

(b) Ensuring interviews of the complainant are generally conducted during reasonable hours.

(c) Ensuring that at the conclusion of the investigation, all relevant parties, including the complainant, are notified of the disposition. However, notification to the complainant shall not be made if there is pending litigation or a Notice of Claim has been received.

Whether conducted by a supervisor or a member of the Internal Affairs Bureau, administrative investigations will be conducted pursuant to the terms of the current collective bargaining agreement or relevant memorandums of agreement of the following bargaining units:

(a) The Police Benevolent Association

(b) The Suffolk Detectives Association

(c) The Suffolk County Superior Officers' Association

(d) The Association of Municipal Employees

Any employee refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.

(a) Administrative investigators should consider the impact that compelling a statement from the employee may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications). See the Criminal Investigation section of this policy for additional information.

(b) Prior to commencing the interview, an employee should be given an order to answer questions in an administrative investigation and be given a Garrity advisement, which shall state that:

1. The employee is being ordered to fully and truthfully answer all questions relating to the performance of official duties and matters relevant to continuing fitness for service.

2. As a matter of law, no truthful answers given, nor any information gained by reason of such answers, may be used against the employee in any criminal proceeding.

3. Disciplinary action, including dismissal, may be undertaken against the employee if he/she fails to answer, or fails to answer fully and truthfully.

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(c) No employee may be compelled to submit to a psychological stress evaluator examination, nor shall any refusal to submit to such examination be mentioned in any investigation (Labor Law § 735).

(d) The administration of polygraph examinations shall be in accordance with the current collective bargaining agreement.

Members may be ordered to submit to certain objective methods of action when such means are necessary and directly related to Internal Affairs Bureau investigations:

(a) Drug Testing - For reasonable suspicion, and a supervisor can articulate a reason to drug test the member. Results shall be used for administrative purposes only.

(b) Photographs of members are routinely utilized as necessary.

(c) A member may be required to participate in a physical line-up.

(d) A member may be required to furnish a financial disclosure statement providing it is narrowly focused and directly related to an investigation.

### 1010.6.4 NEGATIVE PERSONAL CONTACT INVESTIGATIONS

Negative personal contacts are defined as allegations reported to the Department of a nature related solely to the involved member's alleged unprofessional attitude and/or language, while engaged in law enforcement or official actions. If a complaint is considered a negative personal contact, the investigation shall be conducted pursuant to Department policy and procedure utilizing the Negative Personal Contact-Supervisors Investigation Report (PDCS-1299d) or an Internal Correspondence (PDCS-2042) in the format prescribed by the Internal Affairs Bureau.

See procedure for further guidance: NEGATIVE PERSONAL CONTACT INVESTIGATIONS

### 1010.6.5 ADMINISTRATIVE INVESTIGATION FORMAT

Investigations of personnel complaints shall be thorough, complete and follow the format established by the Internal Affairs Bureau. The prescribed format is available on the Department Intranet under "Programs".

### 1010.6.6 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

**Substantiated** - The facts clearly support the allegations.

**Unsubstantiated** - Allegation cannot be resolved by investigation because sufficient evidence is not available to conclusively prove or disprove the conduct alleged.

**Exonerated** - The alleged act did occur but was legal, proper and necessary. The following are examples of Exonerated:

(a) Allegations of false arrest wherein a legal, proper and necessary arrest did occur.

(b) Allegations of excessive force wherein legal, proper and necessary force was used.

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(c) Allegations of an improper verbal exchange (rudeness, cursing, etc.), wherein a proper verbal exchange did occur, consistent with Department guidelines, but the alleged misconduct did not.

**Unfounded** - The alleged act did not occur and the complaint is false. Any information that could lead one to believe that the act took place would require a conclusion other than Unfounded. The following are examples of Unfounded:

(a) Allegation of false arrest wherein no arrest occurred.

(b) Allegation of excessive force wherein no force was used.

(c) Allegation of an improper verbal exchange (rudeness, cursing etc.) and there was no contact between the complainant and the alleged officer(s) involved.

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1010.6.7 COMPLETION OF INVESTIGATIONS
All investigations conducted pursuant to this policy shall be completed as expeditiously as possible, without sacrificing accuracy, thoroughness and completeness. All investigations should be completed within 60 days, although the specific circumstances may result in a longer investigation.

1010.6.8 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS
The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

## 1010.7 ADMINISTRATIVE SEARCHES

Lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

## 1010.8 SUSPENSION FROM DUTY

Officers may be suspended from duty whenever, in the opinion of the Police Commissioner, such action is necessary. In addition, such suspension is in accordance with the Civil Service Law, the Suffolk County Administrative Code, the respective collective bargaining agreement or other applicable law.

(a) Upon suspension, an officer promptly surrenders all Departmental property, service weapon and all other revolvers and pistols possessed. Revolvers, pistols and identification cards are surrendered in accordance with the Firearms Policy and Procedure. Other Department property is invoiced to the Quartermaster and returned to the officer when relieved from suspension.

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(b) During the period of suspension, an officer does not wear any part of a Departmental uniform or carry any police equipment.

## 1010.9 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator should be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Police Commissioner shall be notified as soon as practicable when a member is accused of criminal conduct. The Police Commissioner may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be provided with all rights afforded to a civilian. The member should not be administratively ordered to provide any information in the criminal investigation.

The Suffolk County Police Department may release information concerning the arrest or detention of any member. No disciplinary action should be taken until an independent administrative investigation is conducted.

## 1010.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, an investigation report should be forwarded for review as prescribed by the Police Commissioner. Each level of command should review the report and approve forwarding or return it for modification. The Police Commissioner may accept or modify any classification or recommendation for disciplinary action.

### 1010.10.1 COMMANDING OFFICER RESPONSIBILITIES

For cases investigated by commands other than the Internal Affairs Bureau, Commanding Officers are responsible for all civilian complaint investigations within their commands.

Commanding Officers shall review all completed investigations for concurrence and if disciplinary action against the involved member is warranted, prepare a written report to the appropriate division chief including the findings and any action taken or recommended. In appropriate cases, Commanding Officers may dispose of violations of Department policy, procedure, orders or instructions by the Command Discipline Process.

See procedure for further guidance: COMMAND DISCIPLINE

Upon completion of the investigation and prior to sending any correspondence to the complainant detailing the results of the investigation, the Commanding Officer will contact a member of the legal staff of the Office of the Commissioner to ascertain whether or not a Notice of Claim has been received regarding the complaint. If a Notice of Claim has not been received, the Commanding Officer shall notify the complainant of the outcome of the investigation, or in the case of a Negative Personal Contact, ensure notification has been made. If a Notice of Claim has been received, the Commanding Officer shall contact the Internal Affairs Bureau.

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Commanding Officers shall submit all civilian complaint investigations to their division chief.

### 1010.10.2 DIVISION CHIEF RESPONSIBILITIES

The appropriate Division Chief shall review all civilian complaints to ensure that a thorough and complete investigation has been conducted and that any recommendations, actions taken, or findings are supported by the facts of the investigation. The Division Chief, after review and approval, will forward all complaint investigations to the Internal Affairs Bureau.

### 1010.10.3 POLICE COMMISSIONER RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Police Commissioner or designee shall review the recommendation and all accompanying materials. The Police Commissioner may modify any recommendation and/or may return the file to the Internal Affairs Bureau for further investigation or action.

### 1010.10.4 POLICE COMMISSIONER DISCIPLINE OF OFFICERS

The Police Commissioner, pursuant to Section A13-7(c) of the Suffolk County Administrative Code, may designate the Deputy Commissioner, an officer holding the rank of Captain or above, or a special hearing officer to conduct hearings on charges against any officer below the rank of Captain. The hearing officer shall report his/her findings and recommendations to the Commissioner for appropriate action.

The Police Commissioner has the power, pursuant to the Civil Service Law, the Suffolk County Administrative Code, the respective collective bargaining agreement or other applicable law, to discipline an officer by one of the following penalties, or if agreed to by the Commissioner and the officer, a combination of these penalties:

(a) Reprimand

(b) Fine

(c) Suspension, with or without pay

(d) Dismissal or removal from the service

(e) Reduction in rank to any grade below that in which the officer is serving

Officers may be disciplined for the following reasons:

(a) Violation of Department policy, procedures, orders or instructions

(b) Conduct unbecoming an officer

(c) Neglect of duty

(d) Disobedience of orders

(e) Cowardice

(f) Intoxication on-duty

(g) Intoxication in uniform

(h) Absence without leave

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(i) Making a false official communication

(j) Conviction of any criminal offense

(k) Using or possessing unauthorized drugs

(l) Refusing to submit to a chemical test

(m) Altering results of a chemical test

(n) Incapacity

(o) Immoral conduct

(p) Conduct injurious to the public welfare

(q) Failure to properly supervise subordinates

(r) Any other breach of discipline

Once the Police Commissioner or designee is satisfied that no further investigation or action is required by staff, the Police Commissioner shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed charges are preferred in writing against an officer alleged to be guilty of infractions of Department policies, orders and instructions, or the case is referred to the officer's Commanding Officer for Command Discipline as appropriate (see Commanding Officer Responsibilities above for information related to Command Discipline Procedures). The accused is offered an opportunity to be represented by an attorney (Civil Service Law § 75).

See procedure for further guidance: CHARGES AND SPECIFICATIONS

The employee shall be given an opportunity to respond in writing to the Police Commissioner within 10 days of receiving the notice. Upon a showing of good cause by the employee, the Police Commissioner may grant a reasonable extension of time for the employee to respond.

Charges and specifications are adjudicated by Departmental hearing or arbitration in accordance with the applicable collective bargaining agreement.

### 1010.10.5 POLICE COMMISSIONER DISCIPLINE OF CIVILIAN MEMBERS OF THE DEPARTMENT

The Police Commissioner has the power to discipline a civilian member of the Department by one of the following penalties, or if agreed to by the Commissioner and the civilian member, a combination of these penalties:

(a) Reprimand

(b) Fine

(c) Suspension, with or without pay

(d) Dismissal

(e) Reduction in grade and title

Civilian members of the Department are disciplined for the following reasons :

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(a) Violation of Department policy, procedure, orders or instructions
(b) Neglect of duty
(c) Disobedience of orders
(d) Intoxication on-duty
(e) Absence without leave
(f) Making a false official communication
(g) Conviction of any criminal offense
(h) Using or possessing unauthorized drugs
(i) Refusing to submit to a chemical test
(j) Altering results of a chemical test
(k) Incapacity
(l) Immoral conduct
(m) Conduct injurious to the public welfare
(n) Any other breach of discipline

Civilian members of the Department are disciplined in accordance with the Suffolk County Employee Disciplinary Manual and Disciplinary Manual for Supervisors , Civil Service Law §75 and the applicable collective bargaining agreement.

See procedure for further guidance: CIVILIAN DISCIPLINE

1010.10.6 NOTICE OF CHARGES
Any charges brought against an employee shall be in writing and within the time frame prescribed by law (Civil Service Law § 75).

## 1010.11 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

## 1010.12 POST-DISCIPLINE APPEAL RIGHTS

An employee may have the right to appeal disciplinary action using the procedures established by Civil Service Law § 76, any collective bargaining agreement and/or personnel rules.

A petition to the Police Commissioner to reconsider his/her determination to fine, suspend, dismiss or otherwise discipline an officer will not be granted after the expiration of 30 days from the service of notice of such determination upon the officer so fined, suspended, dismissed or otherwise disciplined.

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### 1010.13 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

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# Attachments

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# Civilian Complaint Form PDCS-1300f.pdf

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POLICE DEPARTMENT, COUNTY OF SUFFOLK, N.Y.

# CIVILIAN COMPLAINT REPORT

PDCS-1300f 53-0205..8/94Mcs

**ALERT #** _____

☐ **THIRD PARTY COMPLAINT ALERT # REQUIRED**

☐ **THIRD PARTY COMPLAINT ALERT # NOT REQUIRED**

**INSTRUCTIONS:** The officer in charge (O.I.C.) will complete the appropriate portions of this form when reporting a civilian complaint (written, verbal or otherwise) alleging misconduct by a member of the Department or an improper or inadequate Department policy or procedure. The completed form along with any relative documents (photos, statement, medical records, etc.) will be forwarded to the commanding officer of the officer in charge. The complainant will be advised that the commanding officer or his representative will contact them regarding the complaint. The commanding officer will ensure that the appropriate distribution of this form and related paperwork is made.

**DISTRIBUTION:** PERSONNEL: Original-Internal Affairs Bureau; 1st copy-subject officer's C.O.; 2nd copy-Division Chief; 3rd copy-Complainant.
PROCEDURAL: Original-Internal Affairs Bureau; 1st copy-Chief of Dept.; 2nd copy-Division Chief; 3rd copy-Complainant.

| | | | | |
|---|---|---|---|---|
| DATE/TIME RECEIVED | HOW COMPLAINT RECEIVED ☐ PERSON ☐ MAIL ☐ TELEPHONE ☐ OTHER | | | |
| RECEIVING OFFICER | RANK | SHIELD | COMMAND | SQUAD |
| COMPLAINANT'S LAST NAME, FIRST, M.I. | | DATE OF BIRTH | ☐ MALE ☐ FEMALE | |
| ADDRESS | | | HOME PHONE | |
| OCCUPATION | ADDRESS | | BUSINESS PHONE | |
| PRIMARY LANGUAGE OF COMPLAINANT ☐ ENGLISH ☐ SPANISH ☐ OTHER | | REPRESENTATIVE/INTERPRETER | | |
| ADDRESS | | | PHONE | |

| | | | | |
|---|---|---|---|---|
| NAME OF POLICE OFFICER(S) IF UNKNOWN PROVIDE DESCRIPTION(S) | SHIELD(S) | TYPE OF DUTY ☐ AUTO ☐ FOOT PATROL ☐ CIVILIAN CLOTHES ☐ OTHER (EXPLAIN) | CAR OR POST NO. | COMM. OR PCT. |
| LOCATION OF INCIDENT(S) (INCLUDE VILLAGE, TOWN, OR HAMLET) | | | DATE & TIME OF OCCURRENCE | |
| WITNESSES - NAME/ADDRESS/PHONE NUMBER | | NAME OF ATTORNEY/ADDRESS/OR PHONE NUMBER | | |
| DOES COMPLAINANT GIVE PERMISSION TO BE CONTACTED AT PLACE OF EMPLOYMENT? ☐ YES ☐ NO | | DEPOSITION TAKEN ☐ YES ☐ NO | OTHER DOCUMENTATION ☐ PHOTOGRAPHS ☐ OTHER ☐ PHYSICAL EVIDENCE | |

INDICATE NATURE OF COMPLAINT: ☐ PERSONNEL ☐ PROCEDURAL

BRIEF DETAILS OF COMPLAINANT (INCLUDE CC#, A#, IF APPLICABLE)

| | |
|---|---|
| OFFICER IN CHARGE - ACTION TAKEN<br>☐ RESOLVED - NO FURTHER ACTION REQUIRED<br>☐ FORWARD TO C.O. | COMMANDING OFFICER - ACTION TAKEN<br>☐ TO BE INVESTIGATED WITHIN COMMAND ☐ RESOLVED WITHIN COMMAND<br>☐ FORWARD TO _____ FOR INVESTIGATION |
| SIGNATURE COMMAND/SQUAD DATE/TIME | SIGNATURE COMMAND/SQUAD DATE/TIME |

# Compliment Complaint Information Report (PDCS-1300-1d).pdf

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**POLICE DEPARTMENT, COUNTY OF SUFFOLK, N.Y.**
*ACCREDITED LAW ENFORCEMENT AGENCY*
**COMPLIMENT/COMPLAINT INFORMATION REPORT** PDCS-1300-1d

| INTERNAL AFFAIRS BUREAU USE ONLY | |
|---|---|
| Received: | |
| IAB #: | |

The Suffolk County Police Department is committed to providing the highest quality police services to each and every member of the community and your input is important to us. If you have a compliment or a complaint concerning an SCPD employee, please do **ONE** of the following:

- Complete this form and submit it directly to any SCPD precinct, or to Police Headquarters, or fax it to **(631) 852-6259**.
- Mail it to: ***Suffolk County Police Headquarters, Internal Affairs Bureau (IAB), 30 Yaphank Avenue, Yaphank, NY 11980***.
- Telephone the Internal Affairs Bureau at **631-852-6265**, or free of charge by dialing **1-888-382-1798** (Spanish interpretation is available).
- E-mail Internal Affairs at: ***SCPD.INTERNALAFFAIRS@suffolkcountyny.gov***.
- Telephone the **Suffolk County Human Rights Commission** at **631-853-5480**.

**Check the appropriate category:** ☐ **Compliment** ☐ **Complaint** **CC #** (if applicable) _____

| Name: Last, First, M.I. | | Date of Birth | ☐ M ☐ F |
|---|---|---|---|
| Address | | Home Phone | |
| E-Mail Address | Cell Phone | Work Phone ☐ Permission to contact | |
| Person Assisting (Interpreter, Representative) | Relationship | Contact Phone # | |
| If Applicable: Witness Name: Last, First. M.I. | | Home Phone | |
| Address | | Cell Phone | |

**INCIDENT**

| Date of Incident | Time of Incident | Location of Incident |
|---|---|---|
| | | |

**EMPLOYEE INFORMATION** (if known)

| Rank/Title | Command | Shield | Name | ☐ M ☐ F |
|---|---|---|---|---|
| ☐ Plainclothes ☐ Uniform | ☐ On Foot ☐ In Car | ☐ Marked Car ☐ Unmarked | Patrol Car #: | License Plate #: |
| Physical Description of Employee (eye color, hair color, approximate height and build, age, etc.) | | | | |

**DESCRIPTION OF INCIDENT** (please include as much detail as possible)

Would you like a Police Department supervisor to contact you with regard to your comments? ☐ **Yes** ☐ **No**

**Date:**_____ **Signature:** _____

**DEPARTAMENTO DE POLICÍA, CONDADO DE SUFFOLK, NUEVA YORK**
*OFICINA POLICIAL AUTORIZADA*
**INFORME DE AGRADECIMIENTO/RECLAMO** PDCS-1300-1d-SP
(Compliment/Complaint Information Report)

| SÓLO PARA USO DE LA OFICINA DE ASUNTOS INTERNOS |
|---|
| Recibido: _____ |
| N.° de IAR: _____ |

El Departamento de Policía del Condado de Suffolk se compromete a proporcionar servicios policiales de la mejor calidad a cada miembro de la comunidad y su opinión es importante para nosotros. Si usted tiene algún agradecimiento o reclamo en relación con un empleado del SCPD, opte por alguna de las siguientes opciones:

- Complete este formulario y envíelo directamente a algún distrito del SCPD o a las Oficinas Centrales de la Policía, o por fax al (631) 852-6259.
- Envíelo por correo a: *Oficinas Centrales de la Policía del Condado de Suffolk, Oficina de Asuntos Internos (IAB), 30 Yaphank Avenue, Yaphank, NY 11980.*
- Comuníquese con la Oficina de Asuntos Internos por teléfono al 631-775-2077 (Un operador estará disponible en español), o gratis llamando al 1-888-382-1798.
- Envíe un correo electrónico a Asuntos Internos a: **SCPD.INTERNALAFFAIRS@suffolkcountyny.gov.**
- Comuníquese con **la Comisión de Derechos Humanos al 631-853-5480**.

**Seleccione la categoría correcta:** ☐ **Agradecimiento** ☐ **Reclamo** ☐ **RC N.° (si corresponde)** _____

| Nombre: Apellido, nombre, inicial del segundo nombre | | Fecha de nacimiento | ☐ M ☐ F |
|---|---|---|---|
| Dirección | | Teléfono de la casa | |
| Dirección de correo electrónico | Teléfono celular: | Teléfono del trabajo ☐ Permiso para llamar | |

| Persona que asiste (intérprete, representante) | Relación | N.° telefónico del contacto |
|---|---|---|
| Si corresponde: Nombre del testigo: Apellido, nombre, inicial del segundo nombre | | Teléfono de la casa |
| Dirección | | Teléfono celular: |

**INCIDENTE**

| Fecha del incidente | Hora del incidente | Lugar del incidente |
|---|---|---|
| | | |

**INFORMACIÓN DEL EMPLEADO**

| Rango/Título | División | Placa | Nombre | ☐ M ☐ F |
|---|---|---|---|---|
| | | | | |

| ☐ Vestimenta de civil ☐ Uniforme | ☐ Peatón ☐ En auto | ☐ Credencial marcada ☐ Sin marcar | N.° de patrullero: | N.° de la placa: |
|---|---|---|---|---|

Descripción física de los empleados (color de ojos, color de cabello, contextura y alturas aproximadas, edad, etc.)

**DESCRIPCIÓN DEL INCIDENTE** (incluya toda la información que sea posible)

¿Le gustaría que un supervisor del Departamento de Policía se comunicara con usted por sus comentarios? ☐ Sí ☐ No

Fecha: _____ Firma: _____

# Supervisors Complaint Report (PDCS-2213).pdf

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POLICE DEPARTMENT, COUNTY OF SUFFOLK, NY

# SUPERVISOR'S COMPLAINT REPORT

PDCS-2213

DISCIPLINE CASE NO.

**INSTRUCTIONS:** 1. One copy shall be prepared when employee and superior are assigned to the same command and shall serve as the record copy.

2. Two copies shall be prepared when the employee and superior are assigned to different commands. The original copy will be forwarded to the Commanding Officer of the employee concerned. The second copy shall be retained at the command of the superior preparing the report.

3. Commanding Officers must investigate allegations and report disposition under section entitled FOLLOW-UP.

| NAME | RANK | SHIELD | COMMAND |
|---|---|---|---|
| | | | |

| LOCATION VIOLATION OCCURRED | DATE | TIME | DAY OF WEEK |
|---|---|---|---|
| | | | |

| COMPLAINANT (IF ANY) | HOME ADDRESS | HOME PHONE NO. |
|---|---|---|
| | | |

| EMPLOYER | EMPLOYER'S ADDRESS | BUSINESS PHONE NO. |
|---|---|---|
| | | |

DETAILS OF VIOLATION

**IMMEDIATE ACTION**

THE OFFICER **WAS** ☐ **WAS NOT** ☐ WARNED AND ADMONISHED, AND **WAS** ☐ **WAS NOT** ☐ INSTRUCTED IN PROPER PERFORMANCE OF DUTY AND/OR PROCEDURE.

IF NOT (EXPLAIN)

| SIGNATURE OF SUPERVISOR PREPARING REPORT | COMMAND | DATE |
|---|---|---|
| | | |

## FOLLOW-UP

☐ **UNSUBSTANTIATED**

☐ **CHARGES AND SPECIFICATIONS**

**INSPECTION CASE NO.** _____

☐ **COMMAND DISCIPLINE ACCEPTED**

☐ **COMMAND DISCIPLINE REVIEW PANEL**

**FINAL DISPOSITION**

| SIGNATURE OF COMMANDING OFFICER | COMMAND | DATE |
|---|---|---|
| | | |

# Civilian Complaint Report (PDCS-1300f).pdf

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POLICE DEPARTMENT, COUNTY OF SUFFOLK, N.Y.

# CIVILIAN COMPLAINT REPORT

PDCS-1300f 53-0205..8/94Mcs

**ALERT #** _____

☐ **THIRD PARTY COMPLAINT ALERT # REQUIRED**

☐ **THIRD PARTY COMPLAINT ALERT # NOT REQUIRED**

**INSTRUCTIONS:** The officer in charge (O.I.C.) will complete the appropriate portions of this form when reporting a civilian complaint (written, verbal or otherwise) alleging misconduct by a member of the Department or an improper or inadequate Department policy or procedure. The completed form along with any relative documents (photos, statement, medical records, etc.) will be forwarded to the commanding officer of the officer in charge. The complainant will be advised that the commanding officer or his representative will contact them regarding the complaint. The commanding officer will ensure that the appropriate distribution of this form and related paperwork is made.

**DISTRIBUTION:** PERSONNEL: Original-Internal Affairs Bureau; 1st copy-subject officer's C.O.; 2nd copy-Division Chief; 3rd copy-Complainant.
PROCEDURAL: Original-Internal Affairs Bureau; 1st copy-Chief of Dept.; 2nd copy-Division Chief; 3rd copy-Complainant.

| | | | | |
|---|---|---|---|---|
| DATE/TIME RECEIVED | HOW COMPLAINT RECEIVED ☐ PERSON ☐ MAIL ☐ TELEPHONE ☐ OTHER | | | |
| RECEIVING OFFICER | RANK | SHIELD | COMMAND | SQUAD |
| COMPLAINANT'S LAST NAME, FIRST, M.I. | | DATE OF BIRTH | | ☐ MALE ☐ FEMALE |
| ADDRESS | | | HOME PHONE | |
| OCCUPATION | ADDRESS | | BUSINESS PHONE | |
| PRIMARY LANGUAGE OF COMPLAINANT ☐ ENGLISH ☐ SPANISH ☐ OTHER | | REPRESENTATIVE/INTERPRETER | | |
| ADDRESS | | | PHONE | |
| NAME OF POLICE OFFICER(S) IF UNKNOWN PROVIDE DESCRIPTION(S) | | SHIELD(S) | TYPE OF DUTY ☐ AUTO ☐ FOOT PATROL ☐ CIVILIAN CLOTHES ☐ OTHER (EXPLAIN) | CAR OR POST NO. / COMM. OR PCT. |
| LOCATION OF INCIDENT(S) (INCLUDE VILLAGE, TOWN, OR HAMLET) | | | DATE & TIME OF OCCURRENCE | |
| WITNESSES - NAME/ADDRESS/PHONE NUMBER | | NAME OF ATTORNEY/ADDRESS/OR PHONE NUMBER | | |
| DOES COMPLAINANT GIVE PERMISSION TO BE CONTACTED AT PLACE OF EMPLOYMENT? ☐ YES ☐ NO | | DEPOSITION TAKEN ☐ YES ☐ NO | OTHER DOCUMENTATION ☐ PHOTOGRAPHS ☐ OTHER ☐ PHYSICAL EVIDENCE | |

INDICATE NATURE OF COMPLAINT: ☐ PERSONNEL ☐ PROCEDURAL

BRIEF DETAILS OF COMPLAINANT (INCLUDE CC#, A#, IF APPLICABLE)

| OFFICER IN CHARGE - ACTION TAKEN | COMMANDING OFFICER - ACTION TAKEN |
|---|---|
| ☐ RESOLVED - NO FURTHER ACTION REQUIRED | ☐ TO BE INVESTIGATED WITHIN COMMAND ☐ RESOLVED WITHIN COMMAND |
| ☐ FORWARD TO C.O. | ☐ FORWARD TO _____ FOR INVESTIGATION |
| SIGNATURE COMMAND/SQUAD DATE/TIME | SIGNATURE COMMAND/SQUAD DATE/TIME |

# Acknowledgement of Complaint PDCS-1300-3 Lexipol 1010.pdf

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**POLICE DEPARTMENT, COUNTY OF SUFFOLK, N.Y.**
*ACCREDITED LAW ENFORCEMENT AGENCY*
**ACKNOWLEDGEMENT OF COMPLAINT** PDCS-1300-3

**INTERNAL AFFAIRS BUREAU**
IA #:
DATE:

| SUPERVISOR RECEIVING COMPLAINT | TELEPHONE #: |
|---|---|
| RECORD ID NUMBER | DATE |

The Suffolk County Police Department has received and recorded your allegation concerning a SCPD employee. We take your allegation very seriously and thank you for the information you have provided. Please be assured that the Department will investigate this matter thoroughly, in an impartial and fair manner. If you have any questions or concerns regarding this investigation, you may contact Internal Affairs Bureau by:

**Mail**: Suffolk County Police Headquarters
Internal Affairs Bureau (IAB)
30 Yaphank Avenue
Yaphank, NY 11980

**Fax**: 631-852-6259

**Phone**: **631-852-6265**, or free of charge by dialing **1-888-382-1798**.

**E-mail**: SCPD.INTERNALAFFAIRS@suffolkcountyny.gov

While your complaint has already been recorded, you should be aware that complaints regarding members of the Suffolk County Police Department can also be reported to the Human Rights Commission by calling **(631) 853-5480**.

Investigations will be conducted in a comprehensive and impartial manner in accordance with the following Suffolk County Police Department policy:

- The investigator will contact and interview you, the involved member(s) of the Police Department, and available witnesses. Please inform your investigator of any additional witnesses, evidence or documentation.
- The investigator will closely review all available evidentiary material and documentation regarding the matter.
- Based on a careful review of the interviews and all available evidentiary material, the investigator will prepare a comprehensive report.
- This report will be reviewed at numerous levels of supervision within the Department, including Division Chiefs. In many instances, cases and associated reports will also be reviewed by the Police Commissioner and Deputy Police Commissioner, and will be forwarded to the District Attorney's Office for review.
- You will be notified of the findings of the investigation.

Should you have questions regarding the investigation or the conclusion that is drawn, please feel free to contact either the investigating supervisor or IAB immediately using any of the above contact options.

The Suffolk County Police Department is committed to providing the highest level of professional, efficient and effective service to each and every member of the community we serve. It should be noted the Suffolk County Police Department does not inquire as to the immigration status of victims, witnesses or persons requesting or receiving police assistance.

# Negative Personal Contact-Supervisors Investigation Report (PDCS-1299d).pdf

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**POLICE DEPARTMENT, COUNTY OF SUFFOLK, N.Y.**
*ACCREDITED LAW ENFORCEMENT AGENCY*
**NEGATIVE PERSONAL CONTACT– SUPERVISOR'S INVESTIGATION REPORT** PDCS-1299d

**DATE REPORTED:** _____ **IA #** _____

**TIME OF INCIDENT INFORMATION**

**INVOLVED MEMBER'S IMMEDIATE SUPERVISOR:** _____

**INVOLVED MEMBER'S: NAME:** _____ **RANK/TITLE:** _____ **COMMAND:** _____

**SUPERVISOR'S INVESTIGATION**

**INTERVIEW DATE:** _____

**INVOLVED MEMBER'S DESCRIPTION OF ENCOUNTER:** (Interview with Member conducted by Lt. or above)

**WITNESS OR DOCUMENTATION:**

**SUPERVISORY ACTION TAKEN:** **SUPERVISOR CONDUCTING INTERVIEW:** _____
PRINT NAME and RANK

**COMPLAINANT NOTIFIED:** ☐ TELEPHONE (DATE) _____ ☐ LETTER SENT (ATTACHED)

**STATUS:** ☐ SUBSTANTIATED ☐ EXONERATED ☐ UNSUBSTANTIATED ☐ UNFOUNDED

INVESTIGATING SUPERVISOR'S SIGNATURE DATE | APPROVAL OF COMMANDING OFFICER DATE | IAB REVIEW/APPROVAL DATE

DISTRIBUTION: ORIGINAL – INTERNAL AFFAIRS BUREAU; YELLOW - MEMBER'S COMMANDING OFFICER; PINK - APPROPRIATE DIVISION CHIEF

# Disciplinary Manual for Supervisors.pdf

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# DISCIPLINARY MANUAL FOR SUPERVISORS

## RULES & REGULATIONS

## THE COUNTY OF SUFFOLK




**STEVEN BELLONE**
**SUFFOLK COUNTY EXECUTIVE**

**Office of Labor Relations**

# INTRODUCTION

For employees to perform their jobs to the best of their abilities, they must know what is expected of them. Toward this end, this Disciplinary Manual has been developed to serve as a guide.

This manual is intended to serve as a communications tool within each Department to assist you in successfully carrying out your responsibilities to management, your employees and the citizens we serve. It contains policy statements, as well as administrative and operating instructions with related forms designed to promote standardized work flows.

Please read its contents carefully and keep it readily available for reference.

Suffolk County Executive

Office of Labor Relations

# DISCIPLINE

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## Bill of Rights

To insure that individual rights of employees are maintained, the following shall represent the employees' **Bill of Rights:**

1. In all disciplinary hearing proceedings, the burden of proof that discipline is for just cause shall rest with the employer.
2. An employee shall be entitled to a union representative or an attorney at each step of a disciplinary proceeding instituted.
3. An employee shall be entitled to a union representative or an attorney at an interrogation if it is determined by the questioner or reviewer at that time that such employee is a likely subject for disciplinary action.
4. No recording device shall be used nor shall any stenographic record be taken during an interrogation unless the employee is so advised in advance.
5. Except as provided in Section 7 below, no statement(s) or admission(s) made by an employee during an interrogation held without that employee having the opportunity of a union representative or an attorney will be subsequently used in a disciplinary proceeding against such employee.
6. No employee against whom disciplinary action has been initiated shall be requested to sign any statement or admission of guilt, to be used in a disciplinary proceeding without the opportunity to have a union representative or an attorney.
7. An employee shall be entitled to a union representative at each step of the grievance procedure.
8. An employee shall not be coerced or suffer any reprisal either directly or indirectly that may adversely affect that individual's hours, wages, or working conditions as the result of the exercise of the rights provided by this Agreement.

9. Disagreements arising as to the interpretation or application of this Bill of Rights shall not be specifically addressed under this Bill of Rights but must be grieved under the appropriate Article contained in the Agreement.

The purpose of this Section is to provide a prompt, equitable and efficient procedure for the imposition of discipline for just cause. Both parties to this Agreement recognize the importance of counseling and the principle of corrective discipline. Prior to initiating formal disciplinary action pursuant to this Section, the appointing authority, or the authority's designee, is encouraged to resolve matters informally: provided, however, such informal action shall not be construed to be a part of the disciplinary procedure contained in this Section and shall not restrict the right of the appointing authority, or the designee to consult with or otherwise counsel employees regarding their conduct or to initiate disciplinary action.

Employee Rights

(a) Employees may represent themselves or be accompanied for purposes of representation by A.M.E. or an attorney, at meetings or hearings held pursuant to the disciplinary procedure set forth in the agreement, and when, as provided in subdivision (b) or (c) below, the employee is required to submit to an interrogation or requested to sign a statement. Unless the employee declines representation, a reasonable period of time shall be given to obtain a representative. If the employee requests representation and the employee or A.M.E. fails to provide a representative within a reasonable period of time, the meetings or hearings under the disciplinary procedure may proceed an interrogation as provided in subdivision (b) below may proceed, or the employee may be requested to sign a statement as provided in subdivision (c) below. An arbitrator under this Section shall

have the power to find that a delay in providing a representative may have been unreasonable. Where an employee elects to be represented by A.M.E. the representative shall not suffer any loss of earnings or be required to charge leave credits for absence from work as a result of accompanying an employee for purposes of representation as provided in this subdivision.

(b) An "interrogation" shall be defined to mean the questioning of an employee who at the time of the questioning, has been determined to be likely subject for disciplinary action. The routine questioning of an employee by a supervisor or other representative of management to obtain factual information about an occurrence, incident, or situation or the requirement that an employee submit an oral or written report describing an occurrence, incident or situation, shall not be considered an interrogation. If during the course of such routine questioning or review of such oral or written report, the questioner or reviewer determines that the employee is a likely subject for disciplinary action, the employee shall be so advised. An employee shall be required to submit to an interrogation by a department or agency (1) if the information sought is for use against such employee in a disciplinary proceeding, or (2) after a notice of discipline has been served on such employee only if the employee has been notified, in advance of the interrogation, of the rights to representation as provided in subdivision (a) above. If an employee is improperly subjected to interrogation in violation of the provisions of this subdivision (b), no information obtained solely through such interrogation shall be used against the employee in any disciplinary action. No recording device shall be used nor shall any stenographic record be taken during an interrogation unless the employee is advised

in advance that a record is being made. A copy of any formal record shall be supplied to the employee upon request.

(c) No employee who has been served with a notice of discipline or who has been determined to be a likely subject for disciplinary action shall be requested to sign any statement regarding a matter which is the subject of a disciplinary action unless offered the right to have a representative of A.M.E. or an attorney present and, if he or she requests such representation, is afforded a reasonable period of time to obtain a representative. A copy of any statement signed by an employee shall be supplied to him or to her. Any statements signed by an employee without having been so supplied to him or her may not subsequently be used in a disciplinary proceeding.

(d) An employee shall not be coerced, intimidated or caused to suffer any reprisal, either directly or indirectly, that may adversely affect wages or working conditions as the result of the exercise of the rights under this Section.

## DISCIPLINARY ACTION/CONDUCT

In order to continue operating in a safe, orderly and effective manner, certain rules are necessary. They are to guide each employee in his/her conduct and responsibilities while working for the County.

Employees who fail to abide by these established rules will be subject to corrective discipline or discharge. Corrective discipline may range from a simple verbal warning for minor offenses or omissions, to discharge for more serious or repeated infractions.

It is the responsibility of each supervisor to maintain proper standards of work and conduct. These standards are based on common sense and good business practices. Disciplinary action may be necessary to carry out your responsibilities.

Each supervisor must:

(a) Take into consideration the seriousness of the offense.

(b) Consider how often the person has broken rules in the recent past.

(c) Prior to interviewing an employee, notify him/her of his/her right to have an Association representative present at any disciplinary interview.

(d) Ask the employee for his/her explanation of the infraction.

(e) Interview any witnesses.

(f) Obtain all the facts. Be sure who did what, where it happened, when it occurred, why it happened as it did and who witnessed it.

(g) Give a clear explanation of the offense to the offender.

(h) Give patient and thorough instructions on how to do the work correctly or about proper conduct and warn the employee that violations of these rules will lead to further disciplinary action.

(i) Consistently interpret the County's policies. The supervisor should not ignore several variances and suddenly enforce a procedure to the detriment of an individual employee.

## DISCIPLINARY PROCEDURE

(For those employees NOT entitled to a Section 75 Hearing as per Civil Service Law)

Violation of any of these rules will cause the following disciplinary action to be taken:

1st Violation - A verbal reprimand will be issued and a memo of same, signed by the employee and supervisor will be held on file in the Department's Central Administration Office. This memo will not be placed in the employee's personnel file unless further violations occur.

2nd Violation - A written reprimand form will be issued with a copy of the verbal reprimand memo attached with both copies placed in the employee's personnel file and copies forwarded to the Office of Labor Relations Department.

3rd Violation - A written reprimand form will be issued with copies distributed as described above in "2nd Violation". Further disciplinary action may consist of a suspension without pay of one (1) to three (3) work days or a fine of up to $25.00 deducted from the employee's wages or both. An employee who has been assigned a County car may be subject to losing this privilege.

A disciplinary hearing is to be conducted by central administration of each department to determine the appropriate penalty to be imposed. However, such hearing officer will not be a supervisor who is directly involved with the issuance of the

written reprimand. A disciplinary hearing must be conducted where disciplinary action beyond the issuance of a written reprimand is requested. Prior to the disciplinary hearing, written notice of any alleged violation shall be served upon the employee at least eleven (11) calendar days prior to the hearing unless mutually waived by the parties.

4th Violation - A written reprimand form will be issued with copies distributed as explained above in "2nd Violation". Further disciplinary action may consist of a suspension without pay up to a maximum of thirty (30) calendar days or up to a thirty (30) day deduction from vacation or compensatory time accruals, up to a $50.00 fine to be deducted from the employee's wages, or both. A disciplinary hearing will be conducted as described above.

5th Violation - A written reprimand form will be issued with copies distributed as above. Further, up to a two (2) month suspension without pay or up to a two month deduction from vacation or compensatory time accruals, a fine not to exceed $100.00 to be deducted from the employee's wages, demotion in grade and title, or any combination thereof or termination pursuant to a separate proceeding under Section 75 of the Civil Service Law.

The listing of violations and suggested disciplinary action is a guide to the supervisor. If after investigation, it is the Supervisor's opinion that the offense by the employee requires a more/or less severe penalty than what is called for at that level, the supervisor will proceed to the appropriate disciplinary level.

The following are examples of MINOR offenses:

1. An employee being out of his/her department and/or away from his/her assigned work area or duty station for other than authorized work purposes during working hours, unless permission is given by his/her supervisor due to an emergency.

2. An employee playing games, or participating in hobbies or crafts of any kind during working hours or engaging in any unauthorized activities during working hours.
3. An employee who does not give an excusable written reason for tardiness or absenteeism and/or gives a deceitful reason to his/her immediate supervisor.
4. An employee being careless or negligent with regard to his/her employment.
5. An employee failing to follow posted time clock/sign-in procedures.
6. Congregating during working hours without authorization for other than work purposes.
7. An employee soliciting during working hours without prior approval from the Office of Labor Relations.
8. An employee using County telephones, vehicles, or property for other than authorized work purposes.
9. An employee conducting him/herself in a manner unbecoming a County employee.
10. Any accident resulting in personal injury and/or property damage, however slight, (inclusive of injury to employee resulting in a compensation claim) if not reported in writing immediately to the employee's supervisor, unless unable due to an emergency situation. In such case, it will be reported as soon as practicable.
11. An employee not wearing the proper uniform or protective apparel.
12. Any violation of the department's rules and procedures.

The following are examples of <u>MAJOR</u> offenses which will require a more severe penalty than those imposed under Items "1" through "12":

13. An employee being insubordinate, refusing to obey an authorized order to perform his/her job.

14. An employee abusing or maliciously damaging County property.
15. An employee failing to perform a fair day's work for the base rate paid from starting time to stopping time.
16. An employee restricting, encouraging or sponsoring the restriction of production.
* 17. An employee being impaired in the performance of his/her duties due to consumption of alcohol, drugs, etc.
18. An employee being unable to perform his/her duties due to the loss, suspension, revocation or termination of a qualifying license.
19. An employee fighting during working hours or any intentional act which inflicts bodily harm or injury on him/herself or another during working hours.
20. An employee intentionally falsifying County records.
21. An employee stealing.
22. An employee carrying a dangerous firearm or weapon during working hours without proper authorization.
23. An employee acting in an immoral manner during working hours.
24. An employee sleeping during scheduled working hours.
25. Violation of Federal Communications Commission's Rules and Regulations governing mobile radios.
26. An employee violating a safety rule.
27. An employee not in compliance with the Standard Operating Procedure entitled, "Personal Protective Equipment."
28. An unauthorized absence (any time out of work without prior approval or insufficient time accrued to cover the absence).
29. Chronic absenteeism and/or tardiness.

* At no time should an attempt be made to physically remove an impaired, violent employee. If it is felt that the employee should be removed from the work place and refuses to leave, the Police should be called.

Additionally, an impaired employee should not be allowed to drive home. The employee's family should be advised in order to provide transportation. If that is not possible, the employee should be taken home by another employee or Taxi cab if necessary.

**HEALTH SERVICES**
**SUPERVISOR'S RECORD OF**
**(maintained in central administration)**

**VERBAL REPRIMAND**
**County of Suffolk**

Issued To: _____ Date: _____
Job Title: _____ Issued By: _____
Date of Infraction: _____ Time: _____ Location: _____

(NOTE: THE EMPLOYEE HAS THE RIGHT TO HAVE AN ASSOCIATION REPRESENTATIVE PRESENT AT THIS DISCIPLINARY INTERVIEW.)
This verbal warning is being issued as a constructive reminder that a recurrence will require the issuance of a "Written Reprimand". The cause of this verbal warning is as follows:
Description of Incident: (For additional space, please attach separate pages:

_____

_____

_____

_____

_____

_____

By signing this form it does not necessarily mean I agree with its contents. It merely shows that I have read and understand it.

Date: _____

_____
Signature of Employee

_____
Signature of Supervisor

_____
Signature of Union Representative

_____
Signature of Supervisor's Witness

Employee has read the contents of this reprimand but refuses to sign.

_____
Supervisor's Signature

_____
Witness\Union Representative

_____
**Print** Supervisor's Name & Date

_____
**Print** Witness\Union Rep. Date

## VERBAL REPRIMAND FORM PROCEDURE

Purpose: The purpose of the "Verbal Reprimand" form is to formally acknowledge to an employee that he/she has acted improperly and that another occurrence within a reasonable period of time will cause the issuance of a written reprimand form.

When to Use: Upon the first occurrence of an act which is cause for disciplinary action.

How the Supervisor Completes this Form:

(a) Complete the upper portion requiring necessary identification data.

(b) Complete the middle portion describing what, when, where and why the infraction occurred.

(c) Notify the employee that he/she has the right to have an Association representative present at the disciplinary interview.

(d) Obtain the employee's signature and date, the signature of your witness and date and your signature and date.

(e) If the employee refuses to sign the copy of the verbal reprimand, the Supervisor and the Union representative will sign under the statement, "Employee has read the contents of this reprimand, but refuses to sign." If the employee waives his right to have a union representative present, then the Supervisor's witness will sign under the statement.

Disposition: When completed, this form should be filed in the Department's Central Administration Office. This memo will NOT be filed in the employee's personnel file unless further violations occur requiring the issuance of a written reprimand form. The verbal reprimand form will then be attached to the written reprimand form and both will be filed in the employee's personnel file.

**HEALTH SERVICES**

**WRITTEN REPRIMAND**
**County of Suffolk**

Issued To: _____ Date: _____
Job Title: _____ Issued By: _____
Date of Infraction: _____ Time: ___ Location: _____

(NOTE: EMPLOYEE HAS THE RIGHT TO HAVE AN ASSOCIATION REPRESENTATIVE PRESENT AT THIS DISCIPLINARY INTERVIEW.)
Below is a statement of a violation which has required the issuance of this written reprimand form. This may be cause for further disciplinary action:
Description of Incident: (For additional space, please attach separate pages:

_____

_____

_____

_____

_____

_____

By signing this form it does not necessarily mean I agree with its contents. It merely shows that I have read and understand it.

Date: _____

_____ _____
Signature of Employee Signature of Supervisor

_____ _____
Signature of Union Representative Signature of Supervisor's Witness

Employee has read the contents of this reprimand but refuses to sign.

_____ _____
Supervisor's Signature Witness\Union Representative

_____ _____
**Print** Supervisor's Name & Date **Print** Witness\Union Rep. Date

## WRITTEN REPRIMAND FORM PROCEDURE

Purpose:

The purpose of the "Written Reprimand" form is to formally acknowledge to any employee that the/she has acted improperly and to make it a permanent part of his/her record with the County.

When to Use:

(a) Prior verbal warnings are not necessary in cases of major violations.

(b) It should be issued by a supervisor only when he/she has all the facts concerning the infraction:

1. When it occurred.
2. Who was involved.
3. What actually happened.
4. Where it occurred.
5. Why the employee acted in such a way.

(c) The supervisor, after he/she has gathered his/her facts, should notify the employee that he/she has the right to have an Association representative present at the disciplinary interview. At the interview, confront the employee with the facts and give him/her an opportunity to give his/her side of the story.

(d) If there are prior verbal reprimands, then the written reprimand with the verbal reprimands attached will be issued to the employee. The original forms will be filed in the employee's personnel file.

How the Supervisor Completes this Form:

(a) Complete the upper portion calling for the employee's name, job, title, date, time and location of infraction.

(b) Complete the portion "Description of Incident" by detailing what happened and summarize the employee's reason as to why it occurred.

(c) Complete portions "Signature of Employee", "Signature of Union Representative", "Signature of Supervisor's Witness" and "Dates" by obtaining their respective signatures. This should only be done if it is the first "written Reprimand" where no penalty will be imposed. If a written reprimand is to be issued for a major offense or if it is not the first written reprimand, the completed form minus the signatures should be sent to the Department's Disciplinary Officer to set up a Progressive Discipline Hearing at which time the form will be signed by all parties. If the employee refuses to sign the copy, the supervisor may insert the material in the file after signing, along with the Union Representative, under the statement, "I hereby certify that the employee named above has seen and read this material but has refused to affix his/her signature hereto". The supervisor and his/her witness will then sign and date the form.

Disposition:

When completed, give one (1) copy to the employee and forward the other to the Department's Disciplinary Officer who will see to it that the notice gets placed in the employee's personnel file and a copy sent to the Personnel & Labor Relations office.

FORM

DISCIPLINARY RECORD SUMMARY/EMPLOYEE FILE

COUNTY OF SUFFOLK

Name _____ Job Title: _____

Date of Hire: _____ Department: _____

Veteran: ___ Volunteer Fireman: ___

| Date | Type of Infraction | Supervisor | Action Taken |
|---|---|---|---|
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## DISCIPLINARY RECORD SUMMARY/EMPLOYEE FILE FORM PROCEDURE

Purpose:

The purpose of the "Disciplinary Record Summary/Employee File Form" is to provide a summary of the verbal warnings and "Written Reprimand" forms issued to each employee.

When to Use:

(a) The Department's Disciplinary Officer should update the form each time a "Verbal Warning" or "Written Reprimand" form is given to an employee.

How the Department's Disciplinary Officer Should Complete:

(a) Complete the upper portion calling for the employee's name, job title, date of hire, Department and whether the employee is a Veteran or Volunteer Fireman.

(b) Complete the appropriate line calling for the dates, type of infraction, supervisor's initials and action taken.

Disposition:

When complete, leave the form in the employee's disciplinary file.

Discussion:

If an employee requests a copy of his/her Disciplinary Record Summary, ask the Department's Disciplinary Officer to comply.

Employees are permitted to reproduce, once a year, upon their request, any material in their personnel file.

## DISCIPLINARY ACTION

Statement of Intent:

(a) If after investigation by the supervisor, disciplinary action is warranted, the supervisor will notify the employee that he/she will meet with them regarding the infraction. The employee will be notified of his/her right to have an Association representative present.* This will ensure that the meeting is not delayed by an

employee requesting representation. The Association representatives presence will show them that weinvestigate and document infractions and will limit the comments which he/she can make to only the facts of the situation. It also points out to the employee that the Association representative can only discuss the facts and can not take action in the employee's behalf which would be contrary to sound management principles.

(b) If the Department Head or his/her designated representative deems that further disciplinary action beyond a written reprimand is needed, a disciplinary hearing must be conducted. The hearing must be held where the offense or continued offenses by the employee requires a penalty more severe than a written reprimand and less severe than termination pursuant to a separate proceeding under Section 75 of the Civil Service Law. The disciplinary hearing will be conducted by the Department Heads designated representative from Central Administration. Written notice of any alleged violation shall be served upon the employee at least eleven (11) days prior to the hearing unless mutually waived by the parties. Such waiver must be in writing. The notice of disciplinary hearing must contain the date, time, location, the alleged violation and the employee has the right to have an Association representative present. After the disciplinary hearing, the employee must receive written notice of any disciplinary action.

* The Sheriff's Department shall continue its past practice unless and until further clarification is made.

(c) It is the responsibility of the supervisor to maintain a proper standard of work and conduct. If you feel the issuance of a reprimand is warranted, you should do so. The reprimand serves as a warning to the employee that he/she has violated a work rule/standard and that further violations will lead to more severe penalties. The reprimand should be used as a management tool to warn the employee and give him/her an opportunity to improve. If the employee fails to improve and continues to violate work rules/standards, the penalty should become progressively stiffer and ultimately lead to termination. You are the supervisor and you must enforce the work rules.

## Disciplinary Action/Veterans, Exempt Volunteer Firemen Permanently Appointed Competitive Class Personnel Section 75

Section 75 of the Civil Service Law states that any of the following "shall not be removed or otherwise subjected to any disciplinary penalty ... except for incompetency or misconduct shown after a hearing upon stated charges."

(a) A person holding a position by permanent appointment in the competitive class of the classified civil service, or,

(b) A person holding a position by permanent appointment or employment in the classified service... who is an honorably discharged member of the armed forces of the Unites States having served therein as such member in time of war as defined in Section 85, or who is an exempt volunteer fireman as defined in the general municipal law.

(c) Any non-competitive or labor class employee who has been a full-time County employee for at least five (5) years.

Additionally, as per the Collective Bargaining Agreement, any non-competitive or labor class employee who has been a full-time County employee for at least one (1) year, is entitled to a Section 75 Hearing before being terminated.

If the department wishes to issue a verbal reprimand or written reprimand, the following procedure must be adhered to:

1st Violation -- A verbal reprimand will be issued and a memo of same signed by the employee and supervisor will be held on file in the Department's Central Administration Office. This memo will not be placed in the employee's personnel file unless further violations of these rules occur.

2nd Violation -- A written reprimand form will be issued with a copy of the verbal reprimand memo attached with both copies placed in the employee's personnel file and copies forwarded to the Office Labor Relations Office.

I, _____, understand that Suffolk County is seeking termination of my employment.

By signing this waiver, I am exercising my right to request final and binding arbitration in lieu of Section 75 and Section 76 of Civil Service Law.

Signature:_____

Date:_____

The A.M.E. contract, Section 15A provides that where the County is seeking the termination of an employee, the employee may elect to proceed to arbitration regarding whether the County had just cause, in lieu of a hearing pursuant to Section 75 or Section 76 of Civil Service Law and shall execute a waiver at the time of exercising the arbitration option. (See waiver on Page 20)

Procedure for Removal or Other Disciplinary Action:

1. A person against whom removal or other disciplinary action is proposed must be given written notice of the reasons for such action and must be given at least eleven (11) days for answering the charges in writing.
2. As per the contract between the County and the Suffolk County Association of Municipal Employees (AME), the hearing shall be held by the Director of Labor Relations or his/her designee.

   (a) When the Director of Labor Relations or another presides at the hearing, he/she shall make a record of such hearing and refer it and his/her recommendation to the Commissioner of the Department for whom the employee works.

   (b) The employee against whom charges are preferred may be represented by counsel and allowed to summon witnesses in his/her behalf. These witnesses, if County employees, shall utilize their own time and not be on County time.

   (c) The burden of proving incompetency or misconduct shall be on the County.
3. The employee against whom charges have been preferred may be suspended without pay for a period not exceeding thirty (30) days pending the hearing and determination of charges.

   (a) If the employee is found guilty of the charges, the penalty or punishment may consist of:

   1. A reprimand

2. A fine not to exceed $100 to be deducted from the employee's wages.
3. Suspension without pay for a period not exceeding two (2) months.
4. Demotion in grade and title.
5. Dismissal.

The time in which an employee is suspended without pay may be considered as part of the penalty.

(a) If the employee is acquitted of the charges, he/she shall be restored to his/her position with full pay for the period of suspension less the amount of compensation which he/she may have earned in any other employment or occupation and any unemployment insurance benefits he/she may have received during such period.

(b) If the employee is found guilty of the charges, a copy of the charges, his written answer, a transcript of the hearing and the determination shall be filed in the Director of Labor Relations and the Commissioner's Office and a copy shall also be filed with the Civil Service Commission.

(c) No removal or disciplinary proceeding shall be commenced more than eighteen (18) months after the occurrence of the alleged incompetency, or misconduct. This limitation shall not apply where the incompetency or misconduct described in the charges would, if proved in a court of appropriate jurisdiction, constitute a crime.

# Employee Disciplinary Manual.pdf

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# EMPLOYEE DISCIPLINARY MANUAL

# RULES & REGULATIONS

# THE COUNTY OF SUFFOLK

STEVEN BELLONE

SUFFOLK COUNTY EXECUTIVE

Jennifer K. McNamara, Esq.
Director
Office of Labor Relations

COUNTY OF SUFFOLK

RULES AND REGULATIONS

## VIOLATIONS SUBJECT TO DISCIPLINARY ACTION

Please read and familiarize yourself with the attached rules and regulations. It is the responsibility of each employee to know and abide by these rules which are intended to serve as a guide in your daily actions. These and other rules, as defined by the Office of Labor Relations and/or your own department, will assist us in providing responsible service to the taxpayers of Suffolk County.

**Bill of Rights**

To insure that individual rights of employees are maintained, the following shall represent the employees' **Bill of Rights:**

1. In all disciplinary hearing proceedings, the burden of proof that discipline is for just cause shall rest with the employer.
2. An employee shall be entitled to a union representative or an attorney at each step of a disciplinary proceeding instituted.
3. An employee shall be entitled to a union representative or an attorney at an interrogation if it is determined by the questioner or reviewer at that time that such employee is a likely subject for disciplinary action.
4. No recording device shall be used nor shall any stenographic record be taken during an interrogation unless the employee is so advised in advance.
5. Except as provided in Section 7 below, no statement(s) or admission(s) made by an employee during an interrogation held without that employee having the opportunity of a union representative or an attorney will be subsequently used in a disciplinary proceeding against such employee.
6. No employee against whom disciplinary action has been initiated shall be requested to sign any statement or admission of guilt, to be used in a disciplinary proceeding without the opportunity to have a union representative or an attorney.

7. An employee shall be entitled to a union representative at each step of the grievance procedure.

8. An employee shall not be coerced or suffer any reprisal either directly or indirectly that may adversely affect that individual's hours, wages, or working conditions as the result of the exercise of the rights provided by this Agreement.

9. Disagreements arising as to the interpretation or application of this Bill of Rights shall not be specifically addressed under this Bill of Rights but must be grieved under the appropriate Article contained in the Agreement.

The purpose of this Section is to provide a prompt, equitable and efficient procedure for the imposition of discipline for just cause. Both parties to this Agreement recognize the importance of counseling and the principle of corrective discipline. Prior to initiating formal disciplinary action pursuant to this Section, the appointing authority, or the authority's designee, is encouraged to resolve matters informally: provided, however, such informal action shall not be construed to be a part of the disciplinary procedure contained in this Section and shall not restrict the right of the appointing authority, or the designee to consult with or otherwise counsel employees regarding their conduct or to initiate disciplinary action.

Employee Rights

(a) Employees may represent themselves or be accompanied for

purposes of representation by A.M.E. or an attorney, at meetings or hearings held pursuant to the disciplinary procedure set forth in the agreement, and when, as provided in subdivision (b) or (c) below, the employee is required to submit to an interrogation or requested to sign a statement. Unless the employee declines representation, a reasonable period of time shall be given to obtain a representative. If the employee requests representation and the employee or A.M.E. fails to provide a representative within a reasonable period of time, the meetings or hearings under the disciplinary procedure may proceed an interrogation as provided in subdivision (b) below may proceed, or the employee may be requested to sign a statement as provided in subdivision (c) below. An arbitrator under this Section shall have the power to find that a delay in providing a representative may have been unreasonable. Where an employee elects to be represented by A.M.E. the representative shall not suffer any loss of earnings or be required to charge leave credits for absence from work as a result of accompanying an employee for purposes of representation as provided in this subdivision.

(b) An "interrogation" shall be defined to mean the questioning of an employee who at the time of the questioning, has been determined to be likely subject for disciplinary action. The routine questioning of an employee by a supervisor or other representative of management to obtain factual information about an occurrence, incident, or situation or the

requirement that an employee submit an oral or written report describing an occurrence, incident or situation, shall not be considered an interrogation. If during the course of such routine questioning or review of such oral or written report, the questioner or reviewer determines that the employee is a likely subject for disciplinary action, the employee shall be so advised. An employee shall be required to submit to an interrogation by a department or agency (1) if the information sought is for use against such employee in a disciplinary proceeding, or (2) after a notice of discipline has been served on such employee only if the employee has been notified, in advance of the interrogation, of the rights to representation as provided in subdivision (a) above. If an employee is improperly subjected to interrogation in violation of the provisions of this subdivision (b), no information obtained solely through such interrogation shall be used against the employee in any disciplinary action. No recording device shall be used nor shall any stenographic record be taken during an interrogation unless the employee is advised in advance that a record is being made. A copy of any formal record shall be supplied to the employee upon request.

(c) No employee who has been served with a notice of discipline or who has been determined to be a likely subject for disciplinary action shall be requested to sign any statement regarding a matter which is the subject of a disciplinary action unless offered the right to have a representative of

A.M.E. or an attorney present and, if he or she requests such representation, is afforded a reasonable period of time to obtain a representative. A copy of any statement signed by an employee shall be supplied to him or to her. Any statements signed by an employee without having been so supplied to him or her may not subsequently be used in a disciplinary proceeding.

(d) An employee shall not be coerced, intimidated or caused to suffer any reprisal, either directly or indirectly, that may adversely affect wages or working conditions as the result of the exercise of the rights under this Section.

# DISCIPLINARY PROCEDURE

(For those employees NOT entitled to a Section 75 Hearing as per Civil Service Law).

Violation of any of these rules will cause the following disciplinary action to be taken:

1st Violation - A verbal reprimand will be issued and a memo of same, signed by the employee and supervisor, will be held on file in the department's central administration office. This memo will not be placed in the employee's personnel file unless further violations of these rules occur within six months of the issuance of the verbal reprimand. If there is no further misconduct during the six month period, the verbal reprimand is removed from the file.

2nd Violation - A written reprimand form will be issued with a copy of the verbal reprimand memo attached with both copies placed in the employee's personnel file and copies forwarded to the Office of Labor Relations Department.

3rd Violation - A written reprimand form will be issued with copies distributed as described above in "2nd Violation". Further disciplinary action may consist of a suspension without pay of one (1) to three (3) work days or a fine of up to $25.00 deducted from the employee's wages or both. An employee who has been assigned a County car may be subject to losing this privilege.

A disciplinary hearing is to be conducted by central administration of each department to determine the appropriate penalty to be imposed. However, such hearing officer will not be a supervisor who is directly involved with the issuance of the

written reprimand. A disciplinary hearing must be conducted where disciplinary action beyond the issuance of a written reprimand is requested. Prior to the disciplinary hearing, written notice of any alleged violation shall be served upon the employee at least eleven (11) calendar days prior to the hearing unless mutually waived by the parties.

4th Violation - A written reprimand form will be issued with copies distributed as explained above in "2nd Violation". Further disciplinary action may consist of a suspension without pay up to a maximum of thirty (30) calendar days or up to thirty (30) day deduction from vacation or compensatory time accruals, up to a $50.00 fine to be deducted from the employee's wages, or both. A disciplinary hearing will be conducted as described above.

5th Violation - A written reprimand form will be issued with copies distributed as above. Further, up to a two (2) month suspension without pay or up to a two month deduction from vacation or compensatory time accruals, a fine not to exceed $100.00 to be deducted from the employee's wages, demotion in grade and title, or any combination thereof or termination pursuant to a separate proceeding under Section 75 of the Civil Service Law.

The listing of violations and suggested disciplinary action is a guide to the supervisor. If after investigation, it is the supervisor's opinion that the offense by the employee requires a more/or less severe penalty than what is called for at that level, the supervisor will proceed to the appropriate disciplinary level.

The following are examples of minor offenses:

1. An employee being out of his/her department and/or away from his/her assigned work area or duty station for other than authorized work purposes during working hours, unless permission is given by his/her supervisor due to an emergency.
2. An employee playing games, or participating in hobbies or crafts of any kind during working hours or engaging in any unauthorized activities during working hours.
3. An employee who does not give an excusable written reason for tardiness or absenteeism and/or gives a deceitful reason to his/her immediate supervisor.
4. An employee being careless or negligent with regard to his/her employment.
5. An employee failing to follow posted time clock/sign-in procedures.
6. Congregating during working hours without authorization for other than work purposes.
7. An employee soliciting during working hours without prior approval from the Office of Labor Relations.
8. An employee using County telephones, vehicles, or property for other than authorized work purposes.
9. An employee conducting him/herself in a manner unbecoming a County employee.
10. An accident resulting in personal injury and/or property damage, however slight, (inclusive of injury to employee resulting in a compensation claim) if not

reported in writing immediately to the employee's supervisor, unless unable due to an emergency situation, in such case it will be reported as soon as practicable.

11. An employee not wearing the proper uniform or protective apparel, as issued.
12. Any violation of the department's rules and procedures.

**The following are examples of major offenses which will require a more severe penalty than those imposed under Items "1" through "12":**

13. An employee being insubordinate, refusing to obey an authorized order to perform his/her job.
14. An employee abusing or maliciously damaging County property.
15. An employee failing to perform a fair day's work for the base rate paid from starting time to stopping time.
16. An employee restricting, encouraging or sponsoring the restriction of production.
17. An employee being impaired in the performance of his/her duties due to consumption of alcohol, drugs, etc.
18. An employee being unable to perform his/her duties due to the loss, suspension, revocation or termination of a qualifying license.
19. An employee fighting during working hours or any intentional act which inflicts bodily harm or injury on him/herself or another during working hours.

20. An employee intentionally falsifying County records.
21. An employee stealing.
22. An employee carrying a dangerous firearm or weapon during working hours without proper authorization.
23. An employee acting in an immoral manner during working hours.
24. An employee sleeping during scheduled working hours.
25. Violation of Federal Communications Commission's Rules and Regulations governing mobile radios.
26. An employee violating a safety rule.
27. An employee not in compliance with the Standard Operating Procedure entitled, "Personal Protective Equipment."
28. Any unauthorized absence (any time out of work without prior approval or insufficient time accrued to cover absence).
29. Chronic absenteeism and/or tardiness.

The A.M.E. Contract Section 15A provides that where the County is seeking the termination of an employee, the employee may elect to proceed to arbitration regarding whether the County had just cause, in lieu of a hearing pursuant to Section 75 or 76 of Civil Service Law and shall execute a waiver at the time of exercising the arbitration option.

I, _____, understand that Suffolk County is seeking termination of my employment.

By signing this waiver, I am exercising my right to request final and binding arbitration in lieu of Section 75 and Section 76 of Civil Service Law.

Signature: _____

Date: _____

DISCIPLINARY ACTION/VETERANS, EXEMPT VOLUNTEER FIREMEN

PERMANENTLY APPOINTED COMPETITIVE CLASS PERSONNEL

SECTION 75

Section 75 of Civil Service Law states that any of the following "shall not be removed or otherwise subjected to any disciplinary penalty... except for incompetency or misconduct shown after a hearing upon stated charges."

(a) A person holding a position by permanent appointment in the competitive class of the classified civil service, or,

(b) A person holding a position by permanent appointment or employment in the classified service ... who is an honorably discharged member of the armed forces of the United States having served therein as such member in time of war as defined in Section 85, or who is an exempt volunteer fireman as defined in the general municipal law.

(c) Any non-competitive or labor class employee who has been a full-time County employee for at least five (5) years.

Additionally, as per the Collective Bargaining Agreement, any noncompetitive or labor class employee who has been a full-time County employee for at least one (1) year, is entitled to a Section 75 Hearing before being terminated (except where excluded pursuant to Civil Service Law).

If the department wishes to issue a verbal reprimand or written reprimand, the following procedure must be adhered to:

1st Violation - A verbal reprimand will be issued and a memo of same, signed by the employee and supervisor and will be held on file in the department's central administration office. This memo will not be placed in the employee's personnel file unless further violations of these rules occur within six months of the issuance of the verbal reprimand. If there is no further misconduct during the six month period, the verbal reprimand is removed from the file.

2nd Violation - A written reprimand form will be issued with a copy of the verbal reprimand memo attached with both copies placed in the employee's personnel file and copies forwarded to the Office of Labor Relations Office.

Procedure for Removal or Other Disciplinary Action:

1. A person against whom removal or other disciplinary action is proposed must be given written notice of the reasons for such action and must be given at least eleven (11) days for answering the charges in writing.

2. As per the contract between the County and the Suffolk County Association of Municipal Employees (AME), the hearing shall be held by the Director of the Office of Labor Relations or his/her designee.

(a) When the Director of Labor Relations or another presides at the hearing, he/she shall make a record of such hearing and refer it and his/her recommendation to the Commissioner of the Department for whom the

employee works.

(b) The employee against whom charges are preferred will be represented by counsel and allowed to summon witnesses in his/her behalf. These witnesses, if County employees, shall utilize their own time and not be on County time.

(c) The burden of proving incompetency or misconduct shall be on the County.

3. The employee against whom charges have been preferred may be suspended without pay for a period not exceeding thirty (30) days pending the hearing and determination of charges.

(a) If the employee is found guilty of the charges, the penalty or punishment may consist of:

1. A reprimand
2. A fine not to exceed $100 to be deducted from the employee's wages.
3. Suspension without pay for a period not exceeding two (2) months.
4. Demotion in grade and title.
5. Dismissal.

The time in which an employee is suspended without pay may be considered as part of the penalty.

(b) If the employee is acquitted of the charges, he/she shall be restored to his/her position with full pay for the period of suspension less the amount of compensation which he/she may have earned in any other employment or occupation and any unemployment insurance

benefits he/she may have received during such period.

(c) If the employee is found guilty of the charges, a copy of the charges, his written answer, a transcript of the hearing and the determination shall be filed in the Director of Labor Relations and the Commissioner's Office and a copy shall also be filed with the Civil Service Commission.

(d) No removal or disciplinary proceeding shall be commenced more than eighteen (18) months after the occurrence of the alleged incompetency, or misconduct. This limitation shall not apply where the incompetency or misconduct described in the charges would, if proved in a court of appropriate jurisdiction, constitute a crime.

CERTIFIED
Police Department
County of Suffolk, NY

## MISSION STATEMENT

PURPOSE

To describe the organization's purpose and reason for existence. To identify the goals of the organization to those outside the organization as well as to members of the organization.

POLICY

The Suffolk County Police Department considers itself to be a part of each community that we serve and we strive to protect the lives, property and rights of all the residents of Suffolk County, to maintain order and to enforce the law ethically, with impartiality and fairness for all. Our Department is committed to excellence in all that we say and do and we endeavor to engage in the highest level of professional conduct at all times. We are dedicated to the people, traditions and diversity of our county and we are committed to adapting to continue to provide outstanding service as Suffolk County continues to change.

The Suffolk County Police Department's guiding principles are:

- Professionalism - members of our Department will conduct themselves in a manner consistent with the very highest professional standards of law enforcement. Professionalism in law enforcement encompasses many elements including altruism, respect, caring, compassion, communication with all, leadership and responsibility.
- Excellence - excellence is not an achievement, but rather an ongoing and continual process. Our Department will continue to leverage upon past successes and work with the communities we serve to find innovative ways to achieve the very highest level of quality in service to all, always seeking improvement and never being satisfied with the status quo.
- Community - our Department recognizes that the diversity of the communities we serve is a major factor in making Suffolk County a great place to live and raise a family. We embrace this diversity and strive to serve holistically and inclusively with every resident of our county.
- Courage - members of our Department will exhibit physical and moral courage. Physical courage is continuing to perform our duties despite the risk or danger involved, overcoming fear to always protect those that we serve despite personal peril. Moral courage is the continual adherence to integrity when it is often more convenient to do otherwise, always placing good character ahead of expediency and consistently doing what is right ahead of what is easy.
- Communication - it is virtually impossible to adequately assist people if you are unable to communicate with them. Our Department is committed to communicating in the most effective manner with every resident of and visitor to our county.
- Integrity - our members will adhere to the highest moral and ethical standards and consistently seek to do what is right and just.
- Leadership - every member of our Department should display leadership traits by providing purpose, direction and motivation while working to accomplish our mission and better our Department. Our members should be leaders in the community and

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among our peers, always encouraging others to strive for greatness and leading by example.

- Responsibility - our members have a responsibility to always provide the best possible service during each and every encounter with a resident of our county. We have a responsibility to go above and beyond to help people and a strong responsibility to consistently do what is right and proper at all times. Law enforcement has the moral responsibility to be a reliable and trusted source of help to those in need whatever the circumstances.

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# Processing of Arrests of Adults

## 900.1 PURPOSE AND SCOPE

This policy provides guidelines to address the health and safety of adults taken into custody by members of the Suffolk County Police Department for processing prior to being released or transferred to court for arraignment or to the custody of the sheriff to be held for arraignment.

The custody of juveniles is addressed in the Processing of Arrests of Juveniles Policy. Juveniles will not be permitted where adults in custody are being held.

Custodial searches are addressed in the Custodial Searches Policy.

### 900.1.1 DEFINITIONS

Definitions related to this policy include:

**Holding cell/cell** - any locked enclosure for the custody of an adult.

**Safety checks** - direct, visual observation by a member of this Department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of adults in temporary custody.

**Temporary custody** - the period an adult is in custody of the Department prior to being released or transported to court for arraignment or to the custody of the sheriff to be held for arraignment.

**Emergency Incident** - an incident of the following types which involves a person while in custody:

(a) Suicide or attempted suicide

(b) All deaths, other than suicide

(c) Escape or attempted escape

(d) Injury or illness, accidental, self or otherwise inflicted incurred subsequent to detention

(e) Assault on an officer

(f) Fire

(g) Verification of medication possessed by prisoner and the necessity of same

(h) Transport to the hospital for required medication not possessed by a prisoner or medication that is unable to be administered at the precinct (i.e., insulin).

**Full Time Observation** - an enhanced prisoner monitoring method that involves a prisoner being kept under continuous personal visual observation by a police detention attendant (PDA) or police officer who is physically present and tasked solely with the monitoring of no more than three prisoners who are lodged in adjoining cells.

**Full Time Observation Prisoner** - a prisoner who exhibits sufficient warning signs during their Mental Health Screening (PDCS-2032-2a) interview which would indicate that he/she may subject him/herself to a self-inflicted injury.

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**Full Time Observation Post** - a post where no more than three full-time observation prisoners are observed by one police officer or one PDA (3:1 ratio), who is the same sex as the prisoner(s). The prisoner(s) shall be lodged in consecutive cells in direct line of sight of the observer, who is stationed within the cell block. In precincts with electronic swipe readers within the cell block, the direct observation prisoners should be lodged in the cells furthest from the card reader.

**Reportable Incident** - an incident of the following types which involves a prisoner while temporarily detained or confined in a Department detention facility (9 NYCRR § 7508):

(a) The death of a prisoner

(b) An injury to a prisoner requiring hospitalization

(c) A prisoner illness requiring hospitalization

(d) A civil or natural emergency or a disturbance

**Transgender Individual** - a person whose gender identity differs from the sex they were assigned at birth.

**Assigned Sex** - the classification of an individual at birth based upon their anatomic genitalia.

**Gender Identity** - a person's self-identification as male or female which may differ from their assigned sex.

**Appearance Ticket** - a written notice issued by a public servant requiring a defendant to appear before a local criminal court in connection with an accusatory instrument to be filed against him/her within such court (Criminal Procedure Law § 150.10).

**Desk Appearance Ticket** - an Appearance Ticket, generally issued at a police facility, only to be used after arrest and required arrest processing.

## 900.2 POLICY

The Suffolk County Police Department is committed to promptly releasing adults from custody or transferring them to court or to the custody of the sheriff for arraignment, and to keeping adults safe while in custody of the Department. Adults should be in custody only for as long as reasonably necessary for investigation, processing, transfer or release.

## 900.3 GENERAL CRITERIA AND SUPERVISION

### 900.3.1 INDIVIDUALS WHO SHOULD NOT BE IN CUSTODY

Officers taking custody of a person who exhibits any of the following conditions should notify a supervisor of the situation. The following individuals should not be in custody at a Department facility unless they have been evaluated by a qualified medical or mental health professional:

(a) Any individual who is unconscious or has been unconscious while being taken into custody or while being transported.

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(b) Any individual who has a medical condition which may require medical attention, supervision or a medication that cannot be administered at a Department facility while in custody.

(c) Any individual who is seriously injured.

(d) Individuals who may be a threat to themselves. See the Emergency Admissions Policy.

(e) Individuals who are obviously in crisis, as defined in the Crisis Intervention Incidents Policy.

(f) Individuals who are under the influence of alcohol, a controlled substance or any substance to the degree that may require medical attention, or who have ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.

(g) A prisoner who exhibits symptoms of excited delirium (e.g., hallucinating, unusual strength, non-compliance to pain, profuse sweating, hyperthermia, public disrobing due to high body temperature, destruction of property, screaming, meaningless speech, and/or the use/withdrawal from drugs such as cocaine) shall be transported by ambulance to the nearest hospital without delay and as soon as the symptoms become evident.

(h) Any individual who is known to be afflicted with, displays symptoms of, or claims to have any communicable disease that poses an unreasonable exposure risk.

(i) Any individual with a prosthetic or orthopedic device where removal of the device would be injurious to his/her health or safety.

900.3.2 SUPERVISION IN CUSTODY

An authorized Department member (full duty officer or PDA) capable of supervising shall be present at all times when an individual is held in custody. The member responsible for supervising should not have other duties that could unreasonably conflict with his/her supervision. Any individual in custody must be able to summon the supervising member if needed. If the person in custody is deaf, has difficulty hearing, or cannot speak, accommodations shall be made to provide this ability.

At least one female Department member should be present when a female adult is searched, lodged in detention areas, or taken to use the restroom. In the event that none is readily available, the female in custody should be transported to another facility or released pursuant to another lawful process (9 NYCRR § 7504.1).

Absent exigent circumstances, such as a medical emergency or a violent subject, members should not enter the cell of a person of the opposite sex unless a member of the same sex as the person in custody is present.

If the officer taking custody of an individual believes that he/she may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release or transfer to an appropriate facility is completed (9 NYCRR § 7504.1).

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No individual in custody shall be permitted to supervise, control or exert any authority over other individuals in custody.

900.3.3 SUPERVISION OF FEMALES

Supervision of females lodged in detention areas shall be accomplished by an assigned female Department member. Females in custody shall not be placed in or removed from a detention area unless an assigned female member is present. An assigned female member shall retain the key for the detention area for females and no male person shall be permitted to enter an area where female prisoners are detained unless accompanied by the female member (9 NYCRR § 7504.1). A male officer does not visit nor enter a detention cell of a female prisoner, except in cases of emergency or upon the request of, and in the presence of, a female officer or assigned female PDA.

The Fourth Precinct has been designated as the primary female detention facility. Commands needing to lodge female prisoners shall contact the Fourth Precinct Officer in Charge (OIC) to see if cells are available. Female prisoners shall only be accepted at the Fourth Precinct with completed arrest/court packages.

Once the Fourth Precinct female detention facility is full, the Fourth Precinct OIC, working in conjunction with the District Commander, if on duty, shall designate an overflow female facility.

Female prisoners shall be held separately by sight and sound from male prisoners.

900.3.4 SUPERVISION OF TRANSGENDER INDIVIDUALS

Members of the Department shall not use language that a reasonable person would consider demeaning to another person in regard to actual or perceived gender identity or expression.

Members of the Department shall treat transgender persons in a manner appropriate to their gender presentation. Members shall address transgender persons by their preferred name. Members shall allow transgender persons in custody to maintain possession of appearance-related items such as clothing, wigs, or prosthetics unless such possession compromises the safety of any member or any person in custody.

Officers may rely upon government issued forms of identification to identify the gender of an individual for purposes of processing an arrest. When an individual in custody self-identifies as a different gender, members shall:

(a) Process the arrest using the person's legal name.

(b) Record the person's preferred name if it differs from their legal name as an "AKA" on all arrest paperwork.

(c) Address the person by their preferred name.

(d) When transferring custody, verbally notify the receiving personnel that the person in custody is transgender.

Transgender prisoners shall be held separately by sight and sound from all other prisoners.

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The Fourth Precinct male cell block is the designated transgender detention facility. The OIC of the arresting officer's command will contact the Fourth Precinct OIC to inquire if cells are available. If male prisoner(s) are currently housed, arrangements will be made to transport those male prisoner(s) to other precincts. Transgender prisoners will only be accepted at the Fourth Precinct with completed arrest/court packages, a properly completed and up-to-date Prisoner Activity Log (PDCS-2032h) , and personal property.

900.3.5 ENTRY RESTRICTIONS
Entry into any location where a person is held in custody should be restricted to:

(a) Authorized members entering for official business purposes.

(b) Emergency medical personnel when necessary.

(c) Any other person authorized by the OIC.

When practicable, more than one authorized member should be present for entry into a location where a person is held in custody for security purposes and to witness interactions.

**900.4 INITIATING CUSTODY**
The officer responsible for an individual in custody shall cause the arrestee to be interviewed by the OIC, designee, or supervising officer of the command where the arrestee is detained upon arrival at a Department facility. When a prisoner is bought directly to a hospital, a supervisor shall respond to the hospital to ensure a Prisoner Activity Log (PDCS-2032h) is initiated as soon as practical. In addition, a Prisoner Activity Log Addendum - Mental Health Screening form (PDCS-2032-2a) shall be initiated if appropriate. The interviewing supervisor should evaluate the person for any apparent chronic illness, disability, vermin infestation, possible communicable disease or any other potential risk to the health or safety of the individual or others. The interviewing supervisor should specifically ask if the individual is contemplating suicide and evaluate him/her for obvious signs or indications of suicidal intent.

The interviewing supervisor should ask the arresting officer if there is any statement, indication or evidence surrounding the individual's arrest and transportation that would indicate the individual is at risk for suicide or critical medical care. If there is any suspicion that the individual may be suicidal, he/she shall be transported to an appropriate mental health facility. See the Emergency Admissions Policy for additional guidance.

The officer should promptly notify the interviewing supervisor of any conditions that may warrant immediate medical attention or other appropriate action, to include any significant risks presented by the individual (e.g., suicide risk, health risk, violence). The OIC shall determine whether the individual will be placed in a cell, immediately released or transported to another facility.

The interviewing supervisor shall initiate a Prisoner Activity Log (PDCS-2032h) as detailed in the Prisoner Activity Log section of this policy and will perform a prisoner risk assessment.

See procedure for further guidance: PRISONER RISK ASSESSMENT

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If the prisoner is charged with an offense that is not subject to pre-arraignment release or is otherwise ineligible for pre-arraignment release, the Prisoner Activity Log Addendum - Mental Health Screening (PDCS-2032-2a) shall be completed after the Prisoner Activity Log (PDCS-2032h) is initiated by the OIC or designee, or the supervising officer of the command where the prisoner is detained prior to placement in the cellblock or other place of confinement.

900.4.1 UN-ARREST SITUATIONS
If after arresting a person, for any offense, a police officer upon further investigation or inquiry determines or is satisfied that there is not reasonable cause to believe that the arrested person committed such offense or any other offense based upon the conduct in question, he/she must immediately release such person from custody (CPL § 140.20).

See procedure for further guidance: UN-ARREST SITUATIONS

900.4.2 PRISONER TRANSPORTATION
Officers shall search police vehicles prior to, and after prisoner transportation to ensure that no weapons, contraband or similar items are available to or concealed by prisoners.

Prisoners should be handcuffed during transportation.

Handcuffing is mandatory when prisoners are being transported to or from court for arraignment or a hearing. See the Handcuffs and Other Restraints Policy for further information. Two officers shall be assigned when transporting a violent prisoner.

Whenever a prisoner is being transported by an officer, the officer shall report the prisoner's gender and whether the prisoner is an adult or juvenile, and shall report the beginning and ending mileage to the dispatcher.

Suspects, prisoners and arrestees should be in a seated position and secured by safety belts.

In vehicles equipped with a security screen, prisoners shall be transported within the screened area. Prisoners transported in a prisoner van/bus shall be seated in the rear compartment, separated from officers and detention attendants by a safety barrier. Officers and detention attendants shall maintain visual contact with prisoners as much as practicable.

See procedure for further guidance: TRANSPORTATION OF PRISONERS IN VEHICLES NOT EQUIPPED WITH SECURITY SCREENS

Male officers shall not transport female prisoners unless accompanied by another officer or PDA or the transport vehicle is followed by an officer in a separate vehicle who shall monitor the transport.

Persons of the opposite sex, or adults and juveniles, shall not be transported in the same vehicle. Transgender individuals shall be transported separately from other prisoners.

When transporting handicapped prisoners, needed appliances and prosthetics shall be transported with the prisoner. They shall be secured in the trunk of the vehicle when feasible.

When a prisoner in transport or at the scene of an arrest is injured or becomes ill, the arresting officer shall transport the prisoner to the nearest hospital. If necessary, an ambulance shall be

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called for medical aid and transportation to the hospital. An officer shall ride in the ambulance to guard the prisoner. If a prisoner is violent, two officers shall ride in the ambulance to guard the prisoner.

See procedure for further guidance: LONG TERM AND AIR TRANSPORTATION OF PRISONERS

Prisoners should not be left unattended while in a Department vehicle.

When transporting a prisoner in a vehicle, officers shall provide law enforcement services only in the following situations:

(a) When there is a need for the transporting officer to act immediately in order that a potential victim is not harmed.

(b) When a victim has been injured and assistance is required immediately.

(c) When a crime is in progress and there is an immediate need because of safety reasons that the suspect be apprehended.

(d) Response to an officer needs assistance call in the immediate area where the transporting officer feels that the prisoner will not be placed in inordinate personal danger.

(e) An officer transporting a prisoner should not engage in a pursuit.

In all of the above situations, the transporting officer should ensure at all times that the prisoner is secured and protected.

900.4.3 CONSULAR NOTIFICATION

Consular notification may be mandatory when certain foreign nationals are arrested. The Communications Section shall maintain the U.S. Department of State's list of countries and jurisdictions that require mandatory notification. There should also be a published list of foreign embassy and consulate telephone and fax numbers. Arresting officers shall contact the Communications Section to determine if the arrestee's country of origin is on the mandatory notification list. The Communications Section supervisor shall make note of any consular notification in the Communications Section Log. Prominently displayed signs informing foreign nationals of their rights related to consular notification should also be posted in areas used for the temporary custody of adults.

See the Consular Notification and Access Reference Card for instructions and required admonition.

Department members assigned to process a foreign national shall:

(a) Inform the individual, without delay, that he/she may have his/her consular officers notified of the arrest or detention and may communicate with them.

1. This notification should be documented on the Prisoner Activity Log (PDCS-2032h) .

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(b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list.

1. If the country is on the mandatory notification list, the processing officer shall notify the Officer in Charge (OIC), who shall:

   (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.

   (b) Tell the individual that this notification has been made and inform him/her without delay that he/she may communicate with consular officers.

   (c) Forward any communication from the individual to his/her consular officers without delay.

   (d) Document all notifications to the embassy or consulate on the Prisoner Activity Log (PDCS-2032h) and retain any faxed notification and any fax confirmation in the command arrest file.

2. If the country is not on the mandatory notification list and the individual requests that his/her consular officers be notified, the processing officer shall notify the OIC. The OIC shall:

   (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.

   (b) Forward any communication from the individual to his/her consular officers without delay.

Additional information concerning consular notifications may be found at https://travel.state.gov/content/travel/en/consularnotification.html and in the United States Department of State Publication, "Consular Notification and Access", available on the internet at: https://travel.state.gov/content/dam/travel/CNAtrainingresources/CNA%20Manual%205th%20Edition_September%202018.pdf.

### 900.4.4 CUSTODY INQUIRIES

When a member of the Department receives a telephone or an in person inquiry by an individual claiming to be an attorney or member of the immediate family requesting to know if a client or relative is in the custody of any member of the Department, and the person inquired about cannot be located, the inquiry shall be recorded.

The member of the Department shall obtain the name of the inquiring attorney or family member and the name of the prisoner. After immediately assisting this person, and if the prisoner is not located, the member shall immediately call and advise the Communications Section supervisor of the inquiry, furnishing the name of the inquiring attorney or family member, the name of the client or relative, and the date and time of the inquiry.

The Communications Section supervisor shall enter this information in the Communications Section Log and issue a teletype notification to all commands requesting information on and the location of the client or relative in question.

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## 900.5 SAFETY, HEALTH AND OTHER PROVISIONS

900.5.1 PRISONER ACTIVITY LOGS

Any time an individual is in the temporary custody of the Department, the custody shall be promptly and properly documented on a Prisoner Activity Log (PDCS-2032h) (9 NYCRR § 7504.1). Information recorded on the log shall include, but not be limited to:

(a) Identifying information about the individual, including his/her name.

(b) Date and time of arrival at the Department facility.

(c) Any charges for which the individual is in custody and any Central Complaint numbers.

(d) Time of all safety checks.

(e) Any medical, mental health and other screening requested and completed.

(f) Any emergency situations or unusual incidents.

(g) Any search.

(h) Any movement within a Department facility.

(i) Any movement from or to a Department facility.

(j) Any movement within a non-Department facility (e.g., hospital).

(k) Any consumption or provision of food or beverage.

(l) Any dispensing of medication.

(m) Any telephone calls.

(n) Any interviews by Department personnel.

(o) Any visits from non-Departmental personnel (e.g., attorney).

(p) Invoicing of arrestee's personal property.

(q) Taking of fingerprints, photographs, DNA, or participation in a line-up.

(r) Any other information that may be required by other authorities, such as compliance inspectors including:

1. The condition of individuals in custody during safety checks (e.g., awake, sleeping) and signatures of the members conducting the safety check.
2. Date and time of release or transfer from the Department.

The OIC, designee, or supervising officer of the command where the arrestee is detained should sign the log to approve the custody and should also sign the log when the individual is released from custody or transferred to another facility.

The OIC or supervising officer of the command where the arrestee is detained should make periodic checks to ensure all log entries and safety and security checks are made on time.

900.5.2 CUSTODY REQUIREMENTS

Members monitoring or processing anyone in custody shall ensure:

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(a) Safety checks and significant incidents/activities are noted on the log.

(b) Individuals in custody are informed that they will be monitored at all times, except when using the toilet.

1. There shall be no viewing devices, such as peep holes or mirrors, of which the individual is not aware.

2. This does not apply to surreptitious and legally obtained recorded interrogations.

3. The Desk Supervisor shall ensure that video monitoring equipment is functioning properly and when appropriate, the monitoring equipment shall be situated in a manner to reduce invading a prisoner's personal privacy. The Desk Supervisor shall report malfunctions immediately and request priority repairs. Defective equipment shall be noted in the tour report.

(c) There is reasonable access to toilets and wash basins.

(d) There is reasonable access to a drinking fountain or water.

(e) There are reasonable opportunities to stand and stretch, particularly if handcuffed or otherwise restrained.

(f) There is privacy during attorney visits (9 NYCRR § 7510.1).

(g) Those in custody are generally permitted to remain in their personal clothing unless it is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.

(h) Clean blankets are provided as reasonably necessary to ensure the comfort of an individual.

1. The supervisor should ensure that there is an adequate supply of clean blankets.

(i) Adequate shelter, heat, light and ventilation are provided without compromising security or enabling escape.

(j) Adequate furnishings are available, including suitable chairs or benches.

### 900.5.3 MEDICAL CARE

First-aid equipment and basic medical supplies should be available to Department members. At least one member who has current certification in basic first aid and CPR or greater medical training should be on-duty at all times in Department commands with facilities that lodge prisoners.

Should a person in custody be injured or become ill, appropriate medical assistance should be sought. Members shall comply with the opinion of medical personnel as to whether an individual in temporary custody should be transported to the hospital. If the person is transported while still in custody, he/she will be accompanied by an officer.

Officers should take steps to obtain medical attention for a person who reasonably appears to be mentally ill and is behaving in a manner that is likely to result in serious harm to the person or to others (Mental Hygiene Law § 9.41, Civil Rights Law § 28).

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Officers should document requests for medical or mental health treatment as well as efforts to arrange for such treatment.

See the Crisis Intervention Incidents and Medical Aid and Response policies for more information.

See procedure for further guidance: PRISONER REQUIRING MEDICAL ATTENTION

Prescribed prisoner medication required during confinement shall be retained with the prisoner's property under the direct supervision and access of the desk supervisor. Prisoners shall not be administered any medication until it has been verified that the prisoner requires the medication and the medication is what it purports to be. In the case of required injectables (e.g. insulin), the prisoner shall be transported to the nearest hospital for assistance.

See procedure for further guidance: PRESCRIBED PRISONER MEDICATION

### 900.5.4 ORTHOPEDIC OR PROSTHETIC APPLIANCE

Subject to safety and security concerns, individuals shall be permitted to retain an orthopedic or prosthetic appliance. However, if the appliance presents a risk of bodily harm to any person or is a risk to the security of the facility, the appliance may be removed from the individual unless its removal would be injurious to his/her health or safety.

Whenever a prosthetic or orthopedic appliance is removed, the OIC shall be promptly apprised of the reason. It shall be promptly returned when it reasonably appears that any risk no longer exists.

### 900.5.5 TELEPHONE CALLS

Every individual in custody shall be allowed to make a reasonable number of completed telephone calls as soon as possible after arrival (9 NYCRR § 7502.1).

(a) Telephone calls may be limited to local calls, except that long-distance calls may be made by the individual at his/her own expense.

    1. The Department should pay the cost of any long-distance calls related to arranging for the care of a child or dependent adult. See the Child and Dependent Adult Safety Policy.

(b) The individual should be given sufficient time to contact whomever he/she desires and to make any necessary arrangements, including child or dependent adult care, or transportation upon release.

    1. Telephone calls are not intended to be lengthy conversations. The member assigned to monitor or process the individual may use his/her judgment in determining the duration of the calls.

(c) Calls between an individual in custody and his/her attorney shall be deemed confidential and shall not be monitored, eavesdropped upon or recorded.

If an officer has invoiced a cell phone or digital device from the arrestee, the officer should grant the defendant access to the cell phone or device for the purpose of locating a telephone number contained therein, unless granting such access may compromise an ongoing investigation or

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prosecution. If the phone or device is seized as evidence, access shall not be granted without authorization of the assigned investigator.

900.5.6 RELIGIOUS ACCOMMODATION
Subject to available resources, safety and security, the religious beliefs and needs of all individuals in custody should be reasonably accommodated. Requests for religious accommodation should generally be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. The responsible supervisor should be advised any time a request for religious accommodation is denied.

Those who request to wear headscarves or simple head coverings for religious reasons should generally be accommodated absent unusual circumstances. Head coverings shall be searched before being worn.

Individuals wearing headscarves or other approved coverings shall not be required to remove them while in the presence of or while visible to the opposite sex if they so desire. Religious garments that substantially cover the individual's head and face may be temporarily removed during the taking of any photographs.

900.5.7 FIREARMS AND OTHER SECURITY MEASURES
Firearms and other weapons and control devices shall not be permitted in secure areas where individuals are in custody or are processed. They should be properly secured outside of the secure area (9 NYCRR § 7504.1).

All perimeter doors to secure areas shall be kept locked at all times, except during routine cleaning, when no individuals in custody are present, or in an emergency, such as an evacuation.

900.5.8 FOOD
Individuals in custody during any of the usual three daily meal hours (0500-0900, 1100-1400, 1600-1900) shall be allowed to eat a meal. It shall be documented when an individual was either provided a meal or refused a meal (9 NYCRR § 7505.1).

See procedure for further guidance: PRISONER MEALS

900.5.9 SANITATION AND MAINTENANCE
Commands that maintain cell blocks shall ensure that detention facilities are properly maintained (9 NYCRR § 7506.1). Sanitation and maintenance requirements include the following:

(a) Janitorial and maintenance services are regularly provided by the Department of Public Works (DPW) so that satisfactory conditions exist at all times and that timely notification is made to DPW in the event that janitorial or maintenance services are needed.

(b) Bedding and blankets are clean when provided and not routinely left in the cells.

(c) Mattresses (if used) are soil- and water-resistant and checked regularly (e.g., for damage, attempts to conceal contraband items).

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(d) Soap, paper towels, and toilet tissue are available at no cost, and are not routinely left in cells.

(e) Paper drinking cups are made available, if drinking fountains are not available, and are not routinely left in cells.

(f) Locks on cell doors and security doors, locking devices, and the security aspects of detention-type windows and screens are checked regularly to ensure that they are in proper condition.

(g) Feminine hygiene products are supplied to individuals in custody at no cost, and are stored, dispensed, and disposed of in a sanitary manner (Correction Law § 625).

Each command that maintains a cell block shall perform a bi-weekly detention area inspection utilizing the Precinct Holding Facility Bi-Weekly Inspection Checklist (PDCS-2096b) .

900.5.10 FULL TIME OBSERVATION
If a prisoner is deemed dangerous or emotionally disturbed (e.g., violent behavior/suicide threats), the prisoner shall require full time observation.

See procedure for further guidance: FULL TIME OBSERVATION

900.5.11 EMERGENCY CELL EXTRACTION
The emergency cell extraction should be utilized when an emergency situation that must be dealt with immediately precipitated by prisoner misconduct, unsafe conditions, suspected breaches of security, injured prisoners, etc., and any other extraordinary circumstances in which a prisoner must be removed from a cell.

See procedure for further guidance: EMERGENCY CELL EXTRACTION

900.5.12 CONTROLLED CELL EXTRACTION
The controlled cell extraction should be used for a non-emergency situation that may be planned and prepared for, which is precipitated by prisoner misconduct, unsafe conditions, suspected breaches of security, injured prisoners, etc., and any other circumstances in which a prisoner must be removed from a cell.

See procedure for further guidance: CONTROLLED CELL EXTRACTION

900.5.13 RECORD OF DETENTIONS
The Chief of Patrol will ensure Record of Detentions forms are maintained and forwarded to the Research and Development Section. The Research and Development Section shall ensure that a report of the total number of male and female prisoners is forwarded to the New York State Commission of Correction (SCOC) on or before February 1 of each year (9 NYCRR § 7509.1).

## 900.6 USE OF RESTRAINT DEVICES

Individuals in custody may be handcuffed in accordance with the Handcuffs and Other Restraints Policy. Unless an individual presents a heightened risk, handcuffs should generally be removed when the person is in a cell.

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The use of restraints, other than handcuffs or leg irons, generally should not be used for individuals in temporary custody at a Department facility unless the person presents a heightened risk, and only in compliance with the Handcuffs and Other Restraints Policy.

Individuals in restraints shall be kept away from other unrestrained individuals in custody and shall be monitored to protect them from abuse.

900.6.1 PREGNANT ADULTS
Women who are known to be pregnant should be restrained in accordance with the Handcuffs and Other Restraints Policy.

## 900.7 PERSONAL PROPERTY

The personal property of an individual in custody should be removed, inventoried and processed as provided in the Custodial Searches Policy utilizing the Prisoner's Property Receipt (PDCS-7021c) unless the individual requests a different disposition. For example, a prisoner may request that property such as cash, car or house keys, or medications be released to another person. Release of the property requires the prisoner's and recipient's signature on an Itemized Receipt (Custody-Disposition) (PDCS-0094-1b) .

Upon release of an individual from custody, his/her items of personal property shall be compared with the inventory, and he/she shall sign a receipt for the property's return (9 NYCRR § 7502.1). If the individual is transferred to court, the member transporting the individual is required to obtain the receiving person's signature as notice of receipt. The Department shall maintain a copy of the property receipt.

The OIC shall be notified whenever an individual alleges that there is a shortage or discrepancy regarding his/her property. The OIC shall initiate an investigation of the claim.

See procedure for further guidance: PRISONER PROPERTY

## 900.8 HOLDING CELLS

A thorough inspection of a cell shall be conducted before placing an individual into the cell to ensure that there are no weapons or contraband and that the cell is clean and sanitary. An inspection also should be conducted when he/she is released. Any damage noted to the cell should be photographed and documented.

The following requirements shall apply:

(a) The individual shall be searched and anything that could create a security or suicide risk, such as contraband, hazardous items, belt, shoes or shoelaces, and jackets, shall be removed (9 NYCRR § 7502.1). A metal detector should be used to aid in the search. See the Custodial Searches Policy.

(b) A supply of disposable type fiber or paper footwear to replace shoes may be kept available for issue as required (9 NYCRR § 7502.1).

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(c) The individual shall constantly be monitored by an audio/video system or in person during the entire period of custody. Holding cells without operational video equipment shall not be used unless full time direct in person observation is utilized.

(d) The individual shall have constant auditory access to Department members.

(e) The individual's initial placement into and removal from a holding cell shall be recorded on the Prisoner Activity Log (PDCS-2032h) .

(f) Safety checks by Department members shall occur at intervals not to exceed 30 minutes (9 NYCRR § 7504.1).

1. Safety checks should be at varying times.
2. All safety checks shall be logged.
3. The safety check should involve questioning the individual as to his/her well-being.
4. Individuals who are sleeping or apparently sleeping should be awakened, if there is any doubt as to their well-being.
5. Requests or concerns of the individual should be logged.

(g) A count of the prisoner population, including the prisoners' physical location, shall be done at least once during each shift. The count shall be further confirmed at the time of tour change and documented in the online tour report in the Incident Reporting System.

(h) The desk supervisor shall ensure that prisoners who are visibly impaired by alcohol and/or drugs, violent, destructive, or who exhibit irrational behavior, which does not satisfy the threshold for psychiatric evaluation, shall be processed accordingly.

See procedure for further guidance: DESK SUPERVISOR RESPONSIBILITIES - IMPAIRED AND VIOLENT PRISONERS

See procedure for further guidance: PROPER OPERATION OF THE HOLDING CELLS

900.8.1 VISITING A PRISONER IN A DETENTION CELL

Nonessential persons, excluding designated members and prisoners, are not granted access to holding facilities except as authorized by the desk supervisor.

The following are permissible visitors:

(a) A superior officer of this Department.

(b) A member of the Detective Division or other investigating command.

(c) A District Attorney or his/her representative.

(d) The Medical Examiner or his/her representative.

(e) The prisoner's attorney, upon the request of the prisoner. With approval from a desk supervisor, access to an attorney may be confidential.

(f) Upon proper identification and when necessary in the performance of their official duties, the authorized agent of any governmental agency of which the prisoner is an employee.

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(g) Members of other governmental law enforcement, parole, probation, social and welfare departments or agencies, upon proper identification.

(h) Members of the clergy in the discharge of their duties.

(i) A member of the prisoner's immediate family, namely wife, husband, parent, brothers, sisters or children who are 16 years of age or older.

(j) Pursuant to U.S. State Department guidelines, a consular officer may visit a foreign national from their home country who is in police custody. In the event a personal visit is made, the appropriate entry must be recorded on that prisoner's Prisoner Activity Log (PDCS-2032h).

900.8.2 LODGING PRISONERS FOR OTHER AUTHORITIES
All appropriate portions of this policy are applicable to prisoners lodged for other authorities. See the Outside Agency Assistance Policy for additional information on lodging prisoners for other authorities.

## 900.9 EMERGENCY INCIDENTS

All Emergency Incidents and Reportable Incidents as defined in this policy shall be reported to the Precinct Commanding Officer as soon as practicable by the timely completion of the Emergency Incident Report (PDCS-1110) . Those Emergency Incidents which fit the criteria of Reportable Incidents shall be additionally reported to the State Commission of Correction.

See procedure for further guidance: EMERGENCY INCIDENT

See procedure for further guidance: REPORTABLE INCIDENT

## 900.10 DEATH OF IN-CUSTODY PRISONER

In addition to the reports and notifications required in the Emergency and Reportable Incident Procedures, the following shall be notified in the case of the death of a person in custody:

(a) Communications Section supervisor

(b) Homicide Section

(c) Commanding Officer of precinct of occurrence

(d) District Commander if on duty

(e) Police Commissioner

(f) First Deputy Police Commissioner

(g) Commanding Officer of Internal Affairs Bureau

(h) Crime Stoppers and Public Information Bureau

In general, after initial notification to the Communications Section supervisor, the additional notifications shall be made by the Communications Section.

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The Homicide Squad Section will be responsible for the submission of a Death in Custody Report to the NYS Division of Criminal Justice Services (DCJS) as soon as practical. The DCJS only requires information available at the submission of the report.

### 900.11 RELEASE AND/OR TRANSFER FROM CUSTODY

When an individual is released or transferred from custody, the member releasing the individual should ensure the following:

(a) All proper reports, forms and logs have been completed prior to release or transfer. See the Issuance of Desk Appearance Tickets section of this policy below for further information on release.

(b) All accusatory instruments and associated arrest paperwork necessary for court has been completed prior to transfer to court when the defendant will be transported to court and prior to the processing officer going off duty when the defendant will be released on a DAT. If a DAT is issued, all paperwork and the DAT must be forwarded to the court within 24 hours of the arrest.
See procedure for further guidance: ARREST PAPERWORK FOR PRISONER TRANSPORT

(c) All required arrest information has been forwarded to the District Attorney's Office.
See procedure for further guidance: SUBMISSION OF ARREST INFORMATION TO THE DISTRICT ATTORNEY'S OFFICE

(d) Required fingerprints and photographs have been taken.
See procedure for further guidance: FINGERPRINTING, PALM PRINTING AND PHOTOGRAPHING ARRESTEES
See procedure for further guidance: DIGITAL PHOTOGRAPHY PROCEDURES

(e) Required DNA samples have been obtained. If after attempts to obtain a DNA sample from a defendant who owes a DNA sample the defendant refuses to provide said sample, the defendant shall not be released and shall instead be transported to court. The refusal shall be documented in the court paperwork. See the Offender DNA Policy for further information.

(f) A check has been made to ensure that the individual is not reported as missing and does not have outstanding warrants.

(g) In cases involving a felony or misdemeanor arrest, if the defendant indicates that he/she was born outside of the United States or is not a citizen, or if the arresting officer reasonably believes the defendant was born outside of the United States, an eJustice NY Integrated Justice portal (eJustice) Immigration Status Inquiry has been initiated in accordance with the Immigration Status Policy And Procedure.
See procedure for further guidance: DETERMINING ARRESTEE'S IMMIGRATION STATUS

(h) It has been confirmed that the correct individual is being released or transported.

(i) All property, except evidence, contraband or dangerous weapons, has been returned to, or sent with, the individual.

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(j) All pertinent documentation accompanies the individual being transported to another facility (e.g., copies of booking forms, medical records, an itemized list of his/her property, warrant copies).

(k) The Prisoner Transmittal Sheet (PDCS-2031d) has been completed for prisoners being transferred to court or the custody of the sheriff and all additional paperwork required by the Sheriff's Office has been completed and attached.
See procedure for further guidance: USE OF PRISONER TRANSMITTAL SHEET AND TRANSFER OF CUSTODY
See procedure for further guidance: ARREST PAPERWORK FOR PRISONER TRANSPORT

(l) For prisoners being transferred to the court or in the custody of sheriff, the booking data sheets and/or rap sheets have been attached to the court paperwork.

(m) If the prisoner is deemed a danger or a security risk, necessary documentation is transported with the prisoner.

(n) The individual is not permitted in any nonpublic areas of the Department unless escorted by a member of the Department.

(o) Any known threat or danger the individual may pose (e.g., escape risk, suicide potential, medical condition) is documented, and the documentation transported with the individual if he/she is being sent to another facility.

1. The Department member transporting the individual shall ensure such risks are communicated to intake personnel at the other facility.
See procedure for further guidance: TRANSPORTATION OF DANGEROUS/ SECURITY RISK PRISONERS TO COURT

(p) Persons of the opposite sex, or adults and juveniles, shall not be transported in the same vehicle.

(q) Transfers between facilities or other entities, such as a hospital, should be accomplished with a custodial escort of the same sex as the person being transferred to assist with his/her personal needs as reasonable.

(r) Officers shall not transport individuals who were in police custody, and have subsequently been released, unless authorized by a supervisor.

### 900.11.1 ESCAPE FROM CUSTODY

In the event that a prisoner escapes from custody, the officer will immediately notify Communications and the OIC. The officer should relay all pertinent information concerning the escape from custody in order to facilitate recapture of the subject while simultaneously relaying all safety concerns.

See procedure for further guidance: ESCAPE OF PRISONERS FROM CUSTODY

### 900.11.2 PRISONER UNAVAILABLE FOR ARRAIGNMENT DUE TO HOSPITALIZATION

If a prisoner is hospitalized and not available for arraignment, immediate notification will be made to the District Attorney's Case Advisory Bureau (CAB). The desk supervisor will fax the District

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Attorney's copy of the court paperwork to CAB at 853-5892. This notification must be made regardless of whether the prisoner was ever held in or processed at a police facility.

900.11.3 BEDSIDE ARRAIGNMENT
If a bedside arraignment is necessary and appropriate, a physician must attest to the fact the patient/prisoner is physically capable of being fingerprinted and photographed, and that the patient/prisoner is physically capable of participating in a judicial proceeding in a hospital facility. The physician's attestation shall be obtained by using the "Bedside Arraignment Letter" posted on the SCPD Portal under "Forms".

Said attestation by the physician must be forwarded to the Court Liaison Section which will then make necessary arrangements for the patient/prisoner to be fingerprinted and photographed. Court Liaison Section will then make arrangements with the appropriate presiding court judge, as well as with the Sheriff's Office, for the bedside arraignment to take place.

900.11.4 GUARDING PRISONERS AT A HOSPITAL
Officers shall be cognizant that prisoner security at hospitals and other non-secure facilities poses unique security risks and an elevated risk for escape incidents. Prisoner risk assessments shall be conducted on all patients being guarded at a hospital.

See procedure for further guidance: GUARDING A PRISONER IN A HOSPITAL

**900.12 ISSUANCE OF DESK APPEARANCE TICKETS**
Unless prohibited by law or limited by the Department, an appearance ticket should be issued and the defendant released from custody as soon as practicable after completion or required processing.

The Department will consider its resources and its mission of protecting the community when exercising any discretion to release suspected offenders on an appearance ticket, when authorized to do so.

900.12.1 RELEASE ON A DESK APPEARANCE TICKET (DAT)
Prior to release on an appearance ticket, an officer shall inform the arrestee of his/her option to provide contact information for purposes of receiving a reminder of his/her court appearance date (CPL § 150.10). The contact information should be recorded and filed within 24 hours with the appropriate criminal court along with the required arrest paperwork and appearance ticket (CPL § 150.80).

A defendant may be released on issuance of an appearance ticket for all offenses except those offenses and situations listed in the Prohibitions on Release on a Desk Appearance Ticket (DAT) section of this policy (CPL § 140.20; CPL § 140.27; CPL § 150.20).

If an arrest is made by a peace officer who is legally authorized to make an arrest but not authorized to issue an appearance ticket, a defendant may be issued a DAT subject to the conditions of this policy (CPL § 140.27).

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DATs shall be made returnable to the appropriate local criminal court no later than 20 days from the date of issuance, or at the next scheduled session of the appropriate court if such session is later than 20 days. In the case of 1st District Court, officers shall utilize the District Court Schedule (PDCS-7123).

If a DAT is issued after a civilian arrest and the complainant fails to appear at the Precinct within 24 hours of the arrest to sign the Information, the command shall proceed in accordance with the Civilian Arrest Policy.

See procedure for further guidance: DESK APPEARANCE TICKET (DAT) ISSUANCE

900.12.2 PROHIBITIONS ON RELEASE ON A DESK APPEARANCE TICKET (DAT)
Issuance of a DAT is prohibited for defendants:

(a) Who have been given a reasonable opportunity to make their verifiable identity and a method of contact known, and have been unable or unwilling to do so, so that a custodial arrest is necessary to subject the individuals to the jurisdiction of the court (CPL § 150.20).
See procedure for further guidance: ACCEPTABLE IDENTIFICATION OF DEFENDANTS

(b) Who are incapacitated because of intoxication, drugs or injury. If it appears the arrestee is in need of medical aid, the Medical Aid and Response Policy should be followed.

(c) Charged with the following:

1. An A, B, C or D felony or any of the following class E felonies (CPL § 140.20; CPL § 150.20):
    (a) Rape in the third degree (Penal Law § 130.25)
    (b) Criminal sexual act in the third degree (Penal Law § 130.40)
    (c) Escape in the second degree (Penal Law § 205.10)
    (d) Absconding from temporary release in the first degree (Penal Law § 205.17)
    (e) Absconding from a community treatment facility (Penal Law § 205.19)
    (f) Bail jumping in the second degree (Penal Law § 215.56).
2. Charged as juvenile offenders
3. A misdemeanor or felony offense defined in VTL §1192 (Operation of a motor vehicle while under the influence of alcohol or drugs).
4. Any offense arising from a domestic incident case absent extenuating circumstances as detailed in the Domestic Violence Policy.
5. Violating an Order of Protection or charged with Criminal Contempt due to violating an Order of Protection.

(d) Who are arrested on authority of a criminal warrant.

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(e) A defendant who during processing at a Department facility refuses to be fingerprinted as required by law or to provide a DNA sample when a criminal history check indicates that one is owed.

900.12.3 DEFENDANTS WHO MAY BE DENIED DESK APPEARANCE TICKETS
In situations where a DAT is authorized, the desk supervisor may decline issuance when there is reason to believe the individual (CPL§ 150.20):

(a) Has one or more outstanding local criminal court or superior court warrants.

(b) Has failed to appear in court proceedings in the last two years.

(c) Is charged with a sex offense under Article 130 of the Penal Law.

(d) Should be brought before the court for consideration of an order of protection under the circumstances of the offense.

(e) Is charged with a crime for which the court may suspend or revoke their driver license.

(f) Reasonably appears to need immediate medical or mental health care such that it would be in their best interest to be brought before the court. In such cases, officers should make reasonable efforts to secure medical or mental health services (see the Emergency Admissions and Medical Aid and Response policies).

900.12.4 EXCEPTIONAL CIRCUMSTANCES
In certain cases, it may be in the best interests of both the defendant and the Department to issue a DAT despite the prohibitions listed above (e.g., the arrestee's physical condition is such that he/she would become a burden to the Department if kept in custody such as when the defendant is admitted to a hospital). In such cases, the desk supervisor may authorize the issuance of a DAT. In the circumstances listed in subsections (a) and (c)(1) of the Prohibitions On Release On A Desk Appearance Ticket (DAT) section of this policy (Class A, B,C D and certain E Felonies and defendants who cannot be identified), DATs may only be issued with approval of the Precinct Commanding Officer after consultation with the District Attorney's Office.

## 900.13 ASSIGNED ADMINISTRATOR

The Police Commissioner or designee shall ensure any reasonably necessary supplemental procedures are in place to address the following issues:

(a) General security

(b) Key control

(c) Sanitation and maintenance

(d) Emergency medical treatment

(e) Escapes

(f) Evacuation plans

(g) Fire and life-safety

(h) Disaster plans

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(i) Building and safety code compliance

(j) Construction standards, variances and special measures for facilities that are not of fire-resistant construction (9 NYCRR § 7511.1; § 7504.1; § 7512.1)

## 900.14 TRAINING

Department members should be trained and familiar with this policy and any supplemental procedures.

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# Attachments

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# Mental Health Screening (PDCS-2032-2a).pdf

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| CENTRAL COMPLAINT NUMBER |
|---|
| |

| DISTRIBUTION: | Original – CENTRAL RECORDS | COPY – PRECINCT FILE |
|---|---|---|
| | COPY – COMMAND OF DETENTION | COPY – COURT LIAISON |

**POLICE DEPARTMENT, COUNTY OF SUFFOLK, NY**

*ACCREDITED LAW ENFORCEMENT AGENCY*

# PRISONER ACTIVITY LOG - ADDENDUM MENTAL HEALTH SCREENING

**PDCS-2032-2a**

**NOTE:** This form MUST be completed in all cases prior to lodging any prisoner

| PRECINCT / COMMAND | INTERVIEWING OFFICER'S LAST NAME, FIRST, M.I. | RANK | COMMAND |
|---|---|---|---|
| | | | |

| PRISONER'S LAST NAME, FIRST, M.I. | D.O.B. | DATE OF ARREST | TIME OF ARREST | CELL # |
|---|---|---|---|---|
| | | | | |
| CHARGE(S) | | | | |

| | |
|---|---|
| Has any Department member reported information indicating that the arrestee has engaged in conduct which may indicate a current risk of suicide?<br>☐ Yes ☐ No *(If **Yes**, Transport to CPEP Required)* | **If YES – Explain** |
| **Preparing Supervisor has asked the arresting/transporting officer about the above topic:** _____ *(Supervisor initials)* | |
| Performed "Multi-System Name Look Up"<br>☐ Yes<br>*Information indicating the prisoner has attempted suicide within the past twelve (12) months will require **Full Time Observation**.* | **Details (if relevant)** |

| | |
|---|---|
| Are you presently having thoughts of committing suicide? *(If **Yes**, Transport to CPEP Required)* | ☐ Yes ☐ No |
| Have you ever attempted suicide?<br>*(If **Yes**, continuous Full Time Observation is Required if the attempt occurred within the past twelve (12) months)* | ☐ Yes ☐ No |

**People afflicted with certain mental illness are at an increased risk for attempting suicide. Affirmative answers to the following questions should be evaluated with the totality of the circumstances during the period of detention. Additional in custody suicide risk factors are enumerated at the bottom of this form.**

| | | |
|---|---|---|
| Have you ever been treated for a psychiatric illness? | | ☐ Yes ☐ No |
| **If yes:** | For what illness? | |
| | When were you treated? | |
| Have you ever been prescribed medication for a psychiatric illness? | | ☐ Yes ☐ No |
| **If yes:** | What medication? | |
| | When were you on such medication? | |
| | For what illness was the medication prescribed? | |

**Additional In Custody Suicide Risk Factors**

*Be aware that hanging is the most prevalent method of in custody suicide.*

| | |
|---|---|
| • White Male<br>• Average Age 30<br>• Intoxicated by alcohol or other substance<br>• Insignificant or no arrest history<br>• Likely to have been charged with nonviolent crimes<br>• Recent loss of stabilizing influence | • Severe shame or guilt over offense<br>• Current mental illness – Depression is the single strongest indicator<br>• Poor health or terminal illness<br>• Severe agitation/aggressiveness<br>• Projects a sense of hopelessness |

**SUPERVISOR REVIEW:** _____ _____

(TO BE SIGNED UPON TERMINATION OF CUSTODY) DATE

# Prisoner Activity Log (PDCS-2032h).pdf

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CENTRAL COMPLAINT # _____ PIN# _____

| LOCATION OF INITIAL INTERVIEW | DATE OF INTV. | TIME OF INTV. |
|---|---|---|
| | | |

| PRECINCT | COMMAND | TOUR | BLOTTER ENTRY |
|---|---|---|---|
| | | | |

**POLICE DEPARTMENT, COUNTY OF SUFFOLK, NY**
*ACCREDITED LAW ENFORCEMENT AGENCY*

# PRISONER ACTIVITY LOG

**PDCS-2032h**

CHARGE(S)

**DISTRIBUTION:** WHITE – CENTRAL RECORDS YELLOW – PRECINCT FILE
PINK – COMMAND OF DETENTION GOLDENROD – COURT LIAISON

PRISONER'S LAST NAME, FIRST, M.I. | D.O.B. | SEX: M ☐ F ☐ | RACE: ( ) WHITE ( ) BLACK ( ) HISPANIC ( ) ASIAN ( ) AM INDIAN/ALASKAN NATIVE ( ) NATIVE HAW/ OTHER PAC ISLANDER ( ) UNK

ADDRESS: | DATE OF ARREST | TIME OF ARREST | PLACE OF ARREST

PRISONER BAILED? If yes, continue ☐ YES ☐ NO | BAIL AMOUNT $_____ | APPEARANCE TICKET # _____ | CASH BAIL RECEIPT # _____

VISIBLE PHYSICAL CONDITION UPON INITIAL INTERVIEW (Indicate observable cuts, scrapes, bruises, signs of drug/alcohol impairment)

PRISONER CLAIMS PAIN, INJURY OR ILLNESS ... EXPLAIN DETAILS OF CLAIM

VISIBLE EMOTIONAL CONDITION

IS PRISONER ON MEDICATION? ☐ YES ☐ NO If yes, continue
PRESCRIPTION NUMBER _____
DOCTOR'S NAME _____
NAME OF PHARMACY _____
AMOUNT _____ EVERY _____ HOURS
(NOTE MEDICATION DISTRIBUTION IN PRISONER ACTIVITY SECTION)

ARE PHOTOS, IN ADDITION TO MUG SHOTS, REQUIRED AS PER R&P CHAP16.1? ☐ Y ☐ N | PHOTOS TAKEN? ☐ Y ☐ N | PHOTOS TAKEN BY: | DATE:

ARRESTING OFFICER'S LAST NAME, FIRST, M.I. RANK/SHIELD/COMMAND (IF NOT SCPD, LIST AGENCY | PLATOON COMMANDER OR DESIGNEE PERFORMING INTERVIEW

| PRISONER LODGED ☐ YES ☐ NO | CELL NO. | TIME | VISIBLE PHYSICAL CONDITION WHEN LODGED | PROPERTY RECEIPT # | LODGING OFFICERS INITIALS/SHIELD |
|---|---|---|---|---|---|
| | | | | | |

## PRISONER ACTIVITY

LIST ALL MOVEMENT OF PRISONER BOTH WITHIN AND OUTSIDE PRECINCT / COMMAND. INCLUDE TRANSPORTS TO HOSPITAL, COURT, INTERROGATIONS AND NOTE PHYSICAL CONDITION UPON RETURN. IF DIFFERENT UPON RETURN, SUBMIT I.C. TO EXPLAIN. IF PRISONER IS BAILED, LIST TIME & DATE ON APPROPRIATE LINE BELOW AND COMPLETE THE PRISONER BAILED BOX ABOVE. PRISONER INSPECTION VISITS ARE MADE AT INTERVALS NOT TO EXCEED 30 MINUTES APART.

| TIME | REMARKS/OBSERVATIONS | OFFICER RANK / SHIELD | TIME | REMARKS/OBSERVATIONS | OFFICER RANK / SHIELD |
|---|---|---|---|---|---|
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CHECK ✓ WHEN FUNCTION COMPLETED

WARRANTS CHECKED ☐
PHOTOS / FINGERPRINTS TAKEN (IF NECESSARY) ☐
ARREST PACKAGE REVIEWED & APPROVED ☐
COURT INFORMATIONS SIGNED ☐

**SUPERVISOR REVIEW** _____
(TO BE SIGNED UPON TERMINATION OF CUSTODY)

# immunitycard.pdf

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# Consular Notification and Access Reference Card: Instructions for Arrests and Detentions of Foreign Nationals

This card summarizes for law enforcement officials the basic consular notification procedures to follow upon the arrest or detention of a foreign national. For more detailed instructions and legal material, see the Department of State publication *Consular Notification and Access*. The complete publication is available at http://travel.state.gov/consularnotification.

Questions may be addressed to:


Office of Policy Coordination & Public Affairs
CA/P, Room 4800 HST
U.S. Department of State
Washington, DC 20520
Telephone: 202-647-4415
Fax: 202-736-7559
Email: consnot@state.gov


Urgent after-hours inquiries may be directed to 202-647-1512 (State Department Operations Center.)

# Steps To Follow When a Foreign National Is Arrested or Detained[1]

1. Determine the foreign national's country of nationality. In the absence of other information, assume this is the country on whose passport or other document the national is traveling.

2. If the foreign national's country is **not** on the list of mandatory notification countries:

   a) Use Statement 1 on the back of this card to inform the national, without delay, that he or she may have his or her consular officers notified and may communicate with them.

   b) If the national requests that the consular officers be notified, notify the nearest consulate of the national's country without delay.

   c) Forward any communication from the national to the consulate without delay.

3. If the foreign national's country is on the list of mandatory notification countries:

   a) Notify the national's nearest consulate, without delay, of the arrest or detention.

   b) Use Statement 2 on the back of this card to tell the national, without delay, that you are making this notification and that he or she may communicate with the consulate.

   c) Forward any communication from the national to the consulate without delay.

4. Keep a written record of:

   - What information you provided to the foreign national and when.
   - The foreign national's requests, if any.
   - Whether you notified consular officers and, if so, the date and time and how you notified them (e.g., fax or phone). Keep any fax confirmation in your records.
   - Any other relevant actions taken.

[1]These steps should be followed for all foreign nationals, regardless of their immigration status.

# "Mandatory Notification" ("List") Countries

Albania
Algeria
Antigua and Barbuda
Armenia
Azerbaijan
Bahamas
Barbados
Belarus
Belize
Brunei
Bulgaria
China[1] (Including Macau and Hong Kong)
Costa Rica
Cyprus
Czech Republic
Dominica
Fiji
Gambia
Georgia
Ghana
Grenada
Guyana
Hungary
Jamaica
Kazakhstan
Kiribati
Kuwait
Kyrgyzstan
Malaysia
Malta
Mauritius
Moldova
Mongolia
Nigeria
Philippines
Poland[2]
Romania
Russia
Saint Kitts and Nevis
Saint Lucia
Saint Vincent and the Grenadines
Seychelles
Sierra Leone
Singapore
Slovakia
Tajikistan
Tanzania
Tonga
Trinidad and Tobago
Tunisia
Turkmenistan
Tuvalu
Ukraine
United Kingdom[3]
Uzbekistan
Zambia
Zimbabwe

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[1]Does not include Republic of China (Taiwan) passport holders.
[2]Mandatory for non-permanent residents only.
[3]U.K. includes Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Montserrat, and the Turks and Caicos Islands. Residents' passports bear the name of their territory and may also bear the name "United Kingdom."

# Suggested Statements to Arrested or Detained Foreign Nationals

## Statement 1: For All Foreign Nationals Except Those From Mandatory Notification Countries

As a non-U.S. citizen who is being arrested or detained, you may request that we notify your country's consular officers here in the United States of your situation. You may also communicate with your consular officers. A consular officer may be able to help you obtain legal representation, and may contact your family and visit you in detention, among other things. If you want us to notify your consular officers, you can request this notification now, or at any time in the future. Do you want us to notify your consular officers at this time?

---

## Statement 2: For Foreign Nationals From Mandatory Notification Countries

Because of your nationality, we are required to notify your country's consular officers here in the United States that you have been arrested or detained. We will do this as soon as possible. In addition, you may communicate with your consular officers. You are not required to accept their assistance, but your consular officers may be able to help you obtain legal representation, and may contact your family and visit you in detention, among other things. Please sign to show that you have received this information.

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# Prisoner Activity Log Addendum-Mental Health Screening (PDCS-2032-2a).pdf

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| CENTRAL COMPLAINT NUMBER |
|---|
| |

**DISTRIBUTION:** Original – CENTRAL RECORDS COPY – PRECINCT FILE
COPY – COMMAND OF DETENTION COPY – COURT LIAISON

**POLICE DEPARTMENT, COUNTY OF SUFFOLK, NY**
*ACCREDITED LAW ENFORCEMENT AGENCY*

# PRISONER ACTIVITY LOG - ADDENDUM
# MENTAL HEALTH SCREENING

**PDCS-2032-2a**

**NOTE**: This form MUST be completed in all cases prior to lodging any prisoner

| PRECINCT / COMMAND | INTERVIEWING OFFICER'S LAST NAME, FIRST, M.I. | RANK | COMMAND |
|---|---|---|---|
| | | | |

| PRISONER'S LAST NAME, FIRST, M.I. | D.O.B. | DATE OF ARREST | TIME OF ARREST | CELL # |
|---|---|---|---|---|
| | | | | |
| CHARGE(S) | | | | |
| | | | | |

| Has any Department member reported information indicating that the arrestee has engaged in conduct which may indicate a current risk of suicide?<br>☐ Yes ☐ No *(If **Yes**, Transport to CPEP Required)* | **If YES – Explain** |
|---|---|
| **Preparing Supervisor has asked the arresting/transporting officer about the above topic:** _____ *(Supervisor Initials)* | |
| Performed "Multi-System Name Look Up"<br>☐ Yes<br>*Information indicating the prisoner has attempted suicide within the past twelve (12) months will require **Full Time Observation.*** | **Details (if relevant)** |

| | | |
|---|---|---|
| Are you presently having thoughts of committing suicide? *(If **Yes**, Transport to CPEP Required)* | ☐ Yes | ☐ No |
| Have you ever attempted suicide?<br>*(If **Yes**, continuous Full Time Observation is Required if the attempt occurred within the past twelve (12) months)* | ☐ Yes | ☐ No |

People afflicted with certain mental illness are at an increased risk for attempting suicide. **Affirmative answers** to the following questions should be evaluated with the totality of the circumstances during the period of detention. Additional in custody suicide risk factors are enumerated at the bottom of this form.

| | | | |
|---|---|---|---|
| Have you ever been treated for a psychiatric illness? | | ☐ Yes | ☐ No |
| **If yes:** For what illness? | | | |
| When were you treated? | | | |
| Have you ever been prescribed medication for a psychiatric illness? | | ☐ Yes | ☐ No |
| **If yes:** What medication? | | | |
| When were you on such medication? | | | |
| For what illness was the medication prescribed? | | | |

**Additional In Custody Suicide Risk Factors**
*Be aware that hanging is the most prevalent method of in custody suicide*

- White Male
- Average Age 30
- Intoxicated by alcohol or other substance
- Insignificant or no arrest history
- Likely to have been charged with nonviolent crimes
- Recent loss of stabilizing influence
- Severe shame or guilt over offense
- Current mental illness – Depression is the single strongest indicator
- Poor health or terminal illness
- Severe agitation/aggressiveness
- Projects a sense of hopelessness

**SUPERVISOR REVIEW:** _____ _____
(TO BE SIGNED UPON TERMINATION OF CUSTODY) DATE

# Precinct Holding Facility Bi-Weekly Inspection Checklist (PDCS-2096b).pdf

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**POLICE DEPARTMENT, COUNTY OF SUFFOLK, N.Y.**
ACCREDITED LAW ENFORCEMENT AGENCY
**PRECINCT HOLDING FACILITY BI-WEEKLY INSPECTION CHECKLIST**

PDCS-2096b

**Precinct** _____

**Date:** _____ **Time:** _____ **Reporting Desk Supervisor:** _____

## 1. AREAS INSPECTED FOR OPERATIONAL CONDITION

| Check Appropriate Box | | | | If Unacceptable, Explain |
|---|---|---|---|---|
| Cell Bars | ❒ Acceptable | ❒ Unacceptable | ❒ N/A | |
| Cell Locks | ❒ Acceptable | ❒ Unacceptable | ❒ N/A | |
| Cell Vents | ❒ Acceptable | ❒ Unacceptable | ❒ N/A | |
| Cell Lights | ❒ Acceptable | ❒ Unacceptable | ❒ N/A | |
| Cell Bench | ❒ Acceptable | ❒ Unacceptable | ❒ N/A | |
| Windows | ❒ Acceptable | ❒ Unacceptable | ❒ N/A | |
| Window Bars | ❒ Acceptable | ❒ Unacceptable | ❒ N/A | |
| Doors | ❒ Acceptable | ❒ Unacceptable | ❒ N/A | |
| Cameras | ❒ Acceptable | ❒ Unacceptable | ❒ N/A | |
| Alarms | ❒ Acceptable | ❒ Unacceptable | ❒ N/A | |
| Intercoms | ❒ Acceptable | ❒ Unacceptable | ❒ N/A | |
| Plumbing | ❒ Acceptable | ❒ Unacceptable | ❒ N/A | |

## 2. FIRE SUPPRESSION AND DETECTION EQUIPMENT SYSTEMS (Provide Details for "No" responses below)

| | | | |
|---|---|---|---|
| Monitoring Systems Functioning Properly | ❒ Yes | ❒ No | ❒ N/A |
| Fire Extinguisher(s) - Proper location and up to date (or current) inspection tag | ❒ Yes | ❒ No | ❒ N/A |

## 3. MISCELLANEOUS EQUIPMENT AND SUPPLIES (Provide Details for "No" responses below)

| | | | |
|---|---|---|---|
| Personal Hygiene Items Adequately Stocked: Soap, Paper Towels, Paper Cups, Toilet Paper, Tampons, Sanitary Napkins | ❒ Yes | ❒ No | ❒ N/A |
| Blankets Clean and Available | ❒ Yes | ❒ No | ❒ N/A |
| Inhalator Charged and Available | ❒ Yes | ❒ No | ❒ N/A |
| Evidence of Vermin or Pests Present | ❒ Yes | ❒ No | ❒ N/A |
| Contraband or Weapons Discovered | ❒ Yes | ❒ No | ❒ N/A |
| First Aid Kit Available and Stocked | ❒ Yes | ❒ No | ❒ N/A |
| Transport Chains / Cuffs: Qty. _____ 2 set Qty. _____ 3 set Qty. _____ 4 set | ❒ Yes | ❒ No | ❒ N/A |
| Leg Restraints: Qty. _____ | ❒ Yes | ❒ No | ❒ N/A |

**Details:**

| Desk Supervisor Signature | Shield | Approved by Precinct Administrative Supervisor(Signature) | Date |
|---|---|---|---|
| | | | |

Person FILING completed form initials:

**Distribution: Original** - Precinct

# Itemized Receipt (Custody-Disposition) (PDCS-0094-1b).pdf

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**POLICE DEPARTMENT, COUNTY OF SUFFOLK, NY**
*ACCREDITED LAW ENFORCEMENT AGENCY*
**ITEMIZED RECEIPT (CUSTODY/DISPOSITION)** PDCS-0094-1b

| CC#: | |
|---|---|
| Date: | Page # _____ of _____ |

**1. Reporting Department Member**

| NYS I.D. # -if applicable | Reporting Department Member (Last, First) | Rank/Title | Shield # | Command # |
|---|---|---|---|---|
| | | | | |

**2. Item(s) Received From:** Non-Member of SCPD: ☐ Civilian ☐ Sworn | Member of SCPD: ☐ Civilian ☐ Sworn

| Last Name | First Name | MI | DOB or Rank/Title, Shield, Command |
|---|---|---|---|
| | | | |

| Business Name, Outside Agency (if applicable) | Phone |
|---|---|
| | |

| Address | City | State | Zip |
|---|---|---|---|
| | | | |

| If property was found, does *Finder* wish to claim items if *Owner* does not? ☐ Y ☐ N | Signature of Finder: | DOB<br>TEL: |
|---|---|---|

**NOTES:**

**3. Description of Item(s)**

| Item # | Qty | Brand | Description (including identifying characteristics and serial numbers) |
|---|---|---|---|
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**4. Item(s) Transferred/Released To:** Non-Member of SCPD: ☐ Civilian ☐ Sworn | Member of SCPD: ☐ Civilian ☐ Sworn

| Date: | Time: | ☐ All Above Items | ☐ Item(s) # _____ |
|---|---|---|---|

| Last Name | First Name | MI | DOB or Rank/Title, Shield, Command |
|---|---|---|---|
| | | | |

| Business Name, Associated Agency (if applicable) | Phone |
|---|---|
| | |

| Address | City | State | Zip |
|---|---|---|---|
| | | | |

**Released To Signature:**

| Reporting Department Member's Signature | Connected CC#'s (if applicable): |
|---|---|
| | |

For information on retrieving your property, go to www.suffolkpd.org; Click on *Forms and Reports*; Scroll to *Property Bureau Forms* and select *Release of Property: Obtaining the Release of Property from the Property Section.* If you do not have Internet access, call 631-852-6465 for automated information.

***A copy of the Itemized Receipt (Custody/Disposition) must be attached to the Property Section Invoice Receipt for invoiced property***
**Distribution: Original** – Department Member; **Yellow** – Relinquished To (when applicable); **Pink** – Receiver

# Emergency Incident Report (PDCS-1110).pdf

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# POLICE DEPARTMENT, COUNTY OF SUFFOLK, N.Y.

*ACCREDITED LAW ENFORCEMENT AGENCY*

# EMERGENCY INCIDENT REPORT

**PDCS-1110**

In accordance with Rules and Procedures, Chapter 16, Section 11, VI, Q: All emergency incidents, which involve the life or physical welfare of a prisoner while temporarily detained or confined (lodged) in a detention facility, or the physical well-being of a Department employee during the discharge of official duties shall, without unnecessary delay, be reported to the precinct commanding officer.

| C. C. NUMBER: | PRISONER NAME | | D.O.B. |
|---|---|---|---|
| ADDRESS: | | | TELEPHONE NUMBER: |
| ARRESTING OFFICER / SHIELD / COMMAND | | DATE / TIME OF ARREST: | CHARGES |
| PRISONER PHOTO TAKEN BY: NAME / SHIELD / COMMAND | | | DATE / TIME PHOTO TAKEN. |
| DATE / TIME OF EMERGENCY INCIDENT | INJURY | HOSPITAL NAME AND ADDRESS: | |

**INCIDENT DETAILS:** (include prisoner's visible physical and emotional condition at the time of the Emergency Incident and any medications and/or illicit drugs taken or possessed prior to the Emergency Incident.)

| INJURY? | IF YES, WAS INJURED PARTY? | IF DEPARTMENT EMPLOYEE (Injured Employee Report must be completed): NAME/ SHIELD (if applicable)/ COMMAND |
|---|---|---|
| ☐ Yes<br>☐ No | ☐ Department Employee<br>☐ Prisoner ☐ Both | |

| DATE /TIME DUTY OFFICER NOTIFIED | NAME OF DUTY OFFICER: |
|---|---|

ATTACHMENTS:
( ) Prisoner Activity Log
( ) Release of Medical Records
( ) Patient Discharge Summary
( ) Internal Correspondence
( ) Other _____

| OFFICER IN CHARGE. / SHIELD/COMMAND | SIGNATURE | DATE |
|---|---|---|
| COMMANDING OFFICER: | SIGNATURE | RECEIVED DATE /TIME |

# Prisoner Transmittal Sheet (PDCS-2031d).pdf

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POLICE DEPARTMENT COUNTY OF SUFFOLK, NEW YORK
*ACCREDITED LAW ENFORCEMENT AGENCY*

PRISONER TRANSMITTAL SHEET
PDCS-2031d

ORIGINAL (white) and 1st copy (yellow) go to Court with the arrest paperwork. The original (white copy) is receipted and returned to the precinct for filing. The 1st copy is retained at the Court. The 2nd copy (pink) and 3rd copy (goldenrod) accompany the prisoners to Court. The 2nd copy (pink) is receipted and returned to the precinct. The 3rd copy (goldenrod) remains at Court.

| **NAME** (Last, First, Middle - AKA) | D.O.B. | SEX | RACE * | CHARGES (List all per arrestee) List by charge name and by numerical section of law. | I.B.# | CC#'s | Prints (Y - N) | Prop. (Y - N) | Holds (Y - N) | **GANG AFFILIATIONS/ COMMENTS** |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | |
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***RACE CODES:** **A** Asian **B** Black **H** Hispanic **E** Middle Eastern **M** Mixed Heritage **W** White

Command: _____ Transported To: _____ Date: _____

Prisoners Received **By:** _____
RECEIVING OFFICIAL'S SIGNATURE

# Processing of Arrests of Juveniles

## 901.1 PURPOSE AND SCOPE

This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles arrested and taken into custody by members of the Suffolk County Police Department (34 USC § 11133).

### 901.1.1 DEFINITIONS

Definitions related to this policy include (Family Court Act § 301.2; CPL § 1.20):

**Adolescent offender** – A juvenile charged with a felony when he/she was 16 or 17 years of age.

**Child respite services** - Lodging services for a maximum of 21 days administered by licensed providers. This arrangement offers a "safe haven" or temporary stable residence to children and child runaways who are unable to return home.

**Juvenile** - A person less than 18 years old. Dependent on age and specific conduct, juveniles are not criminally responsible for certain conduct that would constitute an offense if committed by an adult as further described in this policy. Juveniles in temporary custody require processing different from that of adults as further detailed in this policy.

**Juvenile non-offender** - An abused, neglected, dependent, or alien juvenile who may be legally held for his/her own safety or welfare. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for his/her protection or for purposes of reuniting the juvenile with a parent, guardian, or other responsible person.

**Juvenile delinquent** - A juvenile 7 to 17 years of age who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense) and who is not criminally responsible for such conduct by reason of infancy. It also includes an offense under Penal Law § 265.05 for unlawful possession of certain weapons by persons under 16 (28 CFR 31.303) (Family Court Act § 301.2,).

**Juvenile offender** - A juvenile 13 to 15 years of age who is in custody for a designated felony (serious violent or weapons-related charges listed in Family Court Act § 301.2; Penal Law § 10.00).

**Non-secure custody** - When a juvenile is held in the presence of an officer or other Department member at all times and is not placed in a locked room, cell, or behind any locked doors. Juveniles in non-secure custody may be handcuffed, but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication, is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation.

**Non-secure detention facility** - A facility characterized by the absence of physically restricting construction, hardware and procedures (Family Court Act § 301.2).

**Person in need of supervision** - A person less than 18 who does not attend school in accordance with the provisions of part one of article 65 of the Education Law or who is incorrigible,

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ungovernable or habitually disobedient and beyond the lawful control of a parent or other person legally responsible for such child's care, or other lawful authority, or who violates the provisions of section 221.05 or 230.00 of the penal law, or who appears to be a sexually exploited child as defined in paragraph (a), (c) or (d) of subdivision one of section 447-a of the Social Services Law, but only if the child consents to the filing of a petition under this article (Family Court Act § 712).

**Safety checks** - Direct visual observation by a member of this Department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of juveniles in temporary custody.

**Secure custody** - When a juvenile is held in a locked room, a set of rooms, or a cell. Secure custody also includes being physically secured to a stationary object.

Examples of secure custody include:

(a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.

(b) A juvenile handcuffed to a rail.

(c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.

(d) A juvenile being processed in a secure booking area when a non-secure booking area is available.

(e) A juvenile left alone in a secure booking area after being photographed and fingerprinted.

(f) A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.

(g) A juvenile placed in a room that is capable of being locked or contains a fixed object designed for cuffing or restricting movement.

**Secure detention facility** - A residential facility which is characterized by physically restricting construction, hardware and procedures, and which is designated as a secure facility by the division for youth (Family Court Act § 301.2 ).

**Sight and sound separation** - Located or arranged to prevent physical, visual, or auditory contact (34 USC § 11103).

**Status offender** - A juvenile suspected of committing a violation of the law that would not be a violation but for the age of the offender. Examples may include running away, underage possession of tobacco, curfew violation, and truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender.

## 901.2 POLICY

The Suffolk County Police Department is committed to promptly releasing juveniles from temporary custody or transferring them to court for arraignment and to keeping juveniles safe

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while in temporary custody of the Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

901.2.1 JUVENILE ARRAIGNMENT COURTS
Juveniles charged as juvenile delinquents are arraigned at Family Court.

Juveniles charged as juvenile offenders and adolescent offenders are arraigned at the Youth Part of County Court.

Juveniles who are charged with non-felony offenses for which they are criminally responsible are arraigned at the appropriate local criminal court (First District Court within the Suffolk County Police District).

See procedure for further guidance: SUMMARY TABLE FOR PRE-ARRAIGNMENT PROCESSING OF 16 AND 17-YEAR-OLD DEFENDANTS

## 901.3 JUVENILES WHO SHOULD NOT BE HELD

Juveniles who exhibit certain behaviors or conditions should not be held at a Department facility. Criteria and policy for juveniles who should not be held are identical to those applicable to adults. See the Processing of Arrests of Adults Policy for information.

## 901.4 CUSTODY OF JUVENILES

Officers should take custody of a juvenile and temporarily hold the juvenile at an appropriate Department facility when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile who is suspected of being a victim.

The officer responsible for a juvenile in temporary custody shall cause the arrestee to be interviewed by the Officer in Charge (OIC), designee, or supervising officer of the command where the arrestee is detained upon arrival at a Department facility. When a prisoner is brought directly to a hospital, a supervisor shall respond to the hospital to ensure a Prisoner Activity Log (PDCS-2032h) is initiated as soon as practicable. Policies and procedures contained in the Processing of Arrests of Adults Policy pertaining to initiating temporary custody and prisoner transportation are applicable to juveniles.

Juveniles taken into custody should be held in non-secure custody unless otherwise authorized by this policy.

Any juvenile taken into custody shall be promptly released to the care of the juvenile's parent, legal guardian or other responsible adult, or transferred to a juvenile custody facility or to another authority. In no event shall a juvenile delinquent or juvenile offender be lodged in a Department holding cell. A juvenile charged as an adolescent offender or charged solely with a violation, traffic infraction or misdemeanor defined in the Vehicle and Traffic Law (VTL) may be held in a Department detention cell wherein sight and sound separation from adult arrestees is maintained.

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### 901.4.1 PROCESSING OF JUVENILES

All juveniles shall be separated by sight and sound from adult defendants during arrest processing. The designated juvenile room will be used for processing.

The processing of juveniles charged as juvenile delinquents, juvenile offenders, and adolescent offenders is the responsibility of the Detective Division. Detective Division personnel shall refer to the Juvenile Processing Manual posted in the Information section of the Department Intranet for specific guidance on processing. If a juvenile delinquent is charged with a violation or traffic infraction in addition to a misdemeanor, all charges will be processed by the Detective Division and adjudicated by the Family Court. If a juvenile or adolescent offender is charged with a violation, traffic infraction or misdemeanor in addition to a felony, all charges will be processed by the Detective Division and adjudicated by the Youth Part of County Court.

Sixteen and 17 -year-old juveniles arrested for felonies not normally processed by the Detective Division (e.g., Driving While Intoxicated as a Felony, Aggravated Unlicensed 1st Degree) shall be processed as adolescent offenders by the arresting command.

Sixteen and 17-year-old juveniles are criminally responsible for violations, traffic infractions, or misdemeanors defined in the VTL and are prosecuted in local criminal courts using standard adult arrest paperwork and procedures except for the separation requirements from adult offenders described in this policy. The processing of juveniles charged solely with these offenses is the responsibility of the arresting command. See the Processing of Arrests of Adults policy for adult arrest paperwork requirements.

### 901.4.2 WARRANT ARRESTS

Warrants issued for adolescent and juvenile offenders by the Youth Part of County Court are returnable to the Youth Part. These defendants will be processed by the arresting command. Efforts should be made to bring defendants before the issuing judge if that judge is sitting that day. In some cases, the issuing judge will be located at the Riverhead Criminal Court building. Defendants who are the subject of District or County Court warrants shall have their cases adjudicated in the issuing court and not in the Youth Part or Family Court.

Defendants who are the subject of District or County Court warrants in relation to acts committed prior to October 1, 2018, when they were 16 years of age (or October 1, 2019, as applicable to 17-year-old defendants), shall continue to have their cases adjudicated in the issuing court and not in the Youth Part or Family Court.

### 901.4.3 CUSTODY OF JUVENILE NON-OFFENDERS

Non-offenders taken into protective custody should generally not be held at a Department facility. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure custody (34 USC § 11133).

A child taken into custody due to an emergency removal without a court order under Family Court Act § 1024 or Social Services Law § 417 shall be taken as soon as practicable to an approved facility with the assistance of the Suffolk County Department of Child Protective Services. Every

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reasonable effort to inform the parent or other person legally responsible for the child's care shall be made.

Alternatives for Youth (AFY) are diversionary services provided to eligible families by the Suffolk County Department of Probation. Complete the Child Referral Form (PDCS-5600) which provides contact information. The diversionary services include: immediate crisis intervention, family intervention plans, peer support and parent training. Officers requesting AFY services should contact the Suffolk County Response Law Enforcement Hotline at (631) 751-6069 The hotline personnel shall evaluate the child based on the officer's observations, determine the appropriate facility and direct the officer to that location.

Lodging services for a maximum of 21 days by licensed providers offer a "safe haven" or temporary stable residence to children and child runaways who are unable to return home. In appropriate circumstances, this includes juvenile delinquents or adolescent offenders who have been released on an appearance ticket. For placement, officers should call the Suffolk County Response Law Enforcement Hotline and complete the Child Respite Provider Report (PDCS-5602) . If the child is less than 10 years of age, officers shall contact Suffolk County Child Protective Services at 1-800-342-3720.

### 901.4.4 PERSONS IN NEED OF SUPERVISION (PINS)

In accordance with the Family Court Act, the Suffolk County Probation Department has been designated as the "Lead agency" and as such, is the only agency that can file a Person in Need of Supervision (PINS) petition. A PINS petition will only be filed in extreme cases, after diversionary services provided by the Probation Department have failed.

Any request by a parent/guardian to initiate a PINS petition must be directed to the Suffolk County Department of Probation. The requestor shall be given the Child Referral Form (PDCS-5600) which advises the parent/guardian of their right to seek diversionary services and provides the contact information for the Probation Department.

PINS warrants shall be processed by the precinct detective squad. A person who is the subject of PINS warrant that requires lodging must be transported to a non-secure detention facility. The officer/detective shall complete Affidavit: Non-Secure Detention Facility (PDCS-5601) upon transporting a child to a non-secure facility. The primary non-secure facility in Suffolk County is Hope for Youth in Amityville, (631) 841-1650.

### 901.4.5 CUSTODY OF JUVENILE STATUS OFFENDERS

Status offenders should generally be released by a court appearance ticket as applicable rather than taken into temporary custody unless such custody is specifically authorized by law. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian or if the juvenile reasonably appears to be a runaway in order to facilitate reunification (e.g., transported home or to the station to await a parent). Juvenile status offenders may not be held in secure custody (34 USC § 11133).

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### 901.4.6 CUSTODY OF JUVENILES

Juveniles should be held in non-secure custody while in a Department facility unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.

An officer may take a juvenile into custody without a warrant under the same circumstances for which an adult may be arrested for a crime or for an offense for which the juvenile is criminally responsible.

Every reasonable effort should then be made to give notice of the custody to a parent or other person legally responsible for the child as soon as practicable (Family Court Act § 305.2; CPL § 120.90; CPL § 140.20; CPL § 140.27).

When practicable and authorized by law and Department policy, juveniles should generally be released to the custody of a parent or other legally responsible person upon the issuance of an appearance ticket to the child and the person to whose custody the child is released (Family Court Act § 305.2). See the Appearance Tickets Policy for information on issuance tickets to juveniles.

Upon being taken into custody, adolescent offenders, juvenile offenders, and other juvenile delinquents with special circumstances should be taken to the Youth Part of County Court or Family Court, as appropriate. If the court is not in session, members should take the juvenile before an appropriate magistrate as designated by the court (Family Court Act § 305.2; CPL § 140.20; CPL § 140.27; CPL § 722.21).

In cases where the officer determines that it is necessary to question the juvenile delinquent, the child may be transported to a location specifically designated for the purpose of questioning juveniles, even in cases where the member intends to later transport the juvenile to court. If the officer intends to release the juvenile after questioning, and upon the consent of a parent or other person legally responsible for the care of the child, the juvenile may be taken to his/her residence for questioning for a reasonable period of time (Family Court Act § 305.2; CPL § 140.20).

Special circumstances may make a release inappropriate due to a substantial probability that a juvenile will not appear in court or a serious risk the juvenile may commit further serious criminal acts. In these cases, taking a juvenile to Family Court or the Youth Part as applicable is appropriate. When Family Court or the Youth Part is not in session, the member should take the juvenile before an appropriate magistrate as designated by the court. The supervisor or designee may then contact a juvenile detention facility and seek authorization for further detention (Family Court Act § 305.2; Family Court Act § 320.5).

### 901.4.7 SUPERVISION OF JUVENILES IN CUSTODY

General supervision requirements as well as specific supervision requirements for female and transgender prisoners for adults are applicable to juveniles in custody. See the Processing of Arrests of Adults Policy.

### 901.4.8 PRISONER TRANSPORTATION

Juveniles are not transported with adult prisoners. The portions of the Processing of Arrests of Adults Policy pertaining to prisoner transportation are otherwise generally applicable to juveniles.

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The Patrol Division is responsible for transporting 16 and 17-year-olds charged as adolescent offenders or charged solely with violations, traffic infractions, and misdemeanors defined in the VTL who are held at Department facilities to the appropriate court.

The detective division is responsible for transporting defendants charged as juvenile delinquents or juvenile offenders to and from the appropriate juvenile detention facility as necessary and to court.

### 901.4.9 JUVENILE OFFENDER LODGING

The precinct detective squad or the applicable detective command processing a juvenile offender is responsible for pre-arraignment transportation of all juvenile offenders to a facility designated by the State Division of Youth as a facility for the reception of children, when court is not in session, and shall deliver them to Youth Part of County Court for arraignment. A photocopy of the arrest package will accompany the juvenile to the detention facility.

### 901.4.10 ADOLESCENT OFFENDER LODGING

Adolescent offenders and 16 and 17-year-old defendants charged with violations, traffic infractions or misdemeanors defined in the VTL who are not released on appearance tickets shall be lodged at precincts with full time observation. They may be held in the juvenile room or in an appropriate cell block area. If they are held in a cell block area, there must not be any adult prisoners present in that area and appropriate measures must be taken to assure sight and sound separation from adult prisoners, (e.g., door to area closed). Opposite sex defendants must also be separated by sight and sound.

### 901.4.11 COURT TRANSFER OF ADOLESCENT AND JUVENILE OFFENDERS

The Youth Part of County Court primarily serving the police district is located at the Cohalan Court Complex, 400 Carleton Avenue, Central Islip. The accessible magistrates who will receive defendants when the Central Islip Youth Part is not in session are located at First District Court.

The Youth Part of County Court primarily serving the Towns of East Hampton, Riverhead, Shelter Island, Southampton and Southold is located in the Criminal Courts Building, 210 Center Drive South, Riverhead. The accessible magistrates who will receive defendants when the Riverhead Youth Part is not in session are located at the Riverhead and Southampton Town Justice Courts.

In general, the Department will utilize the Central Islip location. However, each Youth Part and its corresponding accessible magistrates have countywide jurisdiction, so Department personnel may utilize either location for offenses committed anywhere in Suffolk County if operationally necessary/advantageous. In the case of warrant arrests, the defendant should be brought before the issuing judge if possible.

See procedure for further guidance: CENTRAL ISLIP YOUTH PART DEFENDANTS, REGULAR WORKDAYS

See procedure for further guidance: CENTRAL ISLIP YOUTH PART DEFENDANTS, WEEKENDS AND HOLIDAYS

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See procedure for further guidance: EASTERN TOWNS YOUTH PART AND ACCESSIBLE MAGISTRATES

See procedure for further guidance: JUVENILE DELINQUENTS

See procedure for further guidance: WEEKDAY AFTER HOURS, WEEKEND OR HOLIDAY ARRESTS

901.4.12 TRANSFER OF JUVENILES BEING ARRAIGNED AT DISTRICT COURT
Sixteen and 17-year-olds being arraigned in the criminal part of First District Court (i.e., those charged solely with violations, traffic infractions, or misdemeanors defined in the VTL) will remain in the custody of the transporting officers through arraignment and will not be transferred to the custody of the Sheriff's Office unless so remanded by the judge.

## 901.5 ADVISEMENTS

Any member taking a juvenile delinquent, juvenile or adolescent offender into custody shall immediately notify the parent or other person legally responsible for the juvenile's care, or if such legally responsible person is unavailable, the person with whom the child resides, that the juvenile has been taken into custody and provide the juvenile's location (Family Court Act § 305.2; CPL § 140.20; CPL § 140.27).

## 901.6 PRISONER ACTIVITY LOGS

Any time a juvenile is in custody of the Department, the custody shall be promptly and properly documented on a Prisoner Activity Log (PDCS-2032h) . Required information is the same as that required for Prisoner Activity Logs completed for adults. See the Prisoner Activity Log section of the Processing of Arrests of Adults Policy for complete information. The arrestee's status as a juvenile delinquent, juvenile offender or adolescent offender shall be noted on the Prisoner Activity Log (PDCS-2032h).

## 901.7 NO-CONTACT REQUIREMENTS

Sight and sound separation shall be maintained between all juveniles and adults while in custody of the Department (34 USC § 11133; 28 CFR § 115.114). There should also be sight and sound separation between non-offenders, juvenile arrestees and status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the Department shall maintain a constant, immediate, side-by-side presence with the juvenile or the adult to minimize any contact. If inadvertent or accidental contact does occur, reasonable efforts shall be taken to end the contact.

In the event that a juvenile has erroneously been placed in custody through deception, impersonation or other reason, the incident must be immediately reported to the OIC and a record made for reporting to the New York State Commission of Correction (reportable incident and annual reporting as required by Commission guidelines).

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## 901.8 CUSTODY REQUIREMENTS

Members and supervisors assigned to monitor or process any juvenile in custody of the Department shall ensure:

(a) Safety checks and significant incidents/activities are noted on the Prisoner Activity Log (PDCS-2032h).

(b) Juveniles in custody are informed that they will be monitored at all times, except when using the toilet.

1. There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware.
2. This does not apply to surreptitious and legally obtained recorded interrogations.

(c) A member of the same sex will supervise personal hygiene activities and care, such as changing clothing or using the restroom.

(d) Feminine hygiene products shall be supplied to individuals in custody at no cost and shall be stored, dispensed and disposed of in a sanitary manner (Correction Law § 625).

(e) There is reasonable access to toilets and wash basins.

(f) There is reasonable access to a drinking fountain or water.

(g) Food is provided to juveniles in the same manner as adults in temporary custody, including any special diet required for the health of the juvenile.

(h) There are reasonable opportunities to stand and stretch, particularly if handcuffed or otherwise restrained.

(i) There is privacy during family, guardian and/or attorney visits.

(j) Juveniles are generally permitted to remain in their personal clothing unless it is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.

(k) Clean blankets are provided as reasonably necessary to ensure the comfort of an individual.

(l) Adequate shelter, heat, light and ventilation are provided without compromising security or enabling escape.

(m) Adequate furnishings are available, including suitable chairs or benches.

(n) Juveniles have the right to the same number of telephone calls as adults in temporary custody. See the Processing of Arrests of Adults Policy.

(o) Discipline is not administered to any juvenile, nor will juveniles be subjected to corporal or unusual punishment, humiliation or mental abuse.

(p) Adolescent offenders and 16 and 17-year-old defendants charged with violations, traffic infractions or misdemeanors defined in the VTL who are not released on appearance tickets shall be lodged at precincts with full time observation. They may be held in the juvenile room or in an appropriate cell block area.

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901.8.1 COURT APPROVAL
The Chief of Patrol or designee will ensure that only areas that have been designated by the chief administrator of the courts as a suitable place for the questioning of children are used for the custody or questioning of juveniles. Members should not allow a juvenile in custody to be in an unapproved area (Family Court Act § 305.2).

## 901.9 RELIGIOUS ACCOMMODATION

Juveniles have the right to the same religious accommodation as adults in custody. See the Processing of Arrests of Adults Policy.

## 901.10 USE OF RESTRAINT DEVICES

Juveniles may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile may be handcuffed at a Department facility when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening.

Other restraints shall only be used after less restrictive measures have failed and with the approval of the OIC. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others.

Juveniles in restraints shall be kept away from other unrestrained individuals in custody and monitored to protect them from abuse.

901.10.1 PREGNANT JUVENILES
Juveniles who are known to be pregnant who are restrained should be restrained in accordance with the Handcuffing and Restraints Policy.

## 901.11 PERSONAL PROPERTY

The personal property of a juvenile shall be processed in the same manner as an adult in custody. See the Processing of Arrests of Adults Policy.

## 901.12 SECURE CUSTODY

Only juveniles 10 years of age or older may be placed in secure custody (Family Court Act § 304.1).

Members of this Department should not use secure custody for convenience when non-secure custody is, or later becomes, a reasonable option.

When practicable, handcuffing one hand of a juvenile to a fixed object while otherwise maintaining the juvenile in non-secure custody should be considered as the method of secure custody. A member must be present at all times to ensure the juvenile's safety while secured to a stationary object.

Generally, juveniles should not be secured to a stationary object for more than 60 minutes.

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901.12.1 HOLDING CELLS

Juveniles shall be separated by sight and sound from adults when lodged in holding cells with full time observation.

Adolescent Offenders and 16 and 17-year-old defendants charged with violations, traffic infractions or misdemeanors defined in the VTL who are not released on appearance tickets and who are lodged in holding cells are monitored in the same manner as an adult in temporary custody except that full time observation is required for all juveniles. See the Processing of Arrests of Adults Policy.

## 901.13 DEATH OF AN IN-CUSTODY JUVENILE

In-custody deaths of juveniles are handled in the same manner as in-custody adult deaths. See the Processing of Arrests of Adults Policy.

## 901.14 INTERVIEWING OR INTERROGATING

No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent, to an interview or interrogation.

Juveniles in custody shall not be questioned unless the juvenile and either the juvenile's parent or other person legally responsible for the child's care, or if such legally responsible person is unavailable, the person with whom the child resides, are advised of the juvenile's Department-approved *Miranda* rights for juveniles (Family Court Act § 305.2).

Recording of custodial interrogations of juveniles should be made in accordance with the requirements of the Investigations and Prosecution Policy (Family Court Act § 344.2; CPL § 60.45).

## 901.15 RESTRICTION ON FINGERPRINTING AND PHOTOGRAPHING

Fingerprints, palm prints, and photographs may not be taken of juvenile delinquents unless (Family Court Act § 306.1):

(a) The juvenile is in custody for a class A or B felony and the child is 11 years of age or older.

(b) The juvenile is in custody for a class C, D or E felony and is 13 years of age or older.

Fingerprints, palm prints and photographs may be taken for a juvenile charged as an adolescent offender or who is 16 or 17 years old and in custody for a misdemeanor defined in the VTL for which fingerprinting and photographing are authorized (Penal Law 30.00; CPL 160.10).

The taking of fingerprints, palm prints, photographs, and related information concerning a juvenile in custody shall conform with standards established by the Commissioner of the New York State Division of Criminal Justice Services, the Family Court Act, and the Criminal Procedure Law (Family Court Act § 306.1; CPL § 120.90; CPL § 140.20; CPL § 140.27).

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## 901.16 MISCELLANEOUS CUSTODY CONSIDERATIONS

The guidance contained in the Processing of Arrests of Adults Policy in the following areas is applicable to juveniles:

(a) Entry restrictions

(b) Consular notification

(c) Custody inquiries

(d) Medical care

(e) Telephone calls

(f) Visiting a prisoner in a detention cell

(g) Release and/or transfer

(h) Escape from custody

(i) Bedside arraignment

(j) Prisoner unavailable for arraignment due to hospitalization

(k) Guarding prisoners at a hospital

### 901.16.1 SUBMISSION OF ARREST INFORMATION TO THE DISTRICT ATTORNEY'S OFFICE

In cases of juveniles arrests where the defendant will be arraigned in First District Court or Youth Part, documentation related to the arrest shall be submitted to the District Attorney's Office in the same manner as for an adult arrest.

See procedure for further guidance: SUBMISSION OF ARREST INFORMATION TO THE DISTRICT ATTORNEY'S OFFICE

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# Attachments

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# Child Respite Provider Report (PDCS-5602).pdf

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# POLICE DEPARTMENT COUNTY OF SUFFOLK, NEW YORK

*ACCREDITED LAW ENFORCEMENT AGENCY*

## CHILD RESPITE PROVIDER REPORT

**PDCS-5602**

**Central Complaint No.** _____

I _____ do hereby authorize
(Parent/Guardian)

_____, a Police Officer(s) of the
(Officer(s) Name)

Suffolk County Police Department, to deliver _____
(Child's Name)

_____, to the following respite provider _____
(D.O.B.) (Name of Provider)

located at _____
(Address)

for the purpose of temporary lodging. This written permission is being given voluntarily by both the above named child and the above named parent/guardian to the Police Officer(s) named above, and it is given without threats or promises of any kind.

Are there any medical / mental health conditions or history that is relevant to the short term care of the child?
☐ **YES** ☐ **NO** If **YES**, complete the following:

**The following conditions/prescriptions should be noted:** _____

_____

_____

_____

**Doctor(s) contact information:** _____

_____

_____

**Parent/Guardian Phone Number:** (Day) _____ (Evening) _____

**The parent/guardian shall remain available at all times while the child is with the respite provider.**

| | | | |
|---|---|---|---|
| Print Name - Parent / Guardian | Signature - Parent / Guardian | Date | Time |
| Print Name - Child | Signature - Child | Date | Time |
| Print Name - Witness (Officer) | Signature - Witness (Officer) | Date | Time |
| Print Name - Witness (if Available) | Signature - Witness (If Available) | Date | Time |

**DISTRIBUTION: Central Records Section, Fugitive/Missing Persons Section, Respite Provider, Parent**

# Affidavit Non Secure Detention Facility (PDCS-5601).pdf

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**POLICE DEPARTMENT COUNTY OF SUFFOLK, NEW YORK**

*ACCREDITED LAW ENFORCEMENT AGENCY*

# AFFIDAVIT: NON SECURE DETENTION FACILITY

**PDCS-5601**

Central Complaint No. _____

I, _____, a sworn member of the Suffolk
(Name)

County Police Department, do swear and affirm that on _____,
(Date and Time)

_____, came under my supervision due to the
(Child's Name and D.O.B.)

following circumstances: _____

_____

_____

_____

**This child was unable to return home due to:**

_____ Unable to contact parent / guardian.

_____ Parent / guardian requested respite runaway services for child.

_____ Concern for child's well being at home (explain): _____

_____

_____

**Child Protective Services (CPS) notified?** ☐ Yes ☐ No

**This child could not be placed in a runaway respite or transitional facility because:**

_____ Unable to contact the Response Hotline.

_____ No runaway respite or transitional bed space available

_____ Concern for the child's well being at the placement residence.

With no other recourse available, I have arranged for _____ to be domiciled
(Child's name)

at_____located at_____
(Facility name) (Facility address)

until such time as this individual may be transported to the Suffolk County Probation Department.

_____ _____

Print name - Officer Rank/ Shield/ Command

_____ _____

Signature - Officer Date

**DISTRIBUTION: Central Records, Fugitive/Missing Persons Section, Non-Secure Detention Facility**

# Prisoner Activity Log (PDCS-2032h).pdf

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CENTRAL COMPLAINT # _____ A# _____ PIN# _____

| LOCATION OF INITIAL INTERVIEW | DATE OF INTV. | TIME OF INTV. |
|---|---|---|
| | | |

| PRECINCT | COMMAND | TOUR | BLOTTER ENTRY |
|---|---|---|---|
| | | | |

**POLICE DEPARTMENT, COUNTY OF SUFFOLK, NY**
*ACCREDITED LAW ENFORCEMENT AGENCY*

# PRISONER ACTIVITY LOG

**PDCS-2032h**

CHARGE(S)

**DISTRIBUTION:** WHITE – CENTRAL RECORDS YELLOW – PRECINCT FILE
PINK – COMMAND OF DETENTION GOLDENROD – COURT LIAISON

PRISONER'S LAST NAME, FIRST, M.I.

D.O.B. | SEX: M ☐ F ☐ | RACE: ( ) WHITE ( ) BLACK ( ) HISPANIC ( ) ASIAN ( ) AM INDIAN/ALASKAN NATIVE ( ) NATIVE HAW/ OTHER PAC ISLANDER ( ) UNK

ADDRESS:

DATE OF ARREST | TIME OF ARREST | PLACE OF ARREST

PRISONER BAILED? If yes, continue ☐ YES ☐ NO

BAIL AMOUNT $_____ APPEARANCE TICKET # _____ CASH BAIL RECEIPT # _____

VISIBLE PHYSICAL CONDITION UPON INITIAL INTERVIEW (Indicate observable cuts, scrapes, bruises, signs of drug/alcohol impairment)

PRISONER CLAIMS PAIN, INJURY OR ILLNESS ... EXPLAIN DETAILS OF CLAIM

VISIBLE EMOTIONAL CONDITION

IS PRISONER ON MEDICATION? ☐ YES ☐ NO If yes, continue
PRESCRIPTION NUMBER _____
DOCTOR'S NAME _____
NAME OF PHARMACY _____
AMOUNT _____ EVERY _____ HOURS
(NOTE MEDICATION DISTRIBUTION IN PRISONER ACTIVITY SECTION)

ARE PHOTOS, IN ADDITION TO MUG SHOTS, REQUIRED AS PER R&P CHAP16.1? ☐ Y ☐ N | PHOTOS TAKEN? ☐ Y ☐ N | PHOTOS TAKEN BY: | DATE:

ARRESTING OFFICER'S LAST NAME, FIRST, M.I. RANK/SHIELD/COMMAND (IF NOT SCPD, LIST AGENCY

PLATOON COMMANDER OR DESIGNEE PERFORMING INTERVIEW

| PRISONER LODGED ☐ YES ☐ NO | CELL NO. | TIME | VISIBLE PHYSICAL CONDITION WHEN LODGED | PROPERTY RECEIPT # | LODGING OFFICERS INITIALS/SHIELD |
|---|---|---|---|---|---|
| | | | | | |

## PRISONER ACTIVITY

LIST ALL MOVEMENT OF PRISONER BOTH WITHIN AND OUTSIDE PRECINCT / COMMAND. INCLUDE TRANSPORTS TO HOSPITAL, COURT, INTERROGATIONS AND NOTE PHYSICAL CONDITION UPON RETURN. IF DIFFERENT UPON RETURN, SUBMIT I.C. TO EXPLAIN. IF PRISONER IS BAILED, LIST TIME & DATE ON APPROPRIATE LINE BELOW AND COMPLETE THE PRISONER BAILED BOX ABOVE. PRISONER INSPECTION VISITS ARE MADE AT INTERVALS NOT TO EXCEED 30 MINUTES APART.

| TIME | REMARKS/OBSERVATIONS | OFFICER RANK / SHIELD | TIME | REMARKS/OBSERVATIONS | OFFICER RANK / SHIELD |
|---|---|---|---|---|---|
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CHECK ✓ WHEN FUNCTION COMPLETED

WARRANTS CHECKED ☐
PHOTOS / FINGERPRINTS TAKEN (IF NECESSARY) ☐
ARREST PACKAGE REVIEWED & APPROVED ☐
COURT INFORMATIONS SIGNED ☐

**SUPERVISOR REVIEW** _____
(TO BE SIGNED UPON TERMINATION OF CUSTODY)

# Warrant Service

## 607.1 PURPOSE AND SCOPE

This policy establishes guidelines for the planning and serving of arrest and search warrants by members of this Department. It is understood that this policy cannot address every variable or circumstance that can arise in the service of a search or arrest warrant, as these tasks can involve rapidly evolving and unique circumstances.

This policy is intended to be used in conjunction with the Operations Planning and Deconfliction Policy, which has additional guidance on planning and serving high-risk warrants.

This policy is not intended to address the service of search warrants on locations or property already secured or routine warrant arrests by patrol officers.

## 607.2 POLICY

It is the policy of the Suffolk County Police Department to balance the safety needs of the public, the safety of Department members, privacy interests and other relevant factors when making decisions related to the service of search and arrest warrants.

## 607.3 OPERATIONS PLANNING

The requesting command supervisor in conjunction with an Emergency Service Section supervisor shall review all information pertaining to the warrant service.

The requesting command supervisor shall also have the responsibility to coordinate service of those warrants. Deconfliction, risk assessment, operational planning, briefing and debriefing should follow guidelines in the Operations Planning and Deconfliction Policy.

## 607.4 SEARCH WARRANTS

An officer shall receive authorization from a supervisor before preparing a search warrant application. Once authorization is received, the officer consult with the District Attorney's Office, and assist in the preparation of the search warrant.

## 607.5 ARREST WARRANTS

The purpose of an arrest warrant is to achieve a defendant's appearance in court. It is the policy of the Department to deny bail to any subject arrested upon the authority of a warrant. A subject arrested on a warrant issued by a Supreme, County, District, City, Town or Village Court or Family Court should not be released on bail even if the issuing judge has indicated a bail amount on the warrant.

See procedure for further guidance: WARRANT ARREST PROCEDURES

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If an officer reasonably believes that serving an arrest warrant may pose a higher risk than commonly faced on a daily basis, the officer should confer with his/her supervisor to assess any additional tactical needs. See the Operations Planning and Deconfliction Policy.

If the warrant is classified as high risk, service will be coordinated by the requesting command with the Emergency Service Section supervisor and any other commands as appropriate. If the warrant is not high risk, the supervisor should weigh the risk of entry into a residence to make an arrest against other alternatives, such as arresting the person outside the residence where circumstances may pose a lower risk.

### 607.6 WARRANT PREPARATION

An officer who requests a search warrant should ensure the documentation in support of the warrant contains as applicable:

(a) Probable cause to support the search or arrest, including relevant dates and times to demonstrate timeliness and facts to support any request for nighttime or no-knock warrant execution (CPL § 690.35).

(b) A clear explanation of the affiant's training, experience and relevant education.

(c) Adequately supported opinions, when relevant, that are not left to unsubstantiated conclusions.

(d) A nexus between the place to be searched and the persons or items central to the investigation. The facts supporting this nexus should be clear and current. For example, the affidavit shall explain why there is probable cause to believe that a particular person is currently residing at a particular location or that the items sought are present at a particular location.

(e) Full disclosure of known or suspected residents at the involved location and any indication of separate living spaces at the involved location. For example, it should be disclosed that several people may be renting bedrooms at a single location, even if the exact location of the rooms is not known.

(f) A specific description of the location to be searched, including photographs of the location, if reasonably available.

(g) A sufficient description of the items to be seized.

(h) Full disclosure of any known exculpatory information relevant to the warrant application. Refer to the *Brady* Information Policy.

(i) The search warrant affidavit shall, as applicable, describe the type of premises (e.g., private or public access), the anticipated number and behavior of the persons expected at the time of warrant execution and whether persons with no connection to the suspected activity may be present (CPL § 690.15).

(j) An officer attempting to obtain a search warrant for premises will prepare a Search Warrant Database Pre-Warrant Data Entry Form and submit it to the Criminal Intelligence Section.

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An officer requesting issuance of an arrest warrant completes the request utilizing the Warrant Request tab in the Department CJIS/Records System.

### 607.7 HIGH-RISK WARRANT SERVICE

If the Emergency Service Section is to be used, the requesting command in conjunction with the Emergency Service Section shall coordinate the service of warrants.

The member responsible for directing the service should ensure the following as applicable:

(a) When practicable and when doing so does not cause unreasonable risk, video or photographic documentation is made of the condition of the location prior to execution of a search warrant. The images should include the surrounding area and persons present.

(b) Evidence is handled and collected only by those members who are designated to do so. All other members involved in the service of the warrant should alert one of the designated members to the presence of potential evidence and not touch or disturb the items.

(c) Reasonable efforts are made during the search to maintain or restore the condition of the location.

(d) Persons who are detained as part of the warrant service are handled appropriately under the circumstances.

(e) Reasonable care provisions are made for children and dependent adults. See the Child and Dependent Adult Safety Policy.

(f) A list is made of all items seized and a copy provided to the person in charge of the premises if present or otherwise left in a conspicuous place.

(g) A copy of the search warrant is left at the location.

(h) The condition of the property is documented with video recording or photographs after the search.

### 607.8 DETENTIONS DURING WARRANT SERVICE

Officers must be sensitive to the safety risks of all persons involved with the service of a warrant. Depending on circumstances and facts present, it may be appropriate to control movements of any or all persons present at a warrant service, including those who may not be the subject of a warrant or suspected in the case.

As soon as it can be determined that an individual is not subject to the scope of a warrant and that no further reasonable suspicion or safety concerns exist to justify further detention, the person should be promptly released.

Officers should, when and to the extent reasonable, accommodate the privacy and personal needs of people who have been detained.

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## 607.9 ACTIONS AFTER WARRANT SERVICE

The supervisor shall ensure that all affidavits, warrants, receipts and returns, regardless of any associated cases, are filed with the issuing judge or magistrate as soon as reasonably possible, but in any event no later than any date specified on the warrant.

### 607.9.1 ABATEMENT PROCEDURES

If applicable, the executing command or agency is responsible for the initiation of local and County abatement procedures (Suffolk County Local Law §623).

The executing command or agency will notify the Criminal Intelligence Section - Sensitive Data Unit (SDU) about abatement measures undertaken, and the SDU shall enter them into the database.

## 607.10 OUTSIDE AGENCIES AND CROSS-JURISDICTIONAL WARRANTS

The requesting command will ensure that cooperative efforts with other agencies in the service of warrants conform to existing mutual aid agreements or other memorandums of understanding and will work cooperatively to mitigate risks including, but not limited to, the following:

- Identity of team members
- Roles and responsibilities
- Familiarity with equipment
- Rules of engagement
- Asset forfeiture procedures

Any outside agency requesting assistance in the service of a warrant within this jurisdiction should be referred to the Emergency Service Section (ESS) supervisor. The ESS supervisor should review and confirm the warrant, including the warrant location, and should discuss the service with the appropriate supervisor from the other agency. The ESS supervisor should ensure that members of the Department are utilized appropriately. Any concerns regarding the requested use of Department members should be brought to the attention of the Police Commissioner or the authorized designee. The actual service of the warrant will remain the responsibility of the agency requesting assistance.

If officers intend to serve a warrant outside Suffolk County Police Department jurisdiction, the requesting command supervisor should provide reasonable advance notice to the applicable agency, request assistance as needed and work cooperatively on operational planning and the mitigation of risks detailed in this policy.

Officers will remain subject to the policies of the Suffolk County Police Department when assisting outside agencies or serving a warrant outside Suffolk County Police Department jurisdiction.

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### 607.11 MEDIA ACCESS

No advance information regarding warrant service operations shall be released without the approval of the Police Commissioner. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

### 607.12 TRAINING

The Commanding Officer of the Police Academy Bureau should ensure officers receive periodic training on this policy and associated topics.

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# Attachments

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# Search Warrant Database Pre-Warrant Data Entry Form.pdf

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DISTRICT ATTORNEY'S OFFICE
COUNTY OF SUFFOLK, NEW YORK
SEARCH WARRANT DATA BASE
PRE-WARRANT DATA ENTRY FORM

**PRE**
**EXECUTION**

C.I.S. #: _____
(Supplied by Crim.Intel – S.D.U.)

**This form must be completed in detail before a warrant may be executed. Warrant will not be processed with blanks or omissions on form. If using a Confidential Informant, the C.I. number must be entered.**

## Requesting Officer (Affiant)

| Name (Print Last, First, M.I.) | | Rank | Shield |
|---|---|---|---|
| Agency | Command | Command/Contact Telephone | |
| Fax #: | Cell Phone #: | E-Mail Address: | |

## Supervising Officer

| Name (Print Last, First, M.I.) | | Rank | Shield |
|---|---|---|---|
| Agency | Command | Contact Telephone | |

## Warrant Information

| Warrant Type: | Issuing Court: | Case # |
|---|---|---|
| Date Applied: | ADA/Bureau Assigned: | C.I. # (if used) |

☐ No Knock ☐ Nighttime (2100 – 0600 hrs.) ☐ Third Party ☐ Oral Application

## Warrant Location (Specific)

| Location Type: ☐ Apartment ☐ Business ☐ Private Residence | | Precinct | Sector |
|---|---|---|---|
| Address: | | | |
| City | | State | Zip |
| Incorporated Village | Town | County | SAFETNet # |

**Offense Being Investigated:** _____

_____

| Signature of Requestor: | Date: |
|---|---|

# Field Appearance Tickets

## 411.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of the Suffolk County Police Department with guidance on when to release adult defendants on a Field Appearance Ticket.

### 411.1.1 DEFINITIONS

Definitions related to this policy include:

**Appearance Ticket** - A written notice issued by a public servant requiring a defendant to appear before a local criminal court in connection with an accusatory instrument to be filed against him/her within such court (Criminal Procedure Law § 150.10).

**Field Appearance Ticket (FAT)** - An Appearance Ticket, generally issued at the scene of an arrest, which is used in lieu of making a summary arrest and transporting the defendant to a Department facility.

## 411.2 POLICY

Unless prohibited by law or limited by the Department, officers should consider issuing a FAT and releasing the defendant from custody at the arrest location as soon as practicable after completion of required processing.

The Suffolk County Police Department will consider its resources and its mission of protecting the community when determining whether to release suspected offenders on a FAT, when authorized to do so.

## 411.3 RELEASE

A defendant may be released on issuance of a FAT for all offenses except those offenses and situations listed in the Prohibitions and Considerations section of this policy (CPL § 140.20; CPL § 140.27; CPL § 150.20).

### 411.3.1 CONTACT INFORMATION

Prior to release on a FAT, an officer shall inform the arrestee of his/her option to provide contact information for purposes of receiving a reminder of his/her court appearance date (CPL § 150.10). The contact information should be recorded and filed within 24 hours with the appropriate criminal court along with the appearance ticket (CPL § 150.80).

### 411.3.2 FIELD APPEARANCE TICKET RETURN DATE

Officers shall make all FATs returnable to the appropriate local criminal court no later than 20 days from the date of issuance, or at the next scheduled session of the appropriate court if such session is later than 20 days (CPL § 150.40). In the case of 1st District Court, officers shall utilize the District Court Schedule (PDCS-7123).

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411.3.3 REQUIRED FINGERPRINTING AND PHOTOGRAPHING
For printable offenses as defined in CPL §160.10 where a FAT is issued and a police officer is the complainant, fingerprinting and photographing the defendant before arraignment shall be performed by the Court Liaison Section. The defendant shall be directed to appear at First District Court, Room A-254 at 8:30 am on the proper return date.

For all civilian arrests and non-printable offenses, a defendant will not be required to be fingerprinted and photographed before arraignment. The defendant is to appear at First District Court, Room 220, at the time specified by First District Court.

411.3.4 ARREST MADE BY PEACE OFFICER
If an arrest is made by a peace officer who is legally authorized to make an arrest but not authorized to issue an appearance ticket, a defendant may be issued a FAT subject to the conditions of this policy (CPL § 140.27).

## 411.4 PROHIBITIONS

411.4.1 PROHIBITIONS ON ISSUANCE OF FIELD APPEARANCE TICKETS
FATs are not authorized for defendants in the circumstances below and summary arrests shall be made. Some of these defendants may be eligible for a Desk Appearance Ticket after arrest processing at a Department facility. See the Processing of Arrests of Adults and Processing of Arrests of Juveniles Policies for further information.

Defendants:

(a) Who have been given a reasonable opportunity to make their verifiable identity and a method of contact known, and have been unable or unwilling to do so, so that a custodial arrest is necessary to subject the individuals to the jurisdiction of the court (CPL § 150.20).
See procedure for further guidance: ACCEPTABLE IDENTIFICATION OF DEFENDANTS

(b) Who are the subject of active warrants or are wanted by law enforcement agencies.

(c) For whom there is a reasonable belief that if released, will engage in further violations of law, may injure themselves or others in the community.

(d) Who are incapacitated because of intoxication, drugs or injury. If it appears the suspected offender is in need of medical aid, the Medical Aid and Response Policy should be followed.

(e) Who have a history of warrant arrests within the preceding 10 years.

(f) Who reside outside of Suffolk or Nassau County.

(g) Who owe a DNA sample as indicated by DCJS criminal history inquiry.

(h) Charged with the following:

1. Felonies

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2. Traffic offenses, except Leaving the Scene of an Incident (VTL § 600). FATs may be issued for Leaving the Scene of an Incident when summary arrest is not possible or practicable.
3. Operation of a motor vehicle while under the influence of alcohol or drugs (VTL § 1192).
4. Operation of a vessel while under the influence of alcohol or drugs (Navigation Law § 49-a).
5. Operation of a snowmobile while under the influence of alcohol or drugs (Parks, Recreation and Historic Preservation Law § 25.24).
6. Any offense arising from a domestic incident case which involves any act of violence or the threat thereof absent extenuating circumstances as detailed in the Domestic Violence Policy.
7. Violating an Order of Protection or charged with Criminal Contempt due to violating an Order of Protection.
8. Sex offenses (PL § 130)
9. Public Lewdness and Public Lewdness in the First Degree (PL § 245)
10. Weapons Offenses (PL § 265)
11. Escape (PL § 205)
12. Controlled Substances Offenses (PL § 220)
13. Criminal Trespass or Possession of Burglar Tools (PL § 140) wherein it seems probable that the defendant was attempting the crime of Burglary.
14. Offenses of a violent nature including, but not limited to, Assault, Menacing, etc. (PL § 120).
15. Violation of § 65-c of the Alcoholic Beverage Control Law (Unlawful possession of an alcoholic beverage with intent to consume by persons under the age of 21) where no other offense is alleged. These defendants shall be issued a Suffolk County Universal Summons (PDCS-6160) returnable to First District Court. They shall not be arrested and no Information or arrest paperwork shall be prepared.

### 411.4.2 EXCEPTIONAL CIRCUMSTANCES

In certain circumstances, it may be in the best interests of both the defendant and the Department to issue a FAT despite the prohibitions listed above (e.g., the arrestee's physical condition is such that he/she would become a burden to the Department if kept in custody such as when the defendant is admitted to a hospital). In these cases, a supervisor may authorize the issuance of a FAT.

## 411.5 RELEASE ON A FIELD APPEARANCE TICKET (FAT)

When a defendant appears to be eligible for a Field Appearance Ticket, officers shall make the following inquiries prior to issuance:

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(a) Arrestee citizenship and birthplace: In cases involving a misdemeanor arrest, if the defendant indicates that he/she was born outside of the United States or is not a citizen, or if the arresting officer reasonably believes the defendant was born outside of the United States, an eJusticeNY Integrated Justice portal (eJustice) Immigration Status Inquiry shall be initiated in accordance with the Immigration Status Policy And Procedure.
See procedure for further guidance: DETERMINING ARRESTEE'S IMMIGRATION STATUS

(b) Local warrant and criminal history.
See procedure for further guidance: WARRANT AND CRIMINAL HISTORY INQUIRY IN FIELD APPEARANCE TICKET SITUATIONS

Once the required inquiries have been made and it has been determined that the defendant is eligible for a FAT, the Arrest Worksheet (PDCS-1086n) shall be completed and the Universal Summons (PDCS-6160) shall be completed and shall serve as the FAT.

See procedure for further guidance: FIELD APPEARANCE TICKET (FAT) ISSUANCE AND PAPERWORK PROCESSING

Prior to approving a completed FAT package for forwarding to court, the desk supervisor shall ensure that all required court paperwork has been completed and that the FAT has been entered into the online Bail/Appearance Ticket Register program, which is located in the Department Portal under the Web Programs tab. Required arrest paperwork is the same as for a summary arrest. See the Processing of Arrests of Adults Policy for the required court paperwork.

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# Contacts and Temporary Detentions

## 419.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, and conducting field interviews and pat-down searches.

### 419.1.1 DEFINITIONS

Definitions related to this policy include:

**Police Actionable Levels** - Levels of police intrusion during street encounters allowed under New York State statutory and case law.

- Police Actionable Levels:
  - Level 1: Permits a police officer to request information from an individual and merely requires that the request be supported by an objective credible reason, not necessarily indicative of criminality.
  - Level 2: The common law right of inquiry permits a somewhat greater intrusion and requires founded suspicion that criminal activity is afoot. This may include more aggressive and targeted questioning.
  - Level 3: Authorizes a police officer in a public place within the officer's geographic area of employment to forcibly detain an individual, and requires a reasonable suspicion that the particular individual is committing, has committed, or is about to commit a felony or penal law misdemeanor (CPL § 140.50).
  - Level 4: Arrest requiring probable cause to believe that the person to be arrested has committed a crime, or an offense in his/her presence (CPL § 140.10).

**Pat-down search** - A type of search used by officers in the field to check an individual for dangerous weapons. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee or others.

**Reasonable suspicion** - When, under the totality of the circumstances, an officer has articulable facts that criminal activity may be at hand and a particular person is connected with that activity.

## 419.2 POLICY

The Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting an officer, the decision to temporarily detain a person and conduct a pat-down search, if appropriate, shall be left to the officer based on the totality of the circumstances, officer safety considerations and constitutional safeguards.

## 419.3 STOPS

Based on reasonable suspicion that a person is committing, has committed, or is about to commit a felony or penal law misdemeanor, an officer may initiate the stop of a person. However, a person shall not be detained longer than is reasonably necessary to resolve the officer's suspicion.

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Nothing in this policy is intended to discourage casual interactions between officers and members of the public, which serve to improve the Department's community involvement, community awareness and problem identification.

### 419.3.1 INITIATING A STOP

When initiating the stop, the officer should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the stop. Such facts include, but are not limited to, an individual's:

(a) Appearance or demeanor suggesting that he/she is part of a criminal enterprise or is engaged in a criminal act.

(b) Actions suggesting that he/she is engaged in a criminal activity.

(c) Presence in an area at an inappropriate hour of the day or night.

(d) Presence in a particular area is suspicious.

(e) Carrying of suspicious objects or items.

(f) Excessive clothes for the climate or clothes bulging in a manner that suggest he/she is carrying a dangerous weapon.

(g) Location in proximate time and place to an alleged crime.

(h) Physical description or clothing worn that matches a suspect in a recent crime.

(i) Prior criminal record or involvement in criminal activity as known by the officer.

The Intelligence Debriefing Worksheet (PDCS-1206b) shall be used to record interviews of persons at level 2, 3, and 4 encounters. The Juvenile Activity Card (PDCS-5607a) shall be utilized if the encounter involved a juvenile.

## 419.4 PAT-DOWN SEARCHES

Once a valid stop has been made, an officer may pat a suspect's outer clothing for weapons if he/she has reasonable suspicion that he/she is in danger of physical injury (CPL § 140.50). The purpose of this limited search is not to discover evidence of a crime, but to allow the officer to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include, but are not limited to:

(a) The type of crime suspected, particularly in crimes of violence where the use or threat of weapons is involved.

(b) Where more than one suspect must be handled by a single officer.

(c) The hour of the day and the location or area where the stop takes place.

(d) Prior knowledge of the suspect's use of force and/or propensity to carry weapons.

(e) The actions and demeanor of the suspect.

(f) Visual indications which suggest that the suspect is carrying a firearm or other dangerous weapon.

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Whenever practicable, a pat-down search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.

419.4.1 CONSENT SEARCHES

Officers must have a founded suspicion that the person is involved in criminal activity (Police Actionable Level 2) before asking for consent to be searched. The Permission to Search Form (PDCS-1067g) shall be utilized if a consent search is performed (See Search & Seizure Policy).

## 419.5 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an incident may become unavailable or the integrity of their statements may become compromised with the passage of time, officers should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available members for the following:

(a) Identifying all persons present at the scene and in the immediate area. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Officers should attempt to identify the witness prior to his/her departure without detaining the individual for the sole purpose of identification.

(b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement.

1. Such witnesses, if willing, may be transported by Department members.
2. When a witness is a minor, consent should be obtained from a parent or guardian.

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# Juvenile Activity Card (PDCS-5607a).pdf

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POLICE DEPARTMENT, COUNTY OF SUFFOLK, N.Y.
ACCREDITED LAW ENFORCEMENT AGENCY

# JUVENILE ACTIVITY CARD

WHITE: J/D BLUE: STREET CONTACT
SALMON: DESIGNATED FELONY: J/D

53-242p 10/05cp

C.C.#

INVESTIGATOR

NAME | NICKNAMES/ALIAS

ADDRESS | TELEPHONE NO.

AGE | D.O.B. | RACE | SEX | DATE REPORTED | DATE OCC | DATE APPR

SCHOOL ATTENDED | GRADE | PLACE OCCURRENCE

COMPLAINANT | ADDRESS | TELEPHONE NO.

INCIDENT/CHARGES

☐ DESIGNATED FELONY
☐ FELONY
☐ MISDEMEANOR
☐ PINS

☐ RELEASED ☐ SHELTERED ☐ OTHER

STATUS OF CASE ☐ COMPLETED ☐ INTAKE

DISPOSITION

PDCS-5807

ASSOCIATES IN COMPANY OF

WITNESSES/ADDRESSES/PHONE

MISCELLANEOUS INFO

CERTIFIED BY OFFICER | SUPERVISOR | JIMP SUPV.

53-242p 10/05cp

# Intelligence Deriefing Worksheet (PDCS-1206b).pdf

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**POLICE DEPARTMENT, COUNTY OF SUFFOLK, NY**
*ACCREDITED LAW ENFORCEMENT AGENCY*
**INTELLIGENCE DEBRIEFING WORKSHEET**

**CC#** _____ **CIS#** _____

*Person Type: P=Person Interviewed C=Company of T=Target A=Arrestee O=Other

| LAST NAME, FIRST, MI: | *PER TYPE | STREET NAME / ALIAS: | SOCIAL SECURITY # | DOB |
|---|---|---|---|---|
| | | | | |

| ADDRESS, CITY, STATE | DATE | TIME | SECTOR |
|---|---|---|---|
| | | | |

| HOME PHONE | CELL PHONE | WORK PHONE | E-MAIL ADDRESS |
|---|---|---|---|
| | | | |

| LOCATION OF INTERVIEW | COUNTRY OF BIRTH |
|---|---|
| | |

| OCCUPATION / EMPLOYER | BUSINESS ADDRESS | PREVIOUS ARREST |
|---|---|---|
| | | ☐ YES ☐ NO ☐ UNK<br>☐ FILE CHECK ☐ WARRANT CHECK |

**PERSON DESCRIPTION**

| SEX | RACE | HAIR | COMPLEXION | FEATURES |
|---|---|---|---|---|
| | | | ☐ LIGHT ☐ MED ☐ DARK<br>☐ POCK MARK ☐ OTHER | ☐ GLASSES ☐ BEARD<br>☐ MUSTACHE |

| HEIGHT | WEIGHT | EYES | MARKS | TATTOO TYPE | TATTOO LOCATION |
|---|---|---|---|---|---|
| | | | ☐ SCAR<br>☐ TATTOO | ☐ GANG RELATED<br>☐ NON GANG | ☐ ARMS ☐ TORSO<br>☐ LEGS ☐ HEAD |

**Is the subject a confirmed Gang member?** ☐ **Yes** ☐ **No** **If yes, circle criteria codes as per Debriefing Guide and explain in Remarks:**

**One of the following: (1) (2) Two of the following: 1 2 3 4 5 6 7 8 9 10**

| GANG ACCESSORIES | OUTER GARMENT DESCRIPTION / COLORS |
|---|---|
| ☐ BEADS ☐ MEDALLIONS ☐ OTHER | ☐ BLOUSE ☐ SWEATER ☐ SHIRT/JACKET/COAT ☐ PANTS ☐ SUIT ☐ DRESS/SKIRT ☐ HAT/BANDANA |

**VEHICLE**

| COLOR | YEAR | MAKE | MODEL | VIN NUMBER |
|---|---|---|---|---|
| | | | | |

| DRIVER/PASSENGER | LIC NUMBER | STATE | PLATE | VEH OCCUPIED |
|---|---|---|---|---|
| | | | | |

| Per 1 | Type | Name (Last, First, Middle) | Per 2 | Type | Name (Last, First, Middle) |
|---|---|---|---|---|---|
| | | | | | |

| Address | Address |
|---|---|
| | |

| D.O.B. | Home Tel # | Cell Tel # | E-mail | D.O.B: | Home Tel # | Cell Tel # | E-mail |
|---|---|---|---|---|---|---|---|
| | | | | | | | |

| Per 3 | Type | Name (Last, First, Middle) | Per 4 | Type | Name (Last, First, Middle) |
|---|---|---|---|---|---|
| | | | | | |

| Address | Address |
|---|---|
| | |

| D.O.B. | Home Tel # | Cell Tel # | E-mail | D.O.B. | Home Tel # | Cell Tel # | E-mail |
|---|---|---|---|---|---|---|---|
| | | | | | | | |

**Background:** ___ Criminal Intelligence Gang Database checked? ___ File 15 check done? ___ Other, CJIS Data (DMV Multiname check, etc.)

☐ **Y** ☐ **N** Subject on Parole? If yes, name of Parole Officer _____ **NOTIFIED** ☐ **Y** ☐ **N**
☐ **Y** ☐ **N** Subject on Probation? If yes, name of Probation Officer _____ **NOTIFIED** ☐ **Y** ☐ **N**
☐ **Y** ☐ **N** Is Subject a Registered Sex Offender?
☐ **Y** ☐ **N** Search of Person, Premise or Vehicle. If yes, note in Remarks section below.

**COVER THE FOLLOWING TOPICS IN DEBRIEFING**

| | | | | | | |
|---|---|---|---|---|---|---|
| Criminal Gangs | Wanted Persons | Hate Crimes | Drug Crimes | Sex Crimes | Graffiti | Buying, Selling, Possessing Guns |
| Stolen Property | Homicide | Burglaries | Robberies | ID Theft | Criminal Mischief | Current Criminal Patterns/Trends |

**REMARKS / RESULTS OF DEBRIEFING**

**Debriefing Officer:** _____ **Entered by:** _____

**CASE REFERRED TO:** **Command:** _____ **Officer:** _____

DISTRIBUTION: **Original —Field Intelligence Officer**

**PDCS-1206b**

# Permission to Search (PDCS-1067g).pdf

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**POLICE DEPARTMENT COUNTY OF SUFFOLK, NEW YORK**
*ACCREDITED LAW ENFORCEMENT AGENCY*

**PERMISSION TO SEARCH**
**PDCS-1067g**

**Central Complaint No.** _____
(Required)

I, _____ _____ having been informed of my
(Name) (D.O.B.)

constitutional right not to have a search made of my person, premises, motor vehicle, or other personal property without a search warrant, and having been informed of my right to refuse to consent to such a search, and understanding that evidence and/or contraband found as a result of such search may be seized and used against me in a Court of Law, hereby authorize _____

_____, a Police Officer of the Police Department of Suffolk County, or any other Police Officer(s) of the Police Department of Suffolk County, to conduct a complete search of:

[ ] My person, located at: _____
Number and Street

[ ] My premises, and all my property found therein, located at: _____
Town

[ ] My personal property, located at: _____
County State

described as _____

[ ] My motor vehicle; a _____, _____, VIN _____,
Year Make
bearing registration plates _____, issued by the State of _____, and all my property found therein. This vehicle is presently located at:

_____, _____, _____, _____
Number and Street Town County State

I am giving this written permission voluntarily and without threats or promises of any kind.

Signature: _____ Time: _____ Date: _____

**EVIDENCE RECOVERED:** ☐ **Yes** ☐ **No**

| Officer's Rank and Signature: | Shield No. | Command | Sector | Reviewing Officer | Date/Time Reviewed |
|---|---|---|---|---|---|
| Print Name in Full: | | | | | |

_____ _____
Print Name of Additional (Officer) Witness (If available) Signature of Additional (Officer) Witness (If available) Date

**DISTRIBUTION: WHITE** - CENTRAL RECORDS AFTER CASE IS CLOSED; **YELLOW** – COMMAND COPY

# Custodial Searches

## 902.1 PURPOSE AND SCOPE

This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants or weapons into Suffolk County Police Department facilities. Such items can pose a serious risk to the safety and security of Department members, individuals in custody, contractors and the public.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

### 902.1.1 DEFINITIONS

Definitions related to this policy include:

**Custody search** - An in-custody search of an individual and of his/her property, shoes and clothing, including pockets, cuffs and folds on the clothing, to remove all weapons, dangerous items and contraband.

**Strip search** - A search that requires an individual to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia. This includes monitoring an individual who is changing clothes, where his/her underclothing, buttocks, genitalia or female breasts are visible.

**Physical body cavity search** - A search that includes a physical intrusion into a body cavity which may require the removal of an object. Body cavity means the stomach or rectal cavity of an individual and the vagina of a female person.

**Assigned Sex** - The classification of an individual at birth based upon their anatomic genitalia.

**Gender Identity** - A person's self-identification as male or female which may differ from their assigned sex.

**Transgender Individual** - A person whose gender identity differs from the sex they were assigned at birth.

**Intersex** - A person born with a reproductive or sexual anatomy that does not fit traditional definitions of female or male.

## 902.2 POLICY

All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment or retaliation.

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## 902.3 FIELD AND TRANSPORTATION SEARCHES

An officer shall conduct a thorough search for weapons and contraband of an individual immediately after his/her arrest. Absent exigent circumstances, this search shall be conducted by an officer of the same sex as the person being searched.

An officer should conduct a custody search as defined above of an individual when receiving an individual from the custody of another and before transporting a person who is in custody in any Department vehicle.

A custody search should be conducted by a member of the same sex as the person being searched (9 NYCRR § 7502.1). See the Search of Transgender Individuals Section below for additional information.

An officer should search any vehicle used for prisoner transport before and after the transportation of a prisoner. Whenever a prisoner is being transported by an officer, the officer shall report the prisoner's gender and whether the prisoner is an adult or juvenile and shall report the beginning and ending mileage to the dispatcher.

## 902.4 SEARCHES AT SUFFOLK COUNTY POLICE DEPARTMENT FACILITIES

Custody searches shall be conducted on all individuals in custody upon entry to a Department facility and documented on a Prisoner Activity Log (PDCS-2032h) . The search shall be conducted by a member of the same sex as the individual being searched (9 NYCRR § 7502.1).

Custody searches should also be conducted any time an individual in custody enters or re-enters a cellblock, any time custody is transferred from one member to another or any time it is reasonably believed that a search is necessary to maintain the safety and security of the facility. A metal detector sweep may be utilized for any custody search and should be utilized prior to a prisoner being lodged in a cell.

### 902.4.1 PROPERTY

Members shall take reasonable care in handling the property of an individual in custody to avoid discrepancies or losses. Property retained for safekeeping shall be kept in a secure location until the individual is released or transferred (9 NYCRR § 7502.1).

Some property such as weapons or large items may not be accepted by a facility or agency that is taking custody of an individual from this Department. These items should be retained for safekeeping in accordance with the Property Section Policy. See the Processing of Arrests of Adults Policy for prisoner property procedures.

All property shall be inventoried and documented on the Prisoner's Property Receipt (PDCS-7021c). The individual from whom it was taken shall be required to sign the Prisoner's Property Receipt (PDCS-7021c). If the individual's signature cannot be obtained, the inventory shall be witnessed by another Department member.

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902.4.2 VERIFICATION OF MONEY
All money shall be counted in front of the individual from whom it was received. When possible, the individual shall initial the dollar amount on the Prisoner's Property Receipt (PDCS-7021c). Additionally, all money should be placed in a separate envelope and sealed. When appropriate, or when the amount of currency is 1,000 dollars or more, the above procedure shall be witnessed by a superior officer and documented on the Prisoner Activity Log (PDCS-2032h). Negotiable checks or other instruments and foreign currency should also be sealed in an envelope with the amount indicated but not added to the cash total. All envelopes should clearly indicate the contents on the front. The Department member sealing it should place his/her initials across the sealed flap. The amount of money in the envelope should always be totaled and written on the outside of the envelope.

902.4.3 SPECIFIC ITEMS TO BE REMOVED
Belts, neckties, shoes and clothing items such as jackets, overcoats or other similar outer garments shall be removed and stored temporarily where they will not be accessible to persons in custody. A supply of disposable-type fiber or paper footwear to replace shoes may be kept available for issue as required (9 NYCRR § 7502.1).

902.4.4 SEARCH OF TRANSGENDER INDIVIDUALS
In general, prisoners shall be searched by Department members of the same sex. If a prisoner raises an objection based on sex or gender identification issues, a supervisor shall be notified and shall determine the best course of action and document appropriately on the Prisoner Activity Log (PDCS-2032h).

No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual's genital status. If the individual's genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

## 902.5 STRIP SEARCHES

No individual in temporary custody at any Department facility shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe that the individual is concealing a weapon, contraband or other evidence and the strip search has been authorized by a supervisor. Factors to be considered in determining reasonable suspicion include, but are not limited to:

(a) The detection of an object during a custody search that may be a weapon or contraband and cannot be safely retrieved without a strip search.

(b) Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.

    1. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.

(c) Custody history (e.g., past possession of contraband while in custody, assaults on Department members, escape attempts).

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(d) The individual's actions or demeanor.

(e) Criminal history (e.g., level of experience in a custody setting).

(f) Discovery of contraband during a custody search.

902.5.1 STRIP SEARCH PROCEDURES

Strip searches at Department facilities shall be conducted as follows (28 CFR 115.115):

(a) Authorization from a supervisor shall be obtained prior to the strip search.

(b) All members involved with the strip search shall be of the same sex as the individual being searched, unless the search is conducted by a medical practitioner.

(c) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that the search cannot be observed by those not participating in the search. The search shall not be reproduced through a visual or sound recording.

(d) Whenever practicable, a second member of the same sex should also be present during the search, for security and as a witness to the recovery of evidence.

(e) Members conducting a strip search shall not touch the breasts, buttocks or genitalia of the individual being searched.

(f) The following information shall be documented by the authorizing supervisor on the Prisoner Activity Log (PDCS-2032h) when a strip search is performed:

1. The articulable reasonable suspicion that led to the decision to perform a strip search.
2. The reasons less intrusive methods of searching were not used or were insufficient.
3. The name, rank and shield number of the supervisor approving the search.
4. The name and sex of the members who conducted the search.
5. The name, sex and role of any person present during the search.
6. The time and date of the search.
7. The place at which the search was conducted.
8. A list of the items, if any, that were recovered.
9. The facts upon which the member based his/her belief that the individual was concealing a weapon or contraband.

(g) No member should view an individual's private underclothing, buttocks, genitalia or female breasts while that individual is performing bodily functions or changing clothes, unless he/she otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the individual's consent and/or otherwise protect his/her privacy and dignity.

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902.5.2 SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES

A strip search may be conducted in the field only with supervisor authorization and only in exceptional circumstances, such as when:

(a) There is reasonable cause to believe that the individual is concealing a weapon or other dangerous item that cannot be recovered by a more limited search.

(b) There is reasonable cause to believe that the individual is concealing controlled substances or evidence that cannot be recovered by a more limited search and there is no reasonable alternative to ensure the individual cannot destroy or ingest the substance during transportation.

These special-circumstance field strip searches shall only be authorized and conducted under the same restrictions as the strip search procedures in this policy, except that the supervisory authorization does not need to be in writing. Officers conducting field strip searches shall document all pertinent information in their Memorandum Books, electronic or paper, or on a Supplementary Report (PDCS-1084c) as applicable.

## 902.6 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be subject to the following:

(a) No individual shall be subjected to a physical body cavity search without written approval of a superior officer above the rank of lieutenant and generally only upon a search warrant. Every effort to secure a search warrant for a body cavity search shall be made. Only in exigent circumstances shall consideration be given to conducting a body cavity search without a warrant. A body cavity search shall never be authorized without a warrant in the event that a prior search warrant application for said search has been judicially disapproved. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the individual or authorized representative (except for those portions of the warrant ordered sealed by a court).

(b) Only a physician may conduct a physical body cavity search.

(c) Except for the physician conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary Department members needed to maintain the safety and security of the medical personnel shall be present.

(d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.

(e) All such searches shall be documented on the Prisoner Activity Log (PDCS-2032h) including:

1. The facts that led to the decision to perform a physical body cavity search of the individual.
2. The reasons less intrusive methods of searching were not used or were insufficient.
3. The superior officer's approval including the superior officer's name and rank.
4. A copy of the search warrant.

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5. The time, date and location of the search.
6. The medical personnel present.
7. The names, sex and roles of any Department members present.
8. Any contraband or weapons discovered by the search.

(f) A copy of the Prisoner Activity Log (PDCS-2032h) shall be retained and shall be made available to the individual who was searched or other authorized representative upon request.

## 902.7 TRAINING

The Commanding Officer of the Police Academy Bureau shall ensure members have training that includes (28 CFR 115.115):

(a) Conducting searches of cross-gender individuals.

(b) Conducting searches of transgender and intersex individuals.

(c) Conducting searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

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# Attachments

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# Prisoner Activity Log (PDCS-2032h).pdf

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| CENTRAL COMPLAINT # | A# | PIN# |
|---|---|---|

| LOCATION OF INITIAL INTERVIEW | DATE OF INTV. | TIME OF INTV. |
|---|---|---|
| | | |

| PRECINCT | COMMAND | TOUR | BLOTTER ENTRY |
|---|---|---|---|
| | | | |

**POLICE DEPARTMENT, COUNTY OF SUFFOLK, NY**
*ACCREDITED LAW ENFORCEMENT AGENCY*

# PRISONER ACTIVITY LOG

**PDCS-2032h**

CHARGE(S)

**DISTRIBUTION:** WHITE – CENTRAL RECORDS YELLOW – PRECINCT FILE
PINK – COMMAND OF DETENTION GOLDENROD – COURT LIAISON

| PRISONER'S LAST NAME, FIRST, M.I. | D.O.B. | SEX: M ☐ F ☐ | RACE: ( ) WHITE ( ) BLACK ( ) HISPANIC ( ) ASIAN ( ) AM INDIAN/ALASKAN NATIVE ( ) NATIVE HAW/ OTHER PAC ISLANDER ( ) UNK |
|---|---|---|---|
| | | | |

| ADDRESS: | DATE OF ARREST | TIME OF ARREST | PLACE OF ARREST |
|---|---|---|---|
| | | | |

| PRISONER BAILED? If yes, continue ☐ YES ☐ NO | BAIL AMOUNT $_____ | APPEARANCE TICKET #_____ | CASH BAIL RECEIPT #_____ |
|---|---|---|---|

| VISIBLE PHYSICAL CONDITION UPON INITIAL INTERVIEW (Indicate observable cuts, scrapes, bruises, signs of drug/alcohol impairment) | PRISONER CLAIMS PAIN, INJURY OR ILLNESS ... EXPLAIN DETAILS OF CLAIM |
|---|---|
| | |

| VISIBLE EMOTIONAL CONDITION | IS PRISONER ON MEDICATION? ☐ YES ☐ NO If yes, continue<br>PRESCRIPTION NUMBER _____<br>DOCTOR'S NAME _____<br>NAME OF PHARMACY _____<br>AMOUNT_____ EVERY _____ HOURS<br>(NOTE MEDICATION DISTRIBUTION IN PRISONER ACTIVITY SECTION) |
|---|---|
| | |

| ARE PHOTOS, IN ADDITION TO MUG SHOTS, REQUIRED AS PER R&P CHAP16.1? ☐ Y ☐ N | PHOTOS TAKEN? ☐ Y ☐ N | PHOTOS TAKEN BY: | DATE: |
|---|---|---|---|
| | | | |

| ARRESTING OFFICER'S LAST NAME, FIRST, M.I. RANK/SHIELD/COMMAND (IF NOT SCPD, LIST AGENCY | PLATOON COMMANDER OR DESIGNEE PERFORMING INTERVIEW |
|---|---|
| | |

| PRISONER LODGED ☐ YES ☐ NO | CELL NO. | TIME | VISIBLE PHYSICAL CONDITION WHEN LODGED | PROPERTY RECEIPT # | LODGING OFFICERS INITIALS/SHIELD |
|---|---|---|---|---|---|
| | | | | | |

## PRISONER ACTIVITY

LIST ALL MOVEMENT OF PRISONER BOTH WITHIN AND OUTSIDE PRECINCT / COMMAND. INCLUDE TRANSPORTS TO HOSPITAL, COURT, INTERROGATIONS AND NOTE PHYSICAL CONDITION UPON RETURN. IF DIFFERENT UPON RETURN, SUBMIT I.C. TO EXPLAIN. IF PRISONER IS BAILED, LIST TIME & DATE ON APPROPRIATE LINE BELOW AND COMPLETE THE PRISONER BAILED BOX ABOVE. PRISONER INSPECTION VISITS ARE MADE AT INTERVALS NOT TO EXCEED 30 MINUTES APART.

| TIME | REMARKS/OBSERVATIONS | OFFICER RANK / SHIELD | TIME | REMARKS/OBSERVATIONS | OFFICER RANK / SHIELD |
|---|---|---|---|---|---|
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CHECK ✓ WHEN FUNCTION COMPLETED

WARRANTS CHECKED ☐
PHOTOS / FINGERPRINTS TAKEN (IF NECESSARY) ☐
ARREST PACKAGE REVIEWED & APPROVED ☐
COURT INFORMATIONS SIGNED ☐

**SUPERVISOR REVIEW** _____
(TO BE SIGNED UPON TERMINATION OF CUSTODY)

# Crisis Intervention Incidents

## 409.1 PURPOSE AND SCOPE

This policy provides guidelines for interacting with those who may be experiencing a mental health or emotional crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires an officer to make difficult judgments about a person's mental state and intent in order to effectively and legally interact with the individual.

### 409.1.1 DEFINITIONS

Definitions related to this policy include:

**Person in crisis** - A person whose level of distress or mental health symptoms have exceeded the person's internal ability to manage his/her behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; noncompliance with treatment, including a failure to take prescribed medications appropriately, or any other circumstance or event that causes the person to engage in erratic, disruptive or dangerous behavior that may be accompanied by impaired judgment.

**Comprehensive Psychiatric Emergency Program (CPEP)** - Located at University Hospital at Stony Brook, Nicolls Road, Stony Brook.

**Authorized Mental Health Facility** - CPEP and Community Hospitals with emergency rooms authorized by Mental Hygiene Law §9.39 to receive persons alleged to have a mental illness for which immediate observation, care, and treatment in a hospital is appropriate and which is likely to result in serious harm to himself or others.

**Crisis Intervention Teams** - Specially trained officers who may be utilized to de-escalate certain calls for service involving a person who may be experiencing the types of behavioral or health difficulties discussed within this policy.

**Diagnostic, Assessment and Stabilization Hub (DASH)** - Located at 90 Adams Avenue, Hauppauge, telephone number 934-223-6565. The center offers comprehensive mental health services to persons who are experiencing behavioral or health difficulties due to substance use, mental illness and/or other life stressors. Available services include evaluation, crisis intervention, detoxification, continuous observation and after-care planning.

**Mobile Crisis Team** - Available and authorized to assist Department personnel at the scene of possible mental health emergency situations. Consisting of licensed nurses, psychologists and/ or social workers, the teams provide on-site crisis intervention services to individuals who may be experiencing emotional issues, interpersonal crisis or psychiatric emergencies. The Mobile Crisis Team is available Monday to Friday 0800 hours to 2400 hours and may be reached at 631-952-3333.

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## 409.2 POLICY

The Suffolk County Police Department is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Department will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members' interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.

## 409.3 SIGNS

Members should be alert to any of the following possible signs of mental health issues or crises:

(a) A known history of mental illness.

(b) Threats of or attempted suicide.

(c) Loss of memory.

(d) Incoherence, disorientation or slow response.

(e) Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas.

(f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt.

(g) Social withdrawal.

(h) Manic or impulsive behavior, extreme agitation or lack of control.

(i) Lack of fear.

(j) Anxiety, aggression, rigidity, inflexibility or paranoia.

Members should be aware that this list is not exhaustive. The presence or absence of any of these signs should not be treated as proof of the presence or absence of a mental health issue or crisis.

## 409.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS

The Office of the Chief of Patrol will be responsible for appropriate collaboration with mental health professionals and agencies as appropriate to develop and maintain response protocols. The Mental Health Assistance Notification Form (PDCS-7146f) contains a list of community resources for those who may be suffering from mental illness or who appear to be in a mental health crisis.

## 409.5 FIRST RESPONDERS

Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer's authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that mental health issues, mental health crises and unusual behavior are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration. Although

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mental illness does not preclude a lawful arrest, persons will generally not be arrested for non-criminal offenses which are manifestations of mental illness provided there is minimal or no victim impact, no physical violence, and no other person is endangered by the conduct, absent extenuating circumstances.

Officers responding to an incident involving a possible person in crisis will notify a supervisor and discuss the facts and circumstances with the supervisor who will then approve the plan of action to resolve the situation. The reporting officer will note the supervisor consulted and the identities/ titles of other authorized responders at the scene on the Mental Health Assistance Incident Report (PDCS-2090b). A supervisor will respond if the subject is not in custody for arrest or transportation to a mental health facility for emergency admission and the incident involves acts or threats of violence and/or the involvement of weapons.

An officer responding to a call involving a person in crisis should:

(a) Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.

(b) Request available backup officers and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.

1. There may be circumstances where the resolution of the incident may benefit from the assistance of the Mobile Crisis Team or available Department Crisis Intervention Team Members (Precinct of occurrence or adjoining Precincts). They may be contacted via the Communications Section. Their estimated time of arrival at the scene should be factored into the plan of action. If one of these teams is responding, initial responding officers shall remain at the incident scene until their arrival and a resolution is reached.

(c) If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.

(d) Attempt to determine if weapons are present or available.

(e) Take into account the person's mental and emotional state and potential inability to understand commands or to appreciate the consequences of his/her action or inaction, as perceived by the officer.

(f) Secure the scene and clear the immediate area as necessary.

(g) Employ tactics to preserve the safety of all participants.

(h) Determine the nature of any crime.

(i) Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.

(j) If circumstances reasonably permit, consider and employ alternatives to force.

(k) Responding officers shall conduct a pistol license check utilizing both a name search and a residential incident location search for all domestic incidents and all incidents

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involving a person in crisis, CPEP Transport or an aided medical emergency case where there is an indication of drug or alcohol abuse.

See procedure for further guidance: REQUIRED PISTOL LICENSE CHECKS AND NOTIFICATIONS.

409.5.1 ARMED OR VIOLENT PERSONS IN CRISIS
Whenever practical, absent an immediate threat of harm to the person in crisis or others present, no attempt shall be made to take the person into custody without requesting an Emergency Service Section unit at the scene. If practical, officers shall await the arrival of a supervisor and an Emergency Service Section unit before attempting to place a person in crisis who may be armed and/or violent into custody. To the extent possible, the responding officers shall maintain a safe distance from the subject, with a minimum distance of 20 feet recommended. To the extent possible, the subject shall be isolated and contained until arrival of the responding supervisor and any additional support command(s) requested.

If the person in crisis may be armed and/or violent, the supervisor shall ensure that the person is isolated, contained, and a zone of safety is established until custody can be safely effected. The Patrol Supervisor shall ensure appropriate support commands are requested, including the Emergency Service Section, as appropriate.

If confrontation is immediate and unavoidable, physical force shall be used only to the extent reasonably necessary to prevent injury, and to maintain control of the person in crisis. Any use of physical force shall be in conformance with the Use of Force Policy. Reporting requirements concerning use of force shall be complied with.

409.5.2 INITIATION OF HOSTAGE/BARRICADED PERSON PROCEDURES
Under any of the following circumstances the incident will assume the status of "Hostage/ Barricaded Person" incident:

(a) Person takes a hostage.

(b) Person isolates his/herself and is inaccessible to officers.

(c) Person possesses a weapon and is threatening suicide/homicide.

Officers shall adhere to the guidelines Hostage and Barricade Incidents Policy in these situations.

## 409.6 DE-ESCALATION

Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

- Evaluate safety conditions.
- Introduce themselves and attempt to obtain the person's name.

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- Be patient, polite, calm and courteous and avoid overreacting.
- Speak and move slowly and in a non-threatening manner.
- Moderate the level of direct eye contact.
- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (i.e., summarize the person's verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding officers generally should not:

- Use stances or tactics that can be interpreted as aggressive.
- Allow others to interrupt or engage the person.
- Corner a person who is not believed to be armed, violent or suicidal.
- Argue, speak with a raised voice or use threats to obtain compliance.

## 409.7 INCIDENT ORIENTATION

When responding to an incident that may involve mental illness or a mental health crisis, the officer should request that the dispatcher provide critical information as it becomes available. This includes:

(a) Whether the person relies on drugs or medication, or may have failed to take his/her medication.

(b) Whether there have been prior incidents or suicide threats/attempts, and whether there has been previous police response.

(c) Contact information for a treating physician or mental health professional. Additional resources and a supervisor should be requested as warranted.

## 409.8 SUPERVISOR RESPONSIBILITIES

A supervisor shall be notified of any interaction with a person in crisis. If the subject is not in custody for arrest or transportation to a mental health facility for emergency admission and the incident involves acts or threats of violence and/or the involvement of weapons, the supervisor shall respond to the scene. Responding supervisors should:

(a) Attempt to secure appropriate and sufficient resources.

(b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care (see the Handcuffing and Restraints Policy).

(c) Consider strategic disengagement. Absent an imminent threat to the public and, as circumstances dictate, this may include removing or reducing law enforcement resources or engaging in passive monitoring.

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(d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.

(e) Conduct an after-action tactical and operational debriefing, and if requested by the Commanding Officer, prepare an after-action evaluation of the incident to be forwarded to the Chief of Patrol.

(f) Evaluate whether a critical incident stress management debriefing for involved members is warranted.

## 409.9 INCIDENT REPORTING

Officers handling persons in crisis calls will complete the Mental Health Assistance Incident Report (PDCS-2090b) .

Members engaging in any oral or written communication associated with a mental health crisis should be mindful of the sensitive nature of such communications and should exercise appropriate discretion when referring to or describing persons and circumstances.

Members having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to Department reporting procedures or other official mental health or medical proceedings.

### 409.9.1 DIVERSION

Individuals who are not being arrested but who consent to a voluntary admission or meet criteria for an involuntary admission should be processed in accordance with the Emergency Admissions Policy. If a voluntary admission is appropriate, officers shall inform the person in crisis, their families, caregivers and other appropriate persons, of available DASH and other psychiatric referral services and provide the person with a Mental Health Assistance Notification (PDCS-7146) .

### 409.9.2 DASH REFERRALS

DASH services are available 24 hours a day, seven days a week and can be provided to persons over the age of five, (under age 18 requires parental/guardian consent), who:

(a) Do not meet the criteria for involuntary committal.

(b) Do not require the services of an emergency room.

(c) Do not require the services of CPEP.

(d) Are not under arrest.

Appropriate DASH Referrals - The following persons are appropriate for consideration for a voluntary transport or referral to DASH:

(a) A person with generalized and vague (passive) homicidal thoughts without a specific target victim or plan, (e.g., telling a person to go kill himself, telling a person you wish they were dead).

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(b) A person with generalized and vague (passive) suicidal thoughts without a specific threat, plan or intent to commit suicide, (e.g., stating they wish they were never born, they want to go to sleep and not wake up).

(c) Psychosis, mania, depression or other mental health symptoms leading to the inability to function in the community, (e.g., person is homeless and is unable to obtain needed medical/psychiatric care).

(d) A person living in isolation, not attending to activities of daily life, (e.g., not bathing, filthy environment, not eating properly or not seeking needed medical attention).

(e) A person who feels alone, helpless, hopeless and has a lack of social support.

(f) A person who needs assistance obtaining support, such as substance abuse or mental assistance program, a rehabilitation program or a crisis respite bed.

(g) A person who is mildly to moderately intoxicated and possibly in need of detoxification, (Breath Alcohol Content (BAC) of.25% or more is not appropriate).

(h) A person on the verge of a relapse of acute mental illness or other crisis if intervention is not provided.

Inappropriate DASH Referrals - The following persons who are suffering an apparent mental or emotional crisis are not appropriate for treatment at the DASH center and must be transported to CPEP or other appropriate hospital that provides emergency mental health services (per Mental Hygiene Law) if the CPEP is on diversion status or emergency medical care is necessary in accordance with the Emergency Admissions Policy:

(a) The person is the subject of an Assisted Outpatient Treatment (AOT) Order.

(b) The person is being committed involuntarily (per Mental Hygiene Law) if they are an immediate danger to themself or others, such as homicidal or suicidal threats or acts with specific targets/plans.

(c) The person is under arrest.

(d) The person is suffering acute psychosis, (e.g., hearing voices commanding homicide or suicide).

(e) The person is unable to control behavior.

(f) Active intoxication, withdrawal or other condition requiring medical attention. Persons with a BAC of 0.25% or more will not be accepted at the DASH Center.

When handling an incident involving a person who may be appropriate for DASH referral, an officer will encourage the person to seek voluntary admission.

(a) Should the subject select personal transportation to DASH, the reporting officer will note that in the "Details" portion of the Mental Health Assistance Incident Report (PDCS-2090b) . The DASH center should be contacted prior to transport, telephone number (934-223-6565).

(b) Should the Mobile Crisis Team select to transport the subject to DASH utilizing a Mobile Crisis Team vehicle, the reporting officer will note that in the "Details" portion of the Mental Health Assistance Incident Report (PDCS-2090b).

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(c) Should the subject request police transportation to DASH, the DASH center should be contacted prior to transport, telephone number 934-223-6565. A determination of acceptance will be made. Upon acceptance, the subject will be transported to the DASH center and the transport will be reported on the Mental Health Assistance Incident Report (PDCS-2090b).

1. The transporting officer(s) will remain with the subject at DASH until the triage process is completed.
2. The transporting officer(s) will complete the DASH center log.
3. The Mental Health Assistance Incident Report shall be completed and a copy is provided to the DASH staff.

Should DASH request the police to provide a transport for a subject from DASH to CPEP, DASH personnel should provide a NYS Office of Mental Health Form OMH 474A/476A to responding officers indicating the need for the transport under Mental Hygiene Law §9.45.

409.9.3 UNABLE TO LOCATE PERSON IN CRISIS

Unable to Locate Person in Crisis - The Missing Person Policy shall be applicable for a person with possible mental/emotional issues who is not located, and who is or is reported to be behaving in a manner which creates a substantial risk of physical harm to his or her self as manifested by threats or attempts of suicide, or is exhibiting other conduct demonstrating that the person is dangerous to his or her self. Such "other conduct" may include the person's refusal or inability to meet his or her essential need for food, shelter, clothing or health care, provided that such refusal or inability is likely to result in serious harm if the person is not hospitalized immediately or posing a substantial risk of physical harm to other persons as manifested by homicidal or violent behavior by which others are placed in reasonable fear of serious physical harm.

When conducting an assessment for the above when the person in crisis cannot be located, the following factors should be considered:

(a) Reported behavior (unless contradicted by available information, presume reported behavior to be accurate).

(b) Precipitating event.

(c) Prior diagnosis of any reported mental illness which might cause them to pose a risk to themselves or other persons.

(d) Prescribed medications (and whether or not medications have been taken, as prescribed).

(e) Prior history (as reported).

(f) Prior incidents (as per available records), and

(g) Any other pertinent information.

## 409.10 CIVILIAN INTERACTION WITH PEOPLE IN CRISIS

Civilian or clerical members may be required to interact with persons in crisis in an administrative capacity, such as dispatching and records requests.

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(a) Members should treat all individuals equally and with dignity and respect.

(b) If a member believes that he/she is interacting with a person in crisis, he/she should proceed patiently and in a calm manner.

(c) Members should be aware and understand that the person may make unusual or bizarre claims or requests.

If a person's behavior makes the member feel unsafe, if the person is or becomes disruptive or violent, or if the person acts in such a manner as to cause the member to believe that the person may be harmful to him/herself or others, an officer should be promptly summoned to provide assistance.

## 409.11 EVALUATION

The Office of the Chief of Patrol should ensure that a thorough review and analysis of the Department response to these incidents is conducted periodically.

## 409.12 TRAINING

In coordination with the mental health community and appropriate stakeholders, the Department will develop and provide comprehensive education and training to all Department members to enable them to effectively interact with persons in crisis.

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# Attachments

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# Mental Health Assistance Notification (PDCS-7146f).pdf

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**POLICE DEPARTMENT, COUNTY OF SUFFOLK, NY**

*An Accredited Law Enforcement Agency*

# MENTAL HEALTH ASSISTANCE NOTIFICATION

***And Substance Abuse Resource List***

PDCS-7146f

The Suffolk County Police Department, the Suffolk County Department of Health Services, Division of Community Mental Hygiene Services, and your community want to assist you. Help is available if you seek it.

**If you need emergency psychiatric assistance, you can go directly to any of the following hospitals, 24 hours a day, and obtain emergency assistance and/or an evaluation:**

| | |
|---|---|
| • Stony Brook University Hospital, 101 Nicolls Road, Stony Brook | (631) 689-8333 |
| *Comprehensive Psychiatric Emergency Program (CPEP)* | (631) 444-6050 |
| • Long Island Community Hospital, 101 Hospital Road, Patchogue | (631) 447-3048 |
| • Eastern Long Island Hospital, 201 Manor Place, Greenport | (631) 477-5265 |
| • Huntington Hospital, 270 Park Avenue, Huntington | (631) 351-2434 |
| • Mather Memorial Hospital, North Country Road, Port Jefferson | (631) 473-1320 |
| • Southside Hospital, 301 East Main Street, Bay Shore | (631) 968-3000 |
| • St. Catherine of Siena Medical Center, 50 Route 25A, Smithtown | (631) 862-3000 |
| • VA Medical Center, 79 Middleville Road, Northport (*Veterans Only)* | (631) 261-4400 |

## Detoxification and/or Crisis Services (Substance and/or Alcohol)

*Contact each facility to verify availability of services. Emergencies—report to your local emergency room or call 911.*

| | |
|---|---|
| • Talbot House (24 hour Substance Abuse Crisis) | (631) 589-4144 |
| • Eastern Long Island Hospital, Greenport, 201 Manor Place, Greenport | (631) 477-8877 |
| • VA Medical Ctr.-Northport, 79 Middleville Road, Northport (*Veterans Only*) | (631) 261-4400 |
| • South Oaks Hospital, 400 Sunrise Highway, Amityville | (631) 264-4000 |
| • Nassau County Medical Center, 2201 Hempstead Turnpike, East Meadow | (516) 572-6394 |

## Do not wait for a crisis situation to develop which requires emergency police intervention

*Instead, here is a list of local organizations and services that can provide you with help:*

| | |
|---|---|
| • Diagnostic Assessment Stabilization Hub (DASH), 90 Adams Ave, Hauppauge | (631) 952-3333 |
| • Response Hotline of Suffolk County (24 hour Crisis Hotline) | (631) 751-7500 |
| • Spanish Speaking Response Hotline (Mon.-Fri. 5 p.m. to 10 p.m.) | (631) 751-7423 |
| • National Suicide Lifeline (24 hour Suicide Hotline) | (800) 273-8255 |
| • Mobile Response Team (24/7, 5 years or older ) | (631) 952-3333 |
| *Responds and provide Mental Health crisis intervention and assistance* | |
| Suffolk County *24/7 Substance Abuse Hotline* | *(631) 979-1700* |
| • NYS Office of Alcoholism and Substance Abuse Services Hotline | (877) 846-7369 |
| • Suffolk County Division of Community Mental Hygiene Services (M-F 9am-5pm) | (631) 853-8500 |
| • Alcoholics Anonymous (Alcoholism Self-Help Referral Service) | (631) 669-1124 |
| • Narcotics Anonymous (Narcotics Addiction Self-Help Referral Service) | (631) 884-9500 |
| • Association for Mental Health and Wellness (Referral Services) | (631) 471-7242 |

## Emergency Housing, Food, Heat

| | |
|---|---|
| • Suffolk County Department of Social Services-Hotline | (866) 494-6873 |

## Mental Health Housing

*All applications for mental health housing must be submitted through the Single Point of Access:*

| | |
|---|---|
| • Single Point of Access | (631) 231-3562 |

## Veterans Services

| | |
|---|---|
| • VA Medical Center *(follow the prompts for help)* | (631) 261-4400 |
| • Combat Veterans Program Manager | (631) 774-1707 |
| • Combat Veterans Patient Advocate | (631) 261-4400 ext: 5273 |
| • Suicide Prevention Help - *Press 1 for Veterans* | (800) 273-TALK |
| • Suffolk County Veterans Service Agency | (631) 853-8387 (VETS) |
| • Suicide Prevention and Peer to Peer Assistance | (631) 853-8345 |

*Visit Us Online at **www.suffolkpd.org***
*Crime Stoppers Confidential Tip Hotline **1-800-220-TIPS***
*Non-Emergencies Requiring Police Response, Dial **(631) 852-COPS***
***Emergencies, Dial 911***

# Mental Health Assistance Incident Report (PDCS-2090b).pdf

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# POLICE DEPARTMENT, COUNTY OF SUFFOLK, N.Y.

*ACCREDITED LAW ENFORCEMENT AGENCY*

# MENTAL HEALTH ASSISTANCE INCIDENT REPORT

PDCS-2090b

BLOTTER # _____

| CC NUMBER | PCT | COMMAND | SECTOR | CAR | DATE OF REPORT | TIME OF OCCURRENCE | TIME OUT |
|---|---|---|---|---|---|---|---|
| | | | | | DATE OF OCC | TIME OF ARRIVAL | TIME IN |

INCIDENT
**MENTAL HEALTH INCIDENT**

PLACE OF OCCURRENCE ☐ INSIDE ☐ OUTSIDE

COMPLAINANT PHONE

ADDRESS

PERSON REQUIRING ASSISTANCE (NAME) SEX: ☐ MALE ☐ FEMALE D.O.B.

PERSON REQUIRING ASSISTANCE (ADDRESS) PHONE #

LOCATION OF FIRST CONTACT: ☐ STREET ☐ PRIVATE HOME ☐ COMMUNITY RESIDENCE ☐ SCHOOL ☐ SOBER HOUSE ☐ COURT ☐ MENTAL HEALTH CLINIC ☐ OTHER (specify): _____

NAME OF AGENCY / FACILITY / RESIDENCE ADDRESS OF AGENCY / FACILITY / RESIDENCE

POLICE TRANSPORT TO MENTAL HEALTH FACILITY? ☐ YES ☐ NO

REFERRAL MADE? ☐ YES ☐ NO

REFERRAL MADE TO:

**Suffolk County Mobile Crisis Team (631) 952-3333** **Response Hotline (631) 751-7500** **Department Of Social Services Hotline (631) 854-9100**

**IF POLICE TRANSPORTED TO MENTAL HEALTH FACILITY, COMPLETE THE FOLLOWING** ☐ **VOLUNTARY** ☐ **INVOLUNTARY**

ADDRESS / LOCATION WHERE TRANSPORT ORIGINATED

| TIME OF TRANSPORT | TIME OF ARRIVAL AT FACILITY | TIME OF TRIAGE (INVOLUNTARY ONLY) | TIME OF TRANSFER TO FACILITY (INVOLUNTARY ONLY) | TIME OF OFFICER'S DEPARTURE FROM FACILITY (ALL TRANSPORTS) |
|---|---|---|---|---|
| | | | | |

FACILITY (HOSPITAL) TRANSPORTED TO BY POLICE STAFF MEMBER RECEIVING PATIENT (IF INVOLUNTARY TRANSPORT)

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| DID PATIENT REQUIRE MEDICAL CLEARANCE? | ☐ YES ☐ NO | SIGNS OF INTOXICATION / SUBSTANCE ABUSE? | ☐ YES ☐ NO | IS PATIENT SUBJECT TO ARREST OR UNDER ARREST? | ☐ YES ☐ NO | IF YES, WHAT CHARGE? | |
| WAS PATIENT VIOLENT PRIOR TO TRANSPORT? | ☐ YES ☐ NO | WAS PATIENT VIOLENT DURING TRANSPORT? | ☐ YES ☐ NO | DID PATIENT RESIST TRANSPORT TO HOSPITAL? | ☐ YES ☐ NO | IS THE PATIENT HOMELESS? ☐ YES ☐ NO | IS THE PATIENT A VETERAN? ☐ YES ☐ NO |
| DOES PATIENT HAVE PAST CRIMINAL HISTORY OF VIOLENCE? | ☐ YES ☐ NO | WAS HOSPITAL STAFF ADVISED OF VIOLENT CRIMINAL HISTORY | ☐ YES ☐ NO | WAS A PISTOL LICENSE CHECK CONDUCTED? | ☐ YES ☐ NO | PISTOL LICENSE AT CURRENT ADDRESS? | ☐ YES ☐ NO |

CONTRIBUTING FACTORS(check all that apply): ☐ OFFICE OF MENTAL HEALTH DOCUMENTATION: _____

☐ ASSISTED OUTPATIENT TREATMENT PICKUP (Kendra's Law MHL9.60) ☐ SUICIDAL STATEMENTS OR ACTS ☐ THREATS OR HOMICIDAL STATEMENTS

☐ HIGHLY AGGRESSIVE BEHAVIOR ☐ EVIDENCE OF APPARENT MENTAL ILLNESS ☐ OTHER: _____

**POLICE OFFICERS MUST NOTIFY A PATROL SUPERVISOR WITHIN 30 MINUTES OF ARRIVAL AT THE FACILITY**

**DETAILS** (NOTE ALL ESSENTIAL DETAILS; SPECIFICALLY THOSE INDICATING NEED FOR TRANSPORT/NON-TRANSPORT):

WAS A COPY OF MENTAL HEALTH ASSISTANCE NOTIFICATION FORM PROVIDED? ☐ YES ☐ NO

NAME OF PERSON PROVIDED WITH FORM AND RELATIONSHIP TO PATIENT

SUPERVISOR AT SCENE ☐ YES ☐ NO
Name: _____

**REPORT TO FOLLOW:** ☐ DOMESTIC INCIDENT REPORT ☐ INCIDENT REPORT ☐ OTHER _____

☐ ACTIVE ☐ CLEARED BY ARREST ☐ PENDING ☐ EXCEPTIONALLY CLEARED ☐ CLOSED NON-CRIMINAL

| REPORTING OFFICER'S NAME (PRINTED) | RANK/ SHIELD | SUPERVISOR'S NAME PRINTED | RANK/ SHIELD |
|---|---|---|---|
| REPORTING OFFICER'S SIGNATURE | DATE | SUPERVISOR'S SIGNATURE | DATE |

**White – Central Records; Yellow – Command; Pink – Division of Community Mental Hygiene Services; Goldenrod - Hospital Staff at Drop-Off**

# NYS Office of Mental Health Form 474a476a.pdf

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Form OMH 474A/476A (4-98)

State of New York
Office of Mental Health

# EMERGENCY or C.P.E.P. EMERGENCY ADMISSION
**(Sections 9.41, 9.45, 9.55 and 9.57 Mental Hygiene Law)**

**Custody/Transport Of A Person Alleged To Be Mentally Ill To A Hospital Approved To Receive Emergency or C.P.E.P. Emergency Admissions**

Person's Name (Last, First, M.I.) "C" No.

Sex ..... Date of Birth .....

Address

## I. §9.41 Mental Hygiene Law — Custody/Transport By Certain Peace Officers and Police Officers

I, _____ (Name), a Peace Officer/Police Officer of _____ (Department/Location), hereby acknowledge that I have taken into custody _____ (Name of Person), who appears to be mentally ill and is conducting him/herself in a manner which is likely to result in serious harm to him/herself or others.*

A. I have removed or directed the removal of this person to _____ (Name of §9.39 Hospital/C.P.E.P.**).

OR

B. I am temporarily detaining this person at _____ (Location), a safe and comfortable place, pending examination or admission to _____ (Name of §9.39 Hospital/C.P.E.P.**). I am notifying _____ (Director of Community Services) or _____ (Health Officer) of _____ (City) or _____ (County) of this detention/removal.

| (Signature of Peace Officer/Police Officer) | Title/Badge Number | Mo. | Day | Yr. | Hr. | Min. | ☐ AM ☐ PM |
|---|---|---|---|---|---|---|---|
| | | | | | | | |

## II. § 9.45 Mental Hygiene Law — Request By A Director of Community Services or Designee

I, _____ (Name), am the Director of Community Services for _____ (City or County).

OR

I, _____ (Name), am the designee of the Director of Community Services for _____ (City or County).

It has been reported to me that _____ (Name of Person) has a mental illness for which immediate care and treatment in a hospital is appropriate and which is likely to result in serious harm to him/herself or others.*

This information was reported to me by _____ (Name), who is:

- ☐ a licensed physician
- ☐ a licensed psychologist, a registered professional nurse, or certified social worker currently responsible for providing treatment services to the person
- ☐ the health officer
- ☐ a peace or police officer
- ☐ the spouse of the person
- ☐ the child of the person
- ☐ the parent of the person
- ☐ the adult sibling of the person
- ☐ the committee of the person

I hereby direct, under the Mental Hygiene Law, that peace/police officers of _____ (Department/Location) take this person into custody and transport him/her to _____ (Name of §9.39 Hospital/C.P.E.P.**).

OR

I hereby request, under the Mental Hygiene Law, that _____ (Name of Ambulance Service) transport this person to _____ (Name of §9.39 Hospital/C.P.E.P.**).

| Signature of Director of Community Services or Designee | Mo. | Day | Yr. | Hr. | Min. | ☐ AM ☐ PM |
|---|---|---|---|---|---|---|
| | | | | | | |

* "Likely to result in serious harm" means: (a) a substantial risk of physical harm to the person as manifested by threats of or attempts at suicide or serious bodily harm or other conduct demonstrating that the person is dangerous to himself or herself *("other conduct" shall include the person's refusal or inability to meet his or her essential need for food, shelter, clothing, or health care, provided that such refusal or inability is likely to result in serious harm if there is not immediate hospitalization)*, or (b) a substantial risk of physical harm to other persons as manifested by homicidal or other violent behavior by which others are placed in reasonable fear of serious physical harm.

** A hospital approved by the Commissioner of OMH, under MHL Section 9.39, as maintaining adequate staff and facilities for admitting patients on an emergency basis; or, a C.P.E.P. licensed by OMH to provide psychiatric emergency services to patients admitted under MHL Section 9.40.

**Custody/Transport Of A Person Alleged to be Mentally Ill To A Hospital Approved to Receive Emergency Admissions**

Name (Last, First, M.I.)

**III.§ 9.55 Mental Hygiene Law** | **Request By A Qualified Psychiatrist**

I, _____, M.D., a qualified psychiatrist*, am supervising or providing treatment for _____ (Name of Person) at _____ (Name of Facility), a facility licensed or operated by the Office of Mental Health which does not have an inpatient psychiatric service. I have examined this person and am of the opinion that s/he appears to have a mental illness for which immediate observation, care and treatment in a hospital is appropriate and which is likely to result in serious harm to him/herself or others.**

I hereby direct, under the Mental Hygiene Law, that peace/police officers of _____ (Department/Location) take into custody and transport this person to _____ (Name of §9.39 Hospital/ CPEP***)

—OR—

I hereby request, under the Mental Hygiene Law, that _____ (Name of Ambulance Service) transport this person to _____ (Name of §9.39 Hospital/ CPEP***).

Signature of Psychiatrist | Mo. | Day | Yr. | Hr. | Min. | ☐ AM ☐ PM

**IV. § 9.57 Mental Hygiene Law** | **Request By An Emergency Room or C.P.E.P. Physician**

I, _____, M.D., am an emergency room physician or provide emergency medical services at _____ (Name of Hospital), a general hospital which does not have an inpatient psychiatric service.

—OR—

I, _____, M.D., am a physician at _____ (Name of C.P.E.P.).

It is my opinion, based on an examination of _____ (Name of Person), that s/he appears to have a mental illness for which immediate care and treatment in a hospital is appropriate and which is likely to result in serious harm to him/herself or others.**

I hereby request that the hospital, program director, or the director's designee direct the removal of such person to a hospital approved by the Commissioner of OMH under MHL Section 9.39 or to a comprehensive psychiatric emergency program. ***

Signature of Examiner | Mo. | Day | Yr. | Hr. | Min. | ☐ AM ☐ PM

Based on the above request, I hereby direct under the Mental Hygiene Law that peace/police officers of _____ (Department/Location) take into custody and transport this person to _____ (Name of §9.39 Hospital /CPEP***)

—OR—

Based on the above request, I hereby request under the Mental Hygiene Law that _____ (Name of Ambulance Service) transport this person to _____ (Name of §9.39 Hospital /CPEP***).

Signature of Hospital Director/Designee | Mo. | Day | Yr. | Hr. | Min. | ☐ AM ☐ PM

* A qualified psychiatrist means a physician licensed to practice medicine in NY state, who: is a diplomate of the American Board of Psychiatry and Neurology or is eligible to be certified by that Board, or who is certified by the American Osteopathic Board of Neurology and Psychiatry or is eligible to be certified by that Board.

** "Likely to result in serious harm" means: (a) a substantial risk of physical harm to the person as manifested by threats of or attempts at suicide or serious bodily harm or other conduct demonstrating that the person is dangerous to himself or herself *("other conduct" shall include the person's refusal or inability to meet his or her essential need for food, shelter, clothing, or health care, provided that such refusal or inability is likely to result in serious harm if there is not immediate hospitalization)*, or (b) a substantial risk of physical harm to other persons as manifested by homicidal or other violent behavior by which others are placed in reasonable fear of serious physical harm.

*** A hospital approved by the Commissioner of OMH, under MHL Section 9.39, as maintaining adequate staff and facilities for admitting patients on an emergency basis, or a CPEP licensed by OMH to provide psychiatric emergency services to patients admitted under MHL Section 9.40.

# Mental Health Emergency Admissions

## 410.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may place a person under an Emergency Admission (Mental Hygiene Law § 9.41).

### 410.1.1 DEFINITIONS

Definitions related to this policy include (Mental Hygiene Law § 9.39):

**Likely to result in serious harm** - Includes a substantial risk of physical harm to:

(a) Oneself as manifested by threats of or attempts at suicide, or serious bodily harm or other conduct demonstrating that the person is dangerous to him/herself. Other conduct may include the person's refusal or inability to meet their essential need for food, shelter, clothing or health care, provided that such refusal or inability is likely to result in serious harm if the person is not hospitalized immediately.

(b) Others as manifested by homicidal or other violent behavior by which others are placed in reasonable fear of serious physical harm.

**Comprehensive Psychiatric Emergency Program (CPEP)** - Located at University Hospital at Stony Brook,101 Nicolls Road, Stony Brook

**Assisted Outpatient Treatment (AOT)** - Court-ordered outpatient mental health services pursuant to Mental Hygiene Law § 9.60.

**Assisted Outpatient Treatment Removal Orders** - Orders requiring the transport of an outpatient to a psychiatric facility, when the patient is noncompliant with their court-ordered treatment plan (Mental Hygiene Law § 9.60). CPEP has an agreement with the Suffolk County Department of Health and will receive a patient brought in as a result of an AOT Removal Order despite being on diversion.

**Authorized Mental Health Facility** - CPEP and Community Hospitals with emergency rooms authorized by Mental Hygiene Law §9.39 to receive persons alleged to have a mental illness which is likely to result in serious harm to himself or others for which immediate observation, care and treatment in a hospital is appropriate.

See procedure for further guidance: AUTHORIZED COMMUNITY HOSPITALS

## 410.2 POLICY

It is the policy of the Suffolk County Police Department to protect the public and individuals through legal and appropriate use of emergency admission process.

## 410.3 AUTHORITY

Any officer:

(a) May take any person into custody for an emergency admission when the person appears to be mentally ill and is conducting him/herself in a manner which is likely to

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result in serious harm. The person shall be transported to a hospital or comprehensive psychiatric emergency program (CPEP) as specified in Mental Hygiene Law § 9.41.

1. The officer may also temporarily detain such person in a safe and comfortable place pending an examination or admission to a hospital or CPEP. However, notification shall be made to the Director of Community Services (DCS), the director's designee or, if not available, to the city or county health officer, as applicable (Mental Hygiene Law § 9.41).

(b) Shall, upon written direction from the DCS, take a person into custody for an emergency admission or assist in the transporting of the person for an emergency admission. The person shall be transported to a designated hospital or CPEP (Mental Hygiene Law § 9.45).

(c) Shall, upon written direction of a qualified supervising or treating psychiatrist, take into custody a person for an emergency admission or assist in the transportation of the person to a hospital or CPEP designated by the qualified psychiatrist (Mental Hygiene Law § 9.55).

(d) Shall, upon written request of the director or director's designee of a hospital that does not have appropriate inpatient psychiatric services, take into custody a person for an emergency admission or assist in transporting the person. The person shall be transported to the hospital or CPEP designated by the director or director's designee of the hospital (Mental Hygiene Law § 9.57).

(e) May, upon the request of an authorized physician who has certified that the person is mentally ill and in need of involuntary care and treatment in a hospital, take a person into custody and transport or assist in the transportation of that person to a hospital as directed. For purposes of this section, an authorized physician is one of the two physicians who are required to examine the person and who authorized the involuntary admission (Mental Hygiene Law § 9.27).

(f) Shall, upon written request of the DCS, take a person who has been certified by the DCS as having a mental illness which is likely to result in serious harm, or has failed to comply with Assisted Outpatient Treatment (AOT), into custody and transport or assist in the transportation of the person to a hospital for an involuntary admission. In the case of a failure to comply with AOT, the transport should be to the CPEP or to any hospital designated by the DCS to receive the person (Mental Hygiene Law § 9.37, 9.60 ).

(g) Shall, upon receipt of an order of the Supreme or County Court, take the subject of a petition filed with the court into custody and transport the person or assist in the transportation of the person to a hospital for examination by a physician (Mental Hygiene Law § 9.60 )

### 410.3.1 VOLUNTARY EVALUATION

If an officer encounters an individual who may qualify for emergency admission, the officer may inquire as to whether the person desires to be voluntarily evaluated at an appropriate facility. A voluntary admission is appropriate when the person poses no threat of serious physical injury to his/herself or others. If the person so desires, the officer should:

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(a) Provide the individual, their families and/or other appropriate persons with the Mental Health Assistance Notification (PDCS-7146f) and will reasonably assist with the voluntary admission. Transportation will be provided if unavailable from another source; however, alternatives to police transport will be considered and encouraged whenever appropriate. If appropriate, voluntary transport of the individual may be accompanied by a suitable person.

1. Referral or transportation to the Diagnostic, Assessment and Stabilization Hub (DASH) should be considered in voluntary admissions of subjects who do not meet the criteria for involuntary committal. See the Crisis Intervention Incidents Policy for further information.

(b) Proceed with the emergency admission, if at any point the person changes his/her mind regarding voluntary evaluation.

(c) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

(d) Contact the parent or appropriate guardian if the person is under 16 years of age prior to proceeding with a voluntary evaluation and/or admission (Mental Hygiene Law § 9.13).

410.3.2 ASSISTED OUTPATIENT TREATMENT PROGRAM (AOT) REMOVAL ORDERS
Each precinct Commanding Officer shall designate a member of the command staff as AOT Removal Order Liaison. The AOT Liaison shall:

(a) Communicate with the Suffolk County Department of Health, Division of Community Mental Hygiene Services on AOT related matters in their command.

(b) Ensure compliance with this policy and its procedures, in that officers are properly removing completed Orders from the system or an investigator is assigned if required.

(c) Coordinate with the Precinct Detective Squad, if required.

When an AOT Removal Order is issued, members of the Suffolk County Department of Health, Division of Community Mental Hygiene Services will initiate a request for assistance in its execution. The request will appear in the SCPD Portal under the tab "AOT" and will contain a copy of the official AOT Order including the designated authority, all pedigree information and transport instructions. An automated email will be sent to the concerned Precinct's AOT Removal Order Liaison.

Members of the Community Mental Hygiene Services Division may be contacted for verification and assistance Monday through Friday 0900-1700 hours at 631-853-6205. Specific designated staff members may also be contacted for assistance, as follows:

- Jenine Yannucciello, 631-853-2951, Jenine.Yannucciello@suffolkcountyny.gov
- Amanda Romano, 631-853-3107, Amanda.Romano@suffolkcountyny.gov
- Kristen Crispino, 631-853-2931, Kristen.Crispino@suffolkcountyny.gov
- Gabrielle Erkan, 631-853-3160, Gabrielle.Erkan@suffolkcountyny.gov

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Officers will be assigned to locate the subject and execute the AOT Removal Order.

See procedure for further guidance: INITIAL RESPONSE

See procedure for further guidance: SUBJECT OF ORDER LOCATED BY ASSIGNED OFFICER

See procedure for further guidance: SUBJECT OF ORDER NOT LOCATED BY ASSIGNED OFFICER

See procedure for further guidance: SUBJECT OF ORDER LOCATED AFTER BEING CLASSIFIED AS A MISSING PERSON AND ASSIGNED TO THE PRECINCT DETECTIVE SQUAD

## 410.4 CONSIDERATIONS AND RESPONSIBILITIES

Any officer handling a call involving a person who may qualify for detention for the purpose of emergency admission should consider, as time and circumstances reasonably permit:

(a) Available information that might assist in determining the possible cause and nature of the person's action or stated intentions.

(b) Community or neighborhood mediation services.

(c) Conflict resolution and de-escalation techniques.

(d) Community or other resources that may be readily available to assist with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of officers and others.

An emergency admission should be preferred over arrest for people who have mental health issues and are suspected of committing minor offenses or creating other public safety issues.

## 410.5 TRANSPORTATION

When a person is to be transported for involuntary admission, officers shall take a person into custody involuntarily and transport that person to CPEP, or if CPEP is on diversion, to a Community Hospital that is an authorized mental health facility. However, if circumstances indicate immediate emergency medical care is needed, the person will be transported to the closest available hospital regardless of whether it is a mental health facility.

Officers may transport individuals in the patrol unit and shall secure them in accordance with the Handcuffing and Other Restraint Devices Policy. Should the detainee require transport in an ambulance and the safety of any person, including the detainee, requires the presence of an officer during the transport, or if an officer has applied handcuffs or any other restraint device to the detainee, an officer will accompany the detainee in the ambulance during transport.

### 410.5.1 TRANSPORTATION OF INDIVIDUALS EXHIBITING SIGNS OF EXCITED DELIRIUM

Whenever a person is exhibiting symptoms of excited delirium, that person shall be transported by ambulance to the nearest medical hospital under the level of restraint that reasonably appears

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necessary given the facts and circumstances perceived by the officer to control the person. This medical transport should occur prior to arrest processing or committal. Symptoms of excited delirium include: hallucinating, unusual strength, non-compliance to pain, profuse sweating, hyperthermia, public disrobing due to high body temperature, destruction of property, screaming and/or meaningless speech. The use or withdrawal from drugs, especially cocaine, can precipitate this condition. A person that is in a state of excited delirium is susceptible to sudden death from cardiac arrest due to hyperthermia. An officer must accompany the individual in the ambulance during transport and the person must be transported under restraint and closely monitored at all times.

### 410.6 TRANSFER TO APPROPRIATE FACILITY

Upon arrival at a facility, the officer will escort the individual into a treatment area designated by a facility staff member. The officer will provide CPEP or hospital staff with a completed copy of the Mental Health Assistance Incident Report (PDCS-2090b) . If the individual is not seeking treatment voluntarily, the officer should remain present to provide clarification of the grounds for detention, upon request.

Absent exigent circumstances, the transporting officer should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the officer may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, officers will not apply facility-ordered restraints.

Veterans who are in need of emergency psychiatric services, and who may be subject to either a voluntary or involuntary police transport for an evaluation, should be transported to the Northport Veterans Affairs Medical Center, Northport. Clearance must be obtained from the psychiatrist-on-duty before transporting a patient to the Northport Veterans Affairs Medical Center.

See procedure for further guidance: VETERANS

See procedure for further guidance: VOLUNTARY ADMISSION

See procedure for further guidance: INVOLUNTARY ADMISSION

See procedure for further guidance: ASSISTED OUTPATIENT TREATMENT (AOT) REMOVAL ORDERS - INITIAL RESPONSE

See procedure for further guidance: AOT - SUBJECT OF ORDER LOCATED BY ASSIGNED OFFICER

See procedure for further guidance: AOT - SUBJECT OF ORDER NOT LOCATED BY ASSIGNED OFFICER

See procedure for further guidance: AOT - SUBJECT OF ORDER LOCATED AFTER BEING CLASSIFIED AS A MISSING PERSON AND ASSIGNED TO THE PRECINCT DETECTIVE SQUAD

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See procedure for further guidance: TRANSPORTS AT THE REQUEST OF MENTAL HEALTH AUTHORITIES OR OTHER OFFICIALS

### 410.7 DOCUMENTATION

The officer shall complete the Mental Health Assistance Incident Report (PDCS-2090b) , whenever a person is taken into custody pursuant to Mental Hygiene Law § 9.41, or is transported for a voluntary admission. A copy of the form will be left with the treating mental health staff. The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

### 410.8 OFFENSES BY PERSONS SUBJECT TO EMERGENCY ADMISSION

Persons will generally not be arrested for non-criminal offenses which are manifestations of mental illness provided there is minimal or no victim impact, no physical violence, and no other person is endangered by the conduct, absent extenuating circumstances.

Persons subject to emergency admission who have committed a criminal offense that qualifies for issuance of an appearance ticket (Desk or Field) should be issued such appearance ticket prior to transport.

In cases of persons who have committed criminal offenses not eligible for appearance tickets the officer should:

(a) Arrest the individual when there is probable cause to do so.

(b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support the detention.

(c) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for an emergency admission.

Any arrestee who is acting in a manner that creates a substantial risk of physical harm to his/herself as manifested by threats or attempts of suicide, or appears to be suffering from mental illness and is exhibiting conduct demonstrating that he/she is dangerous to his/herself or others, shall be transported to University Hospital at Stony Brook CPEP for an evaluation. If CPEP is on diversion, the arrestee shall be brought to an approved Community Hospital. If circumstances indicate immediate emergency medical care is needed, the arrestee will be transported to the closest available hospital regardless of whether it is a mental health facility. An arrestee who exhibits symptoms of excited delirium shall be transported by ambulance to the nearest medical hospital without delay and as soon as the symptoms become evident. In certain circumstances, it may be appropriate to maintain continuous custody of a patient/arrestee at a mental health facility (i.e., full time observation) or to arrange for a bedside arraignment.

See procedure for further guidance: ARRESTS WITHOUT A WARRANT OF PERSONS SUBJECT TO MENTAL HEALTH EMERGENCY ADMISSION

See procedure for further guidance: ARREST WITH WARRANT OF PERSONS SUBJECT TO MENTAL HEALTH EMERGENCY ADMISSION

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See procedure for further guidance: FULL TIME OBSERVATION OF AN ARRESTEE SUBJECT TO MENTAL HEALTH EMERGENCY ADMISSION

See procedure for further guidance: BEDSIDE ARRAIGNMENT OF AN ARRESTEE SUBJECT TO MENTAL HEALTH EMERGENCY ADMISSION

### 410.9 FIREARMS AND OTHER WEAPONS

Whenever a person is taken into custody for an emergency admission, the handling officers shall seek to determine if the person owns or has access to any firearm or other deadly weapon. Officers should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., safekeeping, evidence, consent).

Officers are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful warrantless entry has already been made (e.g., exigent circumstances, consent). A warrant may also be needed before searching for or seizing weapons.

The handling officer should further advise the person of the procedure for the return of any firearm or other weapon that has been taken into custody.

See procedure for further guidance: REQUIRED PISTOL LICENSE CHECKS AND NOTIFICATIONS

### 410.10 TRAINING

This Department will endeavor to provide Department-approved training on interaction with mentally disabled persons, emergency admissions and crisis intervention.

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# Attachments

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# Mental Health Assistance Notification (PDCS-7146f).pdf

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**POLICE DEPARTMENT, COUNTY OF SUFFOLK, NY**

*An Accredited Law Enforcement Agency*

# MENTAL HEALTH ASSISTANCE NOTIFICATION

***And Substance Abuse Resource List***

PDCS-7146f

The Suffolk County Police Department, the Suffolk County Department of Health Services, Division of Community Mental Hygiene Services, and your community want to assist you. Help is available if you seek it.

**If you need emergency psychiatric assistance, you can go directly to any of the following hospitals, 24 hours a day, and obtain emergency assistance and/or an evaluation:**

| | |
|---|---|
| • Stony Brook University Hospital, 101 Nicolls Road, Stony Brook | (631) 689-8333 |
| *Comprehensive Psychiatric Emergency Program (CPEP)* | (631) 444-6050 |
| • Long Island Community Hospital, 101 Hospital Road, Patchogue | (631) 447-3048 |
| • Eastern Long Island Hospital, 201 Manor Place, Greenport | (631) 477-5265 |
| • Huntington Hospital, 270 Park Avenue, Huntington | (631) 351-2434 |
| • Mather Memorial Hospital, North Country Road, Port Jefferson | (631) 473-1320 |
| • Southside Hospital, 301 East Main Street, Bay Shore | (631) 968-3000 |
| • St. Catherine of Siena Medical Center, 50 Route 25A, Smithtown | (631) 862-3000 |
| • VA Medical Center, 79 Middleville Road, Northport (*Veterans Only*) | (631) 261-4400 |

**Detoxification and/or Crisis Services (Substance and/or Alcohol)**

*Contact each facility to verify availability of services. Emergencies—report to your local emergency room or call 911.*

| | |
|---|---|
| • Talbot House (24 hour Substance Abuse Crisis) | (631) 589-4144 |
| • Eastern Long Island Hospital, Greenport, 201 Manor Place, Greenport | (631) 477-8877 |
| • VA Medical Ctr.-Northport, 79 Middleville Road, Northport (*Veterans Only*) | (631) 261-4400 |
| • South Oaks Hospital, 400 Sunrise Highway, Amityville | (631) 264-4000 |
| • Nassau County Medical Center, 2201 Hempstead Turnpike, East Meadow | (516) 572-6394 |

**Do not wait for a crisis situation to develop which requires emergency police intervention**

*Instead, here is a list of local organizations and services that can provide you with help:*

| | |
|---|---|
| • Diagnostic Assessment Stabilization Hub (DASH), 90 Adams Ave, Hauppauge | (631) 952-3333 |
| • Response Hotline of Suffolk County (24 hour Crisis Hotline) | (631) 751-7500 |
| • Spanish Speaking Response Hotline (Mon.-Fri. 5 p.m. to 10 p.m.) | (631) 751-7423 |
| • National Suicide Lifeline (24 hour Suicide Hotline) | (800) 273-8255 |
| • Mobile Response Team (24/7, 5 years or older ) | (631) 952-3333 |
| *Responds and provide Mental Health crisis intervention and assistance* | |
| Suffolk County *24/7 Substance Abuse Hotline* | *(631) 979-1700* |
| • NYS Office of Alcoholism and Substance Abuse Services Hotline | (877) 846-7369 |
| • Suffolk County Division of Community Mental Hygiene Services (M-F 9am-5pm) | (631) 853-8500 |
| • Alcoholics Anonymous (Alcoholism Self-Help Referral Service) | (631) 669-1124 |
| • Narcotics Anonymous (Narcotics Addiction Self-Help Referral Service) | (631) 884-9500 |
| • Association for Mental Health and Wellness (Referral Services) | (631) 471-7242 |

**Emergency Housing, Food, Heat**

| | |
|---|---|
| • Suffolk County Department of Social Services-Hotline | (866) 494-6873 |

**Mental Health Housing**

*All applications for mental health housing must be submitted through the Single Point of Access:*

| | |
|---|---|
| • Single Point of Access | (631) 231-3562 |

**Veterans Services**

| | |
|---|---|
| • VA Medical Center *(follow the prompts for help)* | (631) 261-4400 |
| • Combat Veterans Program Manager | (631) 774-1707 |
| • Combat Veterans Patient Advocate | (631) 261-4400 ext: 5273 |
| • Suicide Prevention Help - *Press 1 for Veterans* | (800) 273-TALK |
| • Suffolk County Veterans Service Agency | (631) 853-8387 (VETS) |
| • Suicide Prevention and Peer to Peer Assistance | (631) 853-8345 |

*Visit Us Online at **www.suffolkpd.org***

*Crime Stoppers Confidential Tip Hotline **1-800-220-TIPS***

*Non-Emergencies Requiring Police Response, Dial **(631) 852-COPS***

***Emergencies, Dial 911***

# Mental Health Assistance Incident Report (PDCS-2090b).pdf

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# POLICE DEPARTMENT, COUNTY OF SUFFOLK, N.Y.

*ACCREDITED LAW ENFORCEMENT AGENCY*

# MENTAL HEALTH ASSISTANCE INCIDENT REPORT

PDCS-2090b

BLOTTER # _____

| CC NUMBER | PCT | COMMAND | SECTOR | CAR | DATE OF REPORT | TIME OF OCCURRENCE | TIME OUT |
|---|---|---|---|---|---|---|---|
| | | | | | DATE OF OCC | TIME OF ARRIVAL | TIME IN |

INCIDENT
**MENTAL HEALTH INCIDENT**

PLACE OF OCCURRENCE ☐ INSIDE ☐ OUTSIDE

COMPLAINANT PHONE

ADDRESS

PERSON REQUIRING ASSISTANCE (NAME) SEX: ☐ MALE ☐ FEMALE D.O.B.

PERSON REQUIRING ASSISTANCE (ADDRESS) PHONE #

LOCATION OF FIRST CONTACT: ☐ STREET ☐ PRIVATE HOME ☐ COMMUNITY RESIDENCE ☐ SCHOOL ☐ SOBER HOUSE ☐ COURT ☐ MENTAL HEALTH CLINIC ☐ OTHER (specify): _____

NAME OF AGENCY / FACILITY / RESIDENCE ADDRESS OF AGENCY / FACILITY / RESIDENCE

POLICE TRANSPORT TO MENTAL HEALTH FACILITY? ☐ YES ☐ NO

REFERRAL MADE? ☐ YES ☐ NO

REFERRAL MADE TO:

**Suffolk County Mobile Crisis Team (631) 952-3333** **Response Hotline (631) 751-7500** **Department Of Social Services Hotline (631) 854-9100**

**IF POLICE TRANSPORTED TO MENTAL HEALTH FACILITY, COMPLETE THE FOLLOWING** ☐ **VOLUNTARY** ☐ **INVOLUNTARY**

ADDRESS / LOCATION WHERE TRANSPORT ORIGINATED

| TIME OF TRANSPORT | TIME OF ARRIVAL AT FACILITY | TIME OF TRIAGE (INVOLUNTARY ONLY) | TIME OF TRANSFER TO FACILITY (INVOLUNTARY ONLY) | TIME OF OFFICER'S DEPARTURE FROM FACILITY (ALL TRANSPORTS) |
|---|---|---|---|---|
| | | | | |

FACILITY (HOSPITAL) TRANSPORTED TO BY POLICE STAFF MEMBER RECEIVING PATIENT (IF INVOLUNTARY TRANSPORT)

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| DID PATIENT REQUIRE MEDICAL CLEARANCE? | ☐ YES ☐ NO | SIGNS OF INTOXICATION / SUBSTANCE ABUSE? | ☐ YES ☐ NO | IS PATIENT SUBJECT TO ARREST OR UNDER ARREST? | ☐ YES ☐ NO | IF YES, WHAT CHARGE? | |
| WAS PATIENT VIOLENT PRIOR TO TRANSPORT? | ☐ YES ☐ NO | WAS PATIENT VIOLENT DURING TRANSPORT? | ☐ YES ☐ NO | DID PATIENT RESIST TRANSPORT TO HOSPITAL? | ☐ YES ☐ NO | IS THE PATIENT HOMELESS? ☐ YES ☐ NO | IS THE PATIENT A VETERAN? ☐ YES ☐ NO |
| DOES PATIENT HAVE PAST CRIMINAL HISTORY OF VIOLENCE? | ☐ YES ☐ NO | WAS HOSPITAL STAFF ADVISED OF VIOLENT CRIMINAL HISTORY | ☐ YES ☐ NO | WAS A PISTOL LICENSE CHECK CONDUCTED? | ☐ YES ☐ NO | PISTOL LICENSE AT CURRENT ADDRESS? | ☐ YES ☐ NO |

CONTRIBUTING FACTORS(check all that apply): ☐ OFFICE OF MENTAL HEALTH DOCUMENTATION: _____

☐ ASSISTED OUTPATIENT TREATMENT PICKUP (Kendra's Law MHL9.60) ☐ SUICIDAL STATEMENTS OR ACTS ☐ THREATS OR HOMICIDAL STATEMENTS

☐ HIGHLY AGGRESSIVE BEHAVIOR ☐ EVIDENCE OF APPARENT MENTAL ILLNESS ☐ OTHER: _____

**POLICE OFFICERS MUST NOTIFY A PATROL SUPERVISOR WITHIN 30 MINUTES OF ARRIVAL AT THE FACILITY**

**DETAILS** (NOTE ALL ESSENTIAL DETAILS; SPECIFICALLY THOSE INDICATING NEED FOR TRANSPORT/NON-TRANSPORT):

WAS A COPY OF MENTAL HEALTH ASSISTANCE NOTIFICATION FORM PROVIDED? ☐ YES ☐ NO

NAME OF PERSON PROVIDED WITH FORM AND RELATIONSHIP TO PATIENT

SUPERVISOR AT SCENE ☐ YES ☐ NO
Name: _____

**REPORT TO FOLLOW:** ☐ DOMESTIC INCIDENT REPORT ☐ INCIDENT REPORT ☐ OTHER _____

☐ ACTIVE ☐ CLEARED BY ARREST ☐ PENDING ☐ EXCEPTIONALLY CLEARED ☐ CLOSED NON-CRIMINAL

| REPORTING OFFICER'S NAME (PRINTED) | RANK/ SHIELD | SUPERVISOR'S NAME PRINTED | RANK/ SHIELD |
|---|---|---|---|
| REPORTING OFFICER'S SIGNATURE | DATE | SUPERVISOR'S SIGNATURE | DATE |

**White – Central Records; Yellow – Command; Pink – Division of Community Mental Hygiene Services; Goldenrod - Hospital Staff at Drop-Off**

# Personnel Investigations and Complaints

## 1010.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Suffolk County Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact with a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

## 1010.2 POLICY

The Suffolk County Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local laws, county rules and the requirements of any collective bargaining agreements.

It is also the policy of the Department to ensure that the community can report misconduct without concern for reprisal or retaliation.

## 1010.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of Department policy or federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

### 1010.3.1 POLICY/PROCEDURAL COMPLAINTS

Policy/procedural complaints are those complaints lodged that allege an inadequate or improper Department policy or procedure. Policy/procedural complaints do not allege misconduct on the part of a member of the Department.

See procedure for further guidance: POLICY AND PROCEDURAL COMPLAINTS

### 1010.3.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

(a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.

(b) Any Department member becoming aware of alleged misconduct shall immediately notify a supervisor or the Internal Affairs Bureau. Members may make such complaints anonymously through the confidential hotline (631-852-6378) provided by the Department.

(c) Supervisors shall initiate a complaint based upon receipt from any source alleging misconduct.

(d) Supervisors may initiate a complaint as appropriate upon observed misconduct.

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(e) Anonymous and third-party complaints shall be accepted and investigated to the extent practicable.

(f) Upon receipt of a Notice of Claim and/or a summons and complaint.

(g) Suffolk County Human Rights Commission and other external agency referrals.

## 1010.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

### 1010.4.1 ACCEPTANCE

Any person wishing to make a personnel or policy/procedure complaint shall be promptly referred to a supervisor. Complaints may be filed in writing, by email or orally, either in person or by telephone. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit an online complaint form via the Blue Team program as appropriate. If the Blue Team program is not available, the Civilian Complaint Form PDCS-1300f will be completed and the information will be added to the Blue Team program when the program becomes available. A copy of either a printed online Civilian Complaint Report or the manually completed Civilian Complaint Form PDCS-1300f shall be given to the complainant upon initial completion. When the online report is utilized, the complainant shall also be given the "Record ID#". This number is automatically generated when the civilian complaint is entered online and the complainants can utilize the number to identify their complaint. The "Record ID#" is indicated on the Citizen Complaint Summary. Copies should also be forwarded to the Commanding Officer of the reporting command.

Once a supervisor has been notified that a person wishes to report employee misconduct, the supervisor will make every effort to assist the person. This shall include recording the allegation where the person is physically located, unless doing so would jeopardize officer safety, interfere with a criminal investigation, or interfere with other police activity to an unacceptable degree. If it cannot be immediately determined that a member of the Department was involved in the alleged misconduct, but the person describes circumstances that would warrant the reception of a complaint, the supervisor shall receive the complaint.

### 1010.4.2 COMPLAINT/COMPLIMENT FORMS

Compliment Complaint Information Report (PDCS-1300-1d) forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the Department website. Forms may also be available at other county facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

### 1010.4.3 ALLEGATIONS OF MISCONDUCT BY EMPLOYEES OF OTHER AGENCIES

If a person alleges employee misconduct by a law enforcement officer or civilian employee of another law enforcement or government agency, members of the Department shall immediately notify a supervisor. When a supervisor is advised that a person alleges employee misconduct by a member of another law enforcement agency, that supervisor shall immediately contact the Internal

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Affairs Bureau, who will be responsible for notifying the concerned agency. Such notifications to the Internal Affairs Bureau will normally be made by telephone. During those hours when the Internal Affairs Bureau is not staffed, notifications shall be made via Internal Correspondence (PDCS-2042), sent by facsimile.

If there is an allegation of serious misconduct or a threat to any person, the supervisor shall also immediately notify the concerned agency and the Commanding Officer of the Internal Affairs Bureau or his/her designee. The Communications Section supervisor can assist with obtaining contact information.

## 1010.5 DOCUMENTATION

Supervisors shall ensure that all complaints are documented as described in the Acceptance section of this policy. The supervisor shall ensure that all pertinent information is documented.

A Supervisor's Complaint Report (PDCS-2213) shall be completed when the complaint originates from a supervisor who observes or has knowledge of the circumstances.

## 1010.6 ADMINISTRATIVE INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows.

### 1010.6.1 SUPERVISOR RESPONSIBILITIES

The Internal Affairs Bureau (IAB) will be notified of all allegations of employee misconduct, either automatically through the online civilian complaint reporting system, or by the reporting member forwarding the manually completed Civilian Complaint Report (PDCS-1300f) , or by the citizen-completed Compliment Complaint Information Report (PDCS-1300-1d) , or by any other report, as soon as possible via facsimile. Thereafter, the normally required form distribution process shall be followed.

In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, or whenever a member of the Department may have engaged in conduct of a serious or sensitive nature, such as drug use, bribery, or excessive force resulting in significant injury, that supervisor shall immediately notify the Commanding Officer and the Internal Affairs Bureau, and prepare any reports deemed necessary.

All allegations of officer misconduct relating to illegal profiling, bias-based policing or discriminatory policing, regardless of the manner in which reported, shall be forwarded to Internal Affairs Bureau as soon as practicable, but no later than 48 hours from receipt. The Commanding Officer of Internal Affairs Bureau, or designee, shall verify that this deadline is met by comparing the "report date" with the date of receipt in IAB.

Depending on the circumstances and nature of the conduct alleged, the Internal Affairs Bureau may either assume direct responsibility for the investigation or refer the complaint to the appropriate division for follow-up investigation. The division chief or designee shall assign the investigation to the appropriate command.

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If the Commanding Officer to which a case has been assigned believes the investigation should be conducted by another command, that recommendation should be noted in a report to the appropriate division chief. If the division chief concurs with the recommendation, the Commanding Officer will notify the complainant advising of such action, giving the name, business phone number, and command of the person who has been assigned to investigate the complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include, but are not limited to:

(a) Ensuring that upon receiving or initiating any complaint, an online complaint form is completed via the Blue Team program, or a Supervisor's Complaint Form (PDCS-2213) is completed as applicable.

(b) Responding to all complaints in a courteous and professional manner.

(c) Ensuring that the Acknowledgement of Complaint Form (PDCS-1300-3) is immediately mailed to the complainant.

(d) Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.

(e) When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.

1010.6.2 INTERNAL AFFAIRS BUREAU RESPONSIBILITIES

Responsibilities of the Internal Affairs Bureau include the following:

(a) Conducting investigations as directed by the Police Commissioner, including those involving allegations against members of the Department emanating from legal action and those received from the Suffolk County Human Rights Commission.

    1. These investigations shall be conducted timely and, absent any unforeseen circumstances, shall be completed within 60 days. The Police Commissioner or designee shall be notified in writing of all instances where investigations exceed 60 days.

(b) Conducting investigations when the following specific misconduct is alleged against members of the Department:

    1. Criminal conduct and/or corruption, with appropriate consultation with the District Attorney's Office

    2. Biased/discriminatory policing and/or illegal profiling

    3. Excessive force (excluding minor injury)

    4. Improper drug and alcohol use

(c) The Internal Affairs Bureau will investigate those complaints which, by their nature, sensitivity or circumstances, are not appropriate for referral to a division for investigation.

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(d) Notify the Police Commissioner and appropriate division chiefs of the outcome of all civilian complaints or investigations conducted within the command. All completed cases involving allegations of biased/discriminatory policing and/or illegal profiling shall be forwarded to the Police Commissioner immediately upon completion for review.

(e) On a semi-annual basis, forward a report to the Department Title VI. Designee (as defined in the Discrimination, Harassment and Workplace Violence Policy) which summarizes the year-to-date intake and disposition of civilian complaints alleging biased-based, discriminatory policing, illegal profiling and/or ADA requests for accommodation.

(f) Immediately contact the Police Commissioner or designee of alleged misconduct requiring timely notifications.

(g) Retain written records of disciplinary actions of Department members. Records shall be kept on file in perpetuity unless otherwise ordered by the Police Commissioner.

(h) Review, for approval, all completed civilian complaint investigations forwarded from the divisions.

(i) Maintain records of civilian complaint and investigations and report statistics as directed by the Police Commissioner.

(j) Conduct routine audits to ensure Departmental compliance with the intake process for civilian complaints.

1010.6.3 PERSONNEL COMPLAINT INVESTIGATIONS

The command tasked with the investigation shall send a letter on Department letterhead to the complainant, thanking them for bringing this matter to the Department's attention and including the following:

(a) Internal Affairs Case Number

(b) Name of the investigator

(c) Contact information for the investigator

(d) Notification that the complaint will be thoroughly and impartially investigated

(e) A request that the complainant contact the investigator with any additional witnesses, documentation or information regarding the allegation

Contact with the complainant shall be in their primary language in accordance with the Department's Limited English Proficiency Policy.

Investigations will be conducted by an officer of a rank superior to that of the accused member, as designated by the Commanding Officer of the investigating command. This requirement shall not apply to investigations conducted by the Internal Affairs Bureau.

Investigating supervisors shall immediately report any additional misconduct unrelated to the current investigation that is discovered or the involvement of other Department members.

The investigation will be completed in a format designated by the Internal Affairs Bureau.

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All relevant evidentiary information will be obtained and reviewed, including related Departmental records, complainant and witness statements and any other evidence necessary to formulate a conclusion. Due to the possibility of perceived coercion, no statements/interviews related to an ongoing civilian complaint investigation shall be taken from any person in police custody. The responsibilities of the command tasked with the investigation also include, but are not limited to:

(a) Ensuring that the procedural rights of the accused member are followed.

(b) Ensuring interviews of the complainant are generally conducted during reasonable hours.

(c) Ensuring that at the conclusion of the investigation, all relevant parties, including the complainant, are notified of the disposition. However, notification to the complainant shall not be made if there is pending litigation or a Notice of Claim has been received.

Whether conducted by a supervisor or a member of the Internal Affairs Bureau, administrative investigations will be conducted pursuant to the terms of the current collective bargaining agreement or relevant memorandums of agreement of the following bargaining units:

(a) The Police Benevolent Association

(b) The Suffolk Detectives Association

(c) The Suffolk County Superior Officers' Association

(d) The Association of Municipal Employees

Any employee refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.

(a) Administrative investigators should consider the impact that compelling a statement from the employee may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications). See the Criminal Investigation section of this policy for additional information.

(b) Prior to commencing the interview, an employee should be given an order to answer questions in an administrative investigation and be given a Garrity advisement, which shall state that:

1. The employee is being ordered to fully and truthfully answer all questions relating to the performance of official duties and matters relevant to continuing fitness for service.

2. As a matter of law, no truthful answers given, nor any information gained by reason of such answers, may be used against the employee in any criminal proceeding.

3. Disciplinary action, including dismissal, may be undertaken against the employee if he/she fails to answer, or fails to answer fully and truthfully.

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(c) No employee may be compelled to submit to a psychological stress evaluator examination, nor shall any refusal to submit to such examination be mentioned in any investigation (Labor Law § 735).

(d) The administration of polygraph examinations shall be in accordance with the current collective bargaining agreement.

Members may be ordered to submit to certain objective methods of action when such means are necessary and directly related to Internal Affairs Bureau investigations:

(a) Drug Testing - For reasonable suspicion, and a supervisor can articulate a reason to drug test the member. Results shall be used for administrative purposes only.

(b) Photographs of members are routinely utilized as necessary.

(c) A member may be required to participate in a physical line-up.

(d) A member may be required to furnish a financial disclosure statement providing it is narrowly focused and directly related to an investigation.

### 1010.6.4 NEGATIVE PERSONAL CONTACT INVESTIGATIONS

Negative personal contacts are defined as allegations reported to the Department of a nature related solely to the involved member's alleged unprofessional attitude and/or language, while engaged in law enforcement or official actions. If a complaint is considered a negative personal contact, the investigation shall be conducted pursuant to Department policy and procedure utilizing the Negative Personal Contact-Supervisors Investigation Report (PDCS-1299d) or an Internal Correspondence (PDCS-2042) in the format prescribed by the Internal Affairs Bureau.

See procedure for further guidance: NEGATIVE PERSONAL CONTACT INVESTIGATIONS

### 1010.6.5 ADMINISTRATIVE INVESTIGATION FORMAT

Investigations of personnel complaints shall be thorough, complete and follow the format established by the Internal Affairs Bureau. The prescribed format is available on the Department Intranet under "Programs".

### 1010.6.6 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

**Substantiated** - The facts clearly support the allegations.

**Unsubstantiated** - Allegation cannot be resolved by investigation because sufficient evidence is not available to conclusively prove or disprove the conduct alleged.

**Exonerated** - The alleged act did occur but was legal, proper and necessary. The following are examples of Exonerated:

(a) Allegations of false arrest wherein a legal, proper and necessary arrest did occur.

(b) Allegations of excessive force wherein legal, proper and necessary force was used.

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(c) Allegations of an improper verbal exchange (rudeness, cursing, etc.), wherein a proper verbal exchange did occur, consistent with Department guidelines, but the alleged misconduct did not.

**Unfounded** - The alleged act did not occur and the complaint is false. Any information that could lead one to believe that the act took place would require a conclusion other than Unfounded. The following are examples of Unfounded:

(a) Allegation of false arrest wherein no arrest occurred.

(b) Allegation of excessive force wherein no force was used.

(c) Allegation of an improper verbal exchange (rudeness, cursing etc.) and there was no contact between the complainant and the alleged officer(s) involved.

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1010.6.7 COMPLETION OF INVESTIGATIONS
All investigations conducted pursuant to this policy shall be completed as expeditiously as possible, without sacrificing accuracy, thoroughness and completeness. All investigations should be completed within 60 days, although the specific circumstances may result in a longer investigation.

1010.6.8 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS
The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

## 1010.7 ADMINISTRATIVE SEARCHES

Lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

## 1010.8 SUSPENSION FROM DUTY

Officers may be suspended from duty whenever, in the opinion of the Police Commissioner, such action is necessary. In addition, such suspension is in accordance with the Civil Service Law, the Suffolk County Administrative Code, the respective collective bargaining agreement or other applicable law.

(a) Upon suspension, an officer promptly surrenders all Departmental property, service weapon and all other revolvers and pistols possessed. Revolvers, pistols and identification cards are surrendered in accordance with the Firearms Policy and Procedure. Other Department property is invoiced to the Quartermaster and returned to the officer when relieved from suspension.

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(b) During the period of suspension, an officer does not wear any part of a Departmental uniform or carry any police equipment.

## 1010.9 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator should be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Police Commissioner shall be notified as soon as practicable when a member is accused of criminal conduct. The Police Commissioner may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be provided with all rights afforded to a civilian. The member should not be administratively ordered to provide any information in the criminal investigation.

The Suffolk County Police Department may release information concerning the arrest or detention of any member. No disciplinary action should be taken until an independent administrative investigation is conducted.

## 1010.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, an investigation report should be forwarded for review as prescribed by the Police Commissioner. Each level of command should review the report and approve forwarding or return it for modification. The Police Commissioner may accept or modify any classification or recommendation for disciplinary action.

### 1010.10.1 COMMANDING OFFICER RESPONSIBILITIES

For cases investigated by commands other than the Internal Affairs Bureau, Commanding Officers are responsible for all civilian complaint investigations within their commands.

Commanding Officers shall review all completed investigations for concurrence and if disciplinary action against the involved member is warranted, prepare a written report to the appropriate division chief including the findings and any action taken or recommended. In appropriate cases, Commanding Officers may dispose of violations of Department policy, procedure, orders or instructions by the Command Discipline Process.

See procedure for further guidance: COMMAND DISCIPLINE

Upon completion of the investigation and prior to sending any correspondence to the complainant detailing the results of the investigation, the Commanding Officer will contact a member of the legal staff of the Office of the Commissioner to ascertain whether or not a Notice of Claim has been received regarding the complaint. If a Notice of Claim has not been received, the Commanding Officer shall notify the complainant of the outcome of the investigation, or in the case of a Negative Personal Contact, ensure notification has been made. If a Notice of Claim has been received, the Commanding Officer shall contact the Internal Affairs Bureau.

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Commanding Officers shall submit all civilian complaint investigations to their division chief.

### 1010.10.2 DIVISION CHIEF RESPONSIBILITIES

The appropriate Division Chief shall review all civilian complaints to ensure that a thorough and complete investigation has been conducted and that any recommendations, actions taken, or findings are supported by the facts of the investigation. The Division Chief, after review and approval, will forward all complaint investigations to the Internal Affairs Bureau.

### 1010.10.3 POLICE COMMISSIONER RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Police Commissioner or designee shall review the recommendation and all accompanying materials. The Police Commissioner may modify any recommendation and/or may return the file to the Internal Affairs Bureau for further investigation or action.

### 1010.10.4 POLICE COMMISSIONER DISCIPLINE OF OFFICERS

The Police Commissioner, pursuant to Section A13-7(c) of the Suffolk County Administrative Code, may designate the Deputy Commissioner, an officer holding the rank of Captain or above, or a special hearing officer to conduct hearings on charges against any officer below the rank of Captain. The hearing officer shall report his/her findings and recommendations to the Commissioner for appropriate action.

The Police Commissioner has the power, pursuant to the Civil Service Law, the Suffolk County Administrative Code, the respective collective bargaining agreement or other applicable law, to discipline an officer by one of the following penalties, or if agreed to by the Commissioner and the officer, a combination of these penalties:

(a) Reprimand

(b) Fine

(c) Suspension, with or without pay

(d) Dismissal or removal from the service

(e) Reduction in rank to any grade below that in which the officer is serving

Officers may be disciplined for the following reasons:

(a) Violation of Department policy, procedures, orders or instructions

(b) Conduct unbecoming an officer

(c) Neglect of duty

(d) Disobedience of orders

(e) Cowardice

(f) Intoxication on-duty

(g) Intoxication in uniform

(h) Absence without leave

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(i) Making a false official communication

(j) Conviction of any criminal offense

(k) Using or possessing unauthorized drugs

(l) Refusing to submit to a chemical test

(m) Altering results of a chemical test

(n) Incapacity

(o) Immoral conduct

(p) Conduct injurious to the public welfare

(q) Failure to properly supervise subordinates

(r) Any other breach of discipline

Once the Police Commissioner or designee is satisfied that no further investigation or action is required by staff, the Police Commissioner shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed charges are preferred in writing against an officer alleged to be guilty of infractions of Department policies, orders and instructions, or the case is referred to the officer's Commanding Officer for Command Discipline as appropriate (see Commanding Officer Responsibilities above for information related to Command Discipline Procedures). The accused is offered an opportunity to be represented by an attorney (Civil Service Law § 75).

See procedure for further guidance: CHARGES AND SPECIFICATIONS

The employee shall be given an opportunity to respond in writing to the Police Commissioner within 10 days of receiving the notice. Upon a showing of good cause by the employee, the Police Commissioner may grant a reasonable extension of time for the employee to respond.

Charges and specifications are adjudicated by Departmental hearing or arbitration in accordance with the applicable collective bargaining agreement.

### 1010.10.5 POLICE COMMISSIONER DISCIPLINE OF CIVILIAN MEMBERS OF THE DEPARTMENT

The Police Commissioner has the power to discipline a civilian member of the Department by one of the following penalties, or if agreed to by the Commissioner and the civilian member, a combination of these penalties:

(a) Reprimand

(b) Fine

(c) Suspension, with or without pay

(d) Dismissal

(e) Reduction in grade and title

Civilian members of the Department are disciplined for the following reasons :

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(a) Violation of Department policy, procedure, orders or instructions
(b) Neglect of duty
(c) Disobedience of orders
(d) Intoxication on-duty
(e) Absence without leave
(f) Making a false official communication
(g) Conviction of any criminal offense
(h) Using or possessing unauthorized drugs
(i) Refusing to submit to a chemical test
(j) Altering results of a chemical test
(k) Incapacity
(l) Immoral conduct
(m) Conduct injurious to the public welfare
(n) Any other breach of discipline

Civilian members of the Department are disciplined in accordance with the Suffolk County Employee Disciplinary Manual and Disciplinary Manual for Supervisors , Civil Service Law §75 and the applicable collective bargaining agreement.

See procedure for further guidance: CIVILIAN DISCIPLINE

1010.10.6 NOTICE OF CHARGES
Any charges brought against an employee shall be in writing and within the time frame prescribed by law (Civil Service Law § 75).

## 1010.11 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

## 1010.12 POST-DISCIPLINE APPEAL RIGHTS

An employee may have the right to appeal disciplinary action using the procedures established by Civil Service Law § 76, any collective bargaining agreement and/or personnel rules.

A petition to the Police Commissioner to reconsider his/her determination to fine, suspend, dismiss or otherwise discipline an officer will not be granted after the expiration of 30 days from the service of notice of such determination upon the officer so fined, suspended, dismissed or otherwise disciplined.

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### 1010.13 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

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# Attachments

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# Civilian Complaint Form PDCS-1300f.pdf

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POLICE DEPARTMENT, COUNTY OF SUFFOLK, N.Y.

# CIVILIAN COMPLAINT REPORT

**PDCS-1300f** **53-0205..8/94Mcs**

**ALERT #** _____

☐ **THIRD PARTY COMPLAINT ALERT # REQUIRED**

☐ **THIRD PARTY COMPLAINT ALERT # NOT REQUIRED**

**INSTRUCTIONS:** The officer in charge (O.I.C.) will complete the appropriate portions of this form when reporting a civilian complaint (written, verbal or otherwise) alleging misconduct by a member of the Department or an improper or inadequate Department policy or procedure. The completed form along with any relative documents (photos, statement, medical records, etc.) will be forwarded to the commanding officer of the officer in charge. The complainant will be advised that the commanding officer or his representative will contact them regarding the complaint. The commanding officer will ensure that the appropriate distribution of this form and related paperwork is made.

**DISTRIBUTION:** PERSONNEL: Original-Internal Affairs Bureau; 1st copy-subject officer's C.O.; 2nd copy-Division Chief; 3rd copy-Complainant.
PROCEDURAL: Original-Internal Affairs Bureau; 1st copy-Chief of Dept.; 2nd copy-Division Chief; 3rd copy-Complainant.

| DATE/TIME RECEIVED | HOW COMPLAINT RECEIVED<br>☐ PERSON ☐ MAIL ☐ TELEPHONE ☐ OTHER | | | |
|---|---|---|---|---|
| RECEIVING OFFICER | RANK | SHIELD | COMMAND | SQUAD |
| COMPLAINANT'S LAST NAME, FIRST, M.I. | | DATE OF BIRTH | ☐ MALE<br>☐ FEMALE | |
| ADDRESS | | | HOME PHONE | |
| OCCUPATION | ADDRESS | | BUSINESS PHONE | |
| PRIMARY LANGUAGE OF COMPLAINANT<br>☐ ENGLISH ☐ SPANISH ☐ OTHER | | REPRESENTATIVE/INTERPRETER | | |
| ADDRESS | | | PHONE | |

| NAME OF POLICE OFFICER(S) IF UNKNOWN PROVIDE DESCRIPTION(S) | SHIELD(S) | TYPE OF DUTY<br>☐ AUTO<br>☐ FOOT PATROL<br>☐ CIVILIAN CLOTHES<br>☐ OTHER (EXPLAIN) | CAR OR POST NO. | COMM. OR PCT. |
|---|---|---|---|---|
| | | | | |

| LOCATION OF INCIDENT(S) (INCLUDE VILLAGE, TOWN, OR HAMLET) | DATE & TIME OF OCCURRENCE |
|---|---|
| | |

| WITNESSES - NAME/ADDRESS/PHONE NUMBER | NAME OF ATTORNEY/ADDRESS/OR PHONE NUMBER |
|---|---|
| | |

| DOES COMPLAINANT GIVE PERMISSION TO BE CONTACTED AT PLACE OF EMPLOYMENT?<br>☐ YES ☐ NO | DEPOSITION TAKEN<br>☐ YES ☐ NO | OTHER DOCUMENTATION<br>☐ PHOTOGRAPHS ☐ OTHER<br>☐ PHYSICAL EVIDENCE |
|---|---|---|

INDICATE NATURE OF COMPLAINT: ☐ PERSONNEL ☐ PROCEDURAL

BRIEF DETAILS OF COMPLAINANT (INCLUDE CC#, A#, IF APPLICABLE)

| OFFICER IN CHARGE - ACTION TAKEN | | | COMMANDING OFFICER - ACTION TAKEN | | |
|---|---|---|---|---|---|
| ☐ RESOLVED - NO FURTHER ACTION REQUIRED<br>☐ FORWARD TO C.O. | | | ☐ TO BE INVESTIGATED WITHIN COMMAND ☐ RESOLVED WITHIN COMMAND<br>☐ FORWARD TO _____ FOR INVESTIGATION | | |
| SIGNATURE | COMMAND/SQUAD | DATE/TIME | SIGNATURE | COMMAND/SQUAD | DATE/TIME |
| | | | | | |

# Compliment Complaint Information Report (PDCS-1300-1d).pdf

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**POLICE DEPARTMENT, COUNTY OF SUFFOLK, N.Y.**
*ACCREDITED LAW ENFORCEMENT AGENCY*
**COMPLIMENT/COMPLAINT INFORMATION REPORT**

PDCS-1300-1d

**INTERNAL AFFAIRS BUREAU USE ONLY**
Received: _____
IAB #: _____

The Suffolk County Police Department is committed to providing the highest quality police services to each and every member of the community and your input is important to us. If you have a compliment or a complaint concerning an SCPD employee, please do **ONE** of the following:

- Complete this form and submit it directly to any SCPD precinct, or to Police Headquarters, or fax it to **(631) 852-6259**.
- Mail it to: ***Suffolk County Police Headquarters, Internal Affairs Bureau (IAB), 30 Yaphank Avenue, Yaphank, NY 11980***.
- Telephone the Internal Affairs Bureau at **631-852-6265**, or free of charge by dialing **1-888-382-1798** (Spanish interpretation is available).
- E-mail Internal Affairs at: ***SCPD.INTERNALAFFAIRS@suffolkcountyny.gov***.
- Telephone the **Suffolk County Human Rights Commission** at **631-853-5480**.

**Check the appropriate category:** ☐ **Compliment** ☐ **Complaint** **CC #** (if applicable) _____

| Name: Last, First, M.I. | | Date of Birth | ☐ M ☐ F |
|---|---|---|---|
| Address | | Home Phone | |
| E-Mail Address | Cell Phone | Work Phone ☐ Permission to contact | |

| Person Assisting (Interpreter, Representative) | Relationship | Contact Phone # |
|---|---|---|

| If Applicable: Witness Name: Last, First. M.I. | Home Phone |
|---|---|
| Address | Cell Phone |

**INCIDENT**

| Date of Incident | Time of Incident | Location of Incident |
|---|---|---|

**EMPLOYEE INFORMATION** (if known)

| Rank/Title | Command | Shield | Name | ☐ M ☐ F |
|---|---|---|---|---|
| ☐ Plainclothes ☐ Uniform | ☐ On Foot ☐ In Car | ☐ Marked Car ☐ Unmarked | Patrol Car #: | License Plate #: |
| Physical Description of Employee (eye color, hair color, approximate height and build, age, etc.) | | | | |

**DESCRIPTION OF INCIDENT** (please include as much detail as possible)

Would you like a Police Department supervisor to contact you with regard to your comments? ☐ **Yes** ☐ **No**

**Date:** _____ **Signature:** _____

**DEPARTAMENTO DE POLICÍA, CONDADO DE SUFFOLK, NUEVA YORK**
*OFICINA POLICIAL AUTORIZADA*
**INFORME DE AGRADECIMIENTO/RECLAMO** PDCS-1300-1d-SP
(Compliment/Complaint Information Report)

| SÓLO PARA USO DE LA OFICINA DE ASUNTOS INTERNOS |
|---|
| Recibido:_____ |
| N.° de IAR: _____ |

El Departamento de Policía del Condado de Suffolk se compromete a proporcionar servicios policiales de la mejor calidad a cada miembro de la comunidad y su opinión es importante para nosotros. Si usted tiene algún agradecimiento o reclamo en relación con un empleado del SCPD, opte por alguna de las siguientes opciones:

- Complete este formulario y envíelo directamente a algún distrito del SCPD o a las Oficinas Centrales de la Policía, o por fax al (631) 852-6259.
- Envíelo por correo a: *Oficinas Centrales de la Policía del Condado de Suffolk, Oficina de Asuntos Internos (IAB), 30 Yaphank Avenue, Yaphank, NY 11980.*
- Comuníquese con la Oficina de Asuntos Internos por teléfono al 631-775-2077 (Un operador estará disponible en español), o gratis llamando al 1-888-382-1798.
- Envíe un correo electrónico a Asuntos Internos a: **SCPD.INTERNALAFFAIRS@suffolkcountyny.gov.**
- Comuníquese con la **Comisión de Derechos Humanos al 631-853-5480.**

**Seleccione la categoría correcta:** ☐ **Agradecimiento** ☐ **Reclamo** ☐ **RC N.° (si corresponde)** _____

| Nombre: Apellido, nombre, inicial del segundo nombre | | Fecha de nacimiento | ☐ M ☐ F |
|---|---|---|---|
| Dirección | | Teléfono de la casa | |
| Dirección de correo electrónico | Teléfono celular: | Teléfono del trabajo ☐ Permiso para llamar | |

| Persona que asiste (intérprete, representante) | Relación | N.° telefónico del contacto |
|---|---|---|
| Si corresponde: Nombre del testigo: Apellido, nombre, inicial del segundo nombre | | Teléfono de la casa |
| Dirección | | Teléfono celular: |

**INCIDENTE**

| Fecha del incidente | Hora del incidente | Lugar del incidente |
|---|---|---|
| | | |

**INFORMACIÓN DEL EMPLEADO**

| Rango/Título | División | Placa | Nombre | ☐ M ☐ F |
|---|---|---|---|---|
| | | | | |

| ☐ Vestimenta de civil ☐ Uniforme | ☐ Peatón ☐ En auto | ☐ Credencial marcada ☐ Sin marcar | N.° de patrullero: | N.° de la placa: |
|---|---|---|---|---|

Descripción física de los empleados (color de ojos, color de cabello, contextura y alturas aproximadas, edad, etc.)

**DESCRIPCIÓN DEL INCIDENTE** **(incluya toda la información que sea posible)**

¿Le gustaría que un supervisor del Departamento de Policía se comunicara con usted por sus comentarios? ☐ Sí ☐ No

Fecha: _____ Firma: _____

# Supervisors Complaint Report (PDCS-2213).pdf

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POLICE DEPARTMENT, COUNTY OF SUFFOLK, NY

# SUPERVISOR'S COMPLAINT REPORT

PDCS-2213

DISCIPLINE CASE NO.

**INSTRUCTIONS:** 1. One copy shall be prepared when employee and superior are assigned to the same command and shall serve as the record copy.

2. Two copies shall be prepared when the employee and superior are assigned to different commands. The original copy will be forwarded to the Commanding Officer of the employee concerned. The second copy shall be retained at the command of the superior preparing the report.

3. Commanding Officers must investigate allegations and report disposition under section entitled FOLLOW-UP.

| NAME | RANK | SHIELD | COMMAND |
|---|---|---|---|
| | | | |

| LOCATION VIOLATION OCCURRED | DATE | TIME | DAY OF WEEK |
|---|---|---|---|
| | | | |

| COMPLAINANT (IF ANY) | HOME ADDRESS | HOME PHONE NO. |
|---|---|---|
| | | |

| EMPLOYER | EMPLOYER'S ADDRESS | BUSINESS PHONE NO. |
|---|---|---|
| | | |

DETAILS OF VIOLATION

**IMMEDIATE ACTION**

THE OFFICER **WAS** ☐ **WAS NOT** ☐ WARNED AND ADMONISHED, AND **WAS** ☐ **WAS NOT** ☐ INSTRUCTED IN PROPER PERFORMANCE OF DUTY AND/OR PROCEDURE.

IF NOT (EXPLAIN)

| SIGNATURE OF SUPERVISOR PREPARING REPORT | COMMAND | DATE |
|---|---|---|
| | | |

## FOLLOW-UP

☐ **UNSUBSTANTIATED**

☐ **CHARGES AND SPECIFICATIONS**

**INSPECTION CASE NO.** _____

☐ **COMMAND DISCIPLINE ACCEPTED**

☐ **COMMAND DISCIPLINE REVIEW PANEL**

**FINAL DISPOSITION**

| SIGNATURE OF COMMANDING OFFICER | COMMAND | DATE |
|---|---|---|
| | | |

# Acknowledgement of Complaint PDCS-1300-3 Lexipol 1010.pdf

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**POLICE DEPARTMENT, COUNTY OF SUFFOLK, N.Y.**
*ACCREDITED LAW ENFORCEMENT AGENCY*
**ACKNOWLEDGEMENT OF COMPLAINT** PDCS-1300-3

| INTERNAL AFFAIRS BUREAU |
|---|
| IA # |
| DATE: |

| SUPERVISOR RECEIVING COMPLAINT | TELEPHONE #: |
|---|---|
| RECORD ID NUMBER | DATE |

The Suffolk County Police Department has received and recorded your allegation concerning a SCPD employee. We take your allegation very seriously and thank you for the information you have provided. Please be assured that the Department will investigate this matter thoroughly, in an impartial and fair manner. If you have any questions or concerns regarding this investigation, you may contact Internal Affairs Bureau by:

**Mail**: Suffolk County Police Headquarters
Internal Affairs Bureau (IAB)
30 Yaphank Avenue
Yaphank, NY 11980

**Fax**: 631-852-6259

**Phone**: **631-852-6265**, or free of charge by dialing **1-888-382-1798**.

**E-mail**: SCPD.INTERNALAFFAIRS@suffolkcountyny.gov

While your complaint has already been recorded, you should be aware that complaints regarding members of the Suffolk County Police Department can also be reported to the Human Rights Commission by calling **(631) 853-5480**.

Investigations will be conducted in a comprehensive and impartial manner in accordance with the following Suffolk County Police Department policy:

- The investigator will contact and interview you, the involved member(s) of the Police Department, and available witnesses. Please inform your investigator of any additional witnesses, evidence or documentation.
- The investigator will closely review all available evidentiary material and documentation regarding the matter.
- Based on a careful review of the interviews and all available evidentiary material, the investigator will prepare a comprehensive report.
- This report will be reviewed at numerous levels of supervision within the Department, including Division Chiefs. In many instances, cases and associated reports will also be reviewed by the Police Commissioner and Deputy Police Commissioner, and will be forwarded to the District Attorney's Office for review.
- You will be notified of the findings of the investigation.

Should you have questions regarding the investigation or the conclusion that is drawn, please feel free to contact either the investigating supervisor or IAB immediately using any of the above contact options.

The Suffolk County Police Department is committed to providing the highest level of professional, efficient and effective service to each and every member of the community we serve. It should be noted the Suffolk County Police Department does not inquire as to the immigration status of victims, witnesses or persons requesting or receiving police assistance.

# Civilian Complaint Report (PDCS-1300f).pdf

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POLICE DEPARTMENT, COUNTY OF SUFFOLK, N.Y.

# CIVILIAN COMPLAINT REPORT

PDCS-1300f 53-0205..8/94Mcs

**ALERT #** _____

☐ **THIRD PARTY COMPLAINT ALERT # REQUIRED**

☐ **THIRD PARTY COMPLAINT ALERT # NOT REQUIRED**

**INSTRUCTIONS:** The officer in charge (O.I.C.) will complete the appropriate portions of this form when reporting a civilian complaint (written, verbal or otherwise) alleging misconduct by a member of the Department or an improper or inadequate Department policy or procedure. The completed form along with any relative documents (photos, statement, medical records, etc.) will be forwarded to the commanding officer of the officer in charge. The complainant will be advised that the commanding officer or his representative will contact them regarding the complaint. The commanding officer will ensure that the appropriate distribution of this form and related paperwork is made.

**DISTRIBUTION:** PERSONNEL: Original-Internal Affairs Bureau; 1st copy-subject officer's C.O.; 2nd copy-Division Chief; 3rd copy-Complainant.
PROCEDURAL: Original-Internal Affairs Bureau; 1st copy-Chief of Dept.; 2nd copy-Division Chief; 3rd copy-Complainant.

| | | | | |
|---|---|---|---|---|
| DATE/TIME RECEIVED | HOW COMPLAINT RECEIVED<br>☐ PERSON ☐ MAIL ☐ TELEPHONE ☐ OTHER | | | |
| RECEIVING OFFICER | RANK | SHIELD | COMMAND | SQUAD |
| COMPLAINANT'S LAST NAME, FIRST, M.I. | | DATE OF BIRTH | | ☐ MALE<br>☐ FEMALE |
| ADDRESS | | | HOME PHONE | |
| OCCUPATION | ADDRESS | | BUSINESS PHONE | |
| PRIMARY LANGUAGE OF COMPLAINANT<br>☐ ENGLISH ☐ SPANISH ☐ OTHER | | REPRESENTATIVE/INTERPRETER | | |
| ADDRESS | | | PHONE | |

| | | | | |
|---|---|---|---|---|
| NAME OF POLICE OFFICER(S) IF UNKNOWN PROVIDE DESCRIPTION(S) | SHIELD(S) | TYPE OF DUTY<br>☐ AUTO<br>☐ FOOT PATROL<br>☐ CIVILIAN CLOTHES<br>☐ OTHER (EXPLAIN) | CAR OR POST NO. | COMM. OR PCT. |
| LOCATION OF INCIDENT(S) (INCLUDE VILLAGE, TOWN, OR HAMLET) | | | DATE & TIME OF OCCURRENCE | |
| WITNESSES - NAME/ADDRESS/PHONE NUMBER | NAME OF ATTORNEY/ADDRESS/OR PHONE NUMBER | | | |
| DOES COMPLAINANT GIVE PERMISSION TO BE CONTACTED AT PLACE OF EMPLOYMENT?<br>☐ YES ☐ NO | DEPOSITION TAKEN<br>☐ YES ☐ NO | OTHER DOCUMENTATION<br>☐ PHOTOGRAPHS ☐ OTHER<br>☐ PHYSICAL EVIDENCE _____ | | |

INDICATE NATURE OF COMPLAINT: ☐ PERSONNEL ☐ PROCEDURAL

BRIEF DETAILS OF COMPLAINANT (INCLUDE CC#, A#, IF APPLICABLE)

| OFFICER IN CHARGE - ACTION TAKEN | | | COMMANDING OFFICER - ACTION TAKEN | | |
|---|---|---|---|---|---|
| ☐ RESOLVED - NO FURTHER ACTION REQUIRED<br>☐ FORWARD TO C.O. | | | ☐ TO BE INVESTIGATED WITHIN COMMAND ☐ RESOLVED WITHIN COMMAND<br>☐ FORWARD TO _____ FOR INVESTIGATION | | |
| SIGNATURE | COMMAND/SQUAD | DATE/TIME | SIGNATURE | COMMAND/SQUAD | DATE/TIME |
| | | | | | |

# Negative Personal Contact-Supervisors Investigation Report (PDCS-1299d).pdf

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**POLICE DEPARTMENT, COUNTY OF SUFFOLK, N.Y.**
*ACCREDITED LAW ENFORCEMENT AGENCY*
**NEGATIVE PERSONAL CONTACT– SUPERVISOR'S INVESTIGATION REPORT** PDCS-1299d

**DATE REPORTED:** _____ **IA #** _____

**TIME OF INCIDENT INFORMATION**

**INVOLVED MEMBER'S IMMEDIATE SUPERVISOR:** _____

**INVOLVED MEMBER'S: NAME:** _____ **RANK/TITLE:** _____ **COMMAND:** _____

**SUPERVISOR'S INVESTIGATION**

**INTERVIEW DATE:** _____

**INVOLVED MEMBER'S DESCRIPTION OF ENCOUNTER:** (Interview with Member conducted by Lt. or above)

**WITNESS OR DOCUMENTATION:**

**SUPERVISORY ACTION TAKEN:** **SUPERVISOR CONDUCTING INTERVIEW:** _____
PRINT NAME and RANK

**COMPLAINANT NOTIFIED:** ☐ TELEPHONE (DATE) _____ ☐ LETTER SENT (ATTACHED)

**STATUS:** ☐ SUBSTANTIATED ☐ EXONERATED ☐ UNSUBSTANTIATED ☐ UNFOUNDED

| INVESTIGATING SUPERVISOR'S SIGNATURE | DATE | APPROVAL OF COMMANDING OFFICER | DATE | IAB REVIEW/APPROVAL | DATE |
|---|---|---|---|---|---|

DISTRIBUTION: ORIGINAL – INTERNAL AFFAIRS BUREAU; YELLOW - MEMBER'S COMMANDING OFFICER; PINK - APPROPRIATE DIVISION CHIEF

# Employee Disciplinary Manual.pdf

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# EMPLOYEE DISCIPLINARY MANUAL

# RULES & REGULATIONS

# THE COUNTY OF SUFFOLK

STEVEN BELLONE

SUFFOLK COUNTY EXECUTIVE

Jennifer K. McNamara, Esq.
Director
Office of Labor Relations

COUNTY OF SUFFOLK

RULES AND REGULATIONS

VIOLATIONS SUBJECT TO DISCIPLINARY ACTION

Please read and familiarize yourself with the attached rules and regulations. It is the responsibility of each employee to know and abide by these rules which are intended to serve as a guide in your daily actions. These and other rules, as defined by the Office of Labor Relations and/or your own department, will assist us in providing responsible service to the taxpayers of Suffolk County.

## Bill of Rights

To insure that individual rights of employees are maintained, the following shall represent the employees' **Bill of Rights:**

1. In all disciplinary hearing proceedings, the burden of proof that discipline is for just cause shall rest with the employer.
2. An employee shall be entitled to a union representative or an attorney at each step of a disciplinary proceeding instituted.
3. An employee shall be entitled to a union representative or an attorney at an interrogation if it is determined by the questioner or reviewer at that time that such employee is a likely subject for disciplinary action.
4. No recording device shall be used nor shall any stenographic record be taken during an interrogation unless the employee is so advised in advance.
5. Except as provided in Section 7 below, no statement(s) or admission(s) made by an employee during an interrogation held without that employee having the opportunity of a union representative or an attorney will be subsequently used in a disciplinary proceeding against such employee.
6. No employee against whom disciplinary action has been initiated shall be requested to sign any statement or admission of guilt, to be used in a disciplinary proceeding without the opportunity to have a union representative or an attorney.

7. An employee shall be entitled to a union representative at each step of the grievance procedure.

8. An employee shall not be coerced or suffer any reprisal either directly or indirectly that may adversely affect that individual's hours, wages, or working conditions as the result of the exercise of the rights provided by this Agreement.

9. Disagreements arising as to the interpretation or application of this Bill of Rights shall not be specifically addressed under this Bill of Rights but must be grieved under the appropriate Article contained in the Agreement.

The purpose of this Section is to provide a prompt, equitable and efficient procedure for the imposition of discipline for just cause. Both parties to this Agreement recognize the importance of counseling and the principle of corrective discipline. Prior to initiating formal disciplinary action pursuant to this Section, the appointing authority, or the authority's designee, is encouraged to resolve matters informally: provided, however, such informal action shall not be construed to be a part of the disciplinary procedure contained in this Section and shall not restrict the right of the appointing authority, or the designee to consult with or otherwise counsel employees regarding their conduct or to initiate disciplinary action.

Employee Rights

(a) Employees may represent themselves or be accompanied for

purposes of representation by A.M.E. or an attorney, at meetings or hearings held pursuant to the disciplinary procedure set forth in the agreement, and when, as provided in subdivision (b) or (c) below, the employee is required to submit to an interrogation or requested to sign a statement. Unless the employee declines representation, a reasonable period of time shall be given to obtain a representative. If the employee requests representation and the employee or A.M.E. fails to provide a representative within a reasonable period of time, the meetings or hearings under the disciplinary procedure may proceed an interrogation as provided in subdivision (b) below may proceed, or the employee may be requested to sign a statement as provided in subdivision (c) below. An arbitrator under this Section shall have the power to find that a delay in providing a representative may have been unreasonable. Where an employee elects to be represented by A.M.E. the representative shall not suffer any loss of earnings or be required to charge leave credits for absence from work as a result of accompanying an employee for purposes of representation as provided in this subdivision.

(b) An "interrogation" shall be defined to mean the questioning of an employee who at the time of the questioning, has been determined to be likely subject for disciplinary action. The routine questioning of an employee by a supervisor or other representative of management to obtain factual information about an occurrence, incident, or situation or the

requirement that an employee submit an oral or written report describing an occurrence, incident or situation, shall not be considered an interrogation. If during the course of such routine questioning or review of such oral or written report, the questioner or reviewer determines that the employee is a likely subject for disciplinary action, the employee shall be so advised. An employee shall be required to submit to an interrogation by a department or agency (1) if the information sought is for use against such employee in a disciplinary proceeding, or (2) after a notice of discipline has been served on such employee only if the employee has been notified, in advance of the interrogation, of the rights to representation as provided in subdivision (a) above. If an employee is improperly subjected to interrogation in violation of the provisions of this subdivision (b), no information obtained solely through such interrogation shall be used against the employee in any disciplinary action. No recording device shall be used nor shall any stenographic record be taken during an interrogation unless the employee is advised in advance that a record is being made. A copy of any formal record shall be supplied to the employee upon request.

(c) No employee who has been served with a notice of discipline or who has been determined to be a likely subject for disciplinary action shall be requested to sign any statement regarding a matter which is the subject of a disciplinary action unless offered the right to have a representative of

A.M.E. or an attorney present and, if he or she requests such representation, is afforded a reasonable period of time to obtain a representative. A copy of any statement signed by an employee shall be supplied to him or to her. Any statements signed by an employee without having been so supplied to him or her may not subsequently be used in a disciplinary proceeding.

(d) An employee shall not be coerced, intimidated or caused to suffer any reprisal, either directly or indirectly, that may adversely affect wages or working conditions as the result of the exercise of the rights under this Section.

# DISCIPLINARY PROCEDURE

(For those employees NOT entitled to a Section 75 Hearing as per Civil Service Law).

Violation of any of these rules will cause the following disciplinary action to be taken:

1st Violation - A verbal reprimand will be issued and a memo of same, signed by the employee and supervisor, will be held on file in the department's central administration office. This memo will not be placed in the employee's personnel file unless further violations of these rules occur within six months of the issuance of the verbal reprimand. If there is no further misconduct during the six month period, the verbal reprimand is removed from the file.

2nd Violation - A written reprimand form will be issued with a copy of the verbal reprimand memo attached with both copies placed in the employee's personnel file and copies forwarded to the Office of Labor Relations Department.

3rd Violation - A written reprimand form will be issued with copies distributed as described above in "2nd Violation". Further disciplinary action may consist of a suspension without pay of one (1) to three (3) work days or a fine of up to $25.00 deducted from the employee's wages or both. An employee who has been assigned a County car may be subject to losing this privilege.

A disciplinary hearing is to be conducted by central administration of each department to determine the appropriate penalty to be imposed. However, such hearing officer will not be a supervisor who is directly involved with the issuance of the

written reprimand. A disciplinary hearing must be conducted where disciplinary action beyond the issuance of a written reprimand is requested. Prior to the disciplinary hearing, written notice of any alleged violation shall be served upon the employee at least eleven (11) calendar days prior to the hearing unless mutually waived by the parties.

4th Violation - A written reprimand form will be issued with copies distributed as explained above in "2nd Violation". Further disciplinary action may consist of a suspension without pay up to a maximum of thirty (30) calendar days or up to thirty (30) day deduction from vacation or compensatory time accruals, up to a $50.00 fine to be deducted from the employee's wages, or both. A disciplinary hearing will be conducted as described above.

5th Violation - A written reprimand form will be issued with copies distributed as above. Further, up to a two (2) month suspension without pay or up to a two month deduction from vacation or compensatory time accruals, a fine not to exceed $100.00 to be deducted from the employee's wages, demotion in grade and title, or any combination thereof or termination pursuant to a separate proceeding under Section 75 of the Civil Service Law.

The listing of violations and suggested disciplinary action is a guide to the supervisor. If after investigation, it is the supervisor's opinion that the offense by the employee requires a more/or less severe penalty than what is called for at that level, the supervisor will proceed to the appropriate disciplinary level.

The following are examples of minor offenses:

1. An employee being out of his/her department and/or away from his/her assigned work area or duty station for other than authorized work purposes during working hours, unless permission is given by his/her supervisor due to an emergency.
2. An employee playing games, or participating in hobbies or crafts of any kind during working hours or engaging in any unauthorized activities during working hours.
3. An employee who does not give an excusable written reason for tardiness or absenteeism and/or gives a deceitful reason to his/her immediate supervisor.
4. An employee being careless or negligent with regard to his/her employment.
5. An employee failing to follow posted time clock/sign-in procedures.
6. Congregating during working hours without authorization for other than work purposes.
7. An employee soliciting during working hours without prior approval from the Office of Labor Relations.
8. An employee using County telephones, vehicles, or property for other than authorized work purposes.
9. An employee conducting him/herself in a manner unbecoming a County employee.
10. An accident resulting in personal injury and/or property damage, however slight, (inclusive of injury to employee resulting in a compensation claim) if not

reported in writing immediately to the employee's supervisor, unless unable due to an emergency situation, in such case it will be reported as soon as practicable.

11. An employee not wearing the proper uniform or protective apparel, as issued.
12. Any violation of the department's rules and procedures.

**The following are examples of major offenses which will require a more severe penalty than those imposed under Items "1" through "12":**

13. An employee being insubordinate, refusing to obey an authorized order to perform his/her job.
14. An employee abusing or maliciously damaging County property.
15. An employee failing to perform a fair day's work for the base rate paid from starting time to stopping time.
16. An employee restricting, encouraging or sponsoring the restriction of production.
17. An employee being impaired in the performance of his/her duties due to consumption of alcohol, drugs, etc.
18. An employee being unable to perform his/her duties due to the loss, suspension, revocation or termination of a qualifying license.
19. An employee fighting during working hours or any intentional act which inflicts bodily harm or injury on him/herself or another during working hours.

20. An employee intentionally falsifying County records.
21. An employee stealing.
22. An employee carrying a dangerous firearm or weapon during working hours without proper authorization.
23. An employee acting in an immoral manner during working hours.
24. An employee sleeping during scheduled working hours.
25. Violation of Federal Communications Commission's Rules and Regulations governing mobile radios.
26. An employee violating a safety rule.
27. An employee not in compliance with the Standard Operating Procedure entitled, "Personal Protective Equipment."
28. Any unauthorized absence (any time out of work without prior approval or insufficient time accrued to cover absence).
29. Chronic absenteeism and/or tardiness.

The A.M.E. Contract Section 15A provides that where the County is seeking the termination of an employee, the employee may elect to proceed to arbitration regarding whether the County had just cause, in lieu of a hearing pursuant to Section 75 or 76 of Civil Service Law and shall execute a waiver at the time of exercising the arbitration option.

I, _____, understand that Suffolk County is seeking termination of my employment.

By signing this waiver, I am exercising my right to request final and binding arbitration in lieu of Section 75 and Section 76 of Civil Service Law.

Signature:_____

Date:_____

DISCIPLINARY ACTION/VETERANS, EXEMPT VOLUNTEER FIREMEN

PERMANENTLY APPOINTED COMPETITIVE CLASS PERSONNEL

SECTION 75

Section 75 of Civil Service Law states that any of the following "shall not be removed or otherwise subjected to any disciplinary penalty... except for incompetency or misconduct shown after a hearing upon stated charges."

(a) A person holding a position by permanent appointment in the competitive class of the classified civil service, or,

(b) A person holding a position by permanent appointment or employment in the classified service ... who is an honorably discharged member of the armed forces of the United States having served therein as such member in time of war as defined in Section 85, or who is an exempt volunteer fireman as defined in the general municipal law.

(c) Any non-competitive or labor class employee who has been a full-time County employee for at least five (5) years.

Additionally, as per the Collective Bargaining Agreement, any noncompetitive or labor class employee who has been a full-time County employee for at least one (1) year, is entitled to a Section 75 Hearing before being terminated (except where excluded pursuant to Civil Service Law).

If the department wishes to issue a verbal reprimand or written reprimand, the following procedure must be adhered to:

1st Violation - A verbal reprimand will be issued and a memo of same, signed by the employee and supervisor and will be held on file in the department's central administration office. This memo will not be placed in the employee's personnel file unless further violations of these rules occur within six months of the issuance of the verbal reprimand. If there is no further misconduct during the six month period, the verbal reprimand is removed from the file.

2nd Violation - A written reprimand form will be issued with a copy of the verbal reprimand memo attached with both copies placed in the employee's personnel file and copies forwarded to the Office of Labor Relations Office.

Procedure for Removal or Other Disciplinary Action:

1. A person against whom removal or other disciplinary action is proposed must be given written notice of the reasons for such action and must be given at least eleven (11) days for answering the charges in writing.

2. As per the contract between the County and the Suffolk County Association of Municipal Employees (AME), the hearing shall be held by the Director of the Office of Labor Relations or his/her designee.

(a) When the Director of Labor Relations or another presides at the hearing, he/she shall make a record of such hearing and refer it and his/her recommendation to the Commissioner of the Department for whom the

employee works.

(b) The employee against whom charges are preferred will be represented by counsel and allowed to summon witnesses in his/her behalf. These witnesses, if County employees, shall utilize their own time and not be on County time.

(c) The burden of proving incompetency or misconduct shall be on the County.

3. The employee against whom charges have been preferred may be suspended without pay for a period not exceeding thirty (30) days pending the hearing and determination of charges.

(a) If the employee is found guilty of the charges, the penalty or punishment may consist of:

1. A reprimand
2. A fine not to exceed $100 to be deducted from the employee's wages.
3. Suspension without pay for a period not exceeding two (2) months.
4. Demotion in grade and title.
5. Dismissal.

The time in which an employee is suspended without pay may be considered as part of the penalty.

(b) If the employee is acquitted of the charges, he/she shall be restored to his/her position with full pay for the period of suspension less the amount of compensation which he/she may have earned in any other employment or occupation and any unemployment insurance

benefits he/she may have received during such period.

(c) If the employee is found guilty of the charges, a copy of the charges, his written answer, a transcript of the hearing and the determination shall be filed in the Director of Labor Relations and the Commissioner's Office and a copy shall also be filed with the Civil Service Commission.

(d) No removal or disciplinary proceeding shall be commenced more than eighteen (18) months after the occurrence of the alleged incompetency, or misconduct. This limitation shall not apply where the incompetency or misconduct described in the charges would, if proved in a court of appropriate jurisdiction, constitute a crime.

# Disciplinary Manual for Supervisors.pdf

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# DISCIPLINARY MANUAL FOR SUPERVISORS

# RULES & REGULATIONS

# THE COUNTY OF SUFFOLK

**STEVEN BELLONE**
**SUFFOLK COUNTY EXECUTIVE**

**Office of Labor Relations**

# INTRODUCTION

For employees to perform their jobs to the best of their abilities, they must know what is expected of them. Toward this end, this Disciplinary Manual has been developed to serve as a guide.

This manual is intended to serve as a communications tool within each Department to assist you in successfully carrying out your responsibilities to management, your employees and the citizens we serve. It contains policy statements, as well as administrative and operating instructions with related forms designed to promote standardized work flows.

Please read its contents carefully and keep it readily available for reference.

Suffolk County Executive

Office of Labor Relations

# DISCIPLINE

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## Bill of Rights

To insure that individual rights of employees are maintained, the following shall represent the employees' **Bill of Rights:**

1. In all disciplinary hearing proceedings, the burden of proof that discipline is for just cause shall rest with the employer.
2. An employee shall be entitled to a union representative or an attorney at each step of a disciplinary proceeding instituted.
3. An employee shall be entitled to a union representative or an attorney at an interrogation if it is determined by the questioner or reviewer at that time that such employee is a likely subject for disciplinary action.
4. No recording device shall be used nor shall any stenographic record be taken during an interrogation unless the employee is so advised in advance.
5. Except as provided in Section 7 below, no statement(s) or admission(s) made by an employee during an interrogation held without that employee having the opportunity of a union representative or an attorney will be subsequently used in a disciplinary proceeding against such employee.
6. No employee against whom disciplinary action has been initiated shall be requested to sign any statement or admission of guilt, to be used in a disciplinary proceeding without the opportunity to have a union representative or an attorney.
7. An employee shall be entitled to a union representative at each step of the grievance procedure.
8. An employee shall not be coerced or suffer any reprisal either directly or indirectly that may adversely affect that individual's hours, wages, or working conditions as the result of the exercise of the rights provided by this Agreement.

9. Disagreements arising as to the interpretation or application of this Bill of Rights shall not be specifically addressed under this Bill of Rights but must be grieved under the appropriate Article contained in the Agreement.

The purpose of this Section is to provide a prompt, equitable and efficient procedure for the imposition of discipline for just cause. Both parties to this Agreement recognize the importance of counseling and the principle of corrective discipline. Prior to initiating formal disciplinary action pursuant to this Section, the appointing authority, or the authority's designee, is encouraged to resolve matters informally: provided, however, such informal action shall not be construed to be a part of the disciplinary procedure contained in this Section and shall not restrict the right of the appointing authority, or the designee to consult with or otherwise counsel employees regarding their conduct or to initiate disciplinary action.

Employee Rights

(a) Employees may represent themselves or be accompanied for purposes of representation by A.M.E. or an attorney, at meetings or hearings held pursuant to the disciplinary procedure set forth in the agreement, and when, as provided in subdivision (b) or (c) below, the employee is required to submit to an interrogation or requested to sign a statement. Unless the employee declines representation, a reasonable period of time shall be given to obtain a representative. If the employee requests representation and the employee or A.M.E. fails to provide a representative within a reasonable period of time, the meetings or hearings under the disciplinary procedure may proceed an interrogation as provided in subdivision (b) below may proceed, or the employee may be requested to sign a statement as provided in subdivision (c) below. An arbitrator under this Section shall

have the power to find that a delay in providing a representative may have been unreasonable. Where an employee elects to be represented by A.M.E. the representative shall not suffer any loss of earnings or be required to charge leave credits for absence from work as a result of accompanying an employee for purposes of representation as provided in this subdivision.

(b) An "interrogation" shall be defined to mean the questioning of an employee who at the time of the questioning, has been determined to be likely subject for disciplinary action. The routine questioning of an employee by a supervisor or other representative of management to obtain factual information about an occurrence, incident, or situation or the requirement that an employee submit an oral or written report describing an occurrence, incident or situation, shall not be considered an interrogation. If during the course of such routine questioning or review of such oral or written report, the questioner or reviewer determines that the employee is a likely subject for disciplinary action, the employee shall be so advised. An employee shall be required to submit to an interrogation by a department or agency (1) if the information sought is for use against such employee in a disciplinary proceeding, or (2) after a notice of discipline has been served on such employee only if the employee has been notified, in advance of the interrogation, of the rights to representation as provided in subdivision (a) above. If an employee is improperly subjected to interrogation in violation of the provisions of this subdivision (b), no information obtained solely through such interrogation shall be used against the employee in any disciplinary action. No recording device shall be used nor shall any stenographic record be taken during an interrogation unless the employee is advised

in advance that a record is being made. A copy of any formal record shall be supplied to the employee upon request.

(c) No employee who has been served with a notice of discipline or who has been determined to be a likely subject for disciplinary action shall be requested to sign any statement regarding a matter which is the subject of a disciplinary action unless offered the right to have a representative of A.M.E. or an attorney present and, if he or she requests such representation, is afforded a reasonable period of time to obtain a representative. A copy of any statement signed by an employee shall be supplied to him or to her. Any statements signed by an employee without having been so supplied to him or her may not subsequently be used in a disciplinary proceeding.

(d) An employee shall not be coerced, intimidated or caused to suffer any reprisal, either directly or indirectly, that may adversely affect wages or working conditions as the result of the exercise of the rights under this Section.

## DISCIPLINARY ACTION/CONDUCT

In order to continue operating in a safe, orderly and effective manner, certain rules are necessary. They are to guide each employee in his/her conduct and responsibilities while working for the County.

Employees who fail to abide by these established rules will be subject to corrective discipline or discharge. Corrective discipline may range from a simple verbal warning for minor offenses or omissions, to discharge for more serious or repeated infractions.

It is the responsibility of each supervisor to maintain proper standards of work and conduct. These standards are based on common sense and good business practices. Disciplinary action may be necessary to carry out your responsibilities.

Each supervisor must:

(a) Take into consideration the seriousness of the offense.

(b) Consider how often the person has broken rules in the recent past.

(c) Prior to interviewing an employee, notify him/her of his/her right to have an Association representative present at any disciplinary interview.

(d) Ask the employee for his/her explanation of the infraction.

(e) Interview any witnesses.

(f) Obtain all the facts. Be sure who did what, where it happened, when it occurred, why it happened as it did and who witnessed it.

(g) Give a clear explanation of the offense to the offender.

(h) Give patient and thorough instructions on how to do the work correctly or about proper conduct and warn the employee that violations of these rules will lead to further disciplinary action.

(i) Consistently interpret the County's policies. The supervisor should not ignore several variances and suddenly enforce a procedure to the detriment of an individual employee.

## DISCIPLINARY PROCEDURE

(For those employees NOT entitled to a Section 75 Hearing as per Civil Service Law)

Violation of any of these rules will cause the following disciplinary action to be taken:

1st Violation - A verbal reprimand will be issued and a memo of same, signed by the employee and supervisor will be held on file in the Department's Central Administration Office. This memo will not be placed in the employee's personnel file unless further violations occur.

2nd Violation - A written reprimand form will be issued with a copy of the verbal reprimand memo attached with both copies placed in the employee's personnel file and copies forwarded to the Office of Labor Relations Department.

3rd Violation - A written reprimand form will be issued with copies distributed as described above in "2nd Violation". Further disciplinary action may consist of a suspension without pay of one (1) to three (3) work days or a fine of up to $25.00 deducted from the employee's wages or both. An employee who has been assigned a County car may be subject to losing this privilege.

A disciplinary hearing is to be conducted by central administration of each department to determine the appropriate penalty to be imposed. However, such hearing officer will not be a supervisor who is directly involved with the issuance of the

written reprimand. A disciplinary hearing must be conducted where disciplinary action beyond the issuance of a written reprimand is requested. Prior to the disciplinary hearing, written notice of any alleged violation shall be served upon the employee at least eleven (11) calendar days prior to the hearing unless mutually waived by the parties.

4th Violation - A written reprimand form will be issued with copies distributed as explained above in "2nd Violation". Further disciplinary action may consist of a suspension without pay up to a maximum of thirty (30) calendar days or up to a thirty (30) day deduction from vacation or compensatory time accruals, up to a $50.00 fine to be deducted from the employee's wages, or both. A disciplinary hearing will be conducted as described above.

5th Violation - A written reprimand form will be issued with copies distributed as above. Further, up to a two (2) month suspension without pay or up to a two month deduction from vacation or compensatory time accruals, a fine not to exceed $100.00 to be deducted from the employee's wages, demotion in grade and title, or any combination thereof or termination pursuant to a separate proceeding under Section 75 of the Civil Service Law.

The listing of violations and suggested disciplinary action is a guide to the supervisor. If after investigation, it is the Supervisor's opinion that the offense by the employee requires a more/or less severe penalty than what is called for at that level, the supervisor will proceed to the appropriate disciplinary level.

The following are examples of MINOR offenses:

1. An employee being out of his/her department and/or away from his/her assigned work area or duty station for other than authorized work purposes during working hours, unless permission is given by his/her supervisor due to an emergency.

2. An employee playing games, or participating in hobbies or crafts of any kind during working hours or engaging in any unauthorized activities during working hours.
3. An employee who does not give an excusable written reason for tardiness or absenteeism and/or gives a deceitful reason to his/her immediate supervisor.
4. An employee being careless or negligent with regard to his/her employment.
5. An employee failing to follow posted time clock/sign-in procedures.
6. Congregating during working hours without authorization for other than work purposes.
7. An employee soliciting during working hours without prior approval from the Office of Labor Relations.
8. An employee using County telephones, vehicles, or property for other than authorized work purposes.
9. An employee conducting him/herself in a manner unbecoming a County employee.
10. Any accident resulting in personal injury and/or property damage, however slight, (inclusive of injury to employee resulting in a compensation claim) if not reported in writing immediately to the employee's supervisor, unless unable due to an emergency situation. In such case, it will be reported as soon as practicable.
11. An employee not wearing the proper uniform or protective apparel.
12. Any violation of the department's rules and procedures.

The following are examples of <u>MAJOR</u> offenses which will require a more severe penalty than those imposed under Items "1" through "12":

13. An employee being insubordinate, refusing to obey an authorized order to perform his/her job.

14. An employee abusing or maliciously damaging County property.
15. An employee failing to perform a fair day's work for the base rate paid from starting time to stopping time.
16. An employee restricting, encouraging or sponsoring the restriction of production.
* 17. An employee being impaired in the performance of his/her duties due to consumption of alcohol, drugs, etc.
18. An employee being unable to perform his/her duties due to the loss, suspension, revocation or termination of a qualifying license.
19. An employee fighting during working hours or any intentional act which inflicts bodily harm or injury on him/herself or another during working hours.
20. An employee intentionally falsifying County records.
21. An employee stealing.
22. An employee carrying a dangerous firearm or weapon during working hours without proper authorization.
23. An employee acting in an immoral manner during working hours.
24. An employee sleeping during scheduled working hours.
25. Violation of Federal Communications Commission's Rules and Regulations governing mobile radios.
26. An employee violating a safety rule.
27. An employee not in compliance with the Standard Operating Procedure entitled, "Personal Protective Equipment."
28. An unauthorized absence (any time out of work without prior approval or insufficient time accrued to cover the absence).
29. Chronic absenteeism and/or tardiness.

* At no time should an attempt be made to physically remove an impaired, violent employee. If it is felt that the employee should be removed from the work place and refuses to leave, the Police should be called.

Additionally, an impaired employee should not be allowed to drive home. The employee's family should be advised in order to provide transportation. If that is not possible, the employee should be taken home by another employee or Taxi cab if necessary.

**HEALTH SERVICES**
**SUPERVISOR'S RECORD OF**
**(maintained in central administration)**

**VERBAL REPRIMAND**
**County of Suffolk**

Issued To: _____ Date: _____
Job Title: _____ Issued By: _____
Date of Infraction: _____ Time: _____ Location: _____

(NOTE: THE EMPLOYEE HAS THE RIGHT TO HAVE AN ASSOCIATION REPRESENTATIVE PRESENT AT THIS DISCIPLINARY INTERVIEW.)
This verbal warning is being issued as a constructive reminder that a recurrence will require the issuance of a "Written Reprimand". The cause of this verbal warning is as follows:
Description of Incident: (For additional space, please attach separate pages:

_____

_____

_____

_____

_____

_____

By signing this form it does not necessarily mean I agree with its contents. It merely shows that I have read and understand it.

Date: _____

_____
Signature of Employee

_____
Signature of Supervisor

_____
Signature of Union Representative

_____
Signature of Supervisor's Witness

Employee has read the contents of this reprimand but refuses to sign.

_____
Supervisor's Signature

_____
Witness\Union Representative

_____
**Print** Supervisor's Name & Date

_____
**Print** Witness\Union Rep. Date

## VERBAL REPRIMAND FORM PROCEDURE

Purpose: The purpose of the "Verbal Reprimand" form is to formally acknowledge to an employee that he/she has acted improperly and that another occurrence within a reasonable period of time will cause the issuance of a written reprimand form.

When to Use: Upon the first occurrence of an act which is cause for disciplinary action.

How the Supervisor Completes this Form:

(a) Complete the upper portion requiring necessary identification data.

(b) Complete the middle portion describing what, when, where and why the infraction occurred.

(c) Notify the employee that he/she has the right to have an Association representative present at the disciplinary interview.

(d) Obtain the employee's signature and date, the signature of your witness and date and your signature and date.

(e) If the employee refuses to sign the copy of the verbal reprimand, the Supervisor and the Union representative will sign under the statement, "Employee has read the contents of this reprimand, but refuses to sign." If the employee waives his right to have a union representative present, then the Supervisor's witness will sign under the statement.

Disposition: When completed, this form should be filed in the Department's Central Administration Office. This memo will NOT be filed in the employee's personnel file unless further violations occur requiring the issuance of a written reprimand form. The verbal reprimand form will then be attached to the written reprimand form and both will be filed in the employee's personnel file.

**HEALTH SERVICES**

**WRITTEN REPRIMAND**
**County of Suffolk**

Issued To: _____ Date: _____
Job Title: _____ Issued By: _____
Date of Infraction: _____ Time: ___ Location: _____

(NOTE: EMPLOYEE HAS THE RIGHT TO HAVE AN ASSOCIATION REPRESENTATIVE PRESENT AT THIS DISCIPLINARY INTERVIEW.)
Below is a statement of a violation which has required the issuance of this written reprimand form. This may be cause for further disciplinary action:
Description of Incident: (For additional space, please attach separate pages:

_____

_____

_____

_____

_____

_____

By signing this form it does not necessarily mean I agree with its contents. It merely shows that I have read and understand it.

Date: _____

_____ _____
Signature of Employee Signature of Supervisor

_____ _____
Signature of Union Representative Signature of Supervisor's Witness

Employee has read the contents of this reprimand but refuses to sign.

_____ _____
Supervisor's Signature Witness\Union Representative

_____ _____
**Print** Supervisor's Name & Date **Print** Witness\Union Rep. Date

## WRITTEN REPRIMAND FORM PROCEDURE

Purpose:

The purpose of the "Written Reprimand" form is to formally acknowledge to any employee that the/she has acted improperly and to make it a permanent part of his/her record with the County.

When to Use:

(a) Prior verbal warnings are not necessary in cases of major violations.

(b) It should be issued by a supervisor only when he/she has all the facts concerning the infraction:

1. When it occurred.
2. Who was involved.
3. What actually happened.
4. Where it occurred.
5. Why the employee acted in such a way.

(c) The supervisor, after he/she has gathered his/her facts, should notify the employee that he/she has the right to have an Association representative present at the disciplinary interview. At the interview, confront the employee with the facts and give him/her an opportunity to give his/her side of the story.

(d) If there are prior verbal reprimands, then the written reprimand with the verbal reprimands attached will be issued to the employee. The original forms will be filed in the employee's personnel file.

How the Supervisor Completes this Form:

(a) Complete the upper portion calling for the employee's name, job, title, date, time and location of infraction.

(b) Complete the portion "Description of Incident" by detailing what happened and summarize the employee's reason as to why it occurred.

(c) Complete portions "Signature of Employee", "Signature of Union Representative", "Signature of Supervisor's Witness" and "Dates" by obtaining their respective signatures. This should only be done if it is the first "written Reprimand" where no penalty will be imposed. If a written reprimand is to be issued for a major offense or if it is not the first written reprimand, the completed form minus the signatures should be sent to the Department's Disciplinary Officer to set up a Progressive Discipline Hearing at which time the form will be signed by all parties. If the employee refuses to sign the copy, the supervisor may insert the material in the file after signing, along with the Union Representative, under the statement, "I hereby certify that the employee named above has seen and read this material but has refused to affix his/her signature hereto". The supervisor and his/her witness will then sign and date the form.

Disposition:

When completed, give one (1) copy to the employee and forward the other to the Department's Disciplinary Officer who will see to it that the notice gets placed in the employee's personnel file and a copy sent to the Personnel & Labor Relations office.

FORM

DISCIPLINARY RECORD SUMMARY/EMPLOYEE FILE

COUNTY OF SUFFOLK

Name _____ Job Title: _____

Date of Hire: _____ Department: _____

Veteran: ___ Volunteer Fireman: ___

| Date | Type of Infraction | Supervisor | Action Taken |
|---|---|---|---|
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## DISCIPLINARY RECORD SUMMARY/EMPLOYEE FILE FORM PROCEDURE

Purpose:

The purpose of the "Disciplinary Record Summary/Employee File Form" is to provide a summary of the verbal warnings and "Written Reprimand" forms issued to each employee.

When to Use:

(a) The Department's Disciplinary Officer should update the form each time a "Verbal Warning" or "Written Reprimand" form is given to an employee.

How the Department's Disciplinary Officer Should Complete:

(a) Complete the upper portion calling for the employee's name, job title, date of hire, Department and whether the employee is a Veteran or Volunteer Fireman.

(b) Complete the appropriate line calling for the dates, type of infraction, supervisor's initials and action taken.

Disposition:

When complete, leave the form in the employee's disciplinary file.

Discussion:

If an employee requests a copy of his/her Disciplinary Record Summary, ask the Department's Disciplinary Officer to comply.

Employees are permitted to reproduce, once a year, upon their request, any material in their personnel file.

## DISCIPLINARY ACTION

Statement of Intent:

(a) If after investigation by the supervisor, disciplinary action is warranted, the supervisor will notify the employee that he/she will meet with them regarding the infraction. The employee will be notified of his/her right to have an Association representative present.* This will ensure that the meeting is not delayed by an

employee requesting representation. The Association representatives presence will show them that weinvestigate and document infractions and will limit the comments which he/she can make to only the facts of the situation. It also points out to the employee that the Association representative can only discuss the facts and can not take action in the employee's behalf which would be contrary to sound management principles.

(b) If the Department Head or his/her designated representative deems that further disciplinary action beyond a written reprimand is needed, a disciplinary hearing must be conducted. The hearing must be held where the offense or continued offenses by the employee requires a penalty more severe than a written reprimand and less severe than termination pursuant to a separate proceeding under Section 75 of the Civil Service Law. The disciplinary hearing will be conducted by the Department Heads designated representative from Central Administration. Written notice of any alleged violation shall be served upon the employee at least eleven (11) days prior to the hearing unless mutually waived by the parties. Such waiver must be in writing. The notice of disciplinary hearing must contain the date, time, location, the alleged violation and the employee has the right to have an Association representative present. After the disciplinary hearing, the employee must receive written notice of any disciplinary action.

* The Sheriff's Department shall continue its past practice unless and until further clarification is made.

(c) It is the responsibility of the supervisor to maintain a proper standard of work and conduct. If you feel the issuance of a reprimand is warranted, you should do so. The reprimand serves as a warning to the employee that he/she has violated a work rule/standard and that further violations will lead to more severe penalties. The reprimand should be used as a management tool to warn the employee and give him/her an opportunity to improve. If the employee fails to improve and continues to violate work rules/standards, the penalty should become progressively stiffer and ultimately lead to termination. You are the supervisor and you must enforce the work rules.

Disciplinary Action/Veterans, Exempt Volunteer Firemen
Permanently Appointed Competitive Class Personnel
Section 75

Section 75 of the Civil Service Law states that any of the following "shall not be removed or otherwise subjected to any disciplinary penalty ... except for incompetency or misconduct shown after a hearing upon stated charges."

(a) A person holding a position by permanent appointment in the competitive class of the classified civil service, or,

(b) A person holding a position by permanent appointment or employment in the classified service... who is an honorably discharged member of the armed forces of the Unites States having served therein as such member in time of war as defined in Section 85, or who is an exempt volunteer fireman as defined in the general municipal law.

(c) Any non-competitive or labor class employee who has been a full-time County employee for at least five (5) years.

Additionally, as per the Collective Bargaining Agreement, any non-competitive or labor class employee who has been a full-time County employee for at least one (1) year, is entitled to a Section 75 Hearing before being terminated.

If the department wishes to issue a verbal reprimand or written reprimand, the following procedure must be adhered to:

1st Violation -- A verbal reprimand will be issued and a memo of same signed by the employee and supervisor will be held on file in the Department's Central Administration Office. This memo will not be placed in the employee's personnel file unless further violations of these rules occur.

2nd Violation -- A written reprimand form will be issued with a copy of the verbal reprimand memo attached with both copies placed in the employee's personnel file and copies forwarded to the Office Labor Relations Office.

I, _____, understand that Suffolk County is seeking termination of my employment.

By signing this waiver, I am exercising my right to request final and binding arbitration in lieu of Section 75 and Section 76 of Civil Service Law.

Signature:_____

Date:_____

The A.M.E. contract, Section 15A provides that where the County is seeking the termination of an employee, the employee may elect to proceed to arbitration regarding whether the County had just cause, in lieu of a hearing pursuant to Section 75 or Section 76 of Civil Service Law and shall execute a waiver at the time of exercising the arbitration option. (See waiver on Page 20)

Procedure for Removal or Other Disciplinary Action:

1. A person against whom removal or other disciplinary action is proposed must be given written notice of the reasons for such action and must be given at least eleven (11) days for answering the charges in writing.
2. As per the contract between the County and the Suffolk County Association of Municipal Employees (AME), the hearing shall be held by the Director of Labor Relations or his/her designee.

   (a) When the Director of Labor Relations or another presides at the hearing, he/she shall make a record of such hearing and refer it and his/her recommendation to the Commissioner of the Department for whom the employee works.

   (b) The employee against whom charges are preferred may be represented by counsel and allowed to summon witnesses in his/her behalf. These witnesses, if County employees, shall utilize their own time and not be on County time.

   (c) The burden of proving incompetency or misconduct shall be on the County.
3. The employee against whom charges have been preferred may be suspended without pay for a period not exceeding thirty (30) days pending the hearing and determination of charges.

   (a) If the employee is found guilty of the charges, the penalty or punishment may consist of:

   1. A reprimand

2. A fine not to exceed $100 to be deducted from the employee's wages.
3. Suspension without pay for a period not exceeding two (2) months.
4. Demotion in grade and title.
5. Dismissal.

The time in which an employee is suspended without pay may be considered as part of the penalty.

(a) If the employee is acquitted of the charges, he/she shall be restored to his/her position with full pay for the period of suspension less the amount of compensation which he/she may have earned in any other employment or occupation and any unemployment insurance benefits he/she may have received during such period.

(b) If the employee is found guilty of the charges, a copy of the charges, his written answer, a transcript of the hearing and the determination shall be filed in the Director of Labor Relations and the Commissioner's Office and a copy shall also be filed with the Civil Service Commission.

(c) No removal or disciplinary proceeding shall be commenced more than eighteen (18) months after the occurrence of the alleged incompetency, or misconduct. This limitation shall not apply where the incompetency or misconduct described in the charges would, if proved in a court of appropriate jurisdiction, constitute a crime.

# Department Early Warning System

## 1029.1 PURPOSE AND SCOPE

This policy provides guidance for the use of the Department Early Warning - Early Intervention and Officer Profile systems to help provide early recognition of training needs and other potential issues as well as improve officer accountability. This policy addresses the responsibilities, performance indicators and handling of collected data.

### 1029.1.1 DEFINITIONS

IAPro - An early warning and early intervention case management system which automatically tracks citizen complaints, use of force incidents, vehicle pursuits, firearm discharges, domestic incidents, Department-involved vehicle crashes and notifications involving an individual officer.

## 1029.2 POLICY

The Suffolk County Police Department collects data to assist supervisors with evaluating the performance of their employees and to identify patterns or trends of individual officers that may be indicative of improper or unprofessional conduct. While it is understood that the statistical compilation of data may be helpful to supervisors, the Department recognizes that it must carefully balance such data with, the many variables in law enforcement, such as:

- Ability to detect crime.
- Work ethic.
- Assignment and shift.
- Physical ability to perform job-related physical tasks.
- Randomness of events.

## 1029.3 RESPONSIBILITIES

### 1029.3.1 INTERNAL AFFAIRS BUREAU (IAB) RESPONSIBILITIES

Designated Internal Affairs Bureau personnel shall regularly review and monitor IAPro and the Officer Profile System for alerts, trends and/or patterns of officer activity which could be indicative of improper or unprofessional conduct. Noticeable trends or patterns of concern shall be promptly reported to the IAB Executive Officer or Commanding Officer.

Information regarding possible trends or patterns of discriminatory policing shall be utilized to:

(a) Alert appropriate patrol and detective division personnel, including precinct and bureau Commanding Officers of said activity

(b) Alert the Chief of Department and Police Commissioner of potential patterns of activity

(c) Coordinate, if necessary, with appropriate community-based groups and religious organizations

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Based upon the nature of the alert, IAB shall develop suitable guidelines to review and assess each alert that is generated. The officer's pertinent complaint history will be reviewed to ensure the alert was generated correctly and/or no mitigating circumstances exist to negate the alert. Any decisions to negate an alert will be made by an IAB team captain, the IAB Executive Officer or Commanding Officer.

After review and approval by appropriate IAB personnel, some alerts may be forwarded to the officer's Commanding Officer or Division Chief with an appropriate notification. Upon return of the notification to IAB, the action taken by the involved officer's command will be noted in IAPro Alert folder by IAB staff.

All generated Domestic Alerts shall be forwarded to a designated IAB Captain. The Captain shall assess the alert to determine if further examination by the officer's Commanding Officer is warranted. If the alert is to be forwarded, a "Domestic Notification Report" will be generated by IAPro. The Alert and related paperwork shall be forwarded to the officer's Division Chief.

A designated IAB Captain shall review all orders of protection involving members of the Department. The reviewing Captain shall ensure that all appropriate court paperwork has been submitted by the member and that the current status of each order is known (i.e., temporary or permanent), as well as any appropriate stipulations, sanctions and/or firearms restrictions. He/she will alert the IAB Commanding Officer or Executive Officer to any circumstances involving these aforementioned members that might require Departmental action.

### 1029.3.2 COMMAND RESPONSIBILITIES

Quarterly, or more frequently as circumstances require, all sworn supervisors shall review, via the Department Intranet, the early intervention alerts of all subordinates under their command. This review shall be documented on the officer's activity report.

See procedure for further guidance: REVIEW OF EARLY ALERTS

Supervisors shall review the IRS Officer Profile database for each subordinate employee on a monthly basis. Precinct command staff shall review this data on a quarterly basis, or more frequently as deemed necessary. This review will focus upon the following activities:

(a) Attendance and use of sick leave

(b) Arrests activity

(c) Tickets issued

(d) Field Interview reports

(e) Traffic stop data. See the Traffic Policy regarding traffic stop data collection

(f) Other relevant data contained therein

Supervisors shall utilize this review in conjunction with a review of IAPro.

See procedure for further guidance: SUPERVISOR REVIEW OF IRS OFFICER PROFILE DATABASE

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## 1029.4 EARLY INTERVENTION PERFORMANCE INDICATORS

IAPro is set up to automatically generate an early intervention alert for certain types of incidents when certain time-constrained numerical thresholds (e.g., defined triggers) are reached. IAB and Department command staff utilize thresholds to monitor patterns or trends for the following types of incidents:

(a) Citizen complaint

(b) Use of force (UOF)

(c) Vehicle pursuit (VP)

(d) Domestic alert/ orders of protection

(e) Bias-based policing

(f) Vehicle accident

(g) Unprofessional language/attitude

(h) Overall alert

### 1029.4.1 FOLLOW-UP MONITORING

Commanding Officers shall be responsible for review and monitoring of this process to ensure they are aware of any positive or negative trends impacting their commands. Commanding Officers shall also be knowledgeable of any discipline or supervisory corrective action taken to improve their subordinates' performance.

## 1029.5 CONFIDENTIALITY OF DATA

Early Warning Alert reports shall be considered confidential as part of the employee's personnel file and will not be subject to discovery or release except as provided by law. Access to performance history audit reports will be governed under the same process as access to an officer's personnel file, as outlined in the Personnel Records Policy.

## 1029.6 RETENTION

Early Warning Alert reports and associated records shall be retained for at least the time required by law in accordance with the established records retention schedule. The Department may establish longer retention periods.

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# Mobile and Portable Audio/Video

## 422.1 PURPOSE AND SCOPE

The Suffolk County Police Department has equipped certain marked law enforcement vehicles and officers with Mobile Audio/Video (MAV) and body-worn portable audio/video recording (BWC) systems to provide records of events and to assist officers in the performance of their duties. These systems are integrated such that the body worn camera functions as a component of the MAV system. This policy provides guidance on the use of these systems.

### 422.1.1 DEFINITIONS

Definitions related to this policy include:

**Activate** - Any process that causes the MAV/BWC system to transmit or store video or audio data in an active mode.

**Body Worn Camera (BWC)** - a video camera system worn on an officer's person which captures both audio and video to document police activities.

**In-car Camera System and MAV System** - Synonymous terms that refer to any system that captures audio and video signals, that is capable of installation in a vehicle including, at a minimum, a camera, microphone, recorder and monitor.

**MAV Technician** - Personnel assigned to the Police Technology Bureau or Information Technologies Section certified or trained in the operational use and troubleshooting of MAVs and BWCs.

**Recorded Media** - Audio/video signals recorded or digitally stored on a storage device or portable media.

## 422.2 POLICY

It is the policy of the Suffolk County Police Department to use mobile audio/video technology and body worn cameras to more effectively fulfill the mission of the Department and to ensure these systems are used securely and efficiently. This policy does not apply to audio/ video recordings, interviews or interrogations conducted at any Department facility, authorized undercover operations, wiretaps or eavesdropping/ concealed listening devices.

## 422.3 RESPONSIBLE COMMANDS

The Police Commissioner or authorized designee should designate appropriate commands responsible for:

(a) Establishing procedures for the security, storage and maintenance of data and recordings.

(b) Establishing procedures for accessing data and recordings.

(c) Establishing procedures for logging or auditing access.

(d) Establishing procedures for transferring, downloading, tagging or marking events.

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### 422.4 MEMBER PRIVACY EXPECTATION

All recordings made by members on any Department-issued device at any time and any recording made while acting in an official capacity of this Department, regardless of ownership of the device it was made on, shall remain the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

### 422.5 OFFICER RESPONSIBILITIES

Prior to going into service, each officer operating a vehicle equipped with a MAV/BWC system will properly equip him/herself to record audio and video in the field. At the end of the shift, each officer will follow the established procedures for providing to the Department any recordings in accordance with the manufacturer's recommended procedures.

At the start of each shift, officers should test the MAV/BWC system's operation in accordance with manufacturer specifications and Department operating procedures and training, and log in via the MAV log-in screen.

System documentation is accomplished by the officer logging in via the MAV unit log-in screen. BWCs shall be individually issued to officers and pre-programmed with identifying information. If the system is malfunctioning, the officer shall advise a supervisor and notify the Information Technologies Section for repair. A memorandum book entry detailing the status of the equipment must be made at the beginning of each tour. If deficiencies were noted, the specific problem and the name of the supervisor notified must be included in the entry.

### 422.6 ACTIVATION OF THE MAV

The MAV system is designed to turn on whenever the vehicle's emergency lights are activated. The system remains on until it is turned off manually. The BWC system may be deactivated independently from the MAV. The audio portion of the MAV is automatically activated when the video system is activated. When video is being recorded, the audio will also record.

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

#### 422.6.1 REQUIRED ACTIVATION OF THE MAV AND BWC

This policy is not intended to describe every possible situation in which the MAV/BWC system may be used, although there are many situations where its use is appropriate. An officer may activate the system any time the officer or a supervisor believes it would be appropriate or valuable to document an incident.

In some circumstances it is not possible to capture images of the incident due to conditions or the location of the camera. However, the audio portion can be valuable evidence and is subject to the same activation requirements as the MAV/BWC. The MAV/BWC system should be activated in any of the following situations:

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(a) All field contacts involving actual or potential criminal conduct within video or audio range:

1. Any adversarial citizen contact including, but not limited to, field interviews, detentions and arrests
2. Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops, from the initial citizen contact until the conclusion of the stop
3. Priority responses where the emergency lights are activated
4. Vehicle pursuits from the initial stage until the termination of police action
5. Suspicious vehicles
6. Arrest and transportation of arrestees
7. Physical or verbal confrontations or use of force
8. Investigatory police action such as field sobriety tests or an encounter with a citizen where the officer is attempting to develop reasonable suspicion of a crime
9. Driving while intoxicated (DWI) investigations, including field sobriety tests
10. Any other contact that becomes adversarial after the initial contact, in a situation that would not otherwise require recording

(b) Any other circumstance where the officer or a supervisor believes that a recording of an incident would be appropriate

Activation of the MAV system is not required when exchanging information with other officers, during breaks or lunch periods, or when not in service or not actively on patrol.

### 422.6.2 CESSATION OF RECORDING

Once activated, the MAV system should remain on until the incident has concluded. For the purpose of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported and all witnesses and victims have been interviewed. Recording may cease if an officer is simply waiting for a tow truck or a family member to arrive, or in other similar situations. Use of the BWC may be concluded when contact with a citizen has ended or subsequent to the arrestee being placed into custody and their cooperation is obtained. If at any time during a citizen contact or an arrest situation where the officer has stopped recording the event, he will not be precluded from resuming recording if it is deemed necessary; the recording will then continue until the officer no longer has contact with the individual.

### 422.6.3 SURREPTITIOUS RECORDING

No member of this Department may surreptitiously record a conversation of any other member of this Department except with a court order or when lawfully authorized by the Police Commissioner or authorized designee for the purpose of conducting a criminal or administrative investigation.

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422.6.4 SUPERVISOR RESPONSIBILITIES
At reasonable intervals, supervisors should validate that recording procedures for the start and end of shifts are being are followed.

When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, officer-involved shootings, Department-involved traffic accidents), a supervisor shall respond to the scene and ensure recordings are wirelessly downloaded in accordance with procedures as soon as practicable. If download is unable to be accomplished due to the involved vehicle being unable to be driven to a download facility, the supervisor will arrange for the Information Technologies Section to secure the MAV and BWC unit.

## 422.7 REVIEW OF MAV/BWC RECORDINGS

All recording media, recorded images and audio recordings are the property of the Department. Dissemination outside of the Department is strictly prohibited, except to the extent permitted or required by law.

If the need arises to copy or review MAV/BWC recordings, the retaining command will provide the needed recordings from the MAV server.

Recordings may be reviewed in any of the following situations:

(a) By officers for use when preparing reports or statements

(b) By a supervisor investigating a specific act of officer conduct

(c) To assess proper functioning of MAV systems

(d) By Department investigators who are participating in an official investigation, such as a personnel complaint, administrative inquiry or a criminal investigation

(e) By Department personnel who request to review recordings

(f) By an officer who is captured on or referenced in the video or audio data, and reviews and uses such data for any purpose relating to his/her employment

(g) By court or prosecutorial personnel through proper process or with the permission of the Police Commissioner or the authorized designee

(h) By the media through proper process

(i) To assess possible training value

(j) For training purposes

(k) As may be directed by the Police Commissioner or the authorized designee

(l) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy

All recordings should be reviewed by the Records Access Officer prior to public release. See the Records Maintenance and Release Policy. Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or by order of the court (Public Officers Law § 89).

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Members desiring to view any previously uploaded or archived MAV recording should submit a request to the retaining command through the chain of command. Approved requests should be forwarded to the retaining command for processing.

In no event shall any recording be used or shown for the purpose of ridiculing or embarrassing any member.

## 422.8 DOCUMENTING MAV/BWC USE

If any incident is recorded with either the video or audio system, the existence of that recording shall be documented in the officer's report. Officers should be aware that these video and audio recordings may represent potential Rosario and *Brady* material. In those situations where an arrest is made and the event was recorded, the arresting officer shall indicate such in the "Evidence" and "Supplemental" portions of the Arrest Worksheet (PDCS-1086n). If a summons is issued, the officer shall make a notation on the back of the records copy of the citation indicating that the incident was recorded.

See procedure for further guidance: ARREST WORKSHEET NOTATION

## 422.9 RECORDING MEDIA STORAGE AND INTEGRITY

Once downloaded for storage, all recording media will be stored on a secure server at the retaining command. Recordings constituting evidence will be retained in accordance with the schedule established by the New York State Department of Education. Recordings not booked as evidence will be retained for a minimum of 180 days and disposed of in accordance with the established records retention schedule.

### 422.9.1 MAV/BWC RECORDINGS AS EVIDENCE

To assist with identifying and preserving data and recordings, members should categorize these and document the existence of the recording in any related case report.

A member shall notify a supervisor when the member reasonably believes:

(a) The recording contains evidence relevant to potential criminal, civil or administrative matters.

(b) A complainant, victim or witness has requested non-disclosure.

(c) A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.

(d) Disclosure may be an unreasonable violation of someone's privacy.

(e) Medical or mental health information is contained.

(f) Disclosure may compromise an undercover officer or confidential informant.

(g) Any time a member reasonably believes a recorded contact may be relevant in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

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Once so notified, the supervisor shall make arrangements with the retaining command for appropriate retention of the recordings.

## 422.10 SYSTEM OPERATIONAL STANDARDS

(a) MAV system vehicle installations should be based on officer safety requirements and the vehicle and device manufacturer's recommendations.

(b) The MAV system should be configured to minimally record for thirty (30) seconds prior to an event.

(c) The MAV system may not be configured to record audio data occurring prior to activation.

(d) Officers using digital transmitters that are synchronized to their individual MAVs shall activate both audio and video recordings when responding in a support capacity. This is to obtain additional perspectives of the incident scene.

(e) Officers shall not erase, alter, reuse, modify or tamper with MAV recordings. Only a supervisor, MAV technician or other authorized designee may erase previous recordings and may only do so pursuant to the provisions of this policy.

## 422.11 TECHNICAL RESPONSIBILITIES

The responsible command with assistance from the MAV technician and Information Technologies Section, as applicable, is responsible for:

(a) Retrieving, storing, erasing and duplicating of all recorded media.

(b) Verifying wireless downloaded media. Once collected, the MAV technician:

1. Ensures it is stored in a secure location with authorized controlled access.
2. Makes the appropriate entries in the chain of custody log.

(c) Erasing of media in accordance with the established records retention schedule, including reissuing all other media deemed to be of no evidentiary value.

(d) Ensuring MAVs and BWCs are maintained in good working order.

(e) Managing the long-term storage of recordings that have been deemed to be of evidentiary value in accordance with the Department evidence storage protocols and the established records retention schedule.

## 422.12 TRAINING

All members who are authorized to use the MAV system shall successfully complete an approved course of instruction prior to its use.

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State of New York

Executive Chamber

No. 203

EXECUTIVE ORDER

**NEW YORK STATE POLICE REFORM AND REINVENTION COLLABORATIVE**

**WHEREAS,** the Constitution of the State of New York obliges the Governor to take care that the laws of New York are faithfully executed; and

**WHEREAS,** I have solemnly sworn, pursuant to Article 13, Section 1 of the Constitution, to support the Constitution and faithfully discharge the duties of the Office of Governor; and

**WHEREAS,** beginning on May 25, 2020, following the police-involved death of George Floyd in Minnesota, protests have taken place daily throughout the nation and in communities across New York State in response to police-involved deaths and racially-biased law enforcement to demand change, action, and accountability; and

**WHEREAS,** there is a long and painful history in New York State of discrimination and mistreatment of black and African-American citizens dating back to the arrival of the first enslaved Africans in America; and

**WHEREAS,** this recent history includes a number of incidents involving the police that have resulted in the deaths of unarmed civilians, predominantly black and African-American men, that have undermined the public's confidence and trust in our system of law enforcement and criminal justice, and such condition is ongoing and urgently needs to be rectified; and

**WHEREAS,** these deaths in New York State include those of Anthony Baez, Amadou Diallo, Ousmane Zango, Sean Bell, Ramarley Graham, Patrick Dorismond, Akai Gurley, and Eric Garner, amongst others, and, in other states, include Oscar Grant, Trayvon Martin, Michael Brown, Tamir Rice, Laquan McDonald, Walter Scott, Freddie Gray, Philando Castile, Antwon Rose Jr., Ahmaud Arbery, Breonna Taylor, and George Floyd, amongst others,

**WHEREAS,** these needless deaths have led me to sign into law the Say Their Name Agenda which reforms aspects of policing in New York State; and

**WHEREAS,** government has a responsibility to ensure that all of its citizens are treated equally, fairly, and justly before the law; and

**WHEREAS,** recent outpouring of protests and demonstrations which have been manifested in every area of the state have illustrated the depth and breadth of the concern; and

**WHEREAS,** black lives matter; and

**WHEREAS,** the foregoing compels me to conclude that urgent and immediate action is needed to eliminate racial inequities in policing, to modify and modernize policing strategies, policies, procedures, and practices, and to develop practices to better address the particular needs of communities of color to promote public safety, improve community engagement, and foster trust; and

**WHEREAS,** the Division of the Budget is empowered to determine the appropriate use of funds in furtherance of the state laws and New York State Constitution; and

**WHEREAS,** in coordination with the resources of the Division of Criminal Justice Services, the Division of the Budget can increase the effectiveness of the criminal justice system by ensuring that the local police agencies within the state have been actively engaged with stakeholders in the local community and have locally-approved plans for the strategies, policies and procedures of local police agencies; and

**NOW, THEREFORE**, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, in particular Article IV, section one, I do hereby order and direct as follows:

The director of the Division of the Budget, in consultation with the Division of Criminal Justice Services, shall promulgate guidance to be sent to all local governments directing that:

Each local government entity which has a police agency operating with police officers as defined under 1.20 of the criminal procedure law must perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices, and 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.

Each chief executive of such local government shall convene the head of the local police agency, and stakeholders in the community to develop such plan, which shall consider evidence-based policing strategies, including but not limited to, use of force policies, procedural justice; any studies addressing systemic racial bias or racial justice in policing; implicit bias awareness training; de-escalation training and practices; law enforcement assisted diversion programs; restorative justice practices; community-based outreach and conflict resolution; problem-oriented policing; hot spots policing; focused deterrence; crime prevention through environmental design; violence prevention and reduction interventions; model policies and guidelines promulgated by the New York State Municipal Police Training Council; and standards promulgated by the New York State Law Enforcement Accreditation Program.

The political subdivision, in coordination with its police agency, must consult with stakeholders, including but not limited to membership and leadership of the local police force; members of the community, with emphasis in areas with high numbers of police and community interactions; interested non-profit and faith-based community groups; the local office of the district attorney; the local public defender; and local elected officials, and create a plan to adopt and implement the recommendations resulting from its review and consultation, including any modifications, modernizations, and innovations to its policing deployments, strategies, policies, procedures, and practices, tailored to the specific needs of the community and general promotion of improved police agency and community relationships based on trust, fairness, accountability, and transparency, and which seek to reduce any racial disparities in policing.

Such plan shall be offered for public comment to all citizens in the locality, and after consideration of such comments, shall be presented to the local legislative body in such political subdivision, which shall ratify or adopt such plan by local law or resolution, as appropriate, no later than April 1, 2021; and

Such local government shall transmit a certification to the Director of the Division of the Budget to affirm that such process has been complied with and such local law or resolution has been adopted; and

The Director of the Division of the Budget shall be authorized to condition receipt of future appropriated state or federal funds upon filing of such certification for which such local government would otherwise be eligible; and

The Director is authorized to seek the support and assistance of any state agency in order to effectuate these purposes.

GIVEN under my hand and the Privy Seal of the State in the City of Albany this twelfth day of June in the year two thousand twenty.

BY THE GOVERNOR

Secretary to the Governor

# Suffolk County Police Reform and Reinvention Task Force

## OCTOBER 9, 2020

# WELCOME

## OPEN DISCUSSION

### SURVEY RESPONSES:

- PRIORITY SUBJECT AREAS
- ADDITIONAL COMMUNITY ENGAGEMENT
- COMMUNITY AND CONTACT SURVEY

# PROPOSED PUBLIC INPUT FORUMS:

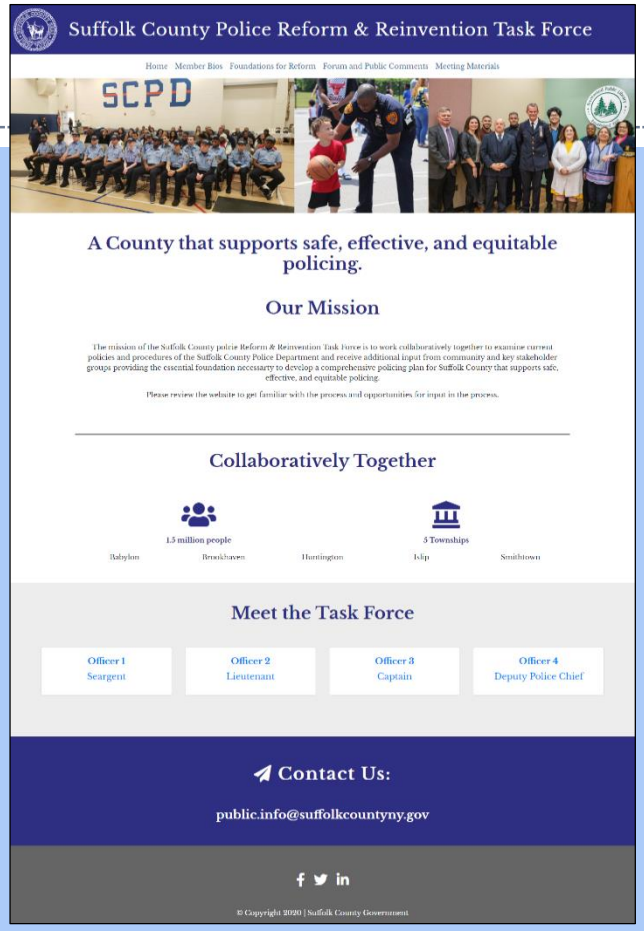
ALL FORUMS WILL BE VIRTUAL AND THE PUBLIC WILL HAVE THE OPPORTUNITY TO REGISTER TO SPEAK VIA THE SUFFOLK COUNTY WEBSITE

WE WILL CAP MEETING LENGTH TO 4 HOURS EACH

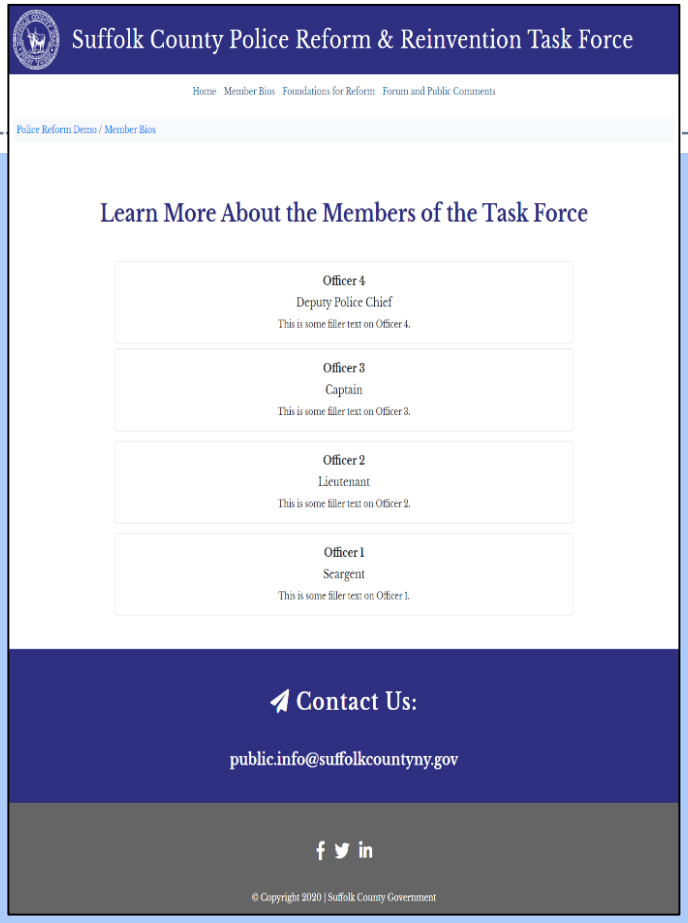
WE ENCOURAGE TASK FORCE MEMBERS TO ATTEND THE SUFFOLK COUNTY PUBLIC INPUT FORUMS, HOWEVER WE UNDERSTAND THE TIME COMMITMENT, SO WE WILL ASK THAT A CERTAIN NUMBER OF TASK FORCE MEMBERS JOIN EACH PUBLIC FORUM

FIRST PRECINCT: TUESDAY, OCTOBER 27TH-6:00PM
SECOND PRECINCT: WEDNESDAY, NOVEMBER 4TH-6:00PM
THIRD PRECINCT: WEDNESDAY, NOVEMBER 11TH-6:00PM
FOURTH PRECINCT: TUESDAY, NOVEMBER 17TH-6:00PM
FIFTH PRECINCT: TUESDAY, DECEMBER 1ST-6:00PM
SIXTH PRECINCT: WEDNESDAY, DECEMBER 9TH-6:00PM
SEVENTH PRECINCT: TUESDAY, DECEMBER 15TH-6:00PM
EAST END: MONDAY, DECEMBER 21ST-6:00PM

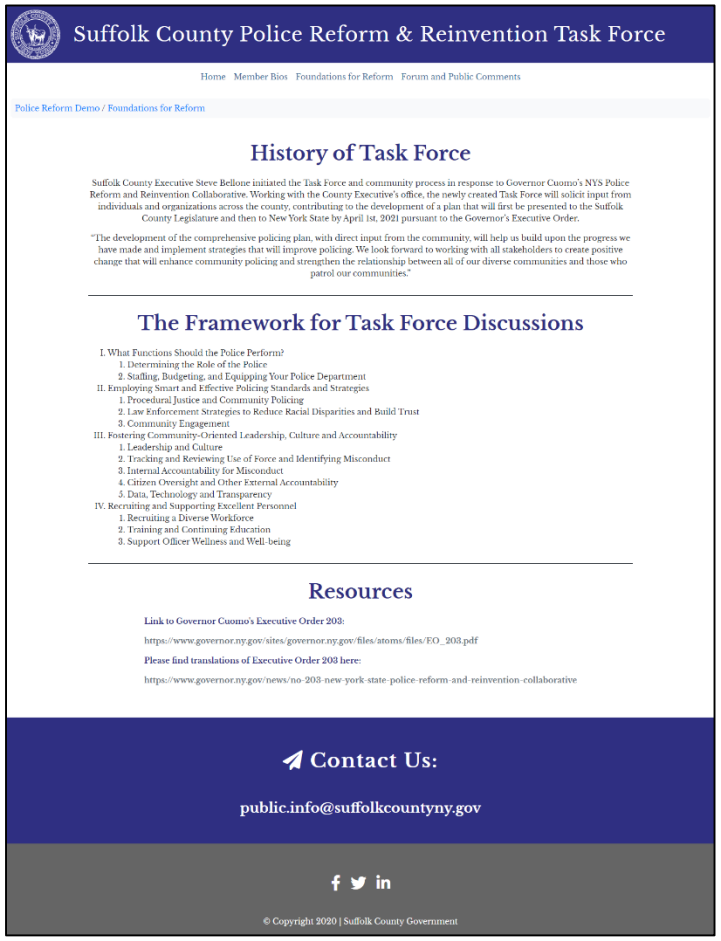
# SUFFOLK COUNTY LANDING PAGE
# POLICE REFORM AND REINVENTION TASK FORCE



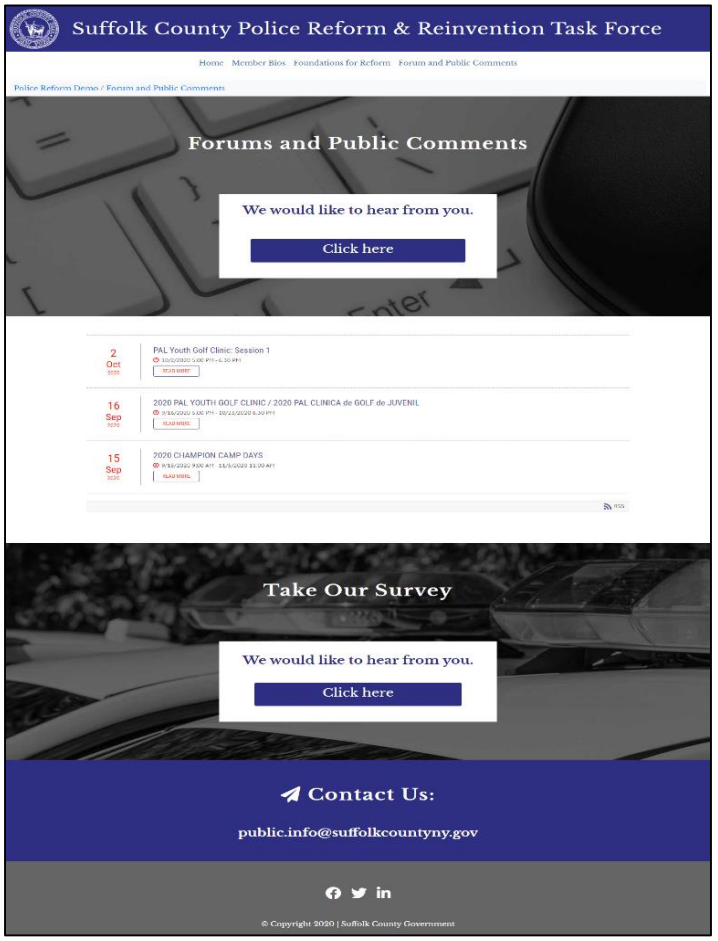

Home Page




Bio Page




TF Background




Forums & Public Comments

# TOPICS TO BE DISCUSSED DURING THIS MEETING:

# TOPIC WILL BE PRESENTED AND THEN DISCUSSION WILL ENSUE

**OVERVIEW AND CONTEXT** - Police Commissioner Hart

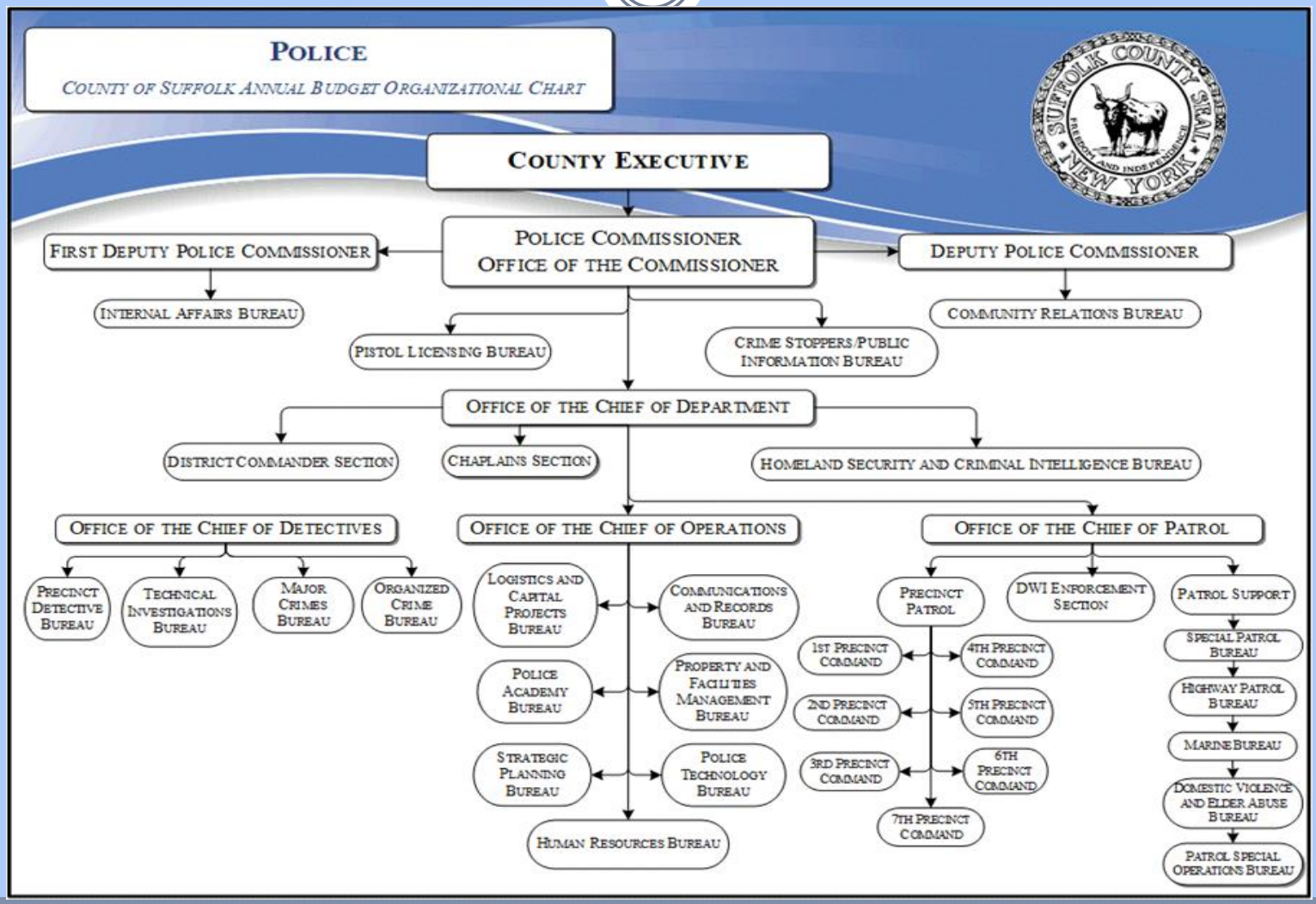
**RECRUITMENT** - Deputy Police Commissioner Mention -Lewis
- 10 minute presentation
- Discussion

**APPLICATION INVESTIGATIONS** - Lt. Cooney
- 10 minute presentation
- Discussion

**PROMOTIONS** - Police Commissioner Hart
- 10 minute presentation
  - Supervisory Promotions
  - Specialty Assignment Selection
  - Detective Designation
- Discussion

**INTERNAL AFFAIRS-PART 1**
**OFFICER ACCOUNTABILITY OVERVIEW** - Deputy Police Commissioner Skopek
- Internal Affairs Presentation - Inspector Soto

# Department Organization



# Department Leadership

| Title | Total |
|---|---|
| Police Commissioner | 1 (white female) |
| First Deputy Police Commissioner | 1 (white male) |
| Deputy Police Commissioner | 1 (black female) |
| Chief of Department | 1 (white male) |
| Chief of Division | 3 (white males) |
| Assistant Chief | 0 |
| Deputy Chief | 4 (white males) |
| Inspector | 11 (9 white males, 1 Hispanic male, 1 Hispanic female) |

# Department Overview

- Personnel breakdown for 2020:

| Sworn | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 3 | 9 | 46 | 224 | 4 | 1 | 287 |
| Male | 23 | 55 | 199 | 1825 | 23 | 0 | 2125 |
| Total | 26 | 64 | 245 | 2049 | 27 | 1 | 2412 |

- Personnel breakdown for 2015:

| Sworn | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 3 | 9 | 32 | 209 | 2 | 0 | 255 |
| Male | 24 | 53 | 180 | 1910 | 9 | 1 | 2177 |
| Total | 27 | 62 | 212 | 2119 | 11 | 1 | 2432 |

# Discussion

# Recruitment

**Recent Recruit Classes:**

- Recruit Class 19-177 began on September 9th, 2019
  - Included 60 SCPD recruits
  - 6 were selected via the Spanish Speaking civil service list
- Recruit Class 19-178 began on October 21st, 2019
  - Included 67 SCPD recruits
  - 7 were selected via the Spanish speaking civil service list

Both classes graduated in the Spring of 2020

# Recruitment Efforts

- **Forums:**
  - National Coalition of 100 Black Women presented “SC Police Exam: A Woman’s Perspective”
  - Minority Millenials presented “Let’s Talk About It-SC Police Test 2019”
- **Seminars:**
  - Walt Whitman HS-400 Attendees
  - Suffolk County Community College-Selden

# Recruitment Efforts Cont'd

- Over 200 personal contact events throughout the County from August 2018 thru April 2019.
- Recruitment information disseminated in various locations across Long Island including but not limited to:
  - Hofstra University
  - Hispanic Task Force
  - Tri Community and Youth Agency
  - Family Service League
  - Anti-Bias Task Force
  - Huntington Public Library
  - St. Anne's Church, Brentwood
  - Assembly of God Church
  - Numerous other establishments

# Recruitment Results

- Nationwide, Law Enforcement applicants have had serious decline in recent years.
- After SCPD Recruitment effort:
  - 19,857 candidates applied to take 2019 exam as compared to 20,667 in 2015 (only 4% decrease:66% nationwide decrease).
    - 2,405 Spanish speaking
    - Among candidates who chose to provide their race or ancestry:
      - **34.6% reported as non-white**
        - Highest % in recorded history
      - **4300 with Hispanic ancestry**
      - **1550 with African American ancestry**

# Recruitment Process

- Civil Service test results released on January 10th
- Lottery of the 95 grade-point band held on January 22nd by Civil Service Department
- Results live streamed on Suffolk County Legislature's website
- Letters mailed to candidates who scored 100 and higher and will be sent in lottery number order from the 95 band

# 2019 Police Entry Exam

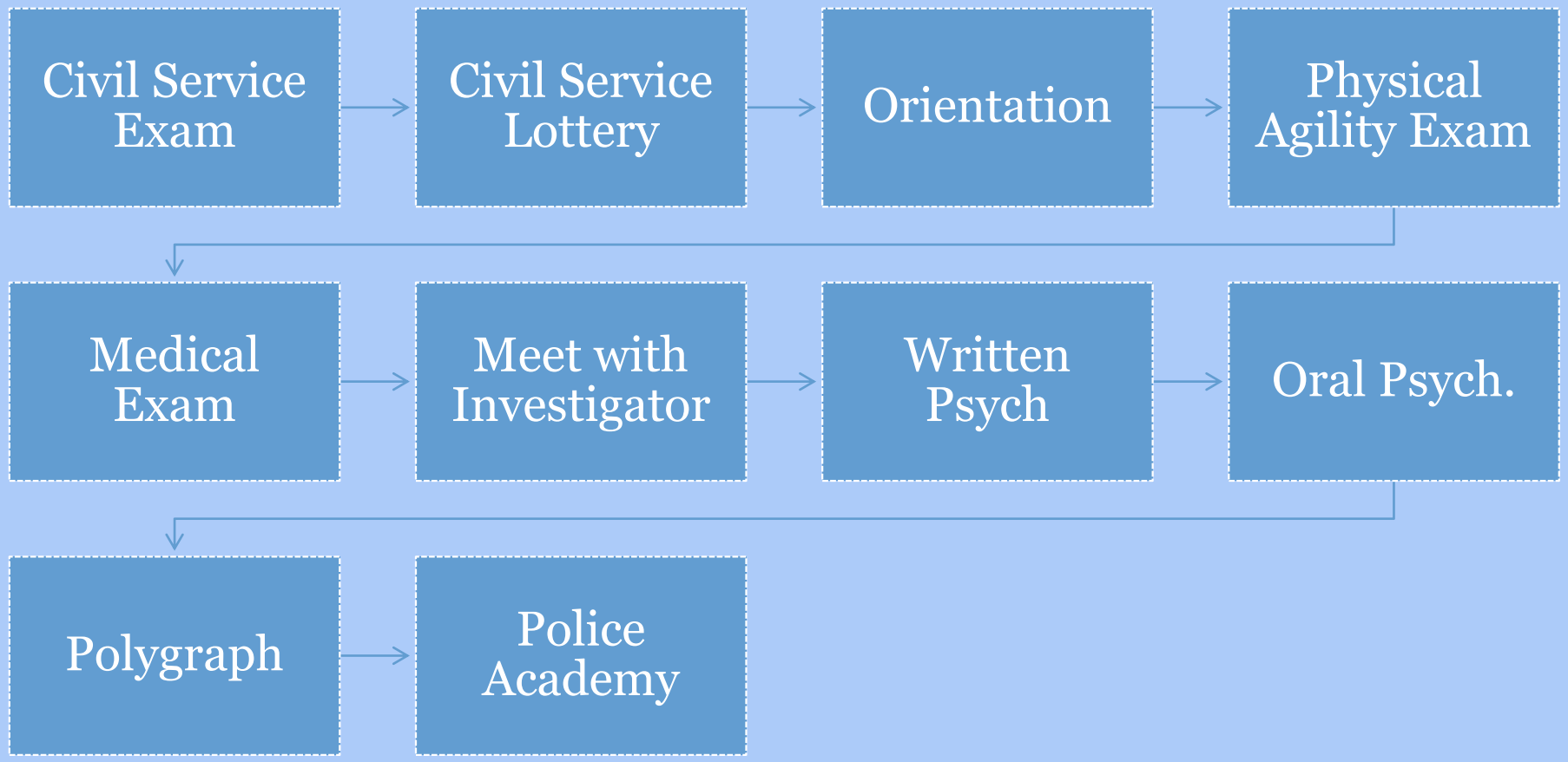
- 657 candidates have been invited to start the processing for the Suffolk County Police
  - Approximately 5% of the individuals invited identified as Black or African American.
  - Approximately 13.5% of the individuals invited identified as Hispanic.
- Approximately 5.5% of the candidates in the 95 score band identified as Black or African American
- Approximately 16.6% of the candidates in the 95 score band identified as Hispanic

# Discussion

# Applicant Investigation Process

- A working group was formed in 2019 to overhaul the Hiring Standards.
- A Chief's review was also conducted in 2019 to overhaul the Hiring Guidelines.

# Applicant Investigation Process



# Applicant Investigation Process

- Orientation: invitations mailed 2 weeks prior to orientation and will include an agility test date approximately 4 weeks from the time of mailing.
  - At orientation, candidates will receive the applicant package questionnaire and information regarding the investigative process, including additional testing requirements.
- Declinations: Candidates will have the ability to temporarily decline throughout the process without losing their place on the established list.

# Applicant Investigation Process

- Agility Testing: Candidates will be informed of their approximate agility testing date when the orientation letters are mailed. This will allow for a 4 week notice.
  - Candidates will be tested as prescribed by the New York State Municipal Police Training Course.
  - The original Civil Service announcement contained the agility testing criteria. The test includes push-ups, sit-ups and a mile and a half run. Passing criteria is based on gender and age.
- Appeals: 4 weeks from the failure date.

# Applicant Investigation Process

- Medical Testing: Conducted by Suffolk County Employee Health Services. Medical standards are published in the Civil Service announcement and are derived from the Medical and Physical Fitness Standards and Procedures for Police Candidates published by the Municipal Police Training Council.
  - Appeals: approximately 14 days from failure date.
- Written Psychology Testing: This is a 400+ question exam administered by the Suffolk County Department of Civil Service. This is not pass/fail.
- Oral Psychology Testing: Candidates will meet with a specially certified law enforcement psychologist.
  - Appeals: 30 days from the failure date.
- Polygraph Testing: used to corroborate the candidate has been truthful.

# Discussion

# Promotional Assessments

- Civil Service Exams for the ranks of **Sergeant, Lieutenant & Captain**.
  - Suffolk County and New York State Civil Service Departments set the standards for promotion and administer the promotional exams.
  - The eligible promotional lists are established for a period not to exceed two years and vacancies are filled from that list.
- Potential reachable candidates for vacancies are notified via Department Order and Commanding Officer to submit to their Division Chief a **Promotional Suitability Assessment** for the desired rank which will be reviewed by the **Department's Command Staff.**

# Promotional Process

- Deputy Inspector, Inspector, Chief
  - In-depth review of candidate's background, experience and time in rank
  - Interview with candidates by the Department Command Staff
  - Selection is made by the Police Commissioner

# Specialty Assignments

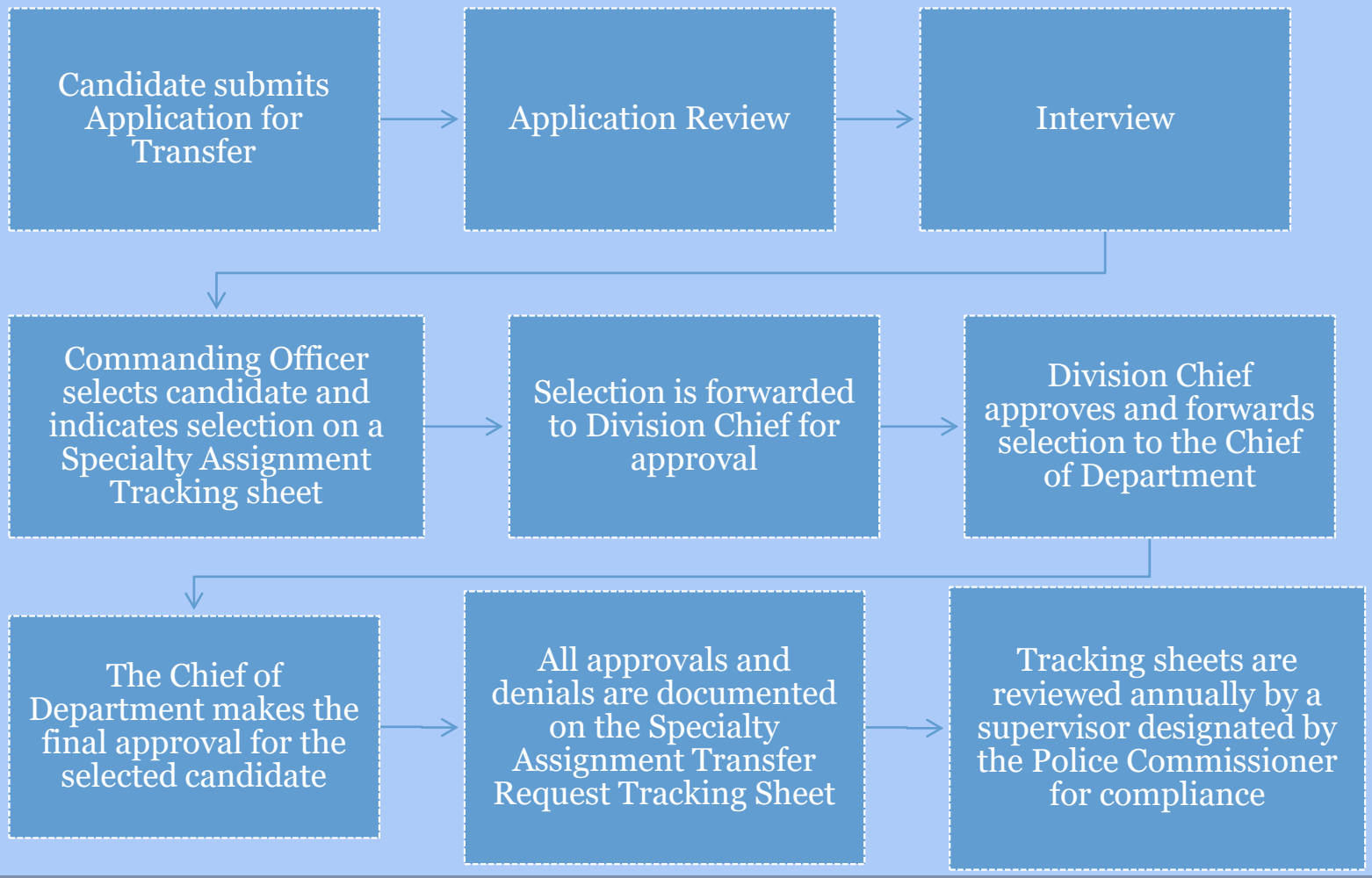
- In 2019, Department Order 19-20 was issued outlining the Transfer Application Procedures for Specialty Commands

- Job postings in specialty commands are posted prior to filling any positions
  - Reoccurring positions are posted annually in January.
  - Infrequent or unexpected vacancies are posted during the year as they occur.

# Specialty Assignments

- Examples of some Specialty Assignments:
  - Patrol Division:
    - Aviation, Canine, COPE, Precinct Crime Sections, Emergency Service, Highway Patrol, Marine Bureau, Patrol Firearms Suppression Team and Crime Scene
  - Detective Division
    - All commands and Task Force assignments other than Precinct Detective Bureau, including assignments within the Homeland Security and Criminal Intelligence Bureau.

# Specialty Assignments



# Specialty Assignments

- Factors Considered in the Specialty Assignment Selection Process:
  - Knowledge, skills and abilities of the candidate
  - Work history within the Department
  - Recommendation(s) of supervisor(s)
  - Attendance history
  - Discipline history
  - Training background
  - Education background
  - Work history prior to becoming a member of the Department
  - Other factors specific to the position in question

# Specialty Assignments

- Factors NOT Considered in the Specialty Assignment Selection Process:
  - Familial relationships
  - Personal friendships
  - Political affiliations
  - An applicant's race, color, religion, age, sex or any other legally protected status

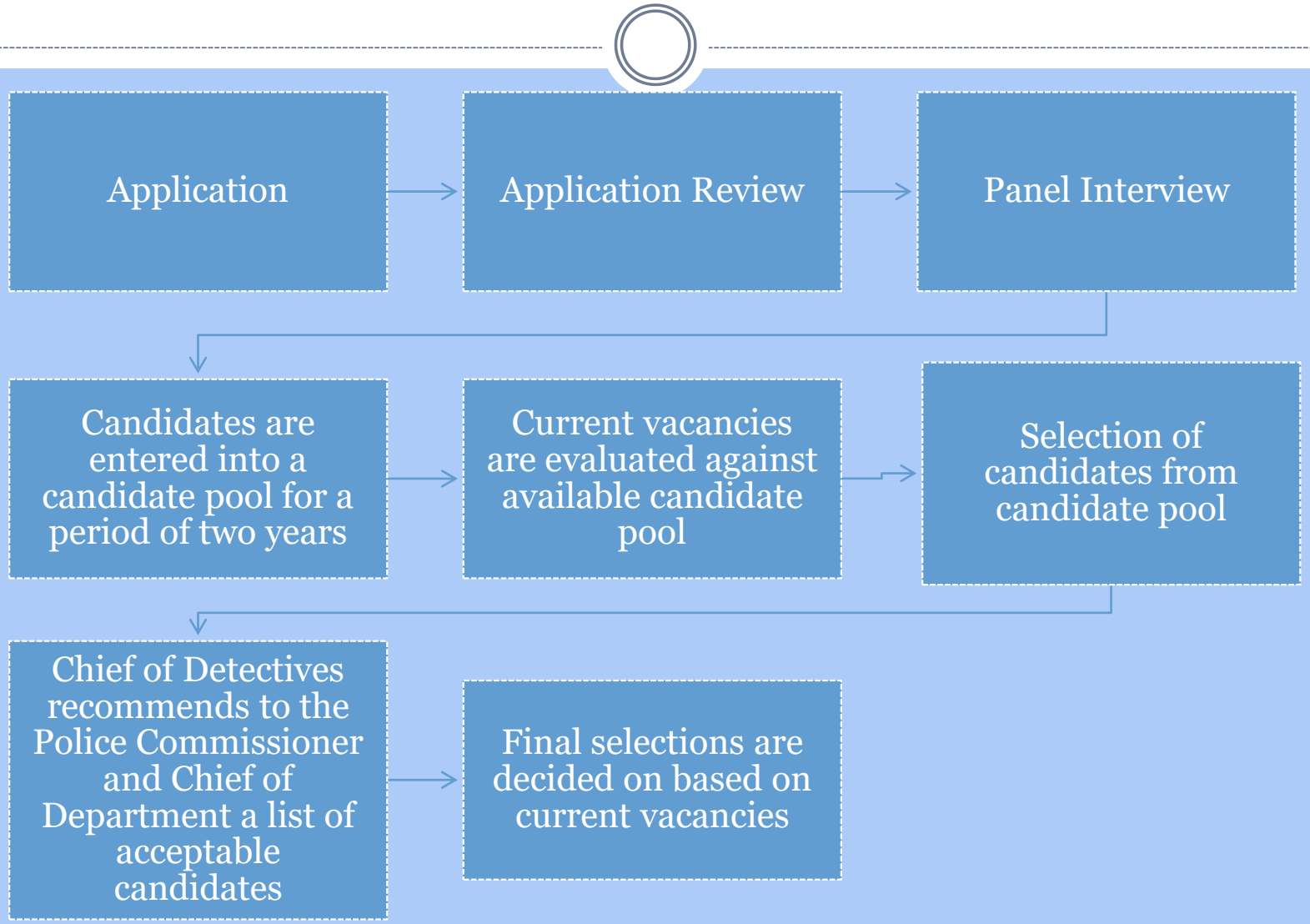
# Detective Designation

- Vacancies for Detective, Detective Sergeant and Detective Lieutenant
  - Application for Detective Designation is completed by applicant.
  - Application is reviewed through the Chain of Command and ultimately by the Office of the Chief of Detectives.
  - Formal Panel Interviews
    - Deputy Chief of Detectives oversees process.
    - 4 Deputy Inspectors / Inspectors.
    - Rotating D/Lieutenant or Captain/ Deputy Inspector from outside of the Division.

# Detective Designation

- Factors Considered when filling Detective Vacancies (including but not limited to):
  - Number of vacancies to be filled
  - Location of the vacancy
  - Candidate's current work location
  - Candidate's potential commuting distance
  - The job requirements of the vacancy
  - Background and work history, education/training
  - The "fit" for that particular assignment
  - Internal Affairs history
  - Reliability/attendance
  - Diversity
  - Second language
  - Request of a Detective Commander
  - Recommendations of Commanding Officer
  - Panel interview grade
  - Candidates interest in the vacant position.

# Detective Designation



# Discussion

# Suffolk County PD

# Officer Accountability

# Internal Affairs Bureau Mission

Suffolk County Police Department is committed to providing law enforcement services that are fair and effective. Toward that end, officers are held to the highest standards of official conduct and are expected to respect the rights of all citizens. Officers' adherence to these standards, motivated by a professional obligation to perform their jobs to the best of their ability, is the ultimate mission of the Internal Affairs Bureau.

# Internal Affairs Policy

- It is the policy of the Internal Affairs Bureau to ensure all complaints of alleged officer misconduct or incompetence from any citizen or employee are investigated. Following a thorough and impartial examination of the available information, the officer or employee shall be held responsible for any alleged misconduct that is substantiated.
- It is the policy of this Bureau that officers conducting the investigation of any allegation of misconduct or incompetence, must strive to conduct a thorough and objective investigation.
- IAB recognizes that prevention is the primary means of reducing and controlling misconduct. To that end, it is the policy of this Bureau to discover and correct organizational conditions that permit misconduct to occur, or identify patterns or trends of individual officers indicative of improper or unprofessional conduct.

# Internal Affairs Duties & Responsibilities

- The Internal Affairs Bureau is responsible for the investigation of all allegations of misconduct by members of this Department and may either
  - Assume direct responsibility for the investigation, or
  - Refer the investigation to the involved member's Division **except** any allegation of misconduct relating to biased policing or discriminatory policing.
- IAB is the central repository for all civilian complaints.
- Records of all civilian complaints are maintained in perpetuity.

# Internal Affairs Duties & Responsibilities (cont.)

- The Internal Affairs Bureau is responsible for any other investigation as directed by the Police Commissioner or Deputy Police Commissioner.

- The Internal Affairs Bureau conducts alcohol and drug testing, inspections, audits, and other forms of internal controls as directed by the Police Commissioner.

# Internal Affairs Bureau Structure

**Commanding Officer** - holding the rank of Deputy Chief

- Oversees the overall operation of the Bureau.
- Reports all significant matters to the 1st Deputy Police Commissioner as timely as possible and updates him/her on all Bureau statistics as required.

# Internal Affairs Bureau Structure

**Executive Officer** – holding the rank of Inspector

- Assists the Commanding Officer in overseeing the overall operation of the Bureau.
- Reviews all cases handled within the bureau for completeness, accuracy, and concurrence of investigative findings.
- Keeps the Commanding Officer informed of all significant Bureau matters and progress of investigations.

# Internal Affairs Bureau Structure

**Captain** – 3 Captains assigned to the Bureau

- Acts as direct supervisor of their assigned investigative team.
- Regularly and frequently confers with their team of investigators to maintain awareness of case progress and aids in designing investigative plans.
- Reviews all cases handled by their team of investigators for completeness, accuracy, investigative findings, and prepares a written concurrence report.
- Tracks Use of Force, Civilian Complaints, Vehicle Pursuits and Domestic/Orders of Protection for possible early warning preemptive action.

# Internal Affairs Bureau Structure

**Investigator** – supervisor holding the rank of Lieutenant or Sergeant

- Conducts fair, impartial, and thorough investigations of assigned cases.
- Conducts command inspections, alcohol and drug testing, and other duties as instructed by supervisory personnel.
- Documents all actions taken during the course of an investigation and presents a clear and concise written report upon case completion.

# Field Auditing

- The Field Auditing Section is responsible for conducting inspections and audits of Department members to ensure compliance with the Department's Rules and Procedures as it relates to line-of-duty injury leave and sick leave.
- The Section takes a proactive approach to monitoring sick and injury leave. In cases where members are found to be in violation of the Department's Rules and Procedures, such members shall be subject to disciplinary action.
- This proactive approach is aimed at reducing and eliminating abuse of sick leave and line-of-duty injury leave.

# Internal Controls

**Quality of Service Calls**

- Surveying individuals to determine their satisfaction with services provided included language services.

**Audits**

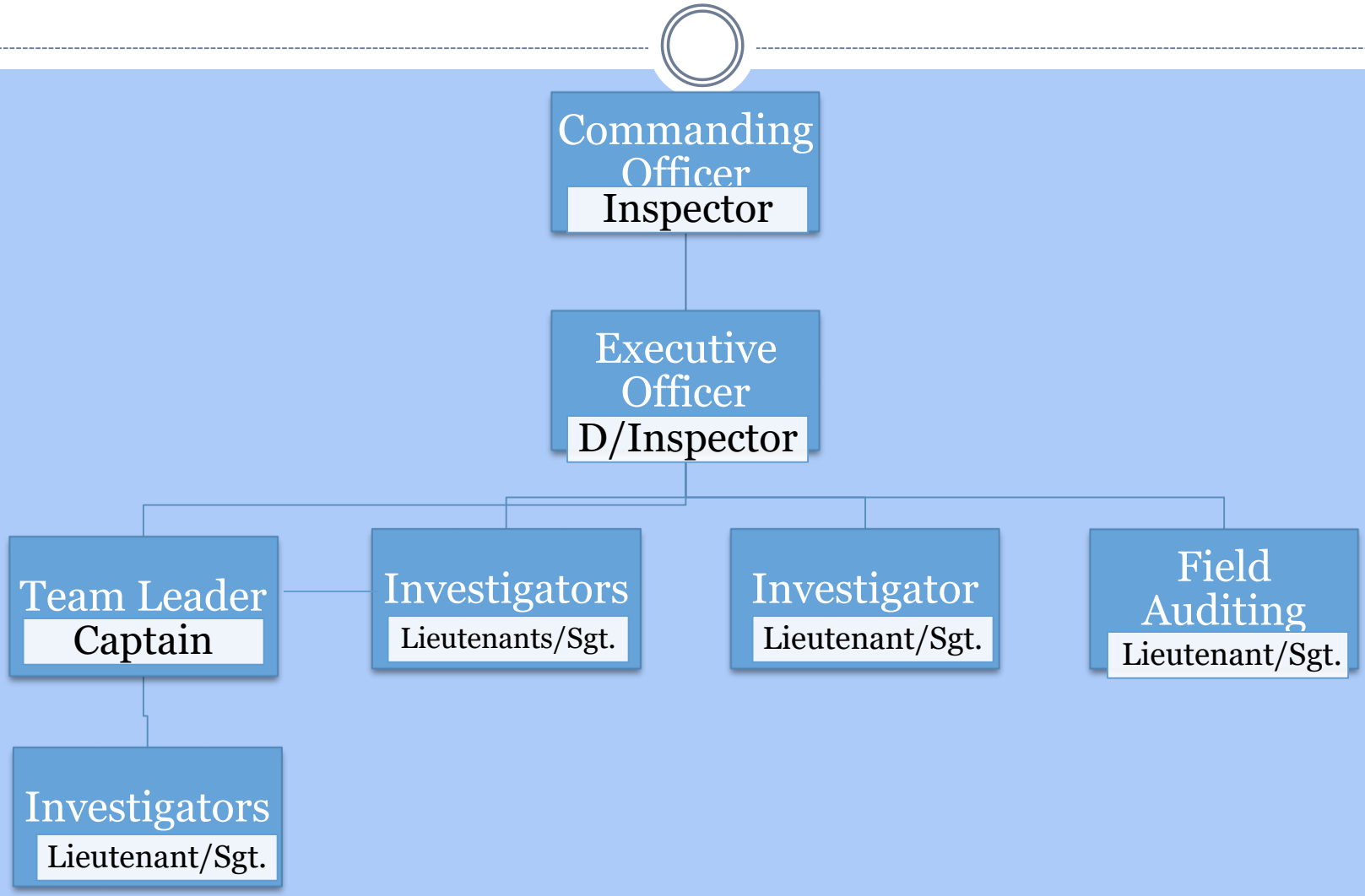
- Internal audit for compliance with departmental rules and procedures

# DOJ Assessments on IAB

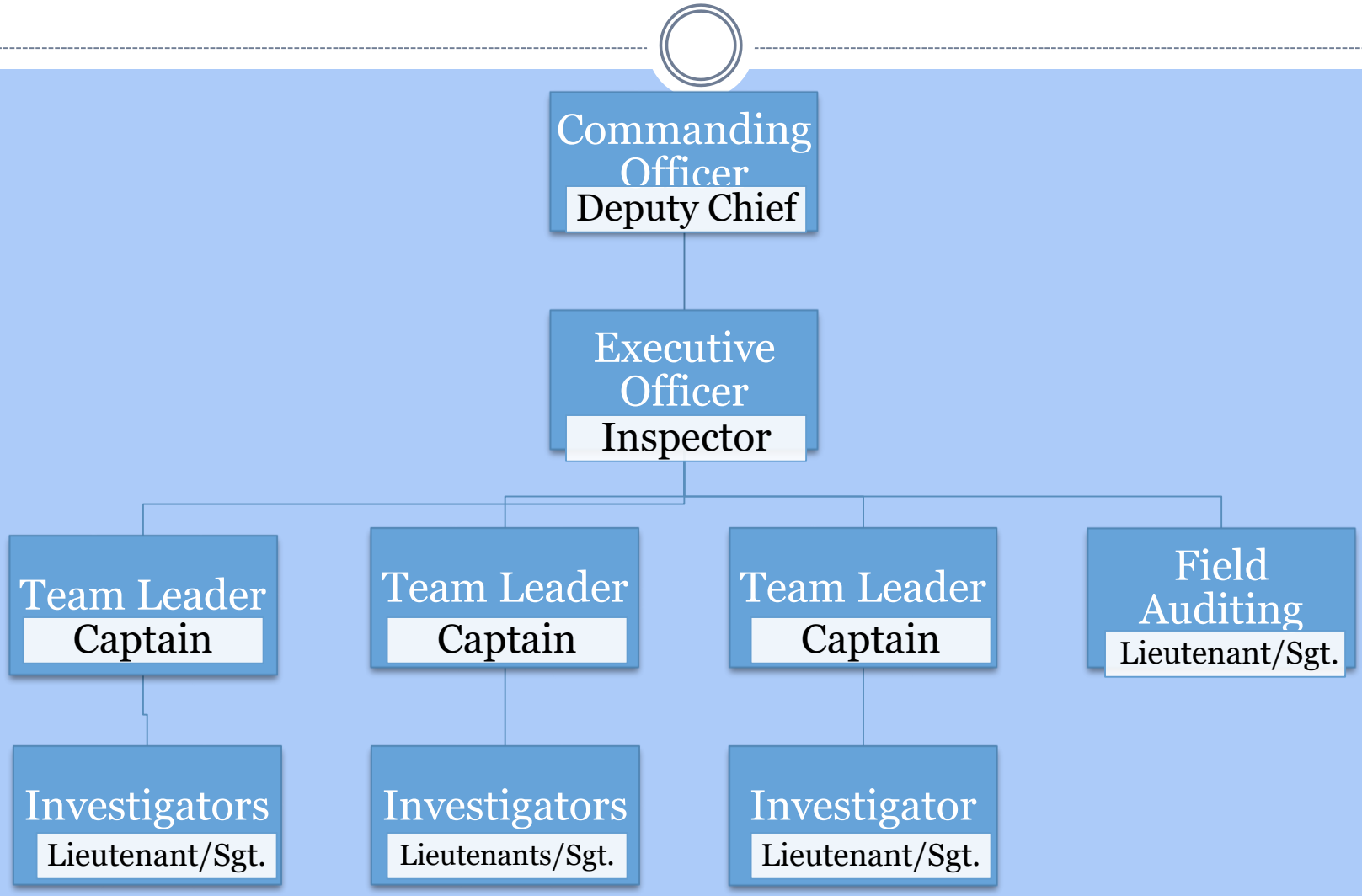
The Suffolk County Police Department has been collaborating with the United States Department of Justice since 2014 regarding best police practices, and the Department has taken significant measures to ensure that such best practices have been implemented by its Internal Affairs Bureau. As per assessment reports issued by the D.O.J.,

- April 2016 – "SCPD has made significant structural reforms to its IAB within the past year, including adding more and higher-ranking officers to its command structure, and modifying IAB's organizational structure so that it is now composed of three teams of six investigators, each of which is led by a captain." "...we were encouraged by the expressed commitments of the Police Commissioner, SCPD leadership, and the new command staff at IAB to reducing the backlog of cases handled by IAB."

# 2015 - Internal Affairs Organizational Structure



# Current - Internal Affairs Organizational Structure



# DOJ Assessments on IAB (cont.)

- October 2018 –
  - "The Dept. has taken several meaningful steps that have brought it into substantial compliance with these requirements."
  - "In our last assessment report, we noted that the length of investigations was the primary impediment to SCPD achieving substantial compliance in this area. Given the positive improvements made during this rating period, **we have determined that SCPD has achieved substantial compliance in this area**."

# Proactive System

## EARLY WARNING – EARLY INTERVENTION CASE MANAGEMENT SYSTEM

- SCPD Policy – to identify patterns or trends of individual officers which may be indicative of improper or unprofessional conduct.
- Best police practices indicate that identifying, monitoring and addressing these trends will enhance performance and promote professional police service to the communities we serve.

# Proactive System (cont.)

## Early Warning Dashboard

6 events that will trigger an alert: Citizen Complaint, Use of force, Vehicle pursuit, Vehicle accident, Domestic Incident, and Overall Threshold.

*Biased/discriminatory policing is not listed because there is no threshold. One allegation will trigger an alert.

# Policies/Procedures

## Duty to report suspected misconduct

- Whenever a member of the Department reasonably suspects any member of the Department is engaged or has engaged in employee misconduct, such member **shall immediately notify a superior officer or the Internal Affairs Bureau**.

# Methods of filing a civilian complaint

- Telephone the Internal Affairs Bureau directly or call the local precinct and speak with a supervisor
- Send a letter via email or regular mail to SCPD
- Complete and submit a “Compliment/Complaint Information Report”. This form can be found at:
  - SCPD.org under the Forms and Reports tab
  - In precinct lobbies and headquarters lobby
  - Other public facilities, such as public libraries

  This form can be scanned, faxed or mailed to the Internal Affairs Bureau or taken to a local precinct.

*Anonymous and third party complaints are entertained and fully investigated.

# What happens after a complaint is taken

- Complaints received against a Department member will be recorded via the on-line Civilian Complaint Report. The completed on-line report will be forwarded electronically to IAB.
- The complainant is provided an “Acknowledgment of Complaint” form which contains the “record ID number”. This number is used to track the complaint.
- Within **two weeks** after the complaint is filed, the individual will receive a letter acknowledging receipt of the complaint. This letter will identify the investigating supervisor and provide his or her contact information.

# Complaint Investigations

- All relevant evidentiary information will be obtained and reviewed including Department records, complainant and witness statements, and any other evidence necessary to formulate a conclusion.
- IAB is responsible for overseeing these investigations are conducted in a timely, thorough and impartial manner.
- Findings reached at the conclusion of an investigation are based on whether sufficient evidence was available to support the allegation(s) made.
- *Even if the complainant wishes to withdraw his or her allegation, an investigation shall continue to resolution.

# Time Frames

- All investigations shall be completed as expeditiously as possible, without sacrificing accuracy, thoroughness and completeness. Civilian complaints shall be completed within **60 days** notwithstanding the fact specific circumstances of each investigation which may result in a longer investigation.
- A letter is sent to the complainant after **180 days** if the case is still open to advise the investigation is still active.
- Follow-up letters are sent every **90 days** thereafter.
- A letter outlining the case disposition is sent to the complainant upon case completion.

# Complaint Dispositions

**Conclusions reached as a result of investigations will be reported as:**

a. **Substantiated** – The facts clearly support the allegations.

b. **Unsubstantiated** - Allegation cannot be resolved by investigation because sufficient evidence is not available to conclusively prove or disprove the conduct alleged.

c. **Exonerated** – The alleged act did occur but was legal, proper, and necessary. The following are examples of Exonerated:

(1) Allegations of false arrest wherein a legal, proper and necessary arrest did occur.

(2) Allegations of excessive force wherein legal, proper and necessary force was used.

# Complaint Dispositions (cont.)

d. **Unfounded** – The alleged act did not occur and the complaint is false. Any information that could lead one to believe that the act took place would require a conclusion other than Unfounded. The following are examples of Unfounded:

(1) Allegation of false arrest wherein no arrest occurred.

(2) Allegation of excessive force wherein no force was used.

(3) Allegation of an improper verbal exchange (rudeness, cursing etc.) and there was no contact between the complainant and the alleged officer(s) involved.

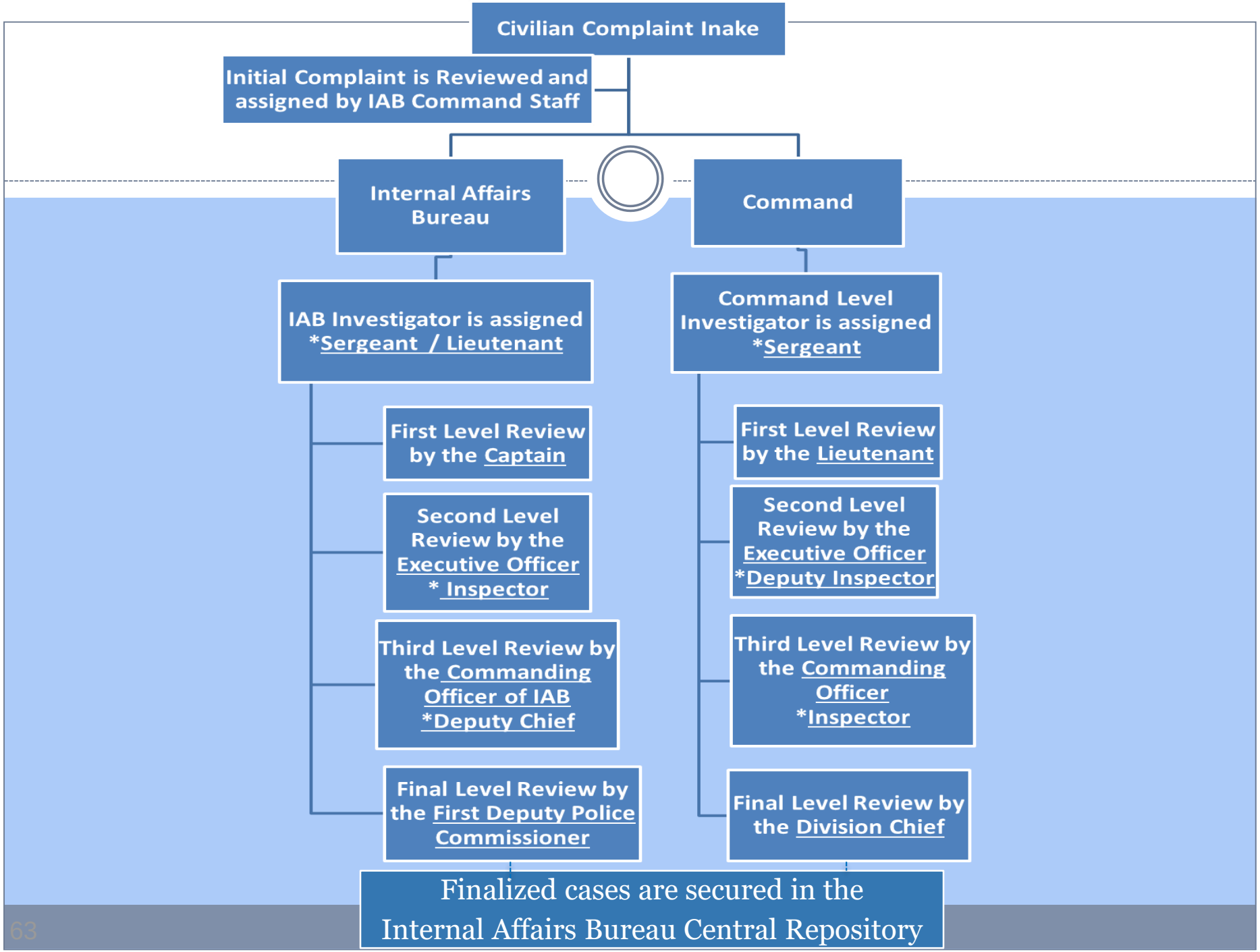
# Incident classification

The Internal Affairs Bureau classifies all recorded complaints, inspections, Bureau activities, or other information as "Incidents" of the following types:

- **Civilian Complaint** – Complaints generated from external source.
- **Administrative Investigation** - Investigations internally generated.
- **Inspections -** Audits and inspections including drug and weapon destructions.
- **Notification** – Documentation of inquiries and contact with other agencies or individuals.

# Complaint Investigations Review

Whether a complaint investigation is conducted by the Internal Affairs Bureau or at the Command Level, a multi-level case review is conducted. These reviews are conducted to ensure a complete, accurate, thorough and impartial investigation is conducted.


Civilian Complaint Inake
Initial Complaint is Reviewed and assigned by IAB Command Staff
Internal Affairs Bureau
Command
IAB Investigator is assigned *Sergeant / Lieutenant
Command Level Investigator is assigned *Sergeant
First Level Review by the Captain
Second Level Review by the Executive Officer * Inspector
Third Level Review by the Commanding Officer of IAB *Deputy Chief
Final Level Review by the First Deputy Police Commissioner
First Level Review by the Lieutenant
Second Level Review by the Executive Officer *Deputy Inspector
Third Level Review by the Commanding Officer *Inspector
Final Level Review by the Division Chief
Finalized cases are secured in the Internal Affairs Bureau Central Repository

# Oversight

- **Department of Justice**
  - In 2014, the Department of Justice and SCPD entered into a Settlement Agreement to ensure that police services are provided to all community members in a manner that complies with the Constitution and US laws. In 2018, the Department of Justice determined that SCPD achieved substantial compliance (the highest rating possible) in the area of Internal Affairs.
- **Suffolk County Legislature**
  - As per Legislative Resolution 2001-2016, statistical information from the Internal Affairs Bureau is provided quarterly to the Suffolk County Legislature.
- The Department is committed to transparency, an annual Internal Affairs Report is posted on the Department's webpage - SCPD.org

# SUFFOLK COUNTY POLICE ACADEMY

## Police Reform Task Force

Lieutenant Steven Rohde
Sgt. Michael Buscarino
Recruit Training Section

November 12, 2020

# NEW YORK STATE GENERAL MUNICIPAL LAW

- Requires that all persons seeking permanent appointment as a Police Officer complete an approved Basis Course for Police Officers **(BCPO)**

- Each officer has 1 year from appointment from appointment to complete such training

- 1959 - NYS became the first state in the nation to establish a uniform basic training program for newly appointed Police Officers

- The Municipal Police Training Council (MPTC) was created to promulgate rules and regulations with respect to the content and presentation of training

# MPTC

- Determines minimally acceptable training and employment standards

- Recommends rules and regulations for promulgation by the Governor

# NYS Division of Criminal Justice Services DCJS

- Serves as the staff arm of the MPTC
- Assists in the planning and evaluation of basic training courses
- Ensures that the minimum standards established by the MPTC are met

# Basic Course for Police Officers

# BCPO

- Comprised of academic/skills training in conjunction with supervised field training
- All basic training programs are required to 'meet or exceed' the minimum standards established by the MPTC
- Schools are encouraged to exceed the minimum standards

# BCPO

- Allowed to add hours/objectives to existing units
- Allowed to add new topics
- Flexibility to add scenario based training to apply concepts and be evaluated in a realistic environment
- Course approval is needed prior to and at the completion of training
- Training must be conducted as a single, cohesive unit, i.e. one session, one school
- Every instructor must be listed on the Curriculum Content form and possess the certification to teach a particular topic

# BCPO

**7 Parts: 540 hours of instruction**
**160 hours of supervised field training**

**Total : 700 hours**

**SCPD: 1150 hours of instruction**
**160 hours of supervised field training**

**Total : 1310 hours**

# 7 Parts

1. Administration of Justice
2. Introduction to Law Enforcement
3. Laws of New York
4. Law Enforcement Skills
5. Community Interaction
6. Mass Casualties and Major Events
7. Investigations

# Practical Skills

**Penal Law**

**Domestic Violence, Larceny, Narcotics, Robbery**

**CPL**

**S/Q/F, Search and Seizure, Laws of Arrest, Physical Evidence**

**VTL**

**Traffic stops, felony stops, DWI, crash investigation**

# Practical Skills

- Professional Communications – De-escalation
- Defensive Tactics - Arrest Techniques
- Report Writing
- Mental Illness
- Civil Disorder/Crowd Control
- Court testimony
- Plain clothes encounters
- Active Shooter
- Firearms
- EVOC
- EMT

# Testing

- Comprehensive Exams
- Major Block exams
  LOA, S&S, Use of Force
- Written and verbal quizzes
- Notebook inspection
- Practical skills evaluation

# 7 Parts

1. Administration of Justice
2. Introduction to Law Enforcement
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5. Community Interaction
6. Mass Casualties and Major Events
7. Investigations

# Part 3
# Laws of New York

**Justification**

**Use of Physical Force and Deadly Physical Force**

**Section 3 B**

- **11 hours**
- **SCPD 13 hours**
- **General Topics Instructor certification and Use of Force certification**
- **Classroom and Practical Exercises**

# Part 4
# Law Enforcement Skills

Defensive Tactics and Principles of Control

Section 4J

- 40 hours required
- SCPD 50 hours
- General Topics and Defensive Tactics Instructor certification
- Classroom and Practical Exercises

# Part 4
# Law Enforcement Skills

## Professional Communications

## Section 4 V

8 hours required

SCPD 11 hours

General Topics Instructor

Classroom and Practical Exercises

# PROFESSIONAL COMMUNICATION SKILLS FOR LAW ENFORCEMENT

BCPO PART 4 SECTION V

# GOALS

- Develop communication and human relations skills throughout all law enforcement contacts
- Develop problem solving skills by offering options while maintaining the dignity and respect for all involved
- Learn how to communicate both verbally and non-verbally and solicit information

# OBJECTIVES

- Define Situational Awareness
- List the 3 Stages of Conflict
- List the 5 Maxims of Communication
- List and define the elements of Professional Communication skills
- Understand the many barriers to communication
- Understand the importance of and utilize Persuasion as a tactic
- Define, understand and perform De-escalation tactics
- Explain how the concept of "contact and cover" relates directly to officer safety and communication

# THE FIVE MAXIMS OF COMMUNICATION

- People want to be treated with dignity and respect
- People want to be asked rather than told to do something
- People want to be told why they are being asked to do something
- People want to be given options rather than threats
- People want a second chance

# BARRIERS TO EFFECTIVE COMMUNICATION

1. Officer generated barriers
2. Physical barriers
3. Interpersonal barriers

# OFFICER GENERATED BARRIERS

1. Using police jargon
2. Actions that provoke
3. Reacting to your "Hot Buttons"
4. Time constraints

# PHYSICAL BARRIERS

- Actual physical objects
- Environmental factors - noise
- Technology – lose the ability to assess non-verbal
  - Phones
  - Radio communication
  - Email communication

# INTERPERSONAL BARRIERS

- Cultural
- Language
- Gender
- Sexual orientation
- Generational/age related
- Physical disabilities/medical problems
- Alcohol/substance abuse
- Developmental or cognitive
- Mental disorders

# Sensitivity, Cultural Diversity and Bias Incidents

- In week 1, Recruits are introduced to the concepts of sensitivity, cultural diversity and bias incidents in lessons on *Police Professionalism*, *The US Constitution and the Rules and* Procedures
- These topics are then incorporated into many varied blocks of instruction and woven throughout much of the training:

The Basic Course for Police Officers (BCPO) requires a minimum of **5 hours** of instruction in the area titled *Cultural Diversity/Bias Related Incidents/Sexual Harassment*.

- We provide **32 hours** of instruction in this area:

- Sensitivity/Cultural Diversity/Hate Crimes…. 14 hours
- Language Access Plans and Hate Crimes…….. 7 hours
- Holocaust Awareness for Police Officers…….. 7 hours
- Sexual Harassment……. 2 hours
- Human Rights Commission…… 2 hours

In addition, the following blocks of instruction cover these areas as well:

- Police Professionalism…… 2 hours
- US Constitution…… 2 hours
- Rules and Procedures…….. 2 hours
- Stop, Question and Frisk…… 3 hours

- Ethical Awareness…… 14 hours
- Persons with Disabilities…… 7 hours
- Crimes Against the Elderly…… 2 hours
- Veterans Services…… 2 hours
- Victim/Witness Services…… 3 hours

# STAGES OF CONFLICT

ANXIETY

VERBAL AGGRESSION

PHYSICAL AGGRESSION







# EMPATHY

To see through the eyes of another.

To have an understanding of and identify with another person's situation and feelings.

- Empathy absorbs tension
- Reduces stress
- Fosters trust
- Helps establish a connection
- Transforms conflict into collaborative action

# EMPATHY

Concept of Tactical Empathy....

- Think like the other and you can have influence over them
- Adapt to the needs of the person and the situation in order to be better able to assist them

# PERSUASION

The ability to work on the human mind to change someone's behavior

- Know your audience
  - tone it down or turn it up
- Connect
  - More apt to listen if some kind of connection is made
- Positive body language
  - Tone, arms ,eyes
- Clear and concise
  - must know what you are talking about

# PERSUASION

Be genuine

- genuine + honest = trust

Acknowledge the other person's point of view

- I see where you are coming from. I see your point.

Paint the picture

- visual imagery brings life to your words

# PERSUASION

Plant the seed

- let that thought germinate; take time when you can
- urgency will undermine your attempt to persuade

Greet people by their name

Smile; people naturally mirror body language of the people they are talking to

# DE-ESCALATION

- 'De-escalation' is a specific component and defined term within the broader 'Professional Communications' block of instruction. However, the entire Professional Communications instruction is focused on communicating professionally, respectfully and empathetically; all of which the goal is to de-escalate and calm people and situations.

# DE-ESCALATION

What is it?

- The reduction of the level of intensity
- A combination of communication, empathy, instinct and sound officer safety tactics
- Discourse is the mechanism through which de-escalation is ultimately achieved

# 5 MAJOR POINTS OF DE-ESCALATION

- Physiological
- Subject Assessment
- The contact
- Know you options
- Time and Distance

# 5 MAJOR POINTS OF DE-ESCALATION

Physiological

- Know how your brain and body react under stress
- If you cannot control yourself, you cannot control others
- Do not become emotionally 'captured' and react emotionally to the resistance

# 5 MAJOR POINTS OF DE-ESCALATION

## Subject Assessment

- Assess before approaching
- Mental inventory and analysis of the subject
- Can you handle this situation and this subject?
- Do I need more time and distance to get more resources

# 5 MAJOR POINTS OF DE-ESCALATION

## The Contact

- The first words they hear and the first image of you they see are extremely important
- Words and the delivery must 'harmonize'

# 5 MAJOR POINTS OF DE-ESCALATION

Know your options

- What are the protocols with dealing with the kind of situation/crisis this person is in?
- Is this an arrest situation? Is this a must arrest situation?
- Is this a medical emergency/aided case?
- Is this a CPEP transport?

# 5 MAJOR POINTS OF DE-ESCALATION

## Time and Distance

- Time and Distance = Safety
- Time: in most situations, time will give you options and increase your resources (back-up)
- Distance: increase, the more reaction time the better

increases your field of vision

# NON-VERBAL COMMUNICATION

- Body language
- Body movement
- Posture
- Eye contact
- Positioning
- Distancing

# DE-ESCALATION

## DO'S AND DON'TS

### DO

- Use the person's name
- Speak slowly
- Ask "How may I help you"
- Ask open-ended questions
- Paraphrase what the person is saying/Restate to clarify/Repeat it back to them
- Use simple words
- Allow time for reflection
- Give options
- Ask for their idea or solution
- Ask if the mind if you take notes

# DE-ESCALATION

## DO'S AND DON'TS

### DON'TS

- Don't allow long waits
- Don't fake attention
- Don't roll your eyes
- Don't make false promises
- Don't use jargon
- Don't cut people off
- Don't get in a power struggle

# DE-ESCALATION

## DO'S AND DON'TS

### DON'TS

- Don't raise your voice to outshout
- Don't fail to document
- Don't lose your temper
- Don't allow more than one person to talk
- Don't say "calm down"

# ENCOURAGING DIALOGUE

*Posture + Eye contact + Phrasing = Dialogue*

## Door Openers

- I'm here to help you – I want to help you
- How can I help you
- Please tell me what happened
- Go on……
- And then……
- I see……
- Help me understand……
- Tell me more……

# VERBAL DEFLECTION PHRASES

Goal is to deflect and move forward with professional language

- I appreciate that, but…
- I think I understand that, but…
- I hear that, but…
- I'm sorry you feel that way, but…

# RESPONDING TO VERBAL ABUSE

An insult is a tactic people use on you

- Two choices
  - grin and bear it
  - get sucked in
- Check your EGO
- Don't take the bait
- Deflect and move on

# RESPONDING TO THEIR QUESTIONS…..

- Be brief and to the point, but not abrupt
- Avoid sarcasm and rudeness:
  - That's the way it is
  - It is what it is
  - That's our policy
  - Because I said so

# CONTACT AND COVER

A concept and tactic related to officer safety that minimizes distraction during contacts with others, while maximizing officer safety:

Contact Officer - conducts the 'business' aspect of the encounter; interviews, statements, etc.

Cover Officer – observer: responsible for environmental and personal safety; scene safety

Ready to intervene

# CONTACT AND COVER

## SHARED RESPONSIBILITY

- Part of a team
- Share responsibility for:
  - What happens during the contact
  - The way an incident is handled
  - The outcome of an incident

  This includes verbal communication; i.e. if an officer makes an inappropriate statement, you share the responsibility

# CONTACT OFFICER OVERRIDE

Cover officers have the proactive responsibility to intervene and override the contact officer in a situation in which the contact officer behaves inappropriately, or is otherwise not handling the situation effectively. Such as:

- Acting emotionally; angry
- Using profanity
- Threatening the subject
- Using unacceptable/unprofessional responses

# CONTACT OFFICER OVERRIDE HOW TO INTERVENE

- Take the contact officer aside
- Take over the contact officer's role
- Trust and communication is key
- Prior understanding and agreement to do so

# Additional De-escalation Topics

- Defensive Tactics
- Wellness
- BOSAR – Behavioral Observation and Suspicious Activity Recognition
- Fundamentals of Crisis Intervention

- Domestic Violence
- Vehicle Stops and Traffic Enforcement
- Defensive Tactics and Principles of Control
- Off-Duty and Plain Clothes Encounters

# Police Officer Edward Bracht #4693

## Instructor Police Academy Bureau
## Recruit Training Staff

NYPD January 1992- December 1993
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FBI Defensive Tactics Instructor, FBI Certified Firearms Instructor

# Use of force in New York State

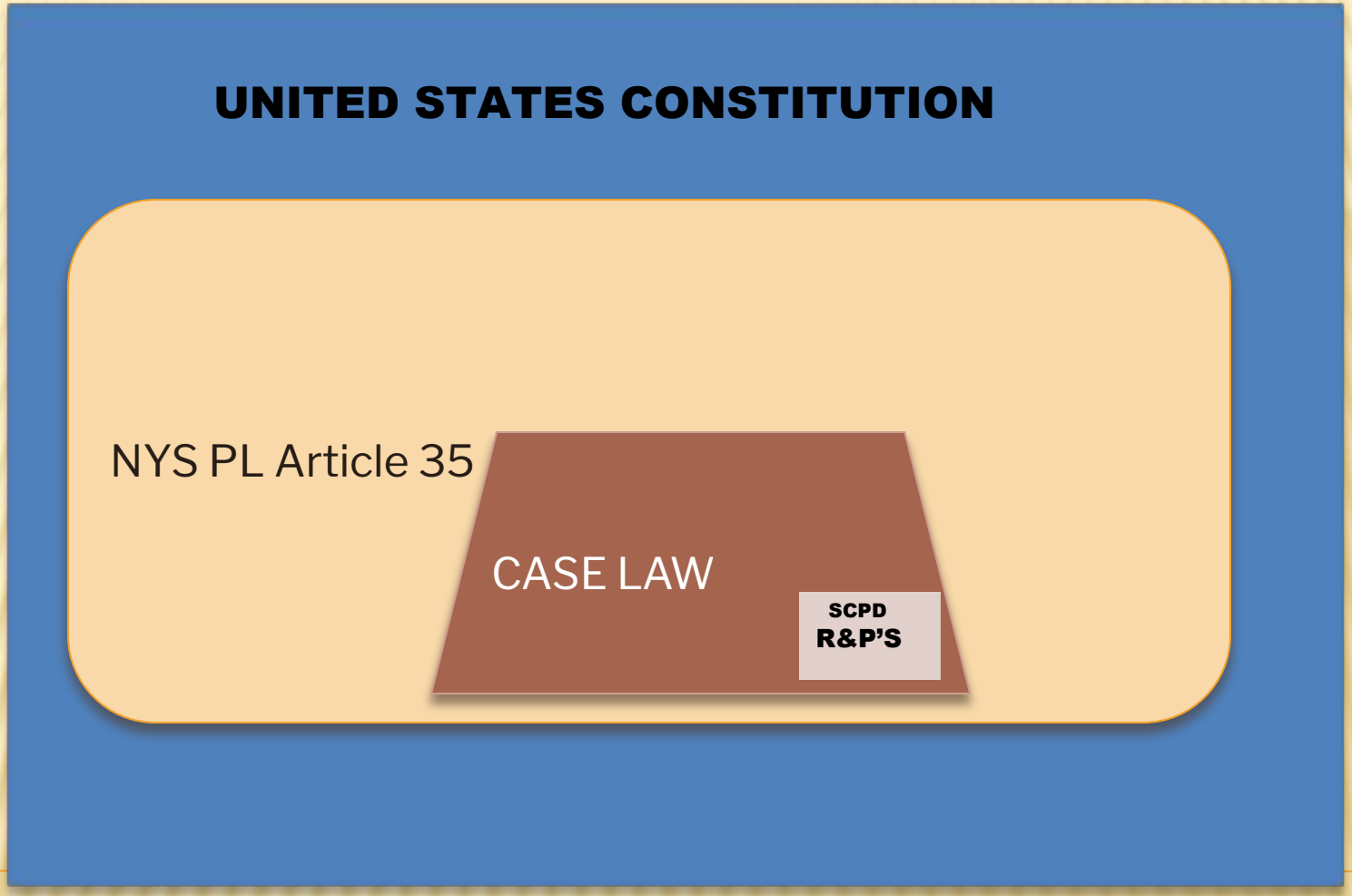
The Who, What, When, Why and How.

# There any special powers, and circumstances, to use force, granted in Article 35.

…conduct which would otherwise constitute an offense is justifiable and not criminal when:

- Such conduct is required or authorized by law or by judicial decree, or is performed by a public servant in the *reasonable* exercise of his official powers, duties or functions.
- Police officers are the only class of governmental agents that, without prior judicial review, are permitted to use force—up to and including deadly force—against members or the communities they are sworn to protect.

# What guides SCPD use of Force?


UNITED STATES CONSTITUTION
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R&P'S

# CASE LAW

Graham vs Connor . US Supreme Ct. 1989

The case involve the use of physical force and restraints, and raised the following questions with regard to the use of force

- Did the officer act in good faith?
- Was the force used malicious or sadistic for the purpose of causing harm?
- What was the relationship between what force was needed and what was used?

The Supreme Court put forward several factors to determine liability when an officer uses force, and further clarified how an officer's actions should be viewed.

- Is the subject an immediate threat?
- What is the severity of the crime?
- Is the subject actively resisting arrest or attempting to escape custody.

# Objectively Reasonable.

Term that was authored in the Supreme Ct decision.

An objective standard used to judge an officer's actions. Under this standard a particular application of force must be judged through the perspective of a reasonable officer facing the same set of circumstances, without the benefit of 20/20 hindsight, and be based on the totality of the facts that are known to that officer at the time the force was used.

What is in SCPD Rules and Procedures?

Policy, Procedure, Prohibitions and Definitions.

What is in our force model?

It is a visual aid used to better explain that our tactical options are dictated by the subject's actions and a reasonable officer's threat perception.

## SCPD Policy, Procedure and Mission Statement all emphasize the following, with regard to an officer's use of force.

- Sanctity of life
- Least amount of force necessary to accomplish goal
- Goal of police law enforcement…gain voluntary compliance
- Minimum Force Necessary Concept
- De-escalation
- Alternatives
- Resources
- Use of Tactics…..time, distance and cover
- Mental Illness Issues
- Duty to Intervene

# *SCPD FORCE MODEL*

| *THREAT PERCEPTION* | *TACTICAL OPTIONS* | *LIKELY RESULT* |
|---|---|---|
| **COMPLIANT OR PASSIVE** | **COOPERATIVE AND CONTACT CONTROLS**<br>PROFESSIONAL COMMUNICATIONS<br>COMPLIANT HANDCUFFING<br>ESCORT/SEARCHING | **NO PAIN** |
| **MODERATE RISK**<br>COMPLIANT **PLUS**<br>PASSIVE **PLUS**<br>ACTIVE **RESISTANCE** | **COMPLIANCE TECHNIQUES**<br>KNEELING/ PRONE HANDCUFFING<br>RESISTIVE HANDCUFFING<br>LEVERAGE TECH. / JOINT MANIPULATION<br>BREAKDOWNS / LEG CONTROLS<br>PRESSURE POINTS/ SOFT PERSONAL WEAPONS | **TEMPORARY PAIN ONLY** |
| **HIGH RISK**<br>ACTIVE RESIST **PLUS**<br>ASSUALT/ MENACING | **DEFENSIVE TACTICS**<br>CHEMICAL AGENTS<br>HARD PERSONAL WEAPONS<br>TAKE DOWNS/ BATON/TASER | **INJURY** |
| **DEADLY RISK**<br>ASSAULT/ MEN. **PLUS**<br>DPF | **DPF**<br>FIREARMS<br>ANY OTHER DPF | **SPI OR DEATH** |

Duty to Intervene.

Any officer present and observing another officer using force that he/she reasonably believes to be clearly beyond that which is objectively reasonable under the circumstances shall intercede to prevent the use of unreasonable force, if and when the officer has a realistic opportunity to prevent harm.

NYS Municipal Police Training Council

Officers who have an opportunity to intervene in an excessive use of force must do so, or risk personal liability for a civil rights violation based upon their failure to intervene.

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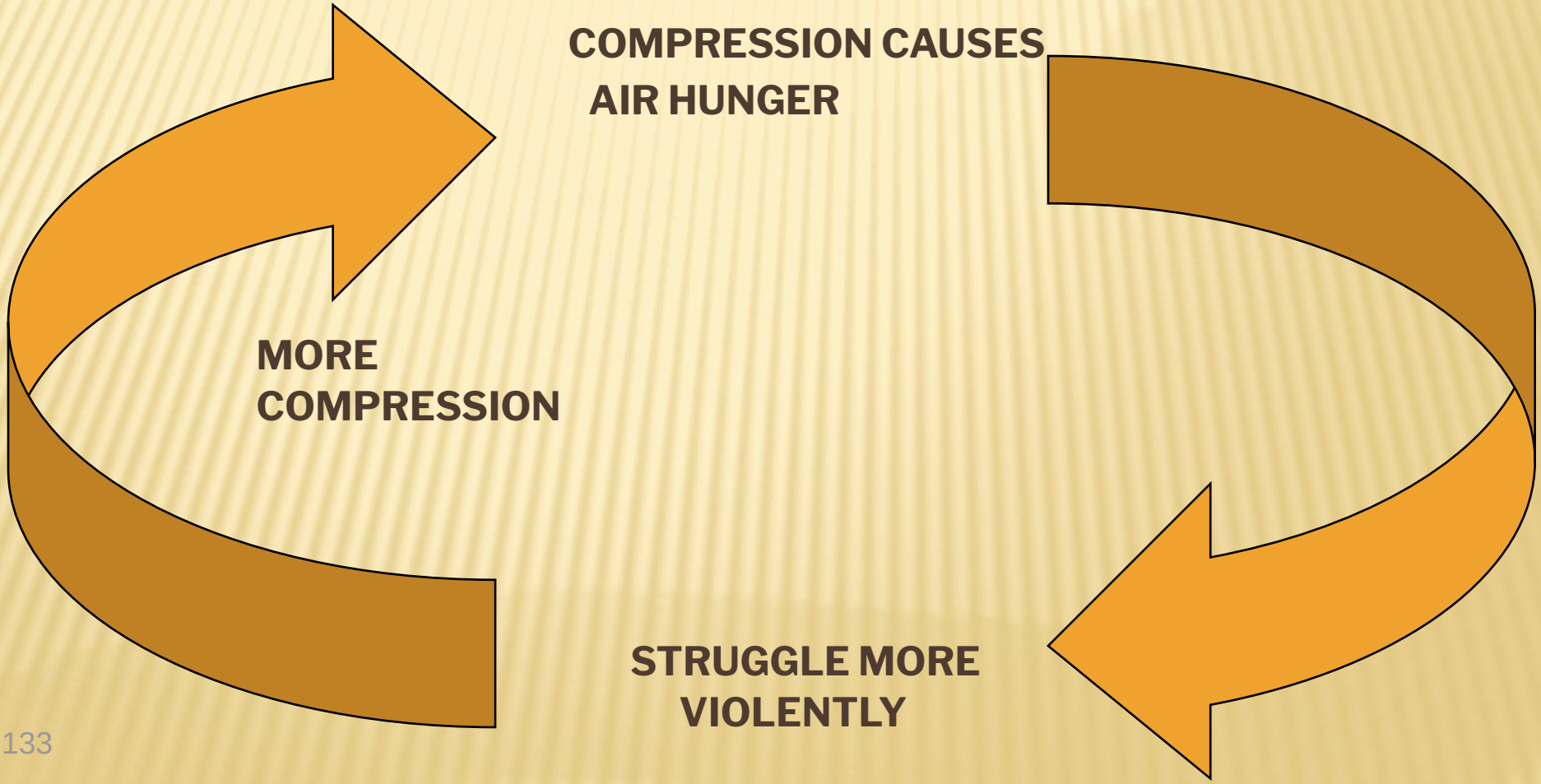
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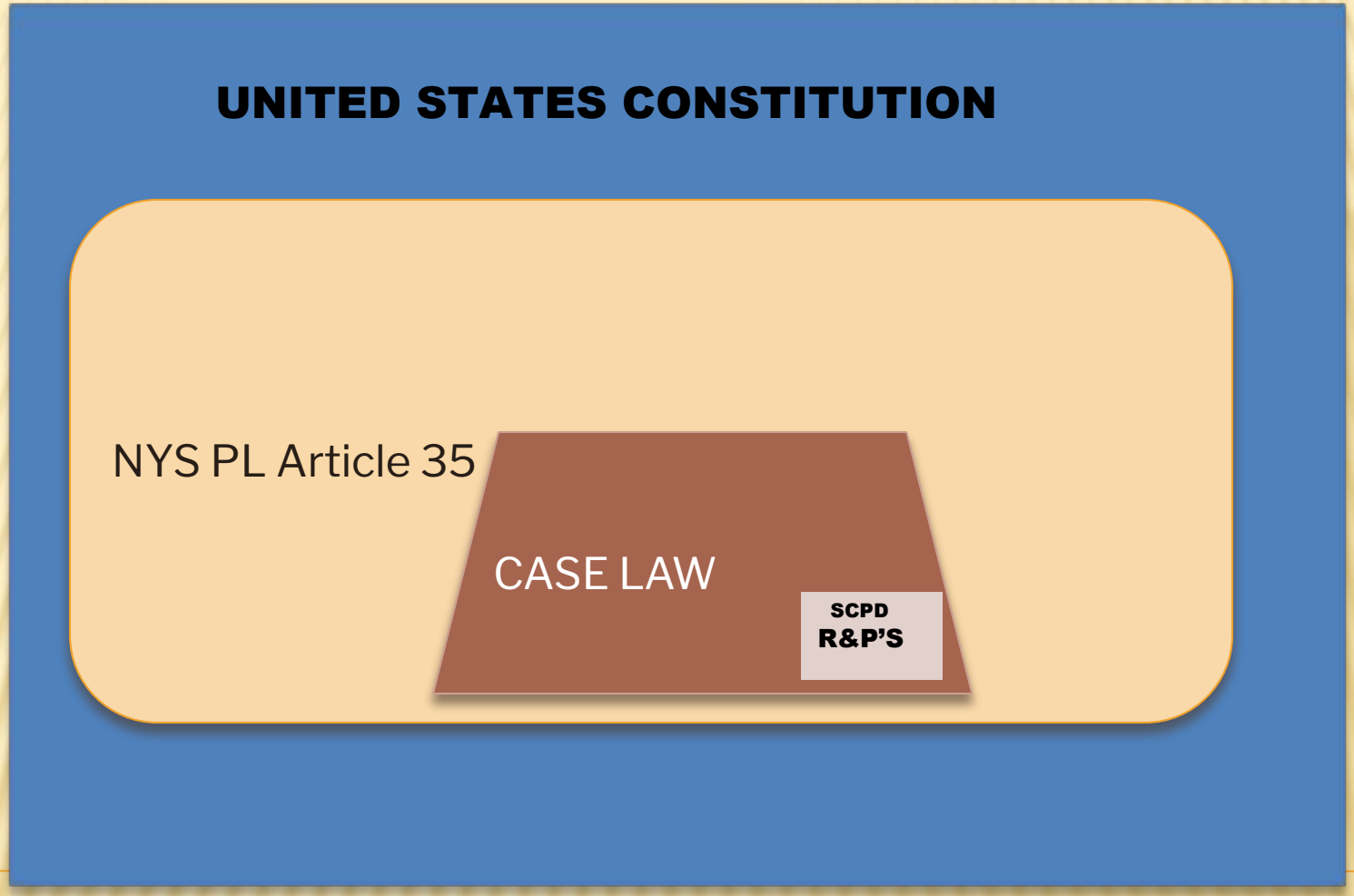
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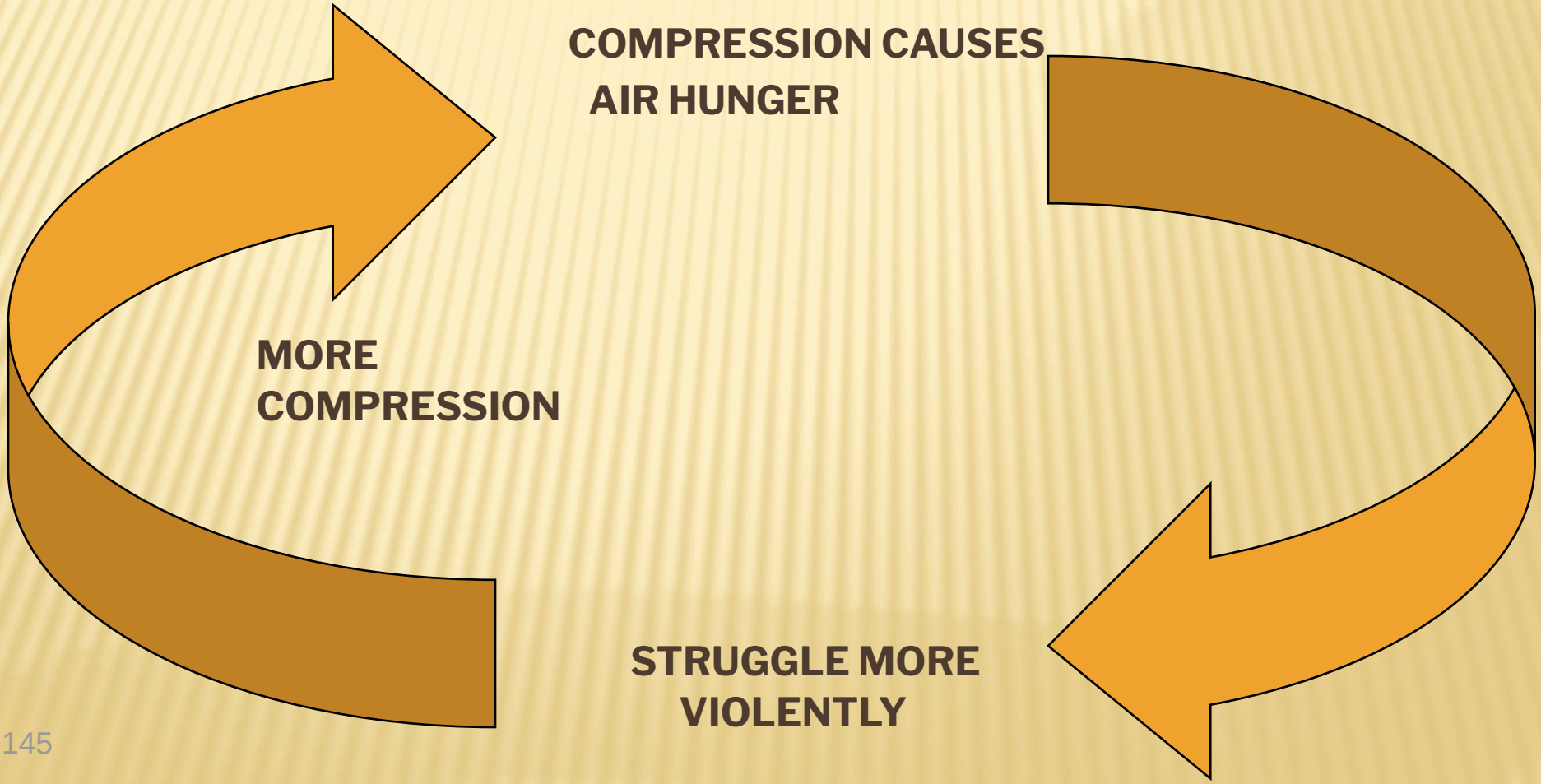
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# COMMUNICATIONS SECTION-911 CALL CENTER

## STAFFING

| Communications - Civilian | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 1 | 2 | 14 | 95 | 1 | 0 | 113 |
| Male | 0 | 0 | 4 | 40 | 0 | 0 | 44 |
| Total | 1 | 2 | 18 | 135 | 1 | 0 | 157 |

## CALL VOLUME

| 911 Call Center Volume | 2019 |
|---|---|
| 911 Calls | 868,886 |
| 852-COPS | 32,965 |
| Switchboard | 8,220 |
| **Total Calls to 911 Center** | **910,071** |

| | 2018 | 2019 | YTD Aug 31 2019 | YTD Aug 31 2020 |
|---|---|---|---|---|
| **Calls to FRES from Communications** | NA | 125,460 | NA | 81,843 |

Source: Communications; Data includes 185 Calls transferred to Babylon & Smithtown Fire Dispatch

## COMMUNICATIONS SECTION TRAINING

The Suffolk County Communications Section receives training for new hires and continuous in-service training for employees. The training criteria is a combination of certain parameters from 21 NYCRR parts 5201(attached), and best practices and industry standards. The legal requirements are contained in 21 NYCRR 5201.

### NEW HIRE

(Within first 12 months, most done within first 2-4 weeks)

- Orientation-Role and Responsibilities (Communications Section Overview/Procedures/Geography/R&Ps/Who's Who)
- Radio Communications (Ten Codes/Call Classifications)

- Telephone Techniques (Phone System/TTD/TTY/Mapping)
- Emergency Complaint Operator [ECO] Procedures (all)
- Public Safety Dispatcher [PSD] Procedures (PSDs only)
- Technologies (CAD-computer aided dispatch system)
- Stress Management (Employee Assistance Bureau)
- Interpersonal Communication (Verbal Judo)
- Legal Aspects (Penal Law/Legal Bureau)
- ICS 100 and ICS 700 (FEMA Incident Command)

**IN-SERVICE**

- Daily Training Slide (47 slide cycle)
- Monthly Classroom Training (45-60 minutes)
- Department Directives (monthly)
- TDD/TTY (annual)
    - Water Rescue (annual)
    - Ice Rescue (annual)
    - Stress Awareness (annual)
    - Various Topics (i.e. Smart911, MVC School Bus, Annual Review, RAVE, CPEP vs. DASH, Fire Island, Active Shooter, etc.)
- Backup Center Drill (annual)
- Backup Center Drill Manual (annual)
- Ride Along (annual but on COVID hold for 2020+)
- Various Topics (i.e. Homicide, K-9, any technology upgrade, Crisis Intervention, Sexual Harassment & Discrimination, Response Hotline, Evacuation Drill, Active Shooter, Active Shooter in the Workplace, etc.)

**MENTAL HEALTH TRAINING**

- Crisis Intervention Training was conducted for all employees January 2019

- Response Suicide Hotline presentation for all employees Jan-Feb 2017
- PEER Team Program for all employees January 2016
- Overview of TBI, PTSD, Trauma and Connections to Substance Use/Abuse and Depression was conducted for all employees January 2015

# Suffolk County Police Department
## 2019 End of Year Statistics

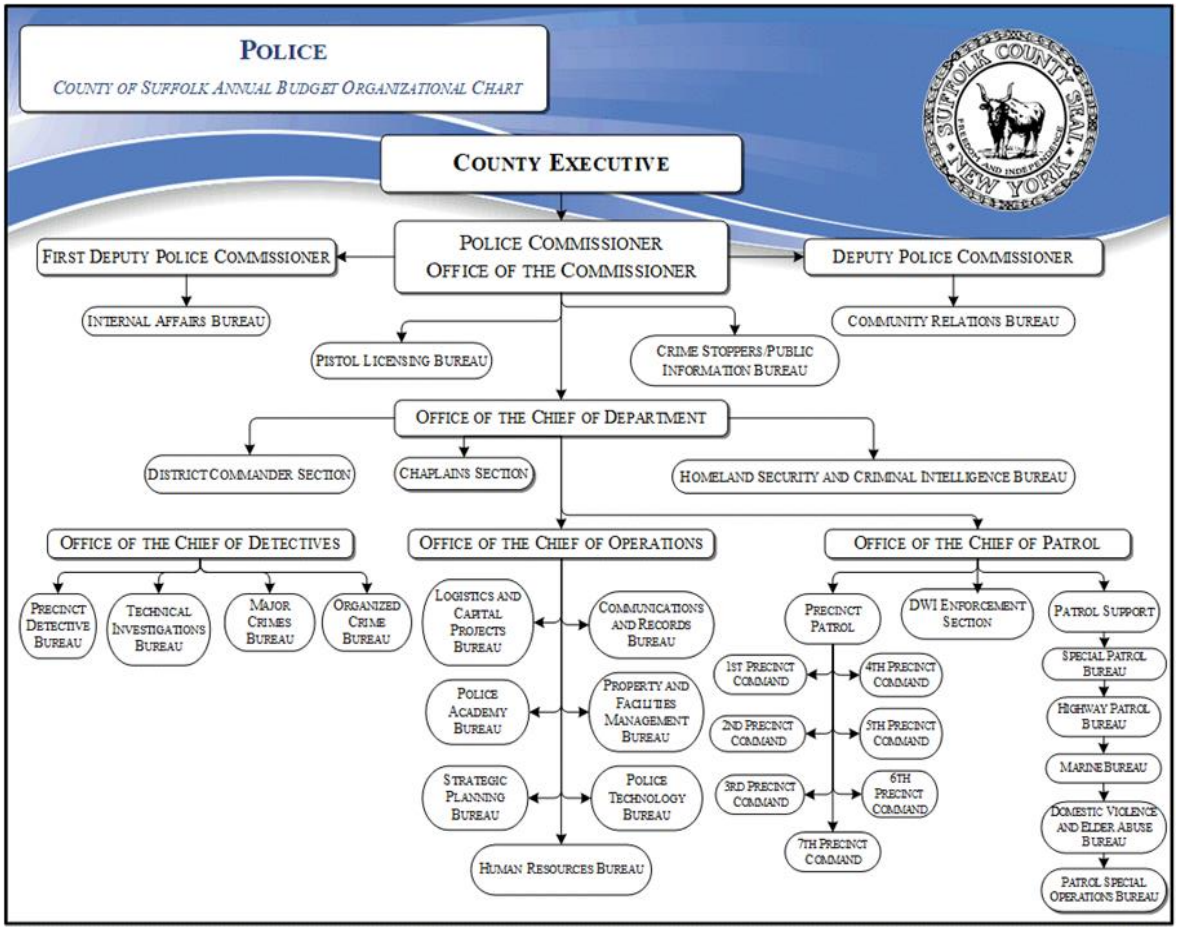
| 911 Call Center Volume | 2019 |
|---|---|
| 911 Calls | 868,886 |
| 852-COPS | 32,965 |
| Switchboard | 8,220 |
| **Total Calls to 911 Center** | **910,071** |

| **Total Police Service Responses** | **513,694** |
|---|---|
| Persons with Mental Illness | 5,556 |
| Domestic Incidents | 27,343 |
| Motor Vehicle Accidents | 47,605 |
| Aided Cases | 100,387 |
| Traffic Stops | 125,912 |

Source: IRS and Communications; Aided Cases include Aided Ods;PMIs include transported and non-transported.

# DEPARTMENT STAFFING

The Suffolk County Police Department is organized under the leadership of Police Commissioner Geraldine Hart outlined in the below organizational chart. The Police Department has a 4-star Chief of Department, Stuart Cameron and three major Divisions each led by a Division Chief. The Internal Affairs Bureau is led by a Deputy Chief.



The Suffolk County Police Department is currently has 2,412 sworn members consisting of:

| RANK | as of August 31, 2020 |
|---|---|
| CHIEF OF DEPARTMENT | 1 |
| CHIEF OF DIVISION | 3 |
| ASSISTANT CHIEF | 0 |
| DEPUTY CHIEF | 4 |
| INSPECTOR | 11 |
| DEPUTY INSPECTOR | 18 |
| CAPTAIN | 18 |
| DETECTIVE LIEUTENANT | 16 |
| LIEUTENANT | 71 |
| DETECTIVE SERGEANT | 55 |
| SERGEANT | 241 |
| DETECTIVE | 346 |
| PROBATIONARY DETECTIVE | 14 |
| POLICE OFFICER | 1,537 |
| POLICE OFFICER (SPANISH SPEAKING) | 77 |
| **TOTAL** | **2,412** |

## PERSONNEL STAFFING (SWORN)

## 2015 - 2020 (YTD)

| Total Sworn Personnel | | | | | | | |
|---|---|---|---|---|---|---|---|
| Year | 2015 | 2016 | 2017 | 2018 | 2019 | Aug YTD 2019 | Aug YTD 2020 |
| Total | 2,433 | 2,515 | 2,534 | 2,515 | 2,515 | NA | 2,412 |

## SWORN PERSONNEL SUFFOLK COUNTY RESIDENCY

| Residency | % of Total |
|---|---|
| Suffolk County Resident | 81.77% |
| Outside Suffolk County | 18.23% |
| **Total** | **100.00%** |

## ACCREDITATION

The Suffolk County Police Department is 1 of 160 accredited agencies out of the 514 Law Enforcement Agencies in NYS. Accredited Agencies are re-certified every 5 years, during the certifications 100 standards within the department are reviewed annually.

# DEPARTMENT DEMOGRAPHICS

## LEADERSHIP DEMOGRAPHICS

| RANK | as of August 31, 2020 |
|---|---|
| Police Commissioner | 1 (white female) |
| First Deputy Police Commissioner | 1 (white male) |
| Deputy Police Commissioner | 1 (black female) |
| CHIEF OF DEPARTMENT | 1 (white male) |
| CHIEF OF DIVISION | 3 (white males) |
| ASSISTANT CHIEF | 0 |
| DEPUTY CHIEF | 4 (white males) |
| INSPECTOR | 11 (9 white males, 1 hispanic male, 1 hispanic female) |

# OVERALL DEPARTMENT DEMOGRAPHICS (2014-2020)

**Suffolk County Police Department**
**Personnel Breakdown for Department 2020**

| Civilian | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 7 | 11 | 52 | 775 | 12 | 3 | 860 |
| Male | 1 | 5 | 8 | 162 | 7 | 1 | 184 |
| Total | 8 | 16 | 60 | 937 | 19 | 4 | 1044 |

| Sworn | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 3 | 9 | 46 | 224 | 4 | 1 | 287 |
| Male | 23 | 55 | 199 | 1825 | 23 | 0 | 2125 |
| Total | 26 | 64 | 245 | 2049 | 27 | 1 | 2412 |

| Sworn + Civilian | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 10 | 20 | 98 | 999 | 16 | 4 | 1147 |
| Male | 24 | 60 | 207 | 1987 | 30 | 1 | 2309 |
| Total | 34 | 80 | 305 | 2986 | 46 | 5 | 3456 |

**Suffolk County Police Department**
**Personnel Breakdown for Department 2019**

| Civilian | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 8 | 13 | 56 | 793 | 13 | 3 | 886 |
| Male | 2 | 4 | 8 | 161 | 9 | 1 | 185 |
| Total | 10 | 17 | 64 | 954 | 22 | 4 | 1071 |

| Sworn | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 3 | 9 | 48 | 230 | 4 | 0 | 294 |
| Male | 23 | 57 | 206 | 1910 | 23 | 2 | 2221 |
| Total | 26 | 66 | 254 | 2140 | 27 | 2 | 2515 |

| Sworn + Civilian | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 11 | 22 | 104 | 1023 | 17 | 3 | 1180 |
| Male | 25 | 61 | 214 | 2071 | 32 | 3 | 2406 |
| Total | 36 | 83 | 318 | 3094 | 49 | 6 | 3586 |

**Suffolk County Police Department**
**Personnel Breakdown for Department 2018**

| Civilian | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 6 | 15 | 50 | 796 | 13 | 2 | 882 |
| Male | 2 | 4 | 9 | 168 | 9 | 1 | 193 |
| Total | 8 | 19 | 59 | 964 | 22 | 3 | 1075 |

| Sworn | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 3 | 8 | 46 | 228 | 3 | 0 | 288 |
| Male | 23 | 58 | 206 | 1920 | 19 | 2 | 2228 |
| Total | 26 | 66 | 252 | 2148 | 22 | 2 | 2516 |

| Sworn + Civilian | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 9 | 23 | 96 | 1024 | 16 | 2 | 1170 |
| Male | 25 | 62 | 215 | 2088 | 28 | 3 | 2421 |
| Total | 34 | 85 | 311 | 3112 | 44 | 5 | 3591 |

**Suffolk County Police Department**
**Personnel Breakdown for Department 2017**

| Civilian | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 6 | 13 | 43 | 791 | 12 | 2 | 867 |
| Male | 2 | 3 | 9 | 163 | 8 | 1 | 186 |
| Total | 8 | 16 | 52 | 954 | 20 | 3 | 1053 |

| Sworn | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 3 | 8 | 43 | 224 | 3 | 0 | 281 |
| Male | 23 | 57 | 203 | 1951 | 18 | 1 | 2253 |
| Total | 26 | 65 | 246 | 2175 | 21 | 1 | 2534 |

| Sworn + Civilian | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 9 | 21 | 86 | 1015 | 15 | 2 | 1148 |
| Male | 25 | 60 | 212 | 2114 | 26 | 2 | 2439 |
| Total | 34 | 81 | 298 | 3129 | 41 | 4 | 3587 |

**Suffolk County Police Department**
**Personnel Breakdown for Department 2016**

| Civilian | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 5 | 15 | 40 | 790 | 10 | 2 | 862 |
| Male | 3 | 4 | 11 | 166 | 8 | 1 | 193 |
| Total | 8 | 19 | 51 | 956 | 18 | 3 | 1055 |

| Sworn | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 3 | 9 | 34 | 210 | 3 | 0 | 259 |
| Male | 24 | 57 | 196 | 1962 | 16 | 1 | 2256 |
| Total | 27 | 66 | 230 | 2172 | 19 | 1 | 2515 |

| Sworn + Civilian | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 8 | 24 | 74 | 1000 | 13 | 2 | 1121 |
| Male | 27 | 61 | 207 | 2128 | 24 | 2 | 2449 |
| Total | 35 | 85 | 281 | 3128 | 37 | 4 | 3570 |

**Suffolk County Police Department**
**Personnel Breakdown for Department 2015**

| Civilian | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 5 | 12 | 40 | 768 | 7 | 2 | 834 |
| Male | 3 | 3 | 12 | 162 | 8 | 1 | 189 |
| Total | 8 | 15 | 52 | 930 | 15 | 3 | 1023 |

| Sworn | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 3 | 9 | 32 | 209 | 2 | 0 | 255 |
| Male | 24 | 53 | 180 | 1910 | 9 | 1 | 2177 |
| Total | 27 | 62 | 212 | 2119 | 11 | 1 | 2432 |

| Sworn + Civilian | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 8 | 21 | 72 | 977 | 9 | 2 | 1089 |
| Male | 27 | 56 | 192 | 2072 | 17 | 2 | 2366 |
| Total | 35 | 77 | 264 | 3049 | 26 | 4 | 3455 |

**Suffolk County Police Department**
**Personnel Breakdown for Department 2014**

| Civilian | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 5 | 13 | 39 | 781 | 5 | 2 | 845 |
| Male | 3 | 4 | 11 | 164 | 9 | 1 | 192 |
| Total | 8 | 17 | 50 | 945 | 14 | 3 | 1037 |

| Sworn | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 3 | 9 | 28 | 206 | 1 | 1 | 248 |
| Male | 23 | 51 | 169 | 1924 | 5 | 0 | 2172 |
| Total | 26 | 60 | 197 | 2130 | 6 | 1 | 2420 |

| Sworn + Civilian | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Asian Pacific | Black | Hispanic | White | Other | Native American | Total |
| Female | 8 | 22 | 67 | 987 | 6 | 3 | 1093 |
| Male | 26 | 55 | 180 | 2088 | 14 | 1 | 2364 |
| Total | 34 | 77 | 247 | 3075 | 20 | 4 | 3457 |

## CRIME COMPARISON (2015-2020)

The Suffolk County Police Department has seen a 35.3% decrease in Violent Crimes from 2015-2020. The table below outlines the year to year crime comparison for the Violent Index crime and displays a decline in violent crimes.

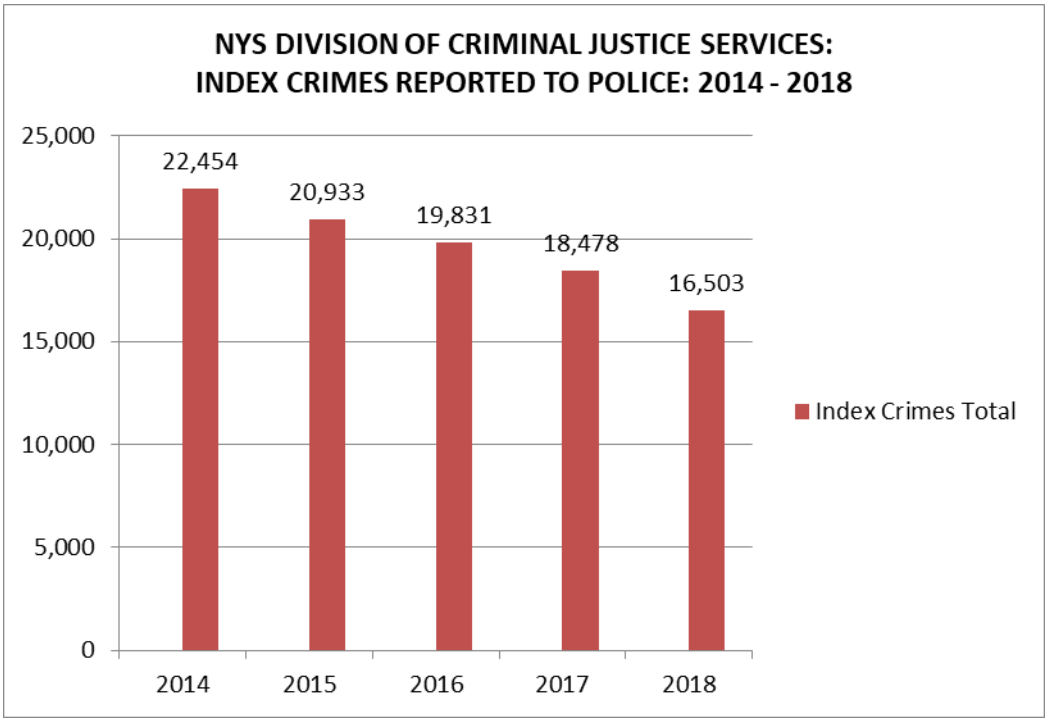
### SCPD CRIME COMPARISON (2015-2020(Q3))

| Classification of Offenses | YTD Sept 30 2020 | YTD Sept 30 2019 | 2019-2020 % Diff | YTD Sept 30 2018 | 2018-2019 % Diff | 2018-2020% Diff |
|---|---|---|---|---|---|---|
| Murder/Manslaughter | 17 | 20 | -15.0% | 18 | 11.1% | -5.6% |
| Forcible Rape | 23 | 43 | -46.5% | 29 | 48.3% | -20.7% |
| Expanded Rape | 68 | 123 | -44.7% | 120 | 2.5% | -43.3% |
| Robbery | 224 | 203 | 10.3% | 276 | -26.4% | -18.8% |
| Aggravated Assault | 513 | 569 | -9.8% | 547 | 4.0% | -6.2% |
| ***Total Violent Crime*** | 845 | 958 | -11.8% | 990 | -3.2% | -14.6% |
| Burglary | 725 | 669 | 8.4% | 737 | -9.2% | -1.6% |
| Residential | 313 | 410 | -23.7% | 432 | -5.1% | -27.5% |
| Commercial | 412 | 259 | 59.1% | 305 | -15.1% | 35.1% |
| Larceny (Except Motor Vehicle) | 9356 | 9806 | -4.6% | 10138 | -3.3% | -7.7% |
| Motor Vehicle Theft | 786 | 588 | 33.7% | 630 | -6.7% | 24.8% |
| ***Total Property Crime*** | 10867 | 11063 | -1.8% | 11505 | -3.8% | -5.5% |
| ***Total Property/Violent Crime*** | 11712 | 12021 | -2.6% | 12495 | -3.8% | -6.3% |

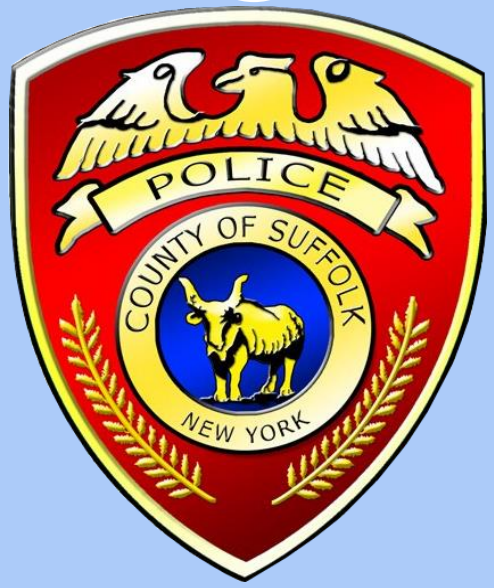
### NYS DIVISION OF CRIMINAL JUSTICE SERVICES INDEX CRIMES REPORTED TO POLICE (2014-2018)

The NYS Division of Criminal Justice Services tracks index crimes reported to police which indicated that the Suffolk County Police Department had a 26.5% decrease in Index Crimes from 2014-2018. The table also indicates a 16.5% decrease in the Violent Index crimes during the same period. The table below outlines the year to year crime comparison for the Violent Index crime and displays a decline in violent crimes as represented on NYS DOJ Website at https://www.criminaljustice.ny.gov/crimnet/ojsa/indexcrimes/county_totals.htm.

| | | | | | Violent Crime | | | | | Property Crime | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| County | PD | Year | Incomplete/ # of Months Rptd | **Index Total** | **Violent Total** | Murder | Rape | Robbery | Agg. Assault | **Property Total** | Burglary | Larceny | MV Theft |
| Suffolk | Suffolk County PD | 2014 | | **22,454** | **1,500** | 29 | 35 | 567 | 869 | **20,954** | 2,904 | 16,919 | 1,131 |
| Suffolk | Suffolk County PD | 2015 | | **20,933** | **1,737** | 25 | 140 | 677 | 895 | **19,196** | 2,109 | 15,906 | 1,181 |
| Suffolk | Suffolk County PD | 2016 | | **19,831** | **1,577** | 33 | 109 | 541 | 894 | **18,254** | 1,743 | 15,432 | 1,079 |
| Suffolk | Suffolk County PD | 2017 | | **18,478** | **1,482** | 22 | 119 | 473 | 868 | **16,996** | 1,423 | 14,565 | 1,008 |
| Suffolk | Suffolk County PD | 2018 | | **16,503** | **1,268** | 21 | 174 | 375 | 698 | **15,235** | 955 | 13,396 | 884 |



# Suffolk County Police Reform and Reinvention Task Force




Geraldine Hart
Police Commissioner

# Suffolk County Police Reform and Reinvention Collaborative

**Welcome**

**Public Input Session 1-2nd Precinct-Town of Huntington**

- 130 registrants
- 30 speakers registered
- 15 task force members joined the session: Police Commissioner Geraldine Hart, Deputy Police Commissioner Risco Mention Lewis, ADA Leslie Anderson, Legislator Jason Richberg, Retha Fernandez, Daniel Lloyd, Roger Clayman, Kathleen King,, Lynda Perdomo Ayala, Jennifer Leveque, Pilar Moya, Girish Patel, Sharon Webber, Co-facilitators-Vanessa Baird-Streeter, Jon Kaiman
- Chief of Police Stu Cameron was on the call
- The video of the second meeting will be posted to the website by **Tuesday, November 10**
- All Task Force members will receive written transcription of the Public Input Forum by Thursday**, November 12**
- Next Public Input Listening Session-**November 11, 2020 @6:00pm**

**Task Force Members request for information and communication**

- Arbitrators List will be shared later today
- List of penalties or discipline progression chart associated with officer misconduct position by permanent appointment can be found in the competitive class of the classified civil service (which includes, but is not limited to, police officers can be found in (https://www.nysenate.gov/legislation/laws/CVS/75) also see Section A13-7.A of the Suffolk County Administrative Code **https://ecode360.com/14937358**). **Will share this in a link to task force members today**

**Stakeholder Organizations-who requested to meet with staff and or task force members**

- **Suffolk County African American Advisory Board**-Community Policing, Use of Force, Officer Mental Health, Implicit Bias Training
- **Brighter Tomorrows**-Domestic Violence Agency-Domestic Violence, Language Access, SROs, Traffic Stops
- **Axis Church-** Anthony Pelella-SCPD and the personal views of the African American community
- **Assemblyman Phil Ramos**

# Agenda




Goals



Data Entry &
Supervisory Review



Discussion

Department
Policy

Moving
Forward



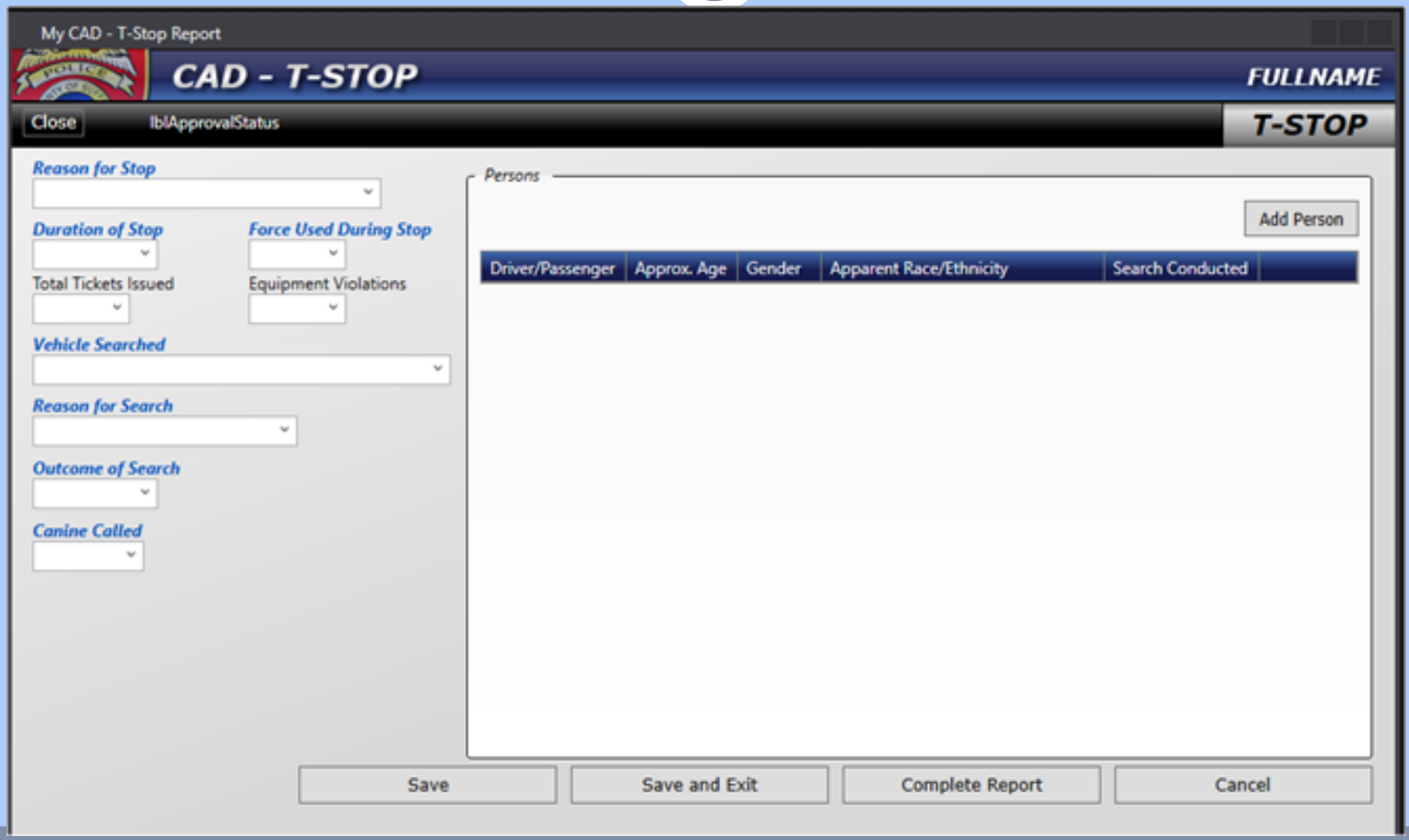
# Goals

- Support the Department's commitment to bias free policing
- Review data through multiple supervisory levels
- Assess and respond to any disparities in the data
- Continue to improve and enhance the data collection process
- Collaborate with the community through the availability of data

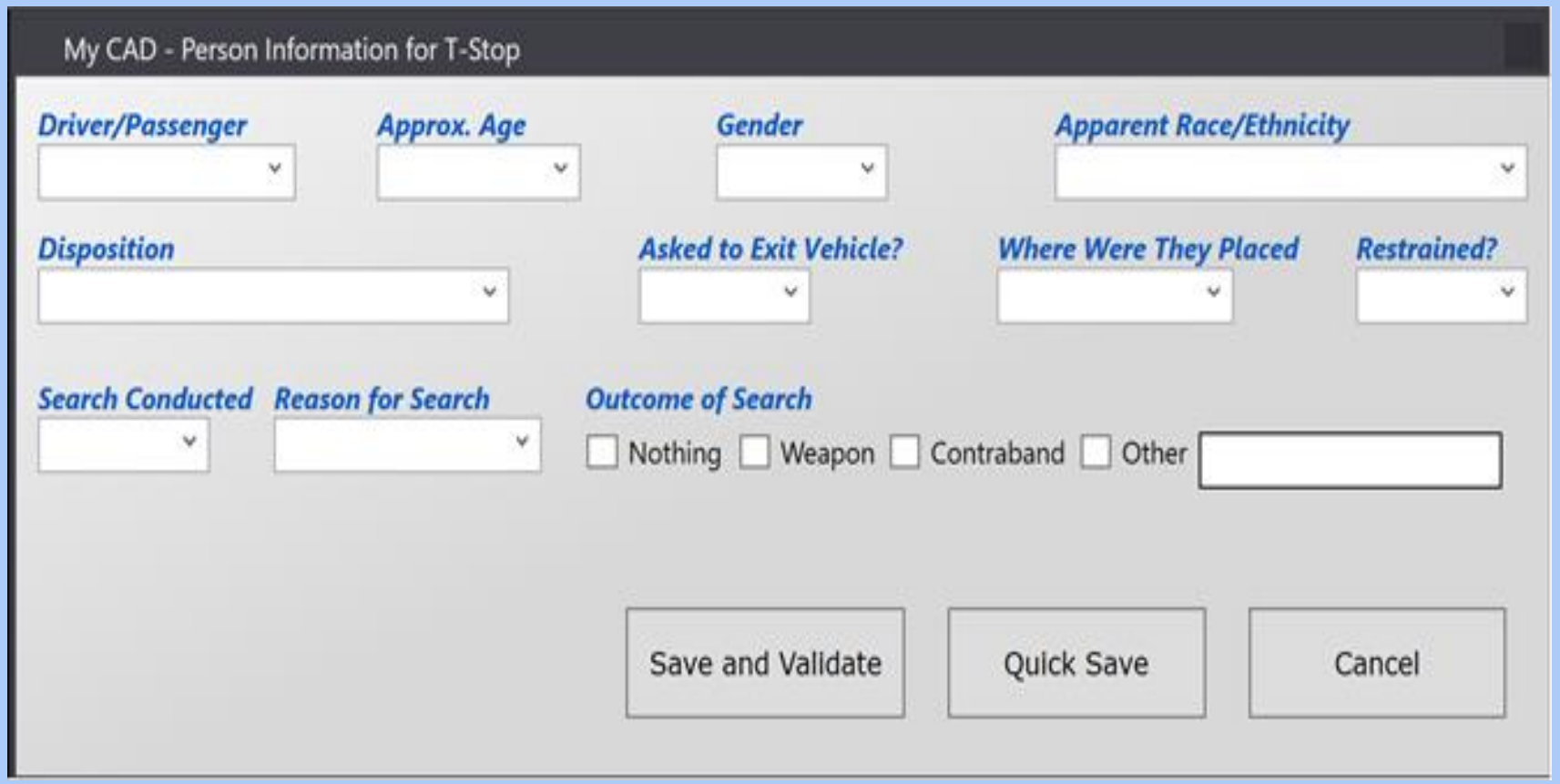
# Department Policy

- Traffic Stop Data Collection
  - "The Traffic Stop Data Collection Program will collect data on all self-initiated traffic stops. That data will be analyzed to ensure that all traffic enforcement operations are conducted in an efficient and bias-free manner".
    - *SCPD Chapter 13, Section 9*
  - Before exiting the vehicle, or as soon as possible thereafter, officers will draw a T-Stop with the license plate and location.
    - *SCPD Chapter 13, Section 9*
  - Upon completion of the stop, the officer will open the SCPD Portal and access the T-Stop Data Collection program from the "My CAD Calls" tab and click "Begin T-Stop".
    - *SCPD Chapter 13, Section 9*

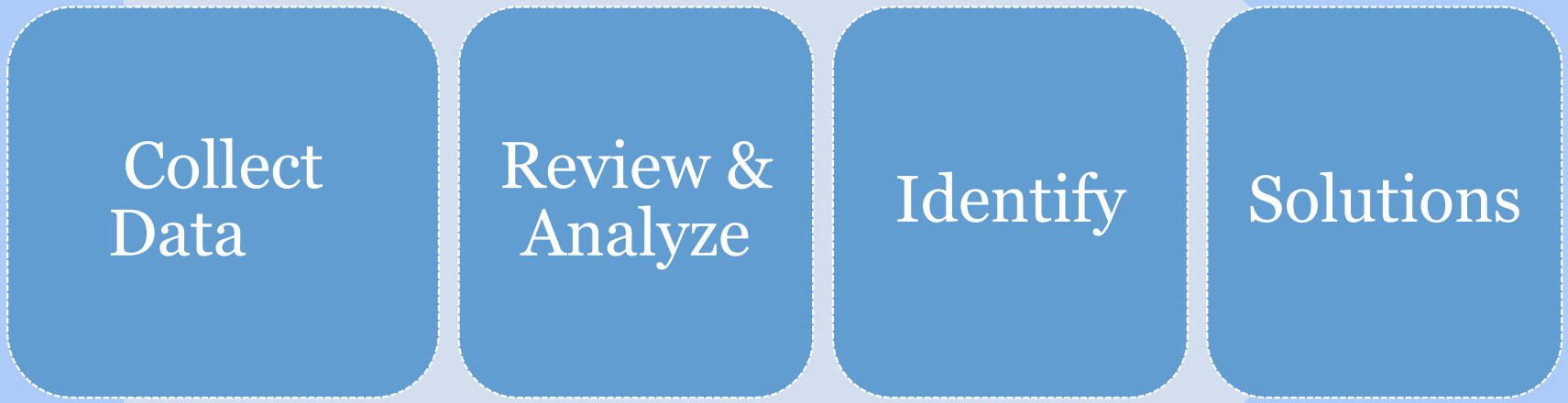
# T-Stop Data Entry Screen



# T-Stop Data Entry Screen

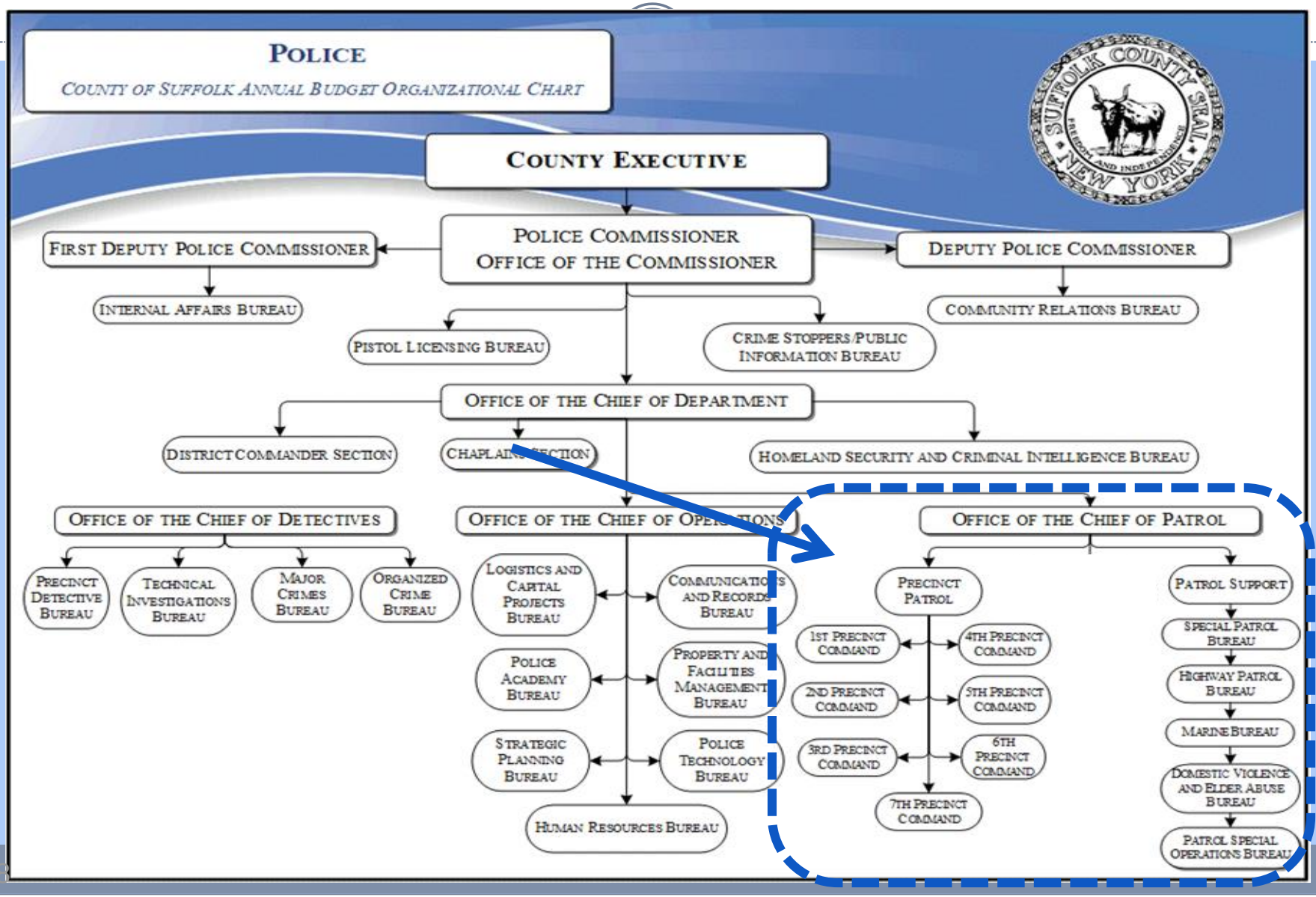


# Process

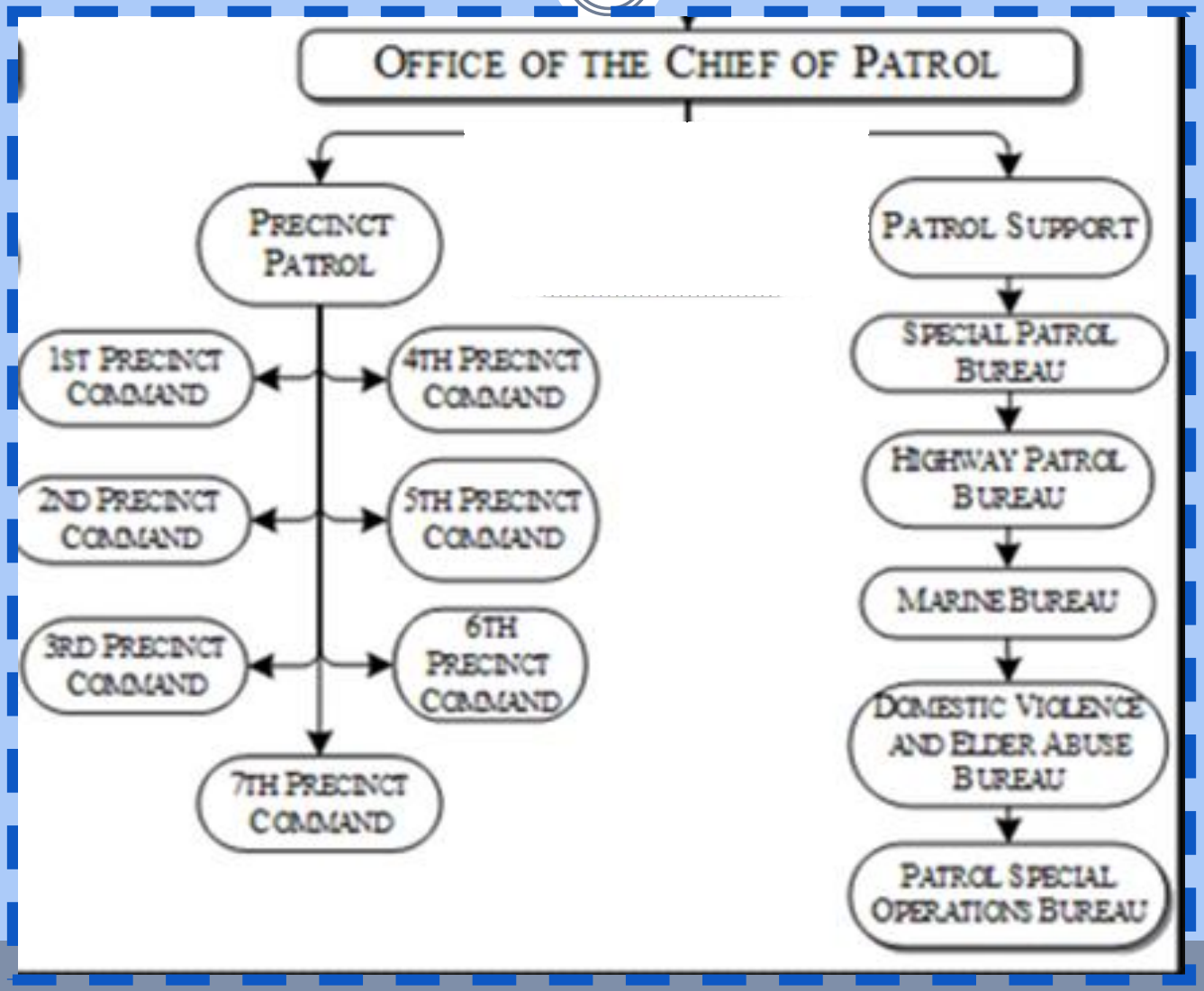


# Department Overview

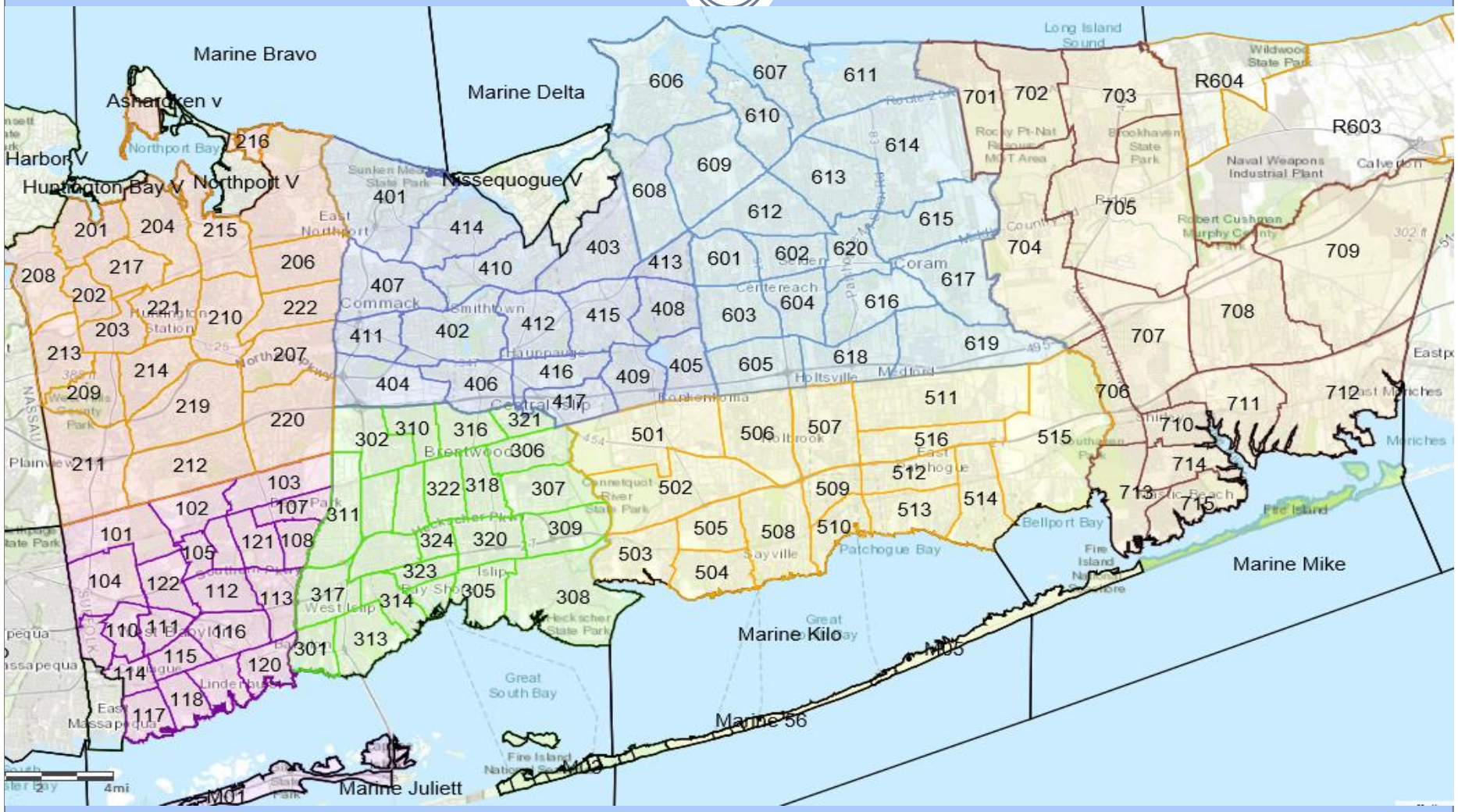
# Department Overview



# Patrol Division Staffing



# Precinct & Sector Map



# Precinct Populations

| Precinct | Population |
|---|---|
| Suffolk County Police Department | 1,375,420 |
| Precinct 1 | 211,310 |
| Precinct 2 | 193,388 |
| Precinct 3 | 228,298 |
| Precinct 4 | 159,596 |
| Precinct 5 | 176,672 |
| Precinct 6 | 237,490 |
| Precinct 7 | 168,666 |

*Population Data estimations based on 2010 Census Data

# Supervisory Review

# Review Process

First Line Supervisor
- Sergeant

Second Line Supervisor
- Lieutenant

Precinct Command Staff Level

Office of the Chief of Patrol

Office of the Police Commissioner

# Quarterly Reports Review

## Provide a broad overview of precinct activity

- Overview of traffic stop activity for the department, broken down by precinct
- Breakdown of traffic stop dispositions for department and precinct.
- Summary of ticket activity for that precinct, shows the officers with the highest amounts of tickets issued and the number of associated stops.
- Summary of incomplete traffic stops by officer
- Vehicle Searches, displaying the % of stops, the reasons for searches, and the outcomes of searches.
- Driver Searches, displaying the % of stops, the reasons for searches, and the outcomes of searches.

# Patrol Division Special Order

- Issued to enhance the Department's continued commitment to bias free policing
  - Enhances the Command Level Review & Accountability
    - Quarterly Precinct Traffic Stop Report
    - Identifies officers with substantial statistical inconsistencies related to traffic stops and tickets issued
    - Requires issues to be addressed at the Command Level
    - Supplemental report confirming the review and actions taken is sent to the Chief of Patrol Quarterly

# Command Level Review

- Supervisors review monthly officers statistics for the % of stops by officer broken down by race
- Can compare officers assigned to their squad to one another in order to identify outliers

# Moving Forward

- Improve Data Collection methods
- Focus groups
- Dashboard “real-time” view for Supervisors
- Early warning system
- Annual review by independent firm
- Increase community engagement with Patrol officers
- Community Meetings at the Precinct Level
- Community Forums at the Department Level

# Moving Forward



# PERFORMANCE ANALYTICS

## Real Time Dashboard

- Multiple supervisory levels of T-Stop data review
- Supervisors can review and analyze:
  - Precinct to Precinct Comparisons
  - Breakdown by command within Precinct
  - Squad to Squad
  - Zone to Zone Comparisons
  - Sector to Sector Comparisons
  - Peer reviews
- Will include real time data by race and gender for:
  - Stops
  - Searches
  - Dispositions
- Early Warning Alert Notifications

# Discussion



# Outreach and Dialogue with National Experts

## DPC Risco Mention Lewis

**Frank R. Baumgartner** is the Richard J. Richardson Distinguished Professor of Political Science in UNC's College of Arts and Sciences.

His work focuses on public policy, agenda-setting, interest groups in American... and comparative politics, the death penalty and racial profiling in traffic stops.

Much of his current agenda has to do with studies of race, with particular focus on the death penalty and on traffic stops.

**Center for Policing Equity**

***Co-founder and Senior Vice President of Justice Initiatives***
Dr. Tracie L. Keesee, is the Senior Vice President of Justice Initiatives and Co-Founder of the Center For Policing Equity (CPE). This critical position expands upon the core mission of CPE, “justice through science.” She oversees all law enforcement relationships and program implementation.

Prior to her return to CPE she served as the first ever, Deputy Commissioner of Equity and Inclusion for NYPD.

***Director of Law Enforcement Field Engagement***
Dr. Rob Kenter  holds a Master’s Degree in Public Administration from Troy University and a Ph.D. in Public Administration from Old Dominion University’s School of Public Service. Before joining CPE he served over 30 years with the Norfolk Police Department, before retiring April 2020.

# Outreach and Dialogue with National Experts

**Dr. Robin S. Engel** is a Professor of Criminal Justice at the University of Cincinnati. She also serves as the Director of the International Association of Chiefs of Police (IACP) / UC Center for Police Research and Policy. She received her doctorate in criminal justice from the School of Criminal Justice at the University at Albany. Did her Doctoral dissertation in front of Dr. Worden

Dr. Engel has consistently been ranked among the top academics based on peer-reviewed publications in the field of criminal justice/criminology.

**Dr. Lorie Fridell**, Associate Professor of Criminology at the University of South Florida, is an expert in biased policing, police use of force, racial profiling and violence against police.

Fridell served as the Director of Research at the Police Executive Research Forum (PERF) and consulted with a number of agencies including the LAPD, the Institute on Race and Justice and Rand Inc. Fridell is recognized for her work on 'fair and impartial policing' and the development of fair and impartial policing curriculums.

**Chuck Wexler** is Executive Director of the Police Executive Research Forum (PERF), he leads a staff engaged in policing research, management studies and consulting for police agencies, publication of books and reports on critical issues in policing, police executive education, and policy development.

**David M.** Kennedy is a professor of criminal justice at John Jay College of Criminal Justice in New York City and the director of the National Network for Safe Communities at John Jay.

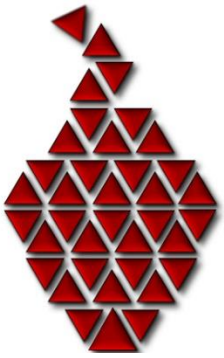
**Farhang Heydari Executive Director of** The Policing Project at the New York University School of Law which is a dynamic, growing organization dedicated to bringing democratic accountability to policing. They work with communities and police departments across the country to ensure that police department policies and practices are transparent, efficacious, and adopted with public input.

**DPC Mention-Lewis** is a member of National Network for Safe Communities since 2008 and is a Founding member of NYU Brennan Center's National Collective of Law Enforcement Leaders to Reduce Incarceration and Crime

# Discussion



Frank Baumgartner…



FINN

The John F. Finn Institute
for Public Safety, Inc.

# Traffic Stops by Suffolk County Police

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September, 2020

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The John F. Finn Institute for Public Safety, Inc., is an independent, not-for-profit and non-partisan corporation, whose work is dedicated to the development of criminal justice strategies, programs, and practices that are effective, lawful, and procedurally fair, through the application of social science findings and methods. The Institute conducts social research on matters of public safety and security – crime, public disorder, and the management of criminal justice agencies and partnerships – in collaboration with municipal, county, state, and federal criminal justice agencies, and for their direct benefit. The findings of the Institute's research are also disseminated through other media to criminal justice professionals, academicians, elected public officials, and other interested parties, so that those findings may contribute to a broader body of knowledge about criminal justice and to the practical application of those findings in other settings.

The Finn Institute was established in 2007, building on a set of collaborative projects and relationships with criminal justice agencies dating to 1998. The first of those projects, for which we partnered with the Albany Police Department (APD), was initiated by John Finn, who was at that time the sergeant who commanded the APD's Juvenile Unit. Later promoted to lieutenant and assigned to the department's Administrative Services Bureau, he spearheaded efforts to implement problem-oriented policing, and to develop an institutional capability for analysis that would support problem-solving. The APD's capacity for applying social science methods and results thereupon expanded exponentially, based on Lt. Finn's appreciation for the value of research, his keen aptitude for analysis, and his vision of policing, which entailed the formulation of proactive, data-driven, and – as needed – unconventional strategies to address problems of public safety. Lt. Finn was fatally shot in the line of duty in 2003. The Institute that bears his name honors his life and career by fostering the more effective use of research and analysis within criminal justice agencies, just as Lt. Finn did in the APD.

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## Introduction

In 2014, the Suffolk County Police Department (SCPD) entered into an agreement with the U.S. Department of Justice, which required that SCPD collect and analyze data on traffic stops. SCPD contracted with the Institute to conduct analysis of racial and ethnic disparities in traffic stops and post-stop outcomes. In this report, we summarize the findings of our analyses.

We first describe and assess the data on traffic stops on which the analyses are based. Then we summarize selected features of the traffic stops, including the SCPD units that made the stops, the reasons for stops, the temporal distributions of the stops (i.e., across days of the week and times of the day), and the characteristics of the drivers whose vehicles are stopped. We thereupon turn to the question of bias and the analytical challenges in drawing inferences about bias from stop data, as well as how those challenges have been addressed in previous studies of racial profiling. The findings concerning bias in the initial stop decisions by SCPD officers are then presented. We next consider various post-stop outcomes, first summarizing selected features of post-stop outcomes, then reviewing previous studies of post-stop outcomes and the analytical approaches that they have employed in an effort to detect bias, and finally, summarizing our findings concerning post-stop outcomes in SCPD stops.

## Traffic Stop Data Collection and Data Quality

SCPD's effort to put into place a traffic stop data collection system, including the information technology infrastructure and the process for supervisory review to ensure that the data are complete, has been an implementation odyssey. In 2015, a "computer glitch" prevented users from identifying incomplete entries into the then-existing system, resulting in 7,748 incomplete records and a judgment that the data were of insufficient reliability for assessing stop patterns for bias.[1] This problem was largely resolved in 2016, but the scope of data collection was judged to be "inadequate to allow for the needed assessments of SCPD's enforcement practices."[2] SCPD determined that it would develop its own system, rather than rely on a system developed by an outside vendor, which was expected to be operational in early 2017.[3] The launch was delayed until August of 2017, when SCPD quickly discovered problems that prompted it to discontinue use that same day. A revamped infrastructure for data entry was tested in

[1] U.S. Department of Justice, *Compliance Status Assessment Report*, December 14, 2015, pp. 12-14.
[2] U.S. Department of Justice, *Third Report Assessing Settlement Agreement Compliance by Suffolk County Police Department*, April 18, 2016, pp. 7-8.
[3] U.S. Department of Justice, *Fourth Report Assessing Settlement Agreement Compliance by Suffolk County Police Department*, January 19, 2017, pp. 6-7.

January of 2018.[4] Finally, in late-2019, USDOJ raised a concern that the traffic stop data posted to the SCPD's website lacked data on the locations of traffic stops.[5]

SCPD provided to the Institute data on traffic stops conducted between March 5, 2018, and March 4, 2019.[6] The data file includes records on the driver and passengers (as applicable) in each stop.[7] Information on the date, time, and location of the stop are recorded, as well as the reason for the stop and the duration of the stop (recorded in terms of duration categories). Information on individual drivers and passengers include their sex, race/ethnicity, and (approximate) age.

The stop data are with a few exceptions complete. None of the records was missing data on the race/ethnicity, sex, or age of occupants, nor were any missing the information on disposition (e.g., ticket, warning). We found 86 records (of 146,320, or less than one-tenth of one percent) that were missing data on the duration of the stop, the count of tickets, and the use of force; all 86 involved stops conducted in March, 2018, the first month of data collection, including 60 by Highway Patrol units, 13 by precinct patrol, and 13 by precinct crime units. For three stops, no result for a vehicle search was entered; all three stops took place on March 6-7, the second and third days of data collection. For 48 stops, the data included records on two drivers. However, the make, model, and year of the vehicle were missing for all but a tiny fraction of the stops.

The location of stops proved to be an elusive datum. By SCPD policy, stop data are to be entered into a mobile data computer (MDC) or, if an MDC is unavailable, on a Traffic Stop Data Collection Worksheet for later entry.[8] It appears that collection through an MDC at the time of the stop locates the stop in terms of latitude and longitude, but later collection captures the latitude and longitude of the location at which the data are entered.[9] The location field is not completed in a standardized fashion that allows for later geo-coding.

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[4] U.S. Department of Justice, *Sixth Report Assessing Settlement Agreement Compliance by Suffolk County Police Department*, March 13, 2018, pp. 6-7.

[5] U.S. Department of Justice, *Eighth Report Assessing Settlement Agreement Compliance by Suffolk County Police Department*, December 18, 2019, pp. 6-7.

[6] The contract for this work, which specified a term ending December 31, 2019, was signed by the Institute's representative on April 23, 2019. The data file on traffic stops was delivered by SCPD on April 30, 2019. Work on the analysis commenced at that time, but work was suspended on September 9, 2019, when we learned that the contract had not been executed by Suffolk County. The contract for work during calendar 2019 was executed on February 14, 2020, and the amendment to extend the contract through calendar 2020 was executed on June 8, 2020.

[7] We note that one field in the data file, named 'IsValid,' identifies 178 records as not valid, and these records were removed for all analysis.

[8] Department General Order (DGO) 18-14, Traffic Stop Data Collection.

[9] The latitude and longitude information on 11,728 stops placed them at one of 19 locations, which included SCPD headquarters (4,442), other SCPD facilities (5,792), a fire department facility (524), and the Town of Huntington City Hall (61).

The field for SCPD sector appeared to be a largely but not completely reliable indicator of location, even at a level of geographic precision adequate for our analytic purposes. The sector field was empty for 22,609 stops. Some values for sectors (e.g., COPE2, CSU7) do not appear on an SCPD sector map. Most stops by highway patrol units included the unit number as the sector value, but for the analysis of post-stop outcomes, we needed to put stops in the context of the precinct sectors, for which data on crime were available. Consequently, we derived sector information as needed from the entered sector value, latitude and longitude, and the boundaries of highway patrol sectors, to form 39 blocks of contiguous sectors (4 to 7 per precinct), in order to minimize error in locating the stops.[10]

## Patterns of Traffic Stops in Suffolk County

As we show below, more than 90 percent of the traffic stops by SCPD officers are effected by officers assigned to precinct patrol sections, precinct crime sections, or the Highway Patrol Bureau. We briefly describe these organizational units.

SCPD's patrols are organized into seven precincts. Four precincts each serve a township: Babylon, Huntington, Islip, and Smithtown are served by the first through fourth precincts, respectively. Brookhaven Town spans precincts five through seven. In addition to patrol units that engage in generalized patrol, each precinct has a precinct crime section, which "… is responsible for investigating most misdemeanor and violation offenses along with Domestic Incident complaints that occur within the confines of the precinct."[11] We note that the racial and ethnic composition of Suffolk County's towns varies, with the largest concentration of people of color in Islip and Babylon. See Table 1, below. (Precincts are shown in brackets. "Other" races include Asian, other Pacific Islander, American Indian, and multi-racial.)

The Highway Patrol Bureau encompasses several sections:[12]

- The Highway Enforcement Section patrols the Long Island Expressway (I-495) and the limited access portions of Sunrise Highway (Route 27) contained within the Police District.
- The Motorcycle Section is responsible for selective enforcement of Vehicle and Traffic Laws.

[10] Contiguous sector blocks were formed by analyzing the cross-tabulations between the given sector and the mapped sector using GPS coordinates. High frequency pairings in the two sector variables, as well as municipal and geographic boundaries, were taken into consideration in order to produce blocks with minimal practical differences between sectors within blocks. All blocks lie within a single SCPD precinct. See Appendix A for a list of sector blocks and constituent sectors.

[11] The quoted passage appears on each precinct's web page, e.g., https://suffolkpd.org/Precincts/FirstPrecinct.aspx.

[12] This information is drawn from https://suffolkpd.org/SpecializedUnits/HighwayPatrolBureau.aspx.

- The Motor Carrier Safety Section enforces federal, state and local laws concerning commercial motor vehicles.
- The Selective Alcohol Fatality Enforcement Team (SAFE-T) enforces laws prohibiting driving while intoxicated.
- The Suffolk Intensified Traffic Enforcement (SITE) section conducts targeted enforcement in the high-speed corridors with high concentrations of fatalities, crashes, and aggressive drivers, and in other locations as designated by the Office of the Chief of Patrol or requested by precincts.

Table 1. Suffolk County Town and Precinct Populations: Racial/Ethnic Composition

| | Population | % Non-Hispanic White | % Black | % Hispanic | % Other |
|---|---|---|---|---|---|
| Suffolk County | 1,481,093 | 67.2 | 8.7 | 19.8 | 4.3 |
| Babylon [1] | 210,363 | 56.2 | 16.9 | 21.7 | 5.2 |
| Huntington [2] | 201,456 | 76.0 | 4.0 | 12.8 | 7.2 |
| Islip [3] | 330,914 | 55.0 | 10.5 | 31.3 | 3.2 |
| Smithtown [4] | 116,384 | 87.1 | 1.3 | 5.9 | 5.7 |
| Brookhaven [5-7] | 482,536 | 72.5 | 5.9 | 15.6 | 6.0 |

https://www.census.gov/quickfacts/fact/table/suffolkcountynewyork/PST045218

Two-thirds of the traffic stops are made by officers assigned to either precinct patrol or the precinct crime section, one-quarter by highway patrol units, and the remainder by other specialized units (see Table 2b). The seven different precincts' units are for the most part equally active in making traffic stops (see Table 2a), as stops are only somewhat lower in the fourth precinct and slightly higher in the sixth.

Tables 2a and 2b. Stop Frequencies by Precinct and Unit Type

| 2a. Precinct | Stops |
|---|---|
| 1 | 12,522 (9.42%) |
| 2 | 15,202 (11.44%) |
| 3 | 15,315 (11.52%) |
| 4 | 6,623 (4.98%) |
| 5 | 10,957 (8.24%) |
| 6 | 17,471 (13.15%) |
| 7 | 12,142 (9.14%) |
| Total | 90,232 (67.89%) |

| 2b. Unit type | Stops |
|---|---|
| Precinct patrol section | 75,267 (56.63%) |
| Precinct crime section | 13,772 (10.36%) |
| Highway patrol | 33,721 (25.37%) |
| Other | 10,146 (7.63%) |
| Total | 132,906 |

*Reasons for Stops*

The recorded reasons for stops vary across types of units (see Table 3). Slightly more than two-thirds of the stops by highway patrol units are for speeding or other moving violations. About one-fifth of the stops by precinct patrol units are for speeding or other moving violations; more than one-quarter are for equipment violations, and more than one-fifth for any of a variety of non-moving vehicle and traffic law violations. Very small fractions of stops by any of the types of units are for reasonable suspicion.[13]

Table 3. Reasons for Stops by Unit Type

| | Unit Type | | | |
|---|---|---|---|---|
| Reason | Patrol %s | Crime %s | Highway %s | Other %s |
| Speeding | 7.00 | 14.28 | 39.71 | 63.92 |
| Red Light | 2.69 | 1.94 | 0.41 | 0.49 |
| Stop Sign | 18.78 | 14.36 | 1.71 | 1.81 |
| Other Moving Violation | 13.95 | 14.18 | 30.18 | 15.19 |
| Equipment Violation | 27.15 | 17.77 | 4.88 | 5.79 |
| Seatbelt | 2.25 | 3.96 | 2.90 | 0.45 |
| Cell Phone | 4.29 | 8.95 | 8.65 | 3.29 |
| Other V&T Law | 22.48 | 22.58 | 11.28 | 8.69 |
| BOLO | 0.12 | 0.13 | 0.04 | 0.06 |
| Reasonable Suspicion | 1.27 | 1.84 | 0.24 | 0.31 |
| Total | 75,267 | 13,772 | 33,721 | 10,146 |

We see only some minor differences across precincts in the reasons for stops (see Table 4, below). One-fifth to one-third are for equipment violations, one-fifth to one-quarter for other vehicle and traffic law violations, and 5 to 10 percent for speeding.

*Drivers Stopped*

Table 5 summarizes information on the characteristics of drivers stopped by the different types of SCPD units. More than half of the drivers stopped by SCPD – 50 to 60 percent by each type of unit – are White. Hispanic drivers constitute slightly less than 20 to 25 percent of those stopped, and Black drivers represent slightly less than 20 percent of stopped drivers; each group is a smaller proportion of drivers stopped by highway patrol and a larger proportion of those stopped by precinct patrol. Overall, Black and Hispanic drivers are overrepresented relative to their shares of the Suffolk County population, while White drivers are underrepresented.

[13] SCPD also provided data on activations of license plate readers (LPRs), which appear to account at least partially for some of the stops. We have not yet had an opportunity to complete an analysis of LPR data.

Table 4. Reasons for Stops by Precinct.

| | Precinct | | | | | | |
|---|---|---|---|---|---|---|---|
| Reason | 1 %s | 2 %s | 3 %s | 4 %s | 5 %s | 6 %s | 7 %s |
| Speeding | 8.59 | 8.19 | 5.29 | 6.73 | 7.38 | 8.94 | 11.61 |
| Red Light | 2.89 | 3.37 | 2.10 | 2.78 | 2.89 | 2.40 | 1.73 |
| Stop Sign | 17.72 | 18.56 | 15.17 | 22.26 | 14.78 | 22.13 | 16.14 |
| Other Moving Violation | 15.19 | 16.26 | 10.70 | 17.42 | 13.08 | 14.6 | 12.40 |
| Equipment Violation | 26.14 | 27.45 | 32.48 | 21.82 | 23.98 | 19.16 | 28.10 |
| Seatbelt | 2.84 | 1.25 | 4.68 | 1.62 | 3.51 | 1.67 | 1.89 |
| Cell Phone | 2.77 | 5.56 | 4.72 | 4.92 | 9.16 | 4.97 | 3.13 |
| Other V&T Law | 21.35 | 18.47 | 22.62 | 21.58 | 23.92 | 25.12 | 23.60 |
| BOLO | 0.17 | 0.07 | 0.16 | 0.09 | 0.12 | 0.09 | 0.18 |
| Reasonable Suspicion | 2.35 | 0.82 | 2.09 | 0.79 | 1.18 | 0.92 | 1.20 |
| Total | 12,522 | 15,202 | 15,315 | 6,623 | 10,957 | 17,471 | 12,142 |

Table 5. Driver Characteristics by Unit Type

| | Unit Type | | | | |
|---|---|---|---|---|---|
| Race/ethnicity | Patrol %s | Crime %s | Highway %s | Other %s | All %s |
| White | 49.94 | 50.70 | 61.63 | 55.27 | 53.39 |
| Black | 19.63 | 18.98 | 13.17 | 17.93 | 17.80 |
| Hispanic | 24.65 | 24.46 | 17.98 | 20.37 | 22.61 |
| Asian | 2.00 | 1.62 | 2.68 | 2.81 | 2.19 |
| Other | 3.78 | 4.23 | 4.54 | 3.62 | 4.01 |
| Total | 75,267 | 13,772 | 33,721 | 10,146 | 132,906 |
| Age | | | | | |
| Under 16 | 0.09 | 0.11 | 0.04 | 0.13 | 0.08 |
| 16 to 25 | 26.71 | 25.49 | 18.44 | 25.42 | 24.38 |
| 26 to 35 | 29.09 | 30.70 | 28.63 | 31.12 | 29.30 |
| 36 to 45 | 19.57 | 20.32 | 22.07 | 19.89 | 20.31 |
| 46 to 55 | 14.99 | 14.66 | 18.39 | 14.65 | 15.79 |
| 56 to 65 | 7.40 | 7.16 | 9.16 | 6.93 | 7.79 |
| Over 65 | 2.15 | 1.57 | 3.27 | 1.87 | 2.35 |
| Total | 75,267 | 13,772 | 33,721 | 10,146 | 132,906 |
| Sex | | | | | |
| Male | 67.12 | 65.74 | 69.00 | 73.30 | 67.80 |
| Female | 32.88 | 34.26 | 31.00 | 26.70 | 32.20 |
| Total | 75,267 | 13,772 | 33,721 | 10,146 | 132,906 |

Three-quarters of the drivers stopped are 16 to 45 years of age, though those stopped by highway patrol units tend to be older than those stopped by precinct units. Two-thirds of those stopped are men.

As expected, given the differences in the residential populations of the precincts, we see some variation in the racial/ethnic composition of the stopped population across precincts. A much larger proportion of drivers stopped in the third precinct are Hispanic, and a larger proportion of drivers stopped in the first precinct are Black. See Table 6.

Table 6. Driver Race/Ethnicity by Precinct

| | Precinct | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Race/ethnicity | 1 %s | 2 %s | 3 %s | 4 %s | 5 %s | 6 %s | 7 %s | All %s |
| White | 36.57 | 51.02 | 23.89 | 61.09 | 60.6 | 63.67 | 59.62 | 49.92 |
| Black | 35.94 | 15.77 | 21.82 | 11.20 | 15.97 | 13.44 | 21.30 | 19.58 |
| Hispanic | 21.94 | 25.09 | 50.41 | 20.01 | 19.65 | 15.29 | 15.48 | 24.72 |
| Asian | 1.46 | 3.12 | 1.04 | 2.99 | 1.28 | 2.50 | 1.24 | 1.93 |
| Other | 4.10 | 5.01 | 2.84 | 4.71 | 2.50 | 5.11 | 2.36 | 3.85 |
| Total | 12,522 | 15,202 | 15,315 | 6,623 | 10,957 | 17,471 | 12,142 | 90,232 |

Black and Hispanic drivers are more likely than White drivers are to be stopped for equipment violations, while White drivers are more likely to be stopped for speeding. See Table 7.

Table 7. Reasons for Stops by Driver Race/Ethnicity

| | Driver Race/Ethnicity | | | | |
|---|---|---|---|---|---|
| Reason | White %s | Black %s | Hispanic %s | Asian %s | Other %s |
| Speeding | 23.18 | 17.31 | 15.58 | 27.24 | 20.48 |
| Red Light | 1.92 | 1.45 | 2.05 | 2.20 | 1.76 |
| Stop Sign | 13.89 | 9.95 | 11.68 | 17.15 | 12.39 |
| Other Moving Violation | 18.16 | 17.82 | 17.56 | 21.72 | 21.92 |
| Equipment Violation | 15.26 | 24.03 | 24.22 | 13.93 | 17.27 |
| Seatbelt | 2.31 | 2.66 | 2.99 | 0.89 | 1.39 |
| Cell Phone | 6.98 | 3.48 | 5.13 | 4.43 | 5.09 |
| Other V&T Law | 17.46 | 21.44 | 19.63 | 12.14 | 18.77 |
| BOLO | 0.09 | 0.18 | 0.07 | 0.07 | 0.06 |
| Reasonable Suspicion | 0.76 | 1.69 | 1.09 | 0.24 | 0.88 |
| Total | 70,961 | 23,651 | 30,051 | 2,915 | 5,328 |

The racial/ethnic composition of stopped drivers varies hardly at all across days of the week (see Table 8), and very little by time of day (see Table 9, below).

Table 8. Driver Race/Ethnicity by Day of Week

| | Day of Week | | | | | | |
|---|---|---|---|---|---|---|---|
| Race/ethnicity | Mon | Tues | Wed | Thurs | Fri | Sat | Sun |
| White | 53.53 | 54.18 | 51.26 | 54.14 | 53.96 | 54.48 | 50.92 |
| Black | 17.94 | 17.69 | 18.67 | 17.32 | 17.65 | 17.24 | 18.54 |
| Hispanic | 22.17 | 21.86 | 24.02 | 22.28 | 22.14 | 22.21 | 24.47 |
| Asian | 2.18 | 2.33 | 2.30 | 2.19 | 2.27 | 2.09 | 2.02 |
| Other | 4.18 | 3.95 | 3.75 | 4.07 | 3.99 | 3.98 | 4.05 |
| Total | 18,823 | 20,837 | 22,035 | 21,658 | 20,067 | 16,040 | 13,446 |

Table 9. Driver Race/Ethnicity by Time of Day

| | Time of Day | | | | | |
|---|---|---|---|---|---|---|
| Race/ethnicity | 07:00-11:59 | 12:00-15:59 | 16:00-17:59 | 18:00-21:59 | 22:00-02:59 | 03:00-06:59 |
| White | 55.22 | 54.32 | 54.15 | 52.43 | 49.90 | 54.10 |
| Black | 16.91 | 17.65 | 16.29 | 18.18 | 20.49 | 15.73 |
| Hispanic | 21.90 | 22.11 | 23.97 | 22.78 | 22.50 | 24.64 |
| Asian | 2.18 | 1.95 | 1.90 | 2.46 | 2.48 | 2.04 |
| Other | 3.78 | 3.97 | 3.68 | 4.16 | 4.63 | 3.49 |
| Total | 38,015 | 23,748 | 19,825 | 19,586 | 26,200 | 5,532 |

## Bias in Traffic Stops

Long before the phrase "racial profiling" came into widespread use in the 1990s, social scientists had extensively analyzed patterns of behavior by police and other criminal justice actors for evidence of racial bias. For example, a substantial volume of empirical evidence has accumulated on the extent to which police arrest decisions and uses of force are influenced by the race of suspected offenders.[14] With the attention directed toward the application of drug courier profiles in highway traffic enforcement in the 1990s, and the ensuing nation-wide concern with racial disparities in traffic and other stops, countless analyses have been conducted to assess the use of racial profiling by state and local police agencies. Some studies have been federally supported and scientifically rigorous.[15] Some analyses have been conducted in connection with litigation. Many inquiries have been undertaken at the behest of individual municipalities, and they exhibit a wide range of methodological sophistication.

A key feature of the better analyses of racial profiling is the recognition of the distinction between racial disparity and racial bias, and the implications of this

[14] For an authoritative summary, see National Research Council, *Fairness and Effectiveness in Policing*, especially pp. 122-126.

[15] See, for example, William R. Smith, Donald Tomaskovic-Devey, Matthew T. Zingraff, H. Marcinda Mason, Patricia Y. Warren, and Cynthia Pfaff Wright, *The North Carolina Highway Traffic Study*, Report to the National Institute of Justice (Raleigh: North Carolina State University, 2003).

distinction for analytical strategies. Disparities can arise for a host of reasons, including especially differences in the prevalence or frequency of criminal offending; race and ethnicity in 21st century America are associated with social and economic factors that yield differential patterns of many behaviors. As the National Academies of Sciences, Engineering, and Mathematics (NASEM) Committee on Proactive Policing observed:

> … if non-White people are more likely to commit criminal offenses, racial disparities in police-citizen interactions are likely to occur. Earlier reviews of the empirical literature did indeed document relatively higher offending rates among Black people in the United States (Sampson and Lauritsen, 1997; Tonry, 1995), rates that were likely influenced by a range of factors known to increase crime, including differences in income, education, social networks, discrimination, neighborhood characteristics, and many others. More recently, O'Flaherty (2015, Chapter 11) reviewed empirical trends from homicide statistics and victimization surveys, which revealed a higher offending rate among Black people for homicide and robbery. Hence, a proactive effort to combat robbery may generate a racial disparity in arrest rates to the extent that members of one group commit this offense at a higher rate than the comparison group.[16]

In such an environment, even bias-free enforcement could lead to racial or ethnic disparities. Thus it is necessary in analyzing patterns of enforcement to hold constant the factors that legitimately shape enforcement decisions, such as the seriousness of the offense and the strength of the evidence of wrong-doing (with respect to arrest decisions) or the resistance offered by a citizen (with respect to the use of force).

Detecting *bias* – and not merely disparities – in police officers' decisions to stop motorists or pedestrians is particularly difficult, posing analytical challenges that are not confronted in many studies of arrest or the use of force. Direct comparisons can be drawn between those who are arrested and those who are not when trained observers accompany patrol officers on sampled tours of duty and record information about the suspected offenders whom police encounter, only some of whom are arrested.. If the data collection protocol is a sound one that captures the legal factors that are known to be potentially relevant, then statistical controls can be applied in the analysis of the data to better isolate the effects of race from those of other factors with which race might be correlated. The logic of the analytical strategy is this: legal factors that properly influence discretionary choices represent a "prescriptive ideal" for officers' behavior, and so long as the data allow us to statistically control for these legal factors in an analysis of behavior, we can estimate the influence of non-legal (or "extra-legal") factors as deviations from that ideal.[17] The hypothetical conditions under which only legal factors affect police behavior form a benchmark, which can be statistically approximated. This

[16] National Academies of Sciences, Engineering, and Medicine, *Proactive Policing: Effects on Crime and Communities* (Washington, DC: The National Academies Press, 2017), p. 7-19.

[17] Thomas J. Bernard and Robin Shepard Engel, "Criminal Justice Theory," *Justice Quarterly* 18 (2001): 1-30.

kind of analysis is feasible because it allows, for instance, the analyst to describe the pool of suspected offenders from among whom the arrestees are drawn by police, and analyze the features of the incidents in which police and suspects interact.

The ideal benchmark in analyses of vehicle or pedestrian stops would likewise represent the prescriptive ideal, deviations from which are interpreted as improper influences on police decisions to stop. Such a benchmark would describe the population whose behavior would form legitimate grounds for a stop: violations of the law or actions that otherwise arouse reasonable, articulable suspicion. Let us call it the violator population for convenience, recognizing that it encompasses not only violators but also people whose behavior meets a constitutionally acceptable standard for police intervention.

When police are mandated to record information about the people whom they stop, analysts can describe the composition of the stopped population: their race and ethnicity, sex, and age. But analysts cannot so readily describe the population of people whom officers could legitimately stop but did not stop, and therefore cannot analyze stops in the way that arrests are analyzed to statistically remove the effects of legal factors. This is the commonly described "benchmark" or "denominator" problem in analyses of racial profiling. Neither the data that reside in police records systems nor data that could be collected economically can provide a direct measure of the violator population, so we have to rely on approximations. Some such approximations are more credible and valid on their face than others.

It would be difficult to overstate the importance of valid, credible benchmarks in analyzing data on police stops for evidence of racial bias. A host of factors other than racial bias – some organizational, such as the allocation of patrol resources across police beats, and some individual – may affect the number of stops conducted by police and their distribution across social space. Any analysis that purports to estimate the magnitude of the effect of citizens' race or ethnicity on police enforcement actions – including the initial decision to stop – must credibly control for factors that would legitimately affect those actions and that are likely to be associated with race/ethnicity. The omission of such controls is liable to produce inflated estimates of the effect of race/ethnicity and erroneous inferences about the role of bias in police enforcement.

Many attempts have been made to form benchmarks that approximate the racial and ethnic composition of the violator population. The simplest and easiest approach to this problem is to compare those who are stopped to the residential population of the surrounding jurisdiction. This approach suffers from many shortcomings, however, which are likely to lead to erroneous inferences about bias. Motorists in any jurisdiction at any time may be non-resident commuters or shoppers, for example. Conversely, some of a jurisdiction's residents may not drive or, if they do, not drive very often. The residential population tends to diverge a great deal from the actual population

potentially exposed to stops by police.[18] Tillyer, Engel and Wooldredge observe that "While there is some consensus in the research community that residential census populations are the least reliable of the benchmarks available, there is no such consensus regarding the validity of other techniques."[19]

Other approaches attempt to take better account of the driving population or, more specifically, the violator population. Alpert, Dunham, and Smith used information on not-at-fault drivers in two-vehicle crashes to estimate the racial composition of the driving population.[20] This approach requires a corollary assumption that drivers of different races and ethnicities are equally likely to violate traffic laws or otherwise attract the legitimate suspicion of police. John Lamberth conducted "rolling surveys" that tabulated the race of drivers who exceeded the speed limit by at least 5 miles per hour on the New Jersey turnpike; nearly all drivers were, by that standard, violators.[21] The utility of rolling surveys, applying a low threshold for speeding violations, is called into question by the findings of James Lange and his colleagues, who found that Blacks were overrepresented among the drivers exceeding the speed limit by at least 15 miles per hour. In their study, the composition of the stopped population closely resembled the population of these more serious violators.[22]

### *Veil-of-Darkness Benchmark*

The "veil-of-darkness" method, devised by Jeffrey Grogger and Greg Ridgeway, is an innovative and feasible approach to forming a benchmark for analyses of vehicle stops.[23] The basic idea is to use changes in natural lighting to establish a benchmark, on the assumption that after dark, police officers suffer a degraded ability to detect motorists' race. The pattern of stops during darkness represents the presumptively more race-neutral benchmark against which the pattern of stops during daytime can be compared. It is not necessary to suppose that police cannot ascertain drivers' race at all

[18] Geoffrey Alpert, Michael Smith, and Roger Dunham, "Toward a Better Benchmark: Assessing the Utility of Not-at-Fault Traffic Crash Data in Racial Profiling Research," *Justice Research and Policy* 6 (2004): 43-70. Greg Ridgeway and John MacDonald, "Methods for Assessing Racially Biased Policing," in Stephen K. Rice and Michael D. White (eds), Race, Ethnicity, and Policing: New and Essential Readings (New York: NYU Press, 2010). Robin Engel, Michael Smith, and Frank Cullen, "Race, Place, and Drug Enforcement," *Criminology & Public Policy* 11 (2012): 603-635.

[19] Rob Tillyer, Robin S. Engel, and John Wooldredge, "The Intersection of Racial Profiling and the Law," *Journal of Criminal Justice* 36 (2008): 138-53, p. 143.

[20] See Geoffrey P. Alpert, Roger G. Dunham, and Michael R. Smith, "Investigating Racial Profiling by the Miami-Dade Police Department: A Multimethod Approach," *Criminology & Public Policy* 6 (2007): 22–55.

[21] John Lamberth, *A Report to the ACLU* (New York: American Civil Liberties Union, 1996).

[22] James E. Lange, Mark B. Johnson, and Robert B. Voas, "Testing the Racial Profiling Hypothesis for Seemingly Disparate Traffic Stops on the New Jersey Turnpike," *Justice Quarterly* 22 (2005): 193-223.

[23] Jeffrey Grogger and Greg Ridgeway, "Testing for Racial Profiling in Traffic Stops from Behind a Veil of Darkness," *Journal of the American Statistical Association* 101 (2006): 878-887.

without natural lighting, nor is it necessary to assume that police can in every case determine drivers' race in daylight; it is necessary only to presume that officers are less able to detect the race of the motorists whom they stop in darkness than in daylight.

The analysis turns on the estimated likelihood that a Black person would be stopped, relative to that of others, in daylight rather than darkness. A binary daylight variable is included in a regression model that also controls for factors that are likely associated with the composition of the driving population at any given time – time of day or season of the year. The analysis that the veil-of-darkness method prescribes is limited to stops that occur "near the boundary of daylight and darkness," in what has been called the "inter-twilight" period. This limitation is imposed to ensure that differences in officers' decisions to stop are not confounded with changes in the composition of the driving (and violator) population across the hours of the day. To better ensure that the results are not affected by seasonal variation in the driving population, the analysis may be confined to the periods – typically 30 days – immediately before and after the annual switches to/from daylight savings time (DST).

The coefficient associated with the binary daylight/darkness variable is of primary interest, and for ease of interpretation the coefficient is converted to a more intuitively interpretable odds ratio or relative risk ratio. A ratio of 1.0 represents even odds or risk of a Black person being stopped in daylight or darkness: no difference between daylight and darkness in the estimated likelihood that a Black person would be stopped, other things being equal, and thus no evidence of bias in stops. A ratio of 1.0 also represents the "null hypothesis" of no difference. The proposition that police are biased against Blacks in their stops would be confirmed with evidence that the odds or risk of a Black person being stopped in daylight is greater than the odds or risk of a Black person being stopped in darkness – that is, a ratio greater than 1.0. By the logic of null hypothesis significance testing, we estimate the 95 percent confidence interval around the point estimate of the risk ratio, and we reject the null hypothesis of no difference (i.e., no bias) when the lower end of the confidence interval is greater than 1.0. Then we may say that the difference is "statistically significant" – that is, a difference of such magnitude that it is likely to occur by chance less than one in twenty times.[24]

To our knowledge, the veil-of-darkness method has been applied in analyses of stops in nine cities: Oakland, California; Cincinnati, Ohio; Minneapolis, Minnesota; Syracuse, New York; San Diego, California; Milwaukee, Wisconsin; and four North Carolina cities – Durham, Raleigh, Greensboro, and Fayetteville.[25] It has also been used

[24] The same logic is applied when different analytic strategies are applied and the statistic in question is a regression coefficient: we reject the null hypothesis of no bias when the statistic is sufficiently reliable that we can say with confidence that it is different from zero. Then we can appropriately consider the magnitude of the estimated effect or difference.

[25] On Oakland, see Oakland Police Department, *Cooperative Strategies to Reduce Racial Profiling: A Technical Guide* (Santa Monica, Cal.: RAND Corporation, 2004), pp. 40-43; and Grogger and Ridgeway,

to analyze stop patterns across the state of Connecticut.[26] One recent study applied the veil-of-darkness method in analyzing approximately 95 million traffic stops recorded by 21 state patrol agencies and 35 municipal police departments between 2011 and 2018.[27] Some analyses have produced evidence that is consistent with a pattern of bias, while other analyses have not, suggesting that the method differentiates between disparity due to bias and disparity attributable only to other forces.

Ritter and Bael found substantively and statistically significant differences in the probabilities with which Blacks and Latinos were stopped by Minneapolis police in daylight rather than darkness, and the differences were uniformly consistent with the racial profiling proposition.[28] Ross and his colleagues found in some Connecticut cities that minority drivers were more likely to be stopped in daylight.[29] Pierson, et al. found evidence suggesting bias in the 56 agencies whose stops they analyzed.[30] The analysis of stops by Durham (NC) police revealed that Blacks were 12 percent more likely to be stopped during daylight.[31]

Other studies have failed to detect bias. The Oakland Police Department found that Blacks were somewhat *less* likely to be stopped during the day, contrary to the pattern that would be observed if officers engaged in racial profiling.[32] Analyzing the

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"Testing for Racial Profiling in Traffic Stops from Behind a Veil of Darkness." On Cincinnati, see Greg Ridgeway, *Cincinnati Police Department Traffic Stops: Applying RAND's Framework to Analyze Racial Disparities* (Santa Monica, CA: RAND Corporation, 2009). On Minneapolis, see Joseph A. Ritter and David Bael, "Detecting Racial Profiling in Minneapolis Traffic Stops: A New Approach," *CURA Reporter* (2009): 11-17. On Syracuse, see Robert E. Worden, Sarah J. McLean and Andrew P. Wheeler, "Testing for Racial Profiling with the Veil-of-Darkness Method," *Police Quarterly* 15 (2012): 92-111. On San Diego, see Joshua Chanin, Megan Welsh, Dana Nurge, and Stuart Henry, *Traffic Enforcement in San Diego, California: An Analysis of SDPD Vehicle Stops in 2014 and 2015* (San Diego State University, 2016). On the North Carolina cities, see four studies, all by Travis Taniguchi, Josh Hendrix, Brian Aagaard, Kevin Strom, Alison Levin-Rector, and Stephanie Zimmer: *Exploring Racial Disproportionality in Traffic Stops Conducted by the Durham Police Department*; *A Test of Racial Disproportionality in Traffic Stops Conducted by the Fayetteville Police Department*; *A Test of Racial Disproportionality in Traffic Stops Conducted by the Greensboro Police Department; A Test of Racial Disproportionality in Traffic Stops Conducted by the Raleigh Police Department (*Research Triangle Park, NC: RTI International).

[26] Matthew B. Ross, James Fazzalaro, Ken Barone, and Jesse Kalinoski, *State of Connecticut Traffic Stop Data Analysis and Findings, 2014-15* (Central Connecticut State University, 2016).

[27] Emma Pierson, Camelia Simoiu, Jan Overgoor, Sam Corbett-Davies, Daniel Jenson, Amy Shoemaker, Vignesh Ramachandran, Phoebe Barghouty, Cheryl Phillips, Ravi Shroff, and Sharad Goel, 2020. "A Large-Scale Analysis of Racial Disparities in Police Stops across the United States," *Nature Human Behavior* 4: 736-745.

[28] Ritter and Bael, "Detecting Racial Profiling in Minneapolis Traffic Stops: A New Approach."

[29] Ross, et al., *State of Connecticut Traffic Stop Data Analysis and Findings, 2014-15*.

[30] Pierson, et al., "A Large-Scale Analysis of Racial Disparities in Police Stops across the United States."

[31] Taniguchi, et al., *Exploring Racial Disproportionality in Traffic Stops Conducted by the Durham Police Department*.

[32] Oakland Police Department, *Cooperative Strategies to Reduce Racial Profiling*.

same Oakland data, Grogger and Ridgeway likewise found no evidence of racial bias.[33] None of Ridgeway's analyses yielded evidence of racial profiling in Cincinnati.[34] Analyses of stops by Syracuse police yielded results consistent with the conclusion that Syracuse police have not exhibited racial bias in making vehicle stops.[35] In three of the four North Carolina cities scrutinized by Taniguchi and his colleagues, no evidence of bias was reported.[36] Findings in San Diego were mixed: some analyses detected evidence of bias in 2014 but not in 2015, and other analyses yielded no evidence of bias.[37] A veil-of-darkness analysis of vehicle stops by the Milwaukee police was conducted by a team of consultants operating under the auspices of the erstwhile Collaborative Reform Initiative of the Office of Community Oriented Policing Services (COPS).[38] They reportedly analyzed vehicle stops in 2013-2015, focusing on the subset of stops conducted thirty days before and after the DST switches. Their results did not support the rejection of the null hypothesis of no bias: the lower bound of the confidence intervals around the point estimate of the odds ratio was below 1.0 each year and for all three years combined.

*Critiques*

The veil-of-darkness method is not without potential drawbacks; no benchmark is perfect. One critique concerns the extent to which artificial lighting reduces the difference between daylight and darkness in the visibility of drivers' characteristics.[39] Another critique is based on the hypothesis that minority drivers adapt their driving behavior during daylight to reduce their susceptibility to being stopped.[40]

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[33] Grogger and Ridgeway, "Testing for Racial Profiling in Traffic Stops from Behind a Veil of Darkness."
[34] Ridgeway, *Cincinnati Police Department Traffic Stops*.
[35] Worden, et al., "Testing for Racial Profiling with the Veil-of-Darkness Method."
[36] Taniguchi, et al., *A Test of Racial Disproportionality in Traffic Stops Conducted by the Fayetteville Police Department*; *A Test of Racial Disproportionality in Traffic Stops Conducted by the Greensboro Police Department; A Test of Racial Disproportionality in Traffic Stops Conducted by the Raleigh Police Department*.
[37] Chanin, *et al.*, *Traffic Enforcement in San Diego, California*.
[38] *Collaborative Reform Initiative Milwaukee Police Department Assessment Report*. A draft of the report was made available to the public by the *Milwaukee Journal-Sentinel*: Ashley Luthern, "Community Leaders Push for Action on Milwaukee Police Reform Recommendations," October 24, 2017, https://graphics.jsonline.com/jsi_news/documents/doj_draftmpdreport.pdf.
[39] William C. Horrace and Shawn M. Rohlin, 2016. "How Dark is Dark? Bright Lights, Big City, Racial Profiling," *Review of Economics and Statistics* 98: 226-232.
[40] Jesse Kalinowski, Stephen L. Ross, and Matthew B. Ross, 2017. "Endogenous Driving Behavior in Veil of Darkness Test for Racial Profiling." Working Paper, Human Capital and Economic Opportunity Global Working Group, University of Chicago. Michael R. Smith, Robert Tillyer, Caleb Lloyd, and Matt Petrocelli, 2019. "Benchmarking Disparities in Police Stops: A Comparative Application of 2nd and 3rd Generation Techniques," *Justice Quarterly* (advance online publication).

Notwithstanding these critiques, we believe that the veil-of-darkness test of bias in vehicle stops is the best (and most economical) benchmark available.[41] Neil and Winship recently completed a review of the methodological challenges in detecting racial discrimination, and among their recommendations, they counsel "exploiting exogeneity" (such as changes in daylight), which they illustrate with the veil-of-darkness method.[42]

## Analysis of Traffic Stops in Suffolk County

In order to execute the veil-of-darkness analysis of SCPD traffic stops, we first established the temporal boundaries of the inter-twilight period. The earliest and latest times of civil twilight, defined as when the sun reaches 6° below the horizon, are not the same across the expanse of Suffolk County, however.[43] Thus these times of day were identified for each of seven different zones, separated by longitude.[44] The earliest time, on December 6, 2018, in the easternmost part of the SCPD police district, was 4:54 p.m., and the latest time, on June 28, 2018, in the westernmost part of the police district, was 9:04 p.m. We also note that the spring switch to daylight savings time occurred on March 11, 2018, and the fall switch from daylight savings was on November 4, 2018.

First we describe the features of traffic stops in the inter-twilight period, noting the respects in which they differ from the larger population of stops, as they were summarized above. Then we present the results of the veil-of-darkness analyses.

### *Patterns of Inter-Twilight Stops*

Stops in the inter-twilight period were made disproportionately by precinct patrol units, which accounted for more than 80 percent of the inter-twilight stops. Precinct crime sections were responsible for a small fraction of stops at these times of day, and

[41] Smith, et al. report that, in San Jose, citation rates varied by driver race and, among Blacks, across hours of the day, consistent with the hypothesis that Blacks adjusted their driving during the day to reduce their susceptibility to being stopped. See "Benchmarking Disparities in Police Stops," p. 13. In Suffolk County, citation rates by race and time of day do not exhibit such variation.

[42] Roland Neil and Christopher Winship, "Methodological Challenges and Opportunities in Testing for Racial Discrimination," *Annual Review of Criminology* 2 (2019): 73–98.

[43] Civil twilight times were obtained using the R package "suncalc." A test to assess the accuracy of the times provided by "suncalc" was conducted by comparing them to civil twilight times obtained from the National Oceanic and Atmospheric Administration (NOAA) for Riverhead, NY (40.916667, -72.666667) in 2018. The mean absolute difference in times was 1.3 minutes, which is largely attributable to the fact that NOAA times are rounded to the minute, while "suncalc" provides times including seconds. Benoit Thieurmel and Achraf Elmarhraoui (2019). suncalc: Compute Sun Position, Sunlight Phases, Moon Position and Lunar Phase. R package version 0.5.0. https://CRAN.R-project.org/package=suncalc.

[44] The seven zones were marked by the following longitudes: 71.97, 72.2582, 72.5462, 72.8343, 73.1224, 73.4105.

highway patrol units accounted for about one in seven stops (though they accounted for one in four across all hours of the day). See Table 10b, below. The distribution of inter-twilight stops across precincts was quite similar to that for all stops: highest in precincts 2, 3, and 6, and lowest in the fourth precinct.

Table 10a-10b. Stop Frequencies by Precinct and Unit Type: Inter-twilight Period

| 10a. Precinct | Stops |
|---|---|
| 1 | 2,424 (15.37%) |
| 2 | 2,606 (16.52%) |
| 3 | 2,225 (14.1%) |
| 4 | 960 (6.09%) |
| 5 | 1,435 (9.1%) |
| 6 | 2,064 (13.08%) |
| 7 | 1,839 (11.66%) |
| Total | 13,553 (85.91%) |

| 10b. Unit type | Stops | |
|---|---|---|
| Precinct patrol section | 13,033 | 82.61% |
| Precinct crime section | 320 | 2.03% |
| Highway patrol | 2,223 | 14.09% |
| Other | 200 | 1.27% |
| Total | 15,776 | |

The reasons for inter-twilight stops by precinct patrol units were, in the aggregate, very similar to precinct patrol stops overall. The small number of inter-twilight stops by precinct crime units were disproportionately for speeding and stop sign violations. Fewer inter-twilight stops by highway patrol units were for speeding. See Table 11.

Table 11. Reasons for Stops by Unit Type: Inter-twilight Period

| | Unit Type | | | |
|---|---|---|---|---|
| Reason | Patrol | Crime | Highway | Other |
| Speeding | 4.63% | 31.56% | 24.61% | 11.00% |
| Red Light | 2.29 | 0.31 | 0.81 | 1.50 |
| Stop Sign | 20.71 | 22.81 | 6.25 | 23.00 |
| Other Moving Violation | 13.95 | 10.00 | 34.68 | 20.50 |
| Equipment Violation | 26.83 | 13.75 | 6.12 | 19.00 |
| Seatbelt | 2.11 | 1.56 | 6.79 | 3.50 |
| Cell Phone | 4.01 | 3.75 | 11.11 | 5.50 |
| Other V&T Law | 23.83 | 13.44 | 9.63 | 14.00 |
| BOLO | 0.1 | NA | NA | NA |
| Reasonable Suspicion | 1.53 | 2.81 | NA | 2.00 |
| Total | 13,033 | 320 | 2,223 | 200 |

The racial/ethnic composition of drivers stopped in the inter-twilight period is, overall, comparable to that of the population of drivers stopped (see the rightmost column of Table 12, below, compared to Table 5, on page 6). Proportionately fewer Whites were stopped by precinct crime section units in the inter-twilight period, and

proportionately more Hispanics were stopped by highway patrol units. Precinct by precinct, the racial/ethnic composition of drivers stopped in the inter-twilight period parallels the composition of all drivers stopped at any time of day (compare Table 13 to Table 6, on page 7).

Table 12. Driver Race/Ethnicity by Unit Type: Inter-twilight Period

| | Unit Type | | | | |
|---|---|---|---|---|---|
| Race/ethnicity | Patrol | Crime | Highway | Other | All |
| White | 50.95% | 42.81% | 59.6% | 57.5% | 52.09% |
| Black | 18.71 | 23.12 | 12.01 | 11.50 | 17.77 |
| Hispanic | 24.74 | 25.62 | 22.22 | 25.00 | 24.40 |
| Asian | 2.15 | 4.69 | 2.11 | 1.50 | 2.19 |
| Other | 3.45 | 3.75 | 4.05 | 4.50 | 3.56 |
| Total | 13,033 | 320 | 2,223 | 200 | 15,776 |

Table 13. Driver Race/Ethnicity by Precinct: Inter-twilight Period

| | Precinct | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Race/ethnicity | 1 | 2 | 3 | 4 | 5 | 6 | 7 | All |
| White | 37.95% | 51.61% | 26.7% | 65.42% | 60.49% | 64.87% | 65.14% | 50.85% |
| Black | 34.65 | 14.35 | 21.03 | 8.54 | 14.63 | 12.21 | 16.86 | 18.71 |
| Hispanic | 21.66 | 25.25 | 49.08 | 18.75 | 21.81 | 15.6 | 14.46 | 24.76 |
| Asian | 1.65 | 3.72 | 0.99 | 3.44 | 1.46 | 3.05 | 1.2 | 2.2 |
| Other | 4.08 | 5.07 | 2.2 | 3.85 | 1.6 | 4.26 | 2.34 | 3.48 |
| Total | 2,424 | 2,606 | 2,225 | 960 | 1,435 | 2,064 | 1,839 | 13,553 |

Speeding was a less prevalent reason for inter-twilight stops across all categories of driver race/ethnicity, with correspondingly more stops for stop sign and equipment violations. See Table 14, below.

Driver race/ethnicity by day of week in the inter-twilight period was similar to that overall, but that in the inter-twilight period, proportionately fewer White drivers were stopped on weekend days. See Table 15, below.

Table 14. Reasons for Stops by Driver Race/Ethnicity: Inter-twilight Period

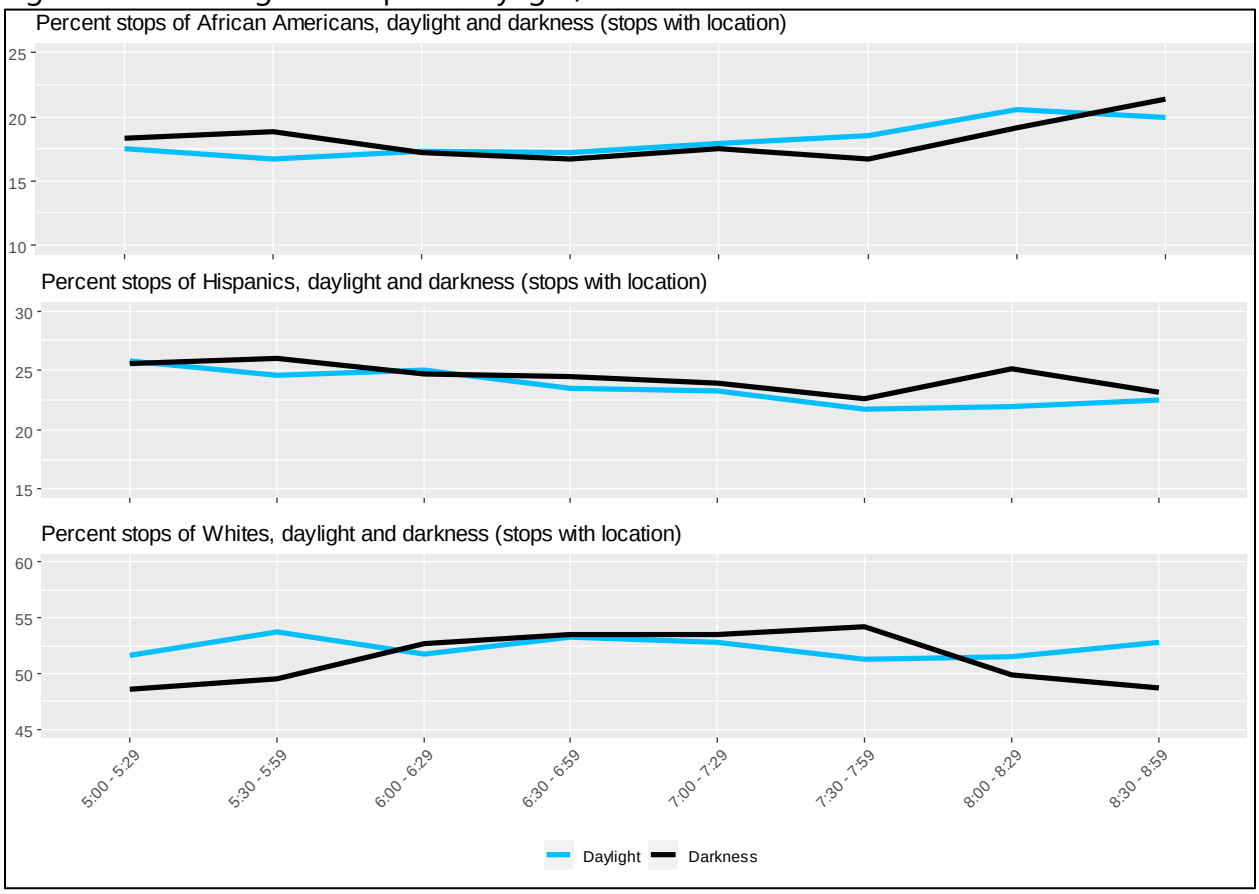
| | Driver Race/Ethnicity | | | | |
|---|---|---|---|---|---|
| Reason | White | Black | Hispanic | Asian | Other |
| Speeding | 9.24% | 5.67% | 7.17% | 8.99% | 8.56% |
| Red Light | 2.25 | 1.46 | 1.82 | 4.06 | 1.96 |
| Stop Sign | 21.76 | 13.31 | 15.61 | 27.54 | 17.83 |
| Other Moving Violation | 16.34 | 17.09 | 17.35 | 19.71 | 18.54 |
| Equipment Violation | 19.78 | 29.43 | 27.71 | 19.42 | 23.35 |
| Seatbelt | 2.40 | 2.93 | 3.66 | 1.16 | 2.50 |
| Cell Phone | 5.84 | 3.57 | 4.65 | 3.48 | 3.92 |
| Other V&T Law | 21.43 | 24.12 | 20.23 | 15.07 | 21.93 |
| BOLO | 0.10 | 0.11 | 0.03 | NA | 0.18 |
| Reasonable Suspicion | 0.86 | 2.32 | 1.77 | 0.58 | 1.25 |
| Total | 8,217 | 2,803 | 3,850 | 345 | 561 |

Table 15. Driver Race/Ethnicity by Day of Week: Inter-twilight Period

| | Day of Week | | | | | | |
|---|---|---|---|---|---|---|---|
| Race/ethnicity | Mon | Tues | Wed | Thurs | Fri | Sat | Sun |
| White | 54.22% | 54.99% | 52.81% | 52.35% | 52.25% | 48.55% | 47.41% |
| Black | 17.59 | 16.28 | 17.96 | 16.48 | 17.67 | 18.75 | 20.64 |
| Hispanic | 22.67 | 23.39 | 23.62 | 25.63 | 23.59 | 26.9 | 25.89 |
| Asian | 1.97 | 1.6 | 2.43 | 2.37 | 2.65 | 2.01 | 2.33 |
| Other | 3.55 | 3.74 | 3.18 | 3.16 | 3.84 | 3.78 | 3.73 |
| Total | 2,536 | 2,433 | 2,388 | 2,403 | 2,264 | 2,037 | 1,715 |

Overall, the proportions of stops that Black, Hispanic, and White drivers constituted, respectively, did not vary much across daylight and darkness in each block of time in the inter-twilight period (see Figure 1).

Figure 1: Percentage of Stops in Daylight/Darkness




*Veil-of-Darkness Findings*

Statistical analysis was done using multinomial logistic regression with a trichotomous outcome denoting driver race: Black, Hispanic, or – the reference category – non-Hispanic White. (Some models include Asian and "other" in the reference category, and for others, the reference category is restricted to non-Hispanic Whites.) Multinomial logistic regression uses maximum likelihood estimation to evaluate the probability of category membership based on a set of predictor variables. In this case, a binary indicator for daylight is the predictor of interest. A relative risk ratio (RRR) significantly greater than 1.0 would indicate that people of color are more likely to be stopped during daylight, while an RRR significantly greater less than 1.0 would indicate that people of color are less likely to be stopped during daylight. P values (in parentheses) represent the probability that the RRR value differs from 1.0 by chance; by convention, values that exceed 0.05 are regarded as too high to reject the null hypothesis of no difference – i.e., no bias. Covariates in the regression models include time of day, day of week, month, and precinct.

Results are shown in Table 16. None of the models support an inference of bias in stops against either Black drivers or Hispanic drivers; most of the odds ratios are very near 1.0, and all of the confidence intervals around the estimated odds ratios include 1.0, such that none of the estimated coefficients is statistically significant. Considering all stops (model 1), the estimated RRRs indicate that Black and Hispanic drivers are slightly less likely to be stopped in daylight, though the difference is well within a margin of error. When the reference category includes only non-Hispanic Whites (model 2), the RRRs indicate no difference in the likelihood that Black and Hispanic drivers are stopped in daylight. When the same two models are estimated only for stops within 30 days of the switches to and from daylight savings time (models 3 and 4), to more stringently control for seasonal variation, once again there is no evidence to support the hypothesis of biased stops.

Table 16. Veil-of-Darkness Results

| **Model** | **Description** | **$RRR_{Black}$ (p)** | **$RRR_{Hispanic}$ (p)** |
|---|---|---|---|
| Model 1 | All Stops | 0.973 (0.750) | 0.990 (0.893) |
| Model 2 | All Stops; B, H, W only | 0.985 (0.857) | 1.001 (0.992) |
| Model 3 | All Stops; +/- 30 days DST | 0.979 (0.836) | 1.090 (0.363) |
| Model 4 | All Stops; +/- 30 days DST; B, H, W only | 0.984 (0.876) | 1.087 (0.385) |
| Model 5 | Non-highway stops | 0.957 (0.625) | 1.015 (0.864) |
| Model 6 | Non-highway stops; B, H, W only | 0.977 (0.797) | 1.034 (0.690) |
| Model 7 | Non-highway stops; +/- 30 days DST | 0.973 (0.550) | 1.087 (0.408) |
| Model 8 | Non-highway stops; +/- 30 days DST; B, H, W only | 0.953 (0.663) | 1.097 (0.367) |
| Model 9 | Highway stops | 1.154 (0.618) | 0.810 (0.365) |
| Model 10 | Highway stops; B, H, W only | 1.108 (0.723) | 0.793 (0.327) |
| Model 11 | Highway stops; +/- 30 days DST | 1.425 (0.363) | 1.144 (0.670) |
| Model 12 | Highway stops; +/- 30 days DST; B, H, W only | 1.370 (0.427) | 1.073 (0.827) |

Models 5 through 8 in Table 16 replicate models 1 through 4, respectively, focusing on only non-highway stops (i.e., stops by units other than highway patrol), and models 9 through 12 focus on only highway stops. In only one of these models do we see evidence supporting an inference of bias. The RRRs for Hispanic drivers in highway stops across the entire year reach or approach 1.3, but even these values are well within the 95 percent confidence interval around the estimates.

The results of the veil-of-darkness analyses all lead to the same conclusion that in making the initial stop, Suffolk County police display no systematic bias against either Blacks or Hispanics. Though Black and Hispanic drivers are overrepresented in traffic stops relative to their proportions of the County population, we surmise that the disparities are attributable to factors other than race/ethnicity.

## Patterns of Post-Stop Outcomes in Suffolk County

Beyond the initial stop, disparities in a range of post-stop enforcement actions can be analyzed. The SCPD traffic stop data capture information on a number of discrete actions, including: searches of vehicles and of individual drivers and passengers; commands to vehicle occupants to exit the vehicle and where they are placed when they do so; the use of restraints and physical force; the duration of the stops; and the dispositions of the stops (e.g., tickets, arrests, or warnings).

We first describe simple patterns in the post-stop outcomes. We then discuss how previous research has addressed the analytical challenges of isolating potential bias from data on disparities in these outcomes, and thereupon present our analyses of post-stop outcomes in Suffolk County.

### *Searches*

Searches of either persons or vehicles are conducted in a small fraction – about 3 percent – of SCPD traffic stops. In the modal case of either type of search, both types – of one or more occupants and the vehicle – are conducted, but we analyze them separately. Precinct crime section units are the most likely to conduct a search; 6 percent of their stops involve a search of a vehicle, and 7 percent involve a search of a person (see Table 17b). Either type of search is performed by precinct patrol units in under 4 percent of their stops, while highway patrol units and other types of units rarely conducted searches. Among the stops by precinct units, stops in the first precinct were the most likely to involve a search, followed by stops in the third precinct (see Table 17a).

Table 17a and 17b. Search Frequencies by Precinct and Unit Type

| 17a. Precinct | Vehicle searches | Person searches |
|---|---|---|
| 1 | 12.39% | 11.84% |
| 2 | 2.07 | 2.2 |
| 3 | 5.92 | 5.6 |
| 4 | 1.18 | 1.57 |
| 5 | 3.17 | 3.99 |
| 6 | 1.21 | 1.49 |
| 7 | 1.98 | 2.38 |
| Total % | 4.04% | 4.17% |
| Stops N | 3,649 | 3,766 |
| Total N | 90,232 | 90,232 |

| 17b. Unit type | Vehicle searches | Person searches |
|---|---|---|
| Precinct patrol section | 3.64% | 3.71% |
| Precinct crime section | 6.22 | 6.64 |
| Highway patrol | 0.14 | 0.55 |
| Other | 0.72 | 1.26 |
| Total % | 2.8% | 3.01% |
| Stops N | 3,718 | 4,004 |
| Total N | 132,906 | 132,906 |

Black and Hispanic drivers were more likely to be subject to either type of search than White, Asian, or drivers of other races; see Table 18. A similar pattern holds for searches of passengers in cars whose drivers were Black or Hispanic. Less than one tenth of the vehicles stopped contained occupants other than the driver. Stops with passengers were more likely to result in a passenger search than stops of unaccompanied drivers were to result in a search of the driver.

Table 18. Search Frequencies by Driver Race/Ethnicity

| | Driver Race/Ethnicity | | | | | |
|---|---|---|---|---|---|---|
| | White | Black | Hispanic | Asian | Other | All |
| Stops (n) | 70,961 | 23,651 | 30,051 | 2,915 | 5,328 | 132,906 |
| Vehicle searched (%) | 1.83% | 6% | 2.99% | 0.79% | 1.46% | 2.8% |
| Driver searched (%) | 2.04% | 6.11% | 3.4% | 1.2% | 1.35% | 3.02% |
| Stops with passengers (n) | 4,597 (6.48%) | 2,245 (9,49%) | 2,745 (9.13%) | 286 (9.81%) | 408 (7.66%) | 10,281 (7.74%) |
| Passenger searched (%) | 7.9% | 15.95% | 9.33% | 4.2% | 4.66% | 9.8% |

Focusing on vehicle searches, the most commonly recorded reason for the search was probable cause for illicit drugs, identified in two-thirds or more of the vehicle searches conducted by precinct patrol and precinct crime units, 40 percent of vehicle searches by highway patrol units, and 60 percent of those by other units. See Table 19.

Table 19. Reasons for Vehicle Search by Unit Type

| | Unit Type | | | |
|---|---|---|---|---|
| Reason | Patrol | Crime | Highway | Other |
| Prob. cause – drugs | 66.03% | 70.83% | 40.43% | 60.27% |
| Prob. cause – other | 10.65 | 8.75 | 42.55 | 16.44 |
| Plain view | 11.24 | 10.04 | 6.38 | 8.22 |
| Consent | 12.08 | 10.39 | 10.64 | 15.07 |
| Total | 2,741 | 857 | 47 | 73 |

The reasons for vehicle searches varied only somewhat across precincts, in all of which probable cause for drugs was the recorded reason in more than half and as much as 70 percent (see Table 20). Plain view searches were most common in the first and third precincts, while consent searches were least common in the third precinct.

Table 20. Reasons for Vehicle Search by Precinct

| | Precinct | | | | | | |
|---|---|---|---|---|---|---|---|
| Reason | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| Prob. cause – drugs | 70.02% | 69.75% | 67.59% | 65.38% | 58.79% | 66.04% | 58.75% |
| Prob. cause – other | 6.19 | 6.37 | 14.33 | 15.38 | 15.27 | 12.74 | 14.17 |
| Plain view | 12.51 | 6.69 | 12.13 | 6.41 | 9.8 | 5.19 | 9.17 |
| Consent | 11.28 | 17.2 | 5.95 | 12.82 | 16.14 | 16.04 | 17.92 |
| Total | 1,551 | 314 | 907 | 78 | 347 | 212 | 240 |

Consent searches, which are normally considered the most discretionary of searches, were more commonly conducted of vehicles driven by White drivers (see Table 21). The data do not allow us to determine whether officers were more likely to request consent from White drivers, if White drivers were more likely to grant consent, or both.

Table 21. Reasons for Vehicle Search by Driver Race/Ethnicity

| | Driver Race/Ethnicity | | | | |
|---|---|---|---|---|---|
| Reason | White | Black | Hispanic | Asian | Other |
| Prob. cause – drugs | 60.55% | 70.63% | 68.97% | 82.61% | 66.67% |
| Prob. cause – other | 9.94 | 9.86 | 13.24 | 13.04 | 10.26 |
| Plain view | 12.25 | 10.14 | 9.34 | 4.35 | 19.23 |
| Consent | 17.26 | 9.37 | 8.45 | -- | 3.85 |
| Total | 1,298 | 1,420 | 899 | 23 | 78 |

Vehicle searches by precinct crime units were the most successful in terms of recovering contraband, as nearly 70 percent led to the recovery of drugs, weapons, or other items (see Table 22). Precinct patrol and other units were successful in this sense in somewhat more than half of their vehicle searches, while the small number of searches by highway patrol units were the least successful. Searches in which contraband was found most commonly featured drugs.

Table 22. Vehicle Search Outcome by Unit Type

| | Unit Type | | | |
|---|---|---|---|---|
| Search Outcome | Patrol | Crime | Highway | Other |
| None | 46.7% | 30.26% | 65.96% | 43.84% |
| Drugs | 49.65 | 64.49 | 27.66 | 50.68 |
| Weapon | 0.91 | 0.7 | -- | 2.74 |
| Other | 2.74 | 4.56 | 6.38 | 2.74 |
| Total | 2,739 | 856 | 47 | 73 |

Searches of White drivers' vehicles were more successful than those of Black or Hispanic drivers (see Table 23), which is to say that overall, searches of Black and Hispanic drivers' vehicles were more likely to yield no contraband. We will consider what, if any, inference can be drawn from this pattern in the next section.

Table 23. Vehicle Search Outcome by Driver Race/Ethnicity

| | Driver Race/Ethnicity | | | | |
|---|---|---|---|---|---|
| Search Outcome | White | Black | Hispanic | Asian | Other |
| None | 39.94% | 46.33% | 43.94% | 43.48% | 26.92% |
| Drugs | 55.2 | 49.93 | 52.61 | 56.52 | 66.67 |
| Weapon | 0.85 | 1.2 | 0.33 | -- | 2.56 |
| Other | 4.01 | 2.54 | 3.11 | -- | 3.85 |
| Total | 1,297 | 1,418 | 899 | 23 | 78 |

Considering searches of individual drivers, precinct patrol and precinct crime units exhibited comparable distributions of reasons, with about 40 percent based on probable cause, slightly more than one-quarter incident to arrest, and less than 10 percent for each of plain view and consent searches (see Table 24). Highway patrol and other units were most likely to conduct searches incident to arrest, and correspondingly less likely to conduct searches based on probable cause. Searches incident to arrest normally are regarded as non-discretionary.

Table 24. Reasons for Driver Search by Unit Type

| | Unit Type | | | |
|---|---|---|---|---|
| Reason | Patrol | Crime | Highway | Other |
| Protective frisk | 17.84% | 9.08% | 4.3% | 11.72% |
| Prob. cause | 38.4 | 44.64 | 20.43 | 24.22 |
| Plain view | 7.88 | 9.3 | 1.08 | 1.56 |
| Consent | 8.52 | 7.99 | 2.69 | 6.25 |
| Incident to Arrest | 27.36 | 28.99 | 71.51 | 56.25 |
| Total | 2,792 | 914 | 186 | 128 |

Reasons for searches of drivers varied across precincts (see Table 25). Frisks were most common in the fourth precinct and least common in the third and fifth precincts (though presumably frisks might have preceded other types of searches, which became the reason of record). Searches incident to arrest represented nearly half of the searches in the fifth precinct and about one-third in the fourth and sixth precincts.

Probable cause searches represented 38 to nearly 50 percent of the searches of drivers in all but the fourth and fifth precincts.

Table 25. Reasons for Driver Search by Precinct

| | Precinct | | | | | | |
|---|---|---|---|---|---|---|---|
| Reason | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| Protective frisk | 23.13% | 20.06% | 7.69% | 31.73% | 7.32% | 10.73% | 6.23% |
| Prob. cause | 37.9 | 41.92 | 48.95 | 26.92 | 27.46 | 40.23 | 46.02 |
| Plain view | 10.72 | 5.09 | 9.09 | 2.88 | 5.26 | 2.3 | 7.27 |
| Consent | 7.42 | 12.57 | 5.94 | 6.73 | 10.76 | 9.2 | 13.15 |
| Incident to Arrest | 20.84 | 20.36 | 28.32 | 31.73 | 49.2 | 37.55 | 27.34 |
| Total | 1,483 | 334 | 858 | 104 | 437 | 261 | 289 |

The reasons for searches of drivers do not vary much across drivers' race/ethnicity, particularly if we set aside the small numbers of searches of Asian or "other" race drivers. A somewhat greater proportion of White drivers were searched with their consent, and correspondingly fewer subject to a probable cause search.

Table 26. Reasons for Driver Search by Driver Race/Ethnicity

| | Driver Race/Ethnicity | | | | |
|---|---|---|---|---|---|
| Reason | White | Black | Hispanic | Asian | Other |
| Protective frisk | 14.72% | 15.65% | 14.19% | 31.43% | 12.5% |
| Prob. cause | 32.34 | 43.56 | 40.02 | 34.29 | 43.06 |
| Plain view | 8.15 | 8.38 | 6.16 | 2.86 | 8.33 |
| Consent | 11.26 | 6.51 | 6.36 | 2.86 | 1.39 |
| Incident to Arrest | 33.52 | 25.9 | 33.27 | 28.57 | 34.72 |
| Total | 1,447 | 1,444 | 1,022 | 35 | 72 |

As with vehicle searches, precinct crime units' searches of drivers were the most successful in recovering contraband. Precinct patrol units were somewhat less successful than precinct crime units (though a somewhat larger fraction of their searches were frisks, which of course have more limited scope).

Table 27. Driver Search Outcome by Unit Type

| | Unit Type | | | |
|---|---|---|---|---|
| Search Outcome | Patrol | Crime | Highway | Other |
| Nothing | 67.08% | 48.36% | 89.78% | 81.25% |
| Weapon | 0.93 | 1.42 | 1.08 | 0.78 |
| Contraband | 28.69 | 42.23 | 6.45 | 15.62 |
| Other | 3.76 | 8.75 | 2.69 | 2.34 |
| Total | 2,792 | 914 | 186 | 128 |

The success of searches of drivers does not vary much across drivers of different race/ethnicity (see Table 28).

Table 28. Driver Search Outcome by Driver Race/Ethnicity

| | Unit Type | | | | |
|---|---|---|---|---|---|
| Search Outcome | White | Black | Hispanic | Asian | Other |
| Nothing | 63.44% | 64.2% | 66.14% | 77.14% | 52.78% |
| Weapon | 1.17 | 1.18 | 0.78 | 0 | 0 |
| Contraband | 31.1 | 30.26 | 29.45 | 22.86 | 31.94 |
| Other | 4.91 | 4.78 | 4.11 | 0 | 15.28 |
| Total | 1,447 | 1,444 | 1,022 | 35 | 72 |

Considering searches of individual passengers, as with searches of drivers, precinct patrol and precinct crime units exhibited comparable distributions of reasons, with 40 to 50 percent based on probable cause (see Table 29); precinct crime units were somewhat more likely to conduct searches incident to arrest and correspondingly less likely to conduct only a frisk. Highway patrol and other units rarely searched passengers.

Table 29. Reasons for Passenger Search by Unit Type

| | Unit Type | | | |
|---|---|---|---|---|
| Reason | Patrol | Crime | Highway | Other |
| Protective frisk | 27.1% | 17.82% | 45.45% | 20% |
| Probable cause | 43.06 | 48.51 | 27.27 | 53.33 |
| Plain view | 8.09 | 7.92 | 9.09 | -- |
| Consent | 7.87 | 6.93 | 9.09 | 13.33 |
| Incident to Arrest | 13.88 | 18.81 | 9.09 | 13.33 |
| Total | 915 | 303 | 11 | 15 |

Reasons for searches of passengers vary somewhat across precincts (see Table 30, below), though the numbers of passengers searched in several of the precincts are small enough that caution should be exercised in characterizing patterns.

Table 30. Reasons for Passenger Search by Precinct

| | Precinct | | | | | | |
|---|---|---|---|---|---|---|---|
| Reason | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| Protective frisk | 29.58% | 41.49% | 14.75% | 50% | 19.59% | 19.05% | 8.14% |
| Probable cause | 41.01 | 29.79 | 63.11 | 28.57 | 34.02 | 46.43 | 45.35 |
| Plain view | 11.44 | 3.19 | 3.69 | 7.14 | 6.19 | 2.38 | 8.14 |
| Consent | 4.08 | 18.09 | 3.69 | -- | 15.46 | 17.86 | 15.12 |
| Incident to Arrest | 13.89 | 7.45 | 14.75 | 14.29 | 24.74 | 14.29 | 23.26 |
| Total | 612 | 94 | 244 | 14 | 97 | 84 | 86 |

Reasons for searches of passengers differ somewhat across passengers of different race/ethnicity, as White passengers were most likely to be searched incident to arrest and to consent to a search, while probable cause searches were more likely to be conducted of Hispanic passengers. See Table 31.

Table 31. Reasons for Passenger Search by Passenger Race/Ethnicity

| | Passenger Race/Ethnicity | | | | |
|---|---|---|---|---|---|
| Reason | White | Black | Hispanic | Asian | Other |
| Protective frisk | 21.13% | 27.4% | 24.75% | 25% | 23.08% |
| Probable cause | 39.15 | 44.5 | 50.17 | 37.5 | 53.85 |
| Plain view | 8.45 | 7.5 | 7.8 | 25 | 7.69 |
| Consent | 11.27 | 5.76 | 7.46 | NA | 7.69 |
| Incident to Arrest | 20 | 14.83 | 9.83 | 12.5 | 7.69 |
| Total | 355 | 573 | 295 | 8 | 13 |

Searches of passengers by precinct crime units tend to be more successful than those by precinct patrol units (see Table 32), though more than half of those by precinct crime units have negative results.

Table 32. Passenger Search Outcome by Unit Type

| | Unit Type | | | |
|---|---|---|---|---|
| Search Outcome | Patrol | Crime | Highway | Other |
| Nothing | 67.32% | 55.78% | 81.82% | 53.33% |
| Weapon | 1.53 | 1.32 | 0 | 0 |
| Contraband | 29.18 | 37.95 | 18.18 | 46.67 |
| Other | 2.4 | 7.26 | 0 | 0 |
| Total | 915 | 303 | 11 | 15 |

The outcomes of searches of passengers do not vary much by passengers' race/ethnicity, as 62 to 67 percent of the searches of White, Black, and Hispanic passengers yielded no contraband (see Table 33).

Table 33. Passenger Search Outcome by Passenger Race/Ethnicity

| | Unit Type | | | | |
|---|---|---|---|---|---|
| Search Outcome | White | Black | Hispanic | Asian | Other |
| Nothing | 62.25% | 67.02% | 63.39% | 50% | 46.15% |
| Weapon | 1.13 | 2.09 | 0.68 | 0 | 0 |
| Contraband | 35.49 | 27.05 | 33.56 | 50 | 53.85 |
| Other | 2.25 | 4.71 | 3.05 | 0 | 0 |
| Total | 355 | 573 | 295 | 8 | 13 |

*Commands to Exit the Vehicle*

Drivers are seldom ordered to leave their vehicles; passengers are more likely to be told to exit the vehicle. Across the stops by any of the SCPD units, 4 percent of drivers and 12 percent of passengers were ordered out of the car (see Table 34b). Precinct crime units were the most likely to do so, followed by precinct patrol units. Among the stops in the precincts, commands to drivers and passengers to leave their vehicles were (like searches) most prevalent among stops in the first precinct, followed by stops in the third precinct (see Table 34a).

Tables 34a and 34b. Commands to Exit Vehicle (yes/no) by Precinct and Unit Type

| 34a. Precinct | Drivers | Passengers |
|---|---|---|
| 1 | 13.46% | 47.38% |
| 2 | 2.72 | 10.02 |
| 3 | 6.88 | 34.45 |
| 4 | 2.48 | 4.04 |
| 5 | 4.89 | 15.16 |
| 6 | 2.28 | 9.59 |
| 7 | 2.96 | 11.32 |
| Total % | 5.11% | 21.86% |
| Total N | 90,232 | 7,195 |

| 34b. Unit type | Drivers | Passengers |
|---|---|---|
| Precinct patrol section | 4.68% | 20.95% |
| Precinct crime section | 7.41 | 26.37 |
| Highway patrol | 1.71 | 0.59 |
| Other | 2.27 | 1.94 |
| Total % | 4.02% | 12.01% |
| Total N | 132,906 | 13,379 |

Once removed from the vehicle, Black drivers are more likely than those of other races/ethnicities to be placed in the back of the police unit (see Table 35), and Black passengers are more likely than those of other races/ethnicities to be placed in the unit

(see Table 36). Hispanic drivers and passengers are more likely than White drivers and passengers, respectively, to be placed in the back of the unit.

Table 35. Commands to Exit Vehicle (placement) by Driver Race/Ethnicity

| | Driver Race/Ethnicity | | | | |
|---|---|---|---|---|---|
| Reason (driver) | White | Black | Hispanic | Asian | Other |
| *Back of Unit* | 45.54% | 55.67% | 49.93% | 41.3% | 51.43% |
| *Side of Road* | 54.46 | 44.33 | 51.02 | 58.7 | 48.57 |
| Total | 2,075 | 1,755 | 1,368 | 46 | 105 |

Table 36. Commands to Exit Vehicle (placement) by Passenger Race/Ethnicity

| | Passenger Race/Ethnicity | | | | |
|---|---|---|---|---|---|
| Reason (Passenger) | White | Black | Hispanic | Asian | Other |
| *Back of Unit* | 39.22% | 48.53% | 46.12% | 41.67% | 15.79% |
| *Side of Road* | 60.78 | 51.47 | 53.88 | 58.33 | 84.21 |
| Total | 464 | 713 | 399 | 12 | 19 |

*Restraints*

Neither drivers nor passengers tend to be restrained by police in Suffolk County: less than 2 percent of drivers and 3.5 percent of passengers are restrained (see Table 37b). Precinct crime units were the most likely to do so, followed by precinct patrol units. Among the stops in the precincts, the restraint of drivers and passengers was (like searches and commands to exit the vehicle) most prevalent among stops in the first precinct, followed by stops in the third precinct (see Table 37a).

Tables 37a and 37b. Restrained by Precinct and Unit Type

| 37a. Precinct | Drivers | Passengers |
|---|---|---|
| 1 | 5.56% | 16.58% |
| 2 | 0.89 | 2.2 |
| 3 | 2.36 | 6.33 |
| 4 | 1.09 | 1.58 |
| 5 | 2.32 | 4.1 |
| 6 | 0.79 | 3 |
| 7 | 1.24 | 3.63 |
| Total % | 2% | 6.39% |
| Total N | 90,232 | 7,195 |

| 37b. Unit type | Drivers | Passengers |
|---|---|---|
| Precinct patrol section | 1.81% | 5.78% |
| Precinct crime section | 3.06 | 9.06 |
| Highway patrol | 0.6 | 0.16 |
| Other | 0.74 | 0.58 |
| Total % | 1.55% | 3.5% |
| Total N | 132,906 | 13,379 |

Black drivers and passengers are more than twice as likely to be restrained than White drivers and passengers, respectively (see Table 38). Hispanic drivers were

somewhat more likely than White drivers to be restrained, and Hispanic passengers less likely.

Table 38. Restrained by Driver Race/Ethnicity

| Race | Drivers | Passengers |
|---|---|---|
| White | 1.16% | 3.01% |
| Black | 2.93 | 6.72 |
| Hispanic | 1.62 | 2.04 |
| Asian | 0.48 | 1.79 |
| Other | 0.77 | 0.68 |
| Total % | 1.55% | 3.5% |
| Total N | 132,906 | 13,379 |

*Use of Physical Force*

Physical force was rarely used in SCPD traffic stops. Precinct patrol units were more likely than others to use force in traffic stops (see Table 39b), but the proportions of drivers or passengers subjected to physical force were very small even for them. Among stops in the precincts, stops by the third precinct were more likely to involve force (see Table 39a), but again, the prevalence was very low.

Tables 39a and 39b. Use of Physical Force by Precinct and Unit Type

| 39a. Precinct | Drivers | Passengers |
|---|---|---|
| 1 | 0.07% | 0.13% |
| 2 | 0 | 0 |
| 3 | 0.08 | 1.44 |
| 4 | 0 | 0 |
| 5 | 0.05 | 0 |
| 6 | 0.02 | 0.34 |
| 7 | 0.01 | 0 |
| Total % | 0.04% | 0.29% |
| Total N | 90,232 | 7,195 |

| 39b. Unit type | Drivers | Passengers |
|---|---|---|
| Precinct patrol section | 0.04% | 0.35% |
| Precinct crime section | 0.01 | 0 |
| Highway patrol | 0.01 | 0.06 |
| Other | 0.01 | 0.07 |
| Total % | 0.03% | 0.18% |
| Total N | 132,906 | 13,379 |

Black drivers were more likely to be subjected to physical force than drivers of other races/ethnicities (see Table 40, below). Hispanic and Black passengers were more likely to be subjected to physical force than other passengers.

Table 40. Use of Physical Force by Driver Race/Ethnicity

| Race | Drivers | Passengers |
|---|---|---|
| White | 0.02% | 0.11% |
| Black | 0.08 | 0.25 |
| Hispanic | 0.02 | 0.27 |
| Asian | 0 | 0 |
| Other | 0 | 0 |
| Total % | 0.03% | 0.18% |
| Total N | 132,906 | 13,379 |

*Stop Duration*

Overall, 89.2 percent of SCPD traffic stops are completed within 15 minutes. The corresponding percentages for stops of Black and Hispanic drivers are somewhat lower than that (see Table 41). Compared with stops of White drivers, stops of Black drivers are 63 percent more likely to last 16 to 30 minutes, and stops of Hispanic drivers are 49 percent more likely to last 16 to 30 minutes. Compared with stops of White drivers, stops of Hispanic drivers are 65 percent more likely to last more than 30 minutes.

Table 41. Durations of Stop by Driver Race/Ethnicity

| | Driver Race/Ethnicity | | | | |
|---|---|---|---|---|---|
| Duration of stop | White | Black | Hispanic | Asian | Other |
| Up to 15 minutes | 91.15% | 86.05% | 86.5% | 90.9% | 91.52% |
| 16 – 30 minutes | 6.85 | 11.14 | 10.22 | 7.8 | 6.32 |
| More than 30 minutes | 1.99 | 2.8 | 3.28 | 1.31 | 2.16 |
| Total | 70,961 | 23,651 | 30,051 | 2,915 | 5,328 |

*Dispositions*

The modal stop by any type of SCPD unit is a ticket (see Table 42, below). More than half of the stops by precinct patrol units culminate in a ticket, as do two-thirds or more of the stops by precinct crime units and highway patrol units. Most of the remaining stops – one-fifth of those by precinct crime units, and nearly one-third or more of those by other types of units – are disposed with a warning. Arrests are most likely to be made by precinct crime units, and least likely to be made by highway patrol units.

Among stops in the precincts, warnings are most likely in the sixth and seventh precincts, and arrests are most likely in the first precinct (though even there, arrests are made in less than 10 percent of the stops).

Table 42. Dispositions by Unit Type

| | Unit Type | | | |
|---|---|---|---|---|
| Disposition | Patrol | Crime | Highway | Other |
| Arrest | 3.37% | 6.38% | 1.15% | 1.28% |
| Ticket | 58.26 | 70.98 | 67.55 | 58.03 |
| Warning | 37.63 | 21.83 | 29.24 | 35.76 |
| Other | 0.74 | 0.81 | 2.06 | 4.93 |
| Total | 75,267 | 13,772 | 33,721 | 10,146 |

Table 43. Dispositions by Precinct

| | Precinct | | | | | | |
|---|---|---|---|---|---|---|---|
| Disposition | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| Arrest | 9.08% | 2.03% | 5.5% | 1.96% | 4.64% | 1.67% | 2.06% |
| Ticket | 60.4 | 65.8 | 62.84 | 73.7 | 71.21 | 50.75 | 47.12 |
| Warning | 29.92 | 31.66 | 31.08 | 23.66 | 23.6 | 46.56 | 49.6 |
| Other | 0.6 | 0.51 | 0.58 | 0.68 | 0.55 | 1.02 | 1.23 |
| Total | 12,522 | 15,202 | 15,315 | 6,623 | 10,957 | 17,471 | 12,142 |

Dispositions vary with the reason for the stops, as one might expect. Arrests are most likely when the stop is based on either a BOLO or reasonable suspicion; in those instances, tickets are less prevalent, and other dispositions are more prevalent. Among the stops based on other reasons, tickets are issued in 60 to 70 percent, with warnings issued in most of the remainder. See Table 44.

Table 44. Disposition by Reasons for Stops

| | Disposition | | | | |
|---|---|---|---|---|---|
| Reason | Arrest | Ticket | Warning | Other | Totals |
| Speeding | 1.39% | 65.45 | 31.15 | 2.01 | 27114 |
| Red light | 1.73% | 65.28 | 32.66 | 0.32 | 2480 |
| Stop sign | 1.81% | 59.79 | 38.15 | 0.24 | 16876 |
| Other moving violation | 3.45% | 61.36 | 33.54 | 1.65 | 24174 |
| Equipment violation | 3.29% | 59.15 | 37.2 | 0.35 | 25115 |
| Seatbelt | 3.74% | 69.87 | 24.92 | 1.47 | 3263 |
| Cell phone | 1.23% | 67.53 | 30.83 | 0.41 | 7717 |
| Other V&T law | 3.31% | 61.83 | 32.86 | 1.99 | 24714 |
| BOLO | 14.29% | 39.1 | 31.58 | 15.04 | 133 |
| Reasonable suspicion | 37.27% | 24.39 | 24.02 | 14.32 | 1320 |

Dispositions also vary with the race/ethnicity of the drivers and passengers (see Tables 45 and 46). Black drivers are more likely than drivers of other races/ethnicities to be arrested, and Black passengers are more likely than passengers of other races/ethnicities to be arrested. Hispanic drivers are more likely than either White or Black drivers to be ticketed, and least likely to be warned.

Table 45. Dispositions by Driver Race

| | Driver Race/Ethnicity | | | | |
|---|---|---|---|---|---|
| Disposition | White | Black | Hispanic | Asian | Other |
| Arrest | 2.22% | 5.15% | 3.38% | 0.96% | 1.76% |
| Ticket | 59.76 | 59.91 | 68.35 | 67.34 | 60.32 |
| Warning | 36.4 | 33.66 | 27.51 | 30.22 | 35.25 |
| Other | 1.62 | 1.27 | 0.75 | 1.48 | 2.67 |
| Total | 70,961 | 23,651 | 30,051 | 2,915 | 5,328 |

Table 46. Dispositions by Passenger Race

| | Passenger Race/Ethnicity | | | | |
|---|---|---|---|---|---|
| Disposition | White | Black | Hispanic | Asian | Other |
| Arrest | 4.26% | 9.14% | 4.5% | 2.04% | 1.37% |
| Ticket | 3.93 | 4.76 | 3.79 | 3.06 | 2.57 |
| Warning | 12.54 | 19.31 | 14.28 | 7.91 | 6.85 |
| Other | 79.26 | 66.79 | 77.44 | 86.99 | 89.21 |
| Total | 5,517 | 3,216 | 3,670 | 392 | 584 |

## Bias in Post-Stop Outcomes

Following an initial traffic stop, a range of possible enforcement actions, behaviors, and prescriptions emerge. Though contextual and legal circumstances of the stop dictate, to varying degrees, the courses of actions available to an officer after a traffic stop is made, discretion – and the specter of biased decision-making – remains. A spectrum of possible actions, from frisks and searches to dispositions including arrests and tickets, represent the "post-stop outcomes" of traffic stops.

Analyses of bias in post-stop outcomes confront analytical challenges that are somewhat more tractable than those associated with analyzing bias in the initial stop decision, but the principle remains the same. In order to draw inferences about bias, the analysis must credibly account for the factors that legitimately affect enforcement decisions, e.g., to search, to cite, to effect a custodial arrest, or to use physical force. The problems are more tractable insofar as the population to which comparisons should be drawn can be – in principle – captured in police records. The more information that police records include, the better able we are to properly account for the factors that *appropriately* bear on enforcement decisions. At times, however, the records do not

contain the information that is needed, leaving considerable doubt about the role of legal factors and, hence, about the role of police bias. Thus the analytical strategies adopted in previous research vary with the availability, quality, and richness of data, though where possible, researchers have prioritized analyses of discretionary outcomes to spotlight potential bias at the individual level, or patterns of bias within units, shifts, or assignments. We first review the analytical strategies and summarize the findings that emerged from their application.

### *Analytical Approaches and Findings*

Researchers have employed varied methods to examine racial disparity in post-stop outcomes, but are limited in their analytical approach by the quantity and scope of available data, which varies widely by jurisdiction. Multivariate analysis has been used extensively in research on post-stop outcomes because of its advantages in allowing for a more comprehensive and detailed exploration of discrete and overlapping levels of data.

#### *Searches*

Searches performed in traffic stops have been a primary analytical focus of many researchers' post-stop inquiries. The range of possible searches that are executed in a traffic stop can be summarized within the conceptual bounds of nondiscretionary searches, such as those performed incident to arrest, and various types of discretionary searches. These searches are made absent a warrant, and are often the product of a stop based on reasonable suspicion or suspicion that is raised over the course of a stop, and include consent searches, plain view searches, canine searches, searches more generally related to probable cause, drug odor searches, and those performed incident to a frisk or pat-down.[45] Differentiation between searches performed on people and those of vehicles, aside from pat-downs and frisks, is not common in research on post-stop outcomes.[46]

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[45] Officer discretion becomes murky with respect to stops such as Fourth Amendment Waiver searches, or searches of individuals on probation or parole, which Chanin, Welsh, and Nurge describe as "involv[ing] an ambiguous amount of officer discretion." See Joshua Chanin, Megan Welsh, and Dara Nurge, "Traffic Enforcement through the Lens of Race: A Sequential Analysis of Post-Stop Outcomes in San Diego, California," *Criminal Justice Policy Review 29* (2018): 564.

[46] Robin Engel, James Frank, Rob Tillyer, and Charles Klahm, *Cleveland Division of Police Traffic Stop Data Study: Final Report, 2006* (University of Cincinnati); Joseph A. Schafer, David L. Carter, Andra J. Katz-Bannister, and William M. Wells, "Decision Making in Traffic Stop Encounters: A Multivariate Analysis of Police Behavior," *Police Quarterly* 9 (2006): 184-209; Geoffrey P. Alpert, Elizabeth Becker, Mark A. Gustafson, Alan P. Meister, Michael R. Smith, and Bruce Strombom, *Pedestrian and Motor Vehicle Data Analysis Report* (Analysis Group, Inc., 2006); Frank R. Baumgartner, Leah Christiani, Derek A. Epp, Kevin

While extant research has established a well-accepted operationalization for non-discretionary searches, operational definitions of higher discretion searches are more varied. Some researchers have delineated officers' discretionary bounds by differentiating consent searches, considered to be the most discretionary, from other high-discretion searches, such as those made based on probable cause.[47] Others have performed a hybrid analysis of high-discretion searches by combining consent and probable cause searches into one measure.[48] Schafer, Carter, Katz-Bannister, and Wells created an additive measure of discretionary searches, analyzing discretion with one measure that captured consent searches alone, and another measure that combined consent searches with other high-discretion searches.[49] In their analysis of stops and post-stop outcomes, Baumgartner, Christiani, Epp, Roach, and Shoub did not differentiate between high- or low-discretion searches, nor did they provide a definition or criteria for their operationalization of a search.[50] Rosenfeld, Rojek, and Decker's measure of discretionary searches excluded only those that preceded arrest or those that were performed incident to arrest, reasoning that "the data do not reliably distinguish arrests that led to a search from those that resulted from a search." [51]

Some research has analyzed high-discretion searches and consent search *requests* separately, as Geoffrey Alpert and colleagues argued: "as *outcomes*, consent searches measure suspect acquiesce to a police request, and acquiesce may itself vary by race."[52] Rojek, Rosenfeld, and Decker combined consent and other high-discretion

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Roach, and Kelsey Shoub, "Racial Disparities in Traffic Stop Outcomes," *Duke Forum for Law & Social Change* 9 (2017); Chanin et al, "Traffic Enforcement"; Seth W. Fallik and Kenneth J. Novak, "The Decision to Search: Is Race or Ethnicity Important?" *Journal of Contemporary Criminal Justice* 28 (2012) 146-165; J. Mitchell Pickerill, Clayton Mosher, and Travis Pratt, "Search and Seizure, Racial Profiling, and Traffic Stops: A Disparate Impact Framework," *Law & Policy* 31 (2009).

[47] Engel et al., *Cleveland Division of Police Traffic Stop Data Study*; Sunghoon Roh and Matthew Robinson, "A Geographic Approach to Racial Profiling: The Microanalysis and Macroanalysis of Racial Disparity in Traffic Stops," *Police Quarterly* 12 (2009): 137-169; Richard Rosenfeld, Jeff Rojek, and Scott Decker, "Age Matters: Race Differences in Police Searches of Young and Older Male Drivers," *Journal of Research in Crime and Delinquency* 49 (2012): 31-55; Rob Tillyer, Charles F. Klahm IV, and Robin S. Engel, "The Discretion to Search: A Multilevel Examination of Driver Demographics and Officer Characteristics," *Journal of Contemporary Criminal Justice* 28 (2012): 184-205.

[48] Chanin et al., "Traffic Enforcement through the Lens of Race"; Fallik and Novak, "The Decision to Search"; Pickerill et al., "Search and Seizure"; Rob Tillyer, "Opening the Black Box of Officer Decision-Making: An Examination of Race, Criminal History, and Discretionary Searches," *Justice Quarterly* 31 (2014): 961-985; Rob Tillyer and Charles F. Klahm IV, "Discretionary Searches, the Impact of Passengers, and the Implications for Police-Minority Encounters," *Criminal Justice Review* 40 (2015): 378-396).

[49] Schafer et al., "Decision Making."

[50] Baumgartner et al., "Racial Disparities."

[51] Rosenfeld et al, "Age Matters," p. 37.

[52] Alpert et al., *Pedestrian and Motor Vehicle Data Analysis Report*, p. 12. Also see Christopher Barnum and Robert L. Perfetti, "Race-Sensitive Choices by Police Officers in Traffic Stop Encounters," *Police Quarterly 13* (2010): 180-208.

searches in their analysis, asserting that this was preferable in part because the authors "[did] not know the number and characteristics of drivers who were not asked for their consent to a search or refused the officer's request."[53] Further, Alpert and colleagues separately analyzed pat-downs and frisks as a distinct form of high-discretion search based on reasonable suspicion.

Several researchers have argued that passengers in a stopped vehicle are likely to exert some level of influence over the proceeding of the stop, suggesting that analyses that do not account for this variable might generate distorted findings. Tillyer and Klahm reframed the conventional analytical approach by examining police-citizen contacts in traffic stops as the units of analysis, rather than the traffic stops themselves. This allowed for a consideration of both passengers and drivers in analyses of mandatory and discretionary searches, as "a single-occupant encounter would be counted as one case; however, a multiple-occupant vehicle involving three passengers would be counted as four cases (one case the driver and one each for the passengers)."[54] Other research has operationalized searches or consent search requests as those performed on passengers *or* drivers.[55] Joseph Schafer and colleagues excluded consent searches of passengers from their analysis when the driver or vehicle was not searched.[56]

Many researchers have employed logistic regression in analyses of searches, in which a search (or a discrete type of search) is analyzed as a binary outcome, with a set predictors such as citizen, suspect, and incident characteristics. This analytical approach was utilized in two analyses performed for the Los Angeles Police Department (LAPD) by Alpert and colleagues, and the Cleveland Division of Police (CDP) by Engel and colleagues.[57] The former research involved a series of regressions that analyzed disparate discretionary levels of behavior, first examining whether a pat-down or frisk was performed, then if a higher discretion search was conducted, and finally if the officer requested a consent search.[58] Engel and colleagues employed two separate logistic regression models to analyze variables that predict any search, with and without officer and census characteristics, and in a separate analysis, they examined three

[53] Jeff Rojek, Richard Rosenfeld, and Scott Decker, "Policing Race: The Racial Stratifications of Searches in Police Traffic Stops," *Criminology* 50 (2012): 1008.
[54] Tillyer and Klahm, "Discretionary Searches," p. 383.
[55] Chanin et al., "Traffic Enforcement"; Pickerill et al., "Search and Seizure."
[56] Schafer et al., "Decision Making."
[57] Alpert et al., *Pedestrian and Motor Vehicle Data Analysis Report;* Engel et al., *Cleveland Division of Police Traffic Stop Data Study*.
[58] Evidence concerning citizen compliance to consent search requests shows that refusal is relatively rare. Among a sample of Black and White male drivers in St. Louis, MO, compliance with consent search requests ranged from 74% to 86%, varying with regards to the driver's race and age (Rosenfeld et al., "Age Matters"). In analysis of post-stop outcomes in an unnamed Southwestern city, Tillyer found that 99% of drivers complied with consent search requests, though the author noted that this might be due to the public's high level of approval for the department, or characteristics of the stopped population. (Tillyer, "Opening the Black Box").

discrete types of searches (mandatory, discretionary, and consent) as they corresponded to officer and driver characteristics. Both studies controlled for a wide range of variables, including officer, suspect, encounter, passenger, and geographic characteristics.

Schafer and colleagues utilized logistic regression to analyze searches with respect to stop and driver characteristics in an unnamed police department, and to analyze separately consent searches and all discretionary searches. The authors also performed analysis to estimate the conditions in which officers seek consent to search "by comparing traffic stops in which no searches took place with traffic stops in which consent searches occurred," given that available data only indicated whether or not one was performed.[59]

Grounding their analysis in Black's theory of law, which holds that citizens' social status relative to the police officer in an encounter will influence that officer's behavior, Rojek and colleagues examined searches in St. Louis Metropolitan Police Department (SLMPD) traffic stops.[60] The authors computed four dichotomous variables representing possible interaction effects officers' race (Black or White) and drivers' race (Black or White), and utilized logistic regression to examine the outcomes of these racial dyads, controlling for other driver, officer, and stop characteristics. Additional analysis examined these interactional variables as they corresponded to searches of varying discretion: consent, drug odor, arrest, officer safety, and other.

Rosenfeld and colleagues also analyzed post-stop outcomes of the SLMPD by using both logistic regression and propensity score matching.[61] Logistic regression results predicting outcomes based on city residency, location of stop, time of day, officer characteristics, and driver age were used to generate propensity scores that matched Black and White drivers. The authors excluded all female drivers from analyses because of their reduced likelihood of being searched, as well as searches made by officers on special assignments. Chanin and colleagues also utilized propensity score matching of Black and White drivers to examine disparate search patterns across race and search categories. The authors were unable to discretely analyze searches made based on reasonable suspicion, given that, at the time of the analysis, agency stop forms did not include this option among search type categories. Fallik and Novak examined the predictive value of a driver's race to a discretionary or nondiscretionary search using a series of chi square, bivariate, and multivariate analyses of stop data from an unnamed, large Midwestern police department.[62] The authors controlled for driver demographics, driver residency, time of day, type of stop, type of vehicle, and reason for stop, which included a binary measure for investigatory stops. This measure accounted for the difference between routine, or "traffic," stops, and investigatory stops, which "function

[59] Schafer et al, "Decision Making in Traffic Stop Encounters," p. 198.
[60] Rojek et al., "Policing Race."
[61] Rosenfeld et al., "Age Matters."
[62] Fallik and Novak, "The Decision to Search."

as part of a continuing investigation and are encounters where the driver, passenger(s), car, or combination of some or all entities is known by the police."[63]

In examining the outcome of a discretionary search, Tillyer employed a path analysis through a series of models that tested the effects of a citizen's race and criminal history, hypothesizing that criminal history mediated the interaction between citizen race and the performance of a discretionary search.[64] Multilevel models evaluated searches performed on citizens with and without criminal histories, holding other citizen and encounter characteristics constant.

Using publically available data from 132 law enforcement agencies in the United States, Baumgartner and colleagues employed two different analytical strategies: one that could be applied to all agencies with publicly available data in the study, and one that could be applied to agencies with a more granular level of available data.[65] The former analysis consisted of a simple rate ratio of stop outcomes of one race to another. The latter allowed for a logistic regression of post-stop outcomes and driver characteristics, and included measures for problem officers, or those whose stop and search rates were exceptionally high or disproportionate with regards to race. The authors analyzed the comparative likelihood that a series of compound variables for race and gender would be searched (Hispanic females, White males, White females, Hispanic males, Black females, and Black males).

*Arrests, Citations, Warnings*

Various approaches have been used to examine the effect of officer discretion, citizen characteristics, and contextual variables in examining the post-stop dispositions of warnings, citations, and arrests. Engel and colleagues presented post-stop analyses in both simple descriptive statistics reporting the prevalence of arrests, warnings, citations by patrol zone and officer characteristics, as well as in two logistic regression models analyzing the outcome of arrest, including and excluding officer and census characteristics.

In Alpert and colleagues' analysis of post-stop outcomes, warnings, citations, and arrests were examined in a series of analytical iterations, which accounted for varying levels of officer discretion. Lower-discretion outcomes, such as arrests involving charges for violent crimes or drunk-driving, warrant arrests, and citations resulting from operating with a suspended license, were removed from analyses so that the outcomes reflected only those that might emerge from highly discretionary situations. The authors

[63] Ibid, p. 153.
[64] Tillyer, "Opening the Black Box."
[65] Baumgartner et al., "Racial Disparities."

noted: "removing the lower discretion arrests from our base arrest model allowed us to evaluate the impact of race on the likelihood of truly discretionary arrests." [66]

Tillyer and Engel explored interaction terms of race, gender, and age in stop outcomes using multilevel statistical modeling techniques, basing their analysis in social conditional theory, which proposes that "officer decision making is not only influenced by unconscious profiles that are primarily based on a drivers' race/ethnicity but may also be influenced by gender and age."[67] Warnings, citations, and arrests were coded by their most serious outcome, and variables were constructed to capture the compound demographics for young, Black males (YBMs) and young, Hispanic males (YHMs) in order to investigate the disparities that might occur in the officer dispositions for these particular groups. Multilevel analysis at citizen and officer levels evaluated the predictive value of citizen, encounter, stop, officer, and interactional (YBM and YHM) variables for warnings, citations, and arrests.

Regoeczi and Kent employed logistic regression to examine the predictive value of officer, driver, and stop characteristics to receiving a ticket (1) or a warning (0).[68] The researchers conducted systematic social observations (SSO) on traffic encounters, allowing them to include in their analysis citizen demeanor, among a number of other officer, citizen, and incident characteristics.

Chanin and colleagues utilized propensity score matching to match Black and White drivers to analyze differences in outcomes of citations, arrests, and the issuance of field interviews.[69] In Roh and Robinson's analysis of disparities in stop outcomes at both macro and micro-levels, the authors examined both individual officer behaviors and patterns of officer behavior within larger spatial areas, or beats.[70] At the micro-level, the authors analyzed racial differences among drivers who were searched, cited, or arrested. At the macro-level, the authors employed spatial correlation analysis using Exploratory Spatial Analysis (ESDA) and Local Moran Lisa Cluster Mapping (LISA), which collectively facilitate analyses of disparities in enforcement within police beats, while accounting for enforcement patterns of neighboring areas.

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[66] Alpert et al., *Pedestrian and Motor Vehicle Data Analysis Report*, p. 13.

[67] Rob Tillyer and Robin S. Engel, "The Impact of Drivers' Race, Gender, and Age During Traffic Stops: Assessing Interaction Terms and the Social Conditioning Model," *Crime & Delinquency* (2013): 5.

[68] Wendy C. Regoeczi and Stephanie Kent, "Race Poverty, and the Traffic Ticket Cycle: Exploring the Situational Context of the Application of Police Discretion," *Policing: An International Journal of Police Strategies and Management* 37 (2014): 190-205.

[69] Chanin et al., "Traffic Enforcement"; Propensity scores, ranging from 0-1, for individual stops were generated through a logistic regression model estimated with the following variables: the reason for the stop, location of the stop, day of week, month, time of day, driver's age, driver's gender, and driver's residency (San Diego or otherwise).

[70] Roh and Robinson, "A Geographic Approach."

Barnum and Perfetti likewise analyzed disparities at the macro (organizational) and micro (officer) levels.[71] The authors first utilized logistic regression to examine disparities in citations, arrests, and search requests across a number of variables, including driver, officer, and stop characteristics. Researchers established a baseline by conducting SSO of traffic at intersections, estimating the race and gender of drivers, and generating racial assessments for 22,000 drivers over the period of 6 months. The observer's findings closely paralleled Census data for the city as a whole, and formed a baseline that represented the driving population – not the violator population. For the microanalysis, researchers computed odds ratios for stops, citations, and search requests among officers who had similar years of service, percentage of equipment violation stops, percentage of out-of-state stops, and shift. Officer behavior, which may entail disproportionate activity, was estimated in a pathway analysis of odds ratios, beginning with stops, then citations, and finally searches. This pathway generates four possible models of behavior, which account for varying types of disproportionate activity in terms of stops, citations, and/or searches.

*Contraband Discovery*

Analyzing "hit rates," or the rate at which searches successfully yielded contraband, among drivers of different races provides an additional pathway for detecting potential disparities in officer behavior. This approach is also known as the "outcome test."[72] A number of researchers have employed logistic regression to analyze the predictive value of driver, officer, and stop characteristics to a successful search. Tillyer and Klahm examined hit rates of high- and low-discretion searches, controlling for citizen, stop, and officer characteristics, as well as vehicle characteristics such as vehicle condition and number of passengers.[73] Schafer and colleagues computed odds ratios for contraband discovery controlling for the reason for stop, and driver characteristics The authors also analyzed hit rates among drivers for whom only a

[71] Barnum and Perfetti, "Race-Sensitive Choices."

[72] The outcome test has some intuitive appeal: if the recorded discovery of contraband varies substantially among racial/ethnic groups, it suggests that the searches were based on varying evidentiary standards. A lower rate of contraband discovery, by this logic, is indicative of searches that tend to rest on a weaker legal foundation. Notwithstanding its intuitive appeal, the outcome test rests on assumptions that are questionable. See Andrew Gelman, Jeffrey Fagan, and Alex Kiss, "An Analysis of the New York City Police Department's 'Stop-and-Frisk' Policy in the Context of Claims of Racial Bias," *Journal of the American Statistical Association* 102 (2007), p. 815; Robin S. Engel, "A Critique of the 'Outcome Test' in Racial Profiling Research," *Justice Quarterly* 25 (2008): 1-36; National Academies of Sciences, Engineering, and Medicine, *Proactive Policing: Effects on Crime and Communities* (Washington, DC: The National Academies Press, 2017), pp. 7-5 – 7-10; and Neil and Winship, "Methodological Challenges and Opportunities in Testing for Racial Discrimination."

[73] Rob Tillyer and Charles Klahm IV, "Searching for Contraband: Assessing the Use of Discretion by Police Officers," *Police Quarterly* 14 (2011): 166-185.

warning was issued, though they did not differentiate between search discretion in this analysis.[74] Controlling for driver and officer characteristics, Engel and colleagues examined disparities in hit rates of mandatory, discretionary, and consent searches among different patrol zones in Cleveland, also analyzing the types of contraband seized during successful searches.[75] Engel and colleagues noted the dangers of including mandatory searches in any broader analysis of hit rates:

> Outcome test comparisons of searches that are mandatory – that is, searches conducted as a result of departmental policy rather than officer discretion – should not be considered when determining racial/ethnic disparities due to officer decision making. Based on CDP policies, officers have little or no discretion over the following types of searches: inventory searches, searches incident to arrest, and searches based on a preexisting warrant. Likewise, the inclusion of consent searches in outcome test analyses is problematic because, as with mandatory searches, the decision of whether or not to search is not entirely based on the officers' decision. Although officers initially decide whom to request a consent search from, ultimately it is citizens, not officers, who decide whether or not consent searches are conducted. That is, citizens have the right to refuse search requests, and if the officer has no probable cause to conduct the search, their denial of the police request must be honored.[76]

In Roh and Robinson's micro-analysis, researchers utilized a simple discretionary search to contraband discovery ratio to determine hit rates, and macroanalyses to examine disparities across neighborhoods of varying racial composition and agency resource deployment (a measure of patrol concentration within beats) computed the ratio of successful searches to overall searches.[77] Using propensity score matching, Chanin and colleagues examined hit rates by analyzing the success of searches performed on Black and White drivers whose stops and circumstances were similarly matched.[78]

*Use of Force*

Police use of force has been the subject of a substantial volume of police research. Among police encounters with suspected offenders, or among recorded arrests, use of force is analyzed in regression models that control for legal factors. One clear lesson of this research is that it is essential to take account of citizen resistance.[79]

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[74] Schafer et al., "Decision Making in Traffic Stop Encounters."
[75] Engel et al., *Cleveland Division of Police Traffic Stop Data Study*.
[76] Ibid, p. 137.
[77] Roh and Robinson, "A Geographic Approach."
[78] Chanin et al, "Traffic Enforcement."
[79] See, e.g.: Joel H. Garner, Christopher D. Maxwell, and Cedrick Heraux, "Characteristics Associated with the Prevalence and Severity of Force Used by the Police," *Justice Quarterly* 19 (2002): 705-746; Geoffrey P. Alpert and Roger G. Dunham, *Understanding Police Use of Force: Officers, Suspects, and Reciprocity* (New

To our knowledge, use of force has not been analyzed as a post-stop outcome of *traffic* stops. Two studies analyzed racial/ethnic disparities in use of force by police in pedestrian stops in New York City.[80] The form on which officers recorded information about the stops did not, however, capture complete information about the key variable, resistance by the citizen who was stopped; we consider neither study to be informative about racial/ethnic disparities. As Ridgeway observes,

> All of the reported differences resulting from our analysis are potentially due to unobserved or unmeasured features of the stops rather than racial bias. For example, the 1 percent difference observed in rates of use of force between stops of white and nonwhite suspects may be due to a factor not recorded on the UF250. It is possible that nonwhite suspects were slightly likelier to attempt to flee or threaten officers.[81]

## *Findings of Previous Research*

### *Searches*

Disparities in search behaviors is a prevalent finding in most research on post-stop outcomes, though the nature of these findings is contingent to some degree on the analytical methods utilized in the research.[82] Several researchers found that minority drivers, and particularly Black drivers, are more likely to be subjected to a high-discretion search than White drivers.[83] In comparing the search rates of matched Black and White drivers, Chanin and colleagues found that Black drivers were consent

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York: Cambridge University Press, 2004); William Terrill, Geoffrey P. Alpert, Roger G. Dunham, and Michael R. Smith, "A Management Tool for Evaluating Police Use of Force: An Application of the Force Factor," *Police Quarterly* 6 (2003): 150-171; William Terrill, "Police Use of Force and Suspect Resistance: The Micro Process of the Police-Suspect Encounter," *Police Quarterly* 6 (2003): 51-83; William Terrill, "Police Use of Force: A Transactional Approach," *Justice Quarterly* 22 (2005): 107-138; William Terrill and Michael Reisig, "Neighborhood Context and Police Use of Force," *Journal of Research in Crime and Delinquency* 40 (2003): 291-321.

[80] Rory Kramer and Brianna Remster, "Stop, Frisk, and Assault? Racial Disparities in Police Use of Force During Investigatory Stops" *Law & Society Review* 52 (2018): 960-993; Weston J. Morrow, Michael D. White, and Henry F. Fradella, "After the Stop: Exploring the Racial/Ethnic Disparities in Police Use of Force During Terry Stops," *Police Quarterly* 20 (2017): 367-396.

[81] Greg Ridgeway, *Analysis of Racial Disparities in the New York Police Department's Stop, Question, and Frisk Practices* (Santa Monica, CA: RAND Corporation, 2007), p. 45.

[82] Engel et al., *Cleveland Division of Police Traffic Stop Data Study;* Alpert et al, *Pedestrian and Motor Vehicle Data Analysis Report*; Rosenfeld et al, "Age Matters"; Schafer et al, "Decision Making"; Chanin et al, "Traffic Enforcement"; Rojek et al, "Policing Race"; Roh and Robinson, "A Geographic Approach"; Pickerill et al, "Search and Seizure"; Baumgarter et al, "Racial Disparities".

[83] Schafer et al., "Decision Making"; Chanin et al, "Traffic Enforcement"; Roh and Robinson, "A Geographic Approach"; Pickerill et al, "Search and Seizure"; Alpert et al, *Pedestrian and Motor Vehicle Data*; Rosenfeld et al, "Age Matters."

searched at a higher rate than White drivers, and that this pattern persisted in broader analysis of all search types.

Other research has found that the effects of race are diminished when controlling for other factors. Fallik and Novak concluded that racial disparities in search patterns were more a product of other circumstances, noting "although minorities were searched (overall) more often, including discretionary searches, it was not due to driver race or ethnicity but the differing circumstances under which the citizen encountered the officer."[84] Rather, the authors found that drivers' age and sex, as well as the context of the stop itself, were more predictive of searches. The effect of passengers on search behaviors was found to increase the likelihood of discretionary searches, and Tillyer and Klahm found that this effect overcame effects of the drivers' race in traffic stops involving more than one person.[85] In 2012, Tillyer, Klahm, and Engel's analysis found that, when controlling for other factors, Black drivers were not subjected to more discretionary searchers than White drivers. Further, they determined that citizens' demeanor had no bearing on their likelihood of being searched.[86] In 2014, Tillyer determined that disparities in discretionary search patterns were explained by citizen criminal history, and when controlling for this fact, the effects of race are mediated to some extent.[87] Alpert and colleagues determined that, even after controlling for driver, officer, and stop characteristics, Black and Hispanic drivers were more likely to be subjected to a pat-down or frisk.[88]

There is evidence to suggest that Black and Hispanic drivers are likely to be asked for consent to search, and Schafer and colleagues found that though race was a strong predictor for consent searches, so too were age and sex.[89] Roh and Robinson found racial disparities in consent searches less severe than those found in searches performed on the basis of probable cause.[90]

The interaction effects of driver and officer race yielded evidence that White officers were more likely to search generally, and more likely still to search minority drivers.[91] Rojek and colleagues also found that White officers were more likely to search White drivers in predominantly Black communities, proposing: "The presence of White drivers in predominantly Black communities may attract suspicion because they violate police officers' expectations concerning conventional or normal events or persons,

[84] Fallik and Novak, "The Decision to Search," p. 159.
[85] Tillyer and Klahm, "Discretionary Searches."
[86] Tillyer et al, "The Discretion to Search."
[87] Tillyer, "Opening the Black Box of Officer Decision-Making."
[88] Alpert et al., *Pedestrian and Motor Vehicle Data*.
[89] Alpert et al., *Pedestrian and Motor Vehicle Data;* Chanin et al., "Traffic Enforcement"; Schafer et al., "Decision Making."
[90] Roh and Robinson, "A Geographic Approach."
[91] Engel et al, *Cleveland Division of Police Traffic Stop Data Study;* Rojek et al, "Policing Race"; Rosenfeld et al, "Age Matters".

leading some officers to conclude that such persons 'must be up to no good'."[92] The effects of age were also found to influence search behaviors, mostly to the effect of emphasizing the existing search behaviors pertaining to young Black and Hispanic drivers: as driver age increases, the chances of discretionary searches decreases.[93]

*Arrests, Citations, and Warnings*

Previous findings regarding disparities in arrest, citation, and warning patterns are less consistent. Several authors have found that racial disparities in arrest patterns dissipate when controlling for other legal and extra-legal factors.[94] Alpert and colleagues found that when low-discretion arrests were excluded from analysis, racial disparities in arrest patterns subsided. Roh and Robinson concluded that increased rates of searches, arrests, and citations were issued to minority drivers because those drivers frequented highly patrolled areas.[95] Chanin and colleagues' propensity matching analysis showed no statistically significant differences in arrest patterns of White and Black drivers.[96]

Evidence regarding patterns in traffic citations are more diverse: some research shows that while racial disparities in arrest patterns subside when controlling for legal and extra-legal factors, disparities in citations remain for minority drivers.[97] Alpert et al found that Hispanic drivers were more likely than White drivers to be cited holding all other factors constant, while Black drivers were less likely to be cited. Chanin and colleagues likewise found that Black drivers were less likely to be cited than White drivers. The authors did find, however, that more Black drivers were searched and not subsequently arrested when compared to White drivers.[98] Tillyer and Engel found that while the interaction effects for young, Hispanic Males (YHM) were not statistically significant, they produced for young, Black Males (YBMs) a higher chance of a warning and lower chance of citation.[99] Schafer and colleagues found that minority drivers and

[92] Rojek et al. "Policing Race": 1017.
[93] Schafer et al,"Decision Making"; Rosenfeld et al, "Age Matters"; Pickerill et al., "Search and Seizure".
[94] Engel et al, *Cleveland Division of Police Traffic Stop Data Study;* Tillyer and Engel, "The Impact of Driver's Race"; Alpert et al, *Cleveland Division of Police Traffic Stop Data Study*.
[95] Roh and Robinson, "A Geographic Approach."
[96] Chanin et al., "Traffic Enforcement."
[97] For examples: Alpert et al. found diminished disparities "arrests based on warrants, violent crimes, and DUIs"; *Pedestrian and Motor Vehicle Data Analysis Report*. Engel et al. report that "…drivers who were stopped for a moving misdemeanor, license or registration violation, preexisting information, or some other (unknown) reason were significantly more likely to be arrested compared to drivers stopped for speeding or a felony moving violation"; *Cleveland Division of Police Traffic Stop Data Study*. Tillyer and Engel found that stops initiated for moving violations were associated with a higher likelihood of arrest; "The Impact of Drivers' Race, Gender, and Age During Traffic Stops."
[98] Ibid.
[99] Tillyer and Engel, "The Impact of Driver's Race".

older drivers were more likely to be issued warnings, and that warnings were more likely to follow a stop for equipment violations.[100]

*Hit Rates*

Findings regarding disparities in hit rates tend to show that fewer searches of Black drivers yield successful contraband discovery, though there is some evidence to suggest otherwise.[101] Engel and colleagues found higher hit rates for discretionary searches made of Black drivers than for White drivers, despite the finding that Black drivers are searched more often than White drivers.[102] Chanin and colleagues found that among all search types, "officers had to search nearly twice as many Black drivers as they did matched White drivers to discover the same amount of contraband,"[103] however, when separately analyzing consent, inventory, or other searches, differences between matched Black and White drivers were not statistically significant. Pickerill and colleagues also found that, among high-discretion searches, differences in hit rates among different races were not statistically significant.[104] Roh and Robinson determined that while Black drivers were searched more often than White drivers, the odds of a successful search were higher in stops of Black drivers. [105] With regards to officers' characteristics that pertain to hit rates, Engel found that officers with more experience on the force are more likely to conduct a successful search.[106]

*Other Outcomes*

Alpert and colleagues further examined the post-stop outcomes of "requests to exit the vehicle" and "no action taken."[107] Analysis of the former showed significant disparity in the rates at which officers asked Black and Hispanic drivers to exit the vehicle, when compared to White drivers. Though "no action taken" was a rare occurrence in stops evaluated by Alpert et al., minority drivers were slightly more likely to be stopped and have no subsequent action taken.

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[100] Schafer et al., "Decision Making".
[101] Geoffrey Alpert, Michael Smith, and Roger G. Dunham, "Toward a Better Benchmark: Assessing the Utility of Not-At-Fault Traffic Crash Data in Racial Profiling Research," *Justice Research and Policy* 6 (2004): 43-70; Robin Engel, Jennifer Calnon Cherkauskas, Michael R. Smith, Dan Lytle, and Kristian Moore, *Traffic Stop Data Analysis Study: Year 3 Final Report*. Submitted to the Arizona Department of Public Safety (2009).
[102] Engel et al., *Cleveland Division of Police Traffic Stop Data Study*.
[103] Chanin et al, "Traffic Enforcement," p. 570.
[104] Pickerill et al., "Search and Seizure."
[105] Rob and Robinson, "A Geographic Approach."
[106] Engel et al., *Cleveland Division of Police Traffic Stop Data Study*.
[107] Alpert et al., *Pedestrian and Motor Vehicle Data*.

**Analysis of Post-Stop Outcomes in Suffolk County**

In order to test for racial bias in post-stop outcomes, we relied primarily on propensity score matching to control for potentially confounding factors. Neil and Winship advise that, "Matching methods attempt to compare individuals who differ in one dimension (e.g., race) but are otherwise similar across a set of observed covariates …. In the context of police discrimination, matching is thus a direct way to estimate whether similarly situated individuals of different races experience the same police contact outcomes."[108] A propensity score is the probability of an individual being assigned to the group of interest ("treatment" group) rather than the "control" group. In this instance, Black and Hispanic drivers are assigned to respective treatment groups, while White drivers are assigned to the corresponding control group. The propensity score is estimated using logistic regression with membership in the group of interest as a binary outcome and a set of observed confounding variables as predictors. Individuals with similar propensity scores have similar values of the observed covariates, and treatment and control groups comprised of individuals paired by similar propensity scores will have similar distributions of the observed covariates. This construction allows for causal inferences due to a significant reduction in selection bias. The end goal of propensity score matching is to compare a treatment and control group that differ by no observable variable aside from treatment status.

For our analysis, one-to-one matching was executed using nearest neighbor matching without replacement.[109] Covariates used to estimate propensity scores included:

- Initial reason to stop
- Time of day
- Day of week
- Month
- Number of occupants
- Number of equipment violations
- Driver age and sex
- Violent crime rate

The violent crime rate of the area of each stop was calculated by obtaining a count of Part I violent crimes (homicide, rape, robbery, and aggravated assault) in the relevant

[108] Neil and Winship, "Methodological Challenges and Opportunities in Testing for Racial Discrimination," p. 91.

[109] Daniel Ho, Kosuke Imai, Gary King, and Elizabeth Stuart, "Matching as Nonparametric Preprocessing for Reducing Model Dependence in Parametric Causal Inference," *Political Analysis* 15 (2007): 199-236, http://gking. harvard.edu/files/abs/matchp-abs.shtml. Daniel Ho, Kosuke Imai, Gary King, and Elizabeth Stuart, "Matchit: Nonparametric Preprocessing for Parametric Causal Inference," *Journal of Statistical Software* (2007), http://gking.harvard.edu/matchit/.

sector block for 30 days prior to the stop using SCPD RMS data. For post-stop analyses concerning vehicle searches, person searches, and commands to exit the vehicle, a caliper of 0.1 was used to obtain treatment and control groups that were sufficiently similar.[110] Post-stop analyses on the matched data sets were completed with logistic regression, ordered logistic regression, and Poisson regression, as appropriate to the properties of the outcome variable.

Table 47 summarizes a number of the differences that emerge for the stops of Black drivers that were matched to those of White drivers, and for the stops of Hispanic drivers that were matched to those of White drivers. For each outcome, the table reports the numbers of stops (n) on which differences are calculated (one number for stops of Blacks and another for stops of Hispanics), under the outcome heading. The columns to the right of the table report the differences: odds ratios (OR); the 95 percent confidence intervals associated with the odds ratios, and the p-value as a measure of statistical significance, or the probability of obtaining an odds ratio as large or larger by chance alone. An odds ratio of 1.0 – or even odds – indicates no difference between the two sets of stops (Black and White, and Hispanic and White, respectively). An odds ratio greater than 1.0 indicates that the outcome was more likely in the stops of Black drivers or Hispanic drivers than in the matched stops of White drivers. A p-value of less than 0.05 (or 1 in 20) is the conventional standard for statistical significance; any value smaller than 0.05 represents a probability of obtaining the estimated odds ratio that is small enough to reject the hypothesis of no difference. Table 48 repeats several of the analyses of differences by taking account of additional factors, or "covariates."

Referring to both Tables 47 and 48, we focus first on stops of Black drivers, compared with similarly-situated (i.e., matched) White drivers. Black drivers are:

- More than twice as likely to be subjected to a vehicle search;
- More than twice as likely to be subjected to a search of their person;
- 84 percent more likely to be restrained;
- More than three times as likely to be subjected to physical force;
- Ticketed for a larger number of violations;
- 59 percent more likely to be arrested; and
- To be detained for a longer period of time (28 percent more likely to be detained for more than 15 minutes).

Black drivers were also more likely to be removed from their vehicles (as Table 47 indicates), but that difference is a function of the differences in the likelihood of a search (see Table 48).

We note that the use of physical force is rare in SCPD traffic stops, and the stop record includes no information on drivers' resistance in terms of which the disparity might be accounted. The difference that we estimate in the likelihoods that force is

[110] The caliper of 0.1 guarantees the propensity scores of any 2 matched individuals will differ by no more than 0.1 standard deviations of all estimated propensity scores.

used against Black and White drivers, respectively, could be an artifact of our inability to take resistance into account as either a criterion for matching or as a covariate.

Table 47. Post-Stop Outcome Differences, Blacks and Hispanics Matched to Whites

| Outcome | Black / White | Hispanic / White |
|---|---|---|
| 1. Vehicle search (logistic)<br>$n_B$ = 31,142; $n_H$ = 40,022 | OR = 2.17 (1.95, 2.41)<br>(p < 0.001)*** | OR = 1.08 (0.97, 1.2)<br>(p = 0.184) |
| 2. Person search (logistic)<br>$n_B$ = 31,142; $n_H$ = 40,022 | OR = 2.1 (1.89, 2.33)<br>(p < 0.001)*** | OR = 1.16 (1.04, 1.28)<br>(p = 0.0073)** |
| 3. Exit vehicle (logistic)<br>$n_B$ = 31,142; $n_H$ = 40,022 | OR = 1.79 (1.63, 1.96)<br>(p < 0.001)*** | OR = 1.09 (0.99, 1.19)<br>(p = 0.075) |
| 4. Restrained (logistic)<br>$n_B$ = 31,142; $n_H$ = 40,022 | OR = 1.84 (1.59, 2.13)<br>(p < 0.001)*** | OR = 1.07 (0.92, 1.24)<br>(p = 0.387) |
| 5. Force used (logistic)<br>$n_B$ = 31,142; $n_H$ = 40,022 | OR = 3.2 (1.25, 9.79)<br>(p = 0.0231)* | OR = 1.2 (0.36, 4.16)<br>(p = 0.763) |
| 6. Total tickets (Poisson)<br>$n_B$ = 31,142; $n_H$ = 40,022 | IRR = 1.29 (1.26, 1.31)<br>(p < 0.001)*** | IRR = 1.27 (1.24, 1.29)<br>(p < 0.001)*** |
| 7. Warning (logistic)<br>$n_B$ = 31,142; $n_H$ = 40,022 | OR = 0.99 (0.94, 1.03)<br>(p = 0.556) | OR = 0.75 (0.72, 0.78)<br>(p < 0.001)*** |
| 9. Arrest (logistic)<br>$n_B$ = 31,142; $n_H$ = 40,022 | OR = 1.59 (1.42, 1.77)<br>(p < 0.001)*** | OR = 1.16 (1.04, 1.29)<br>(P = 0.0078)** |
| 10. UTT (logistic)<br>$n_B$ = 31,142; $n_H$ = 40,022 | OR = 0.94 (0.9, 0.99)<br>(p = 0.0098)** | OR = 1.32 (1.27, 1.38)<br>(p < 0.001)*** |
| 11. Duration (ordered logistic)<br>$n_B$ = 31,133; $n_H$ = 40,014 | OR = 1.27 (1.2, 1.36)<br>(p < 0.001)*** | OR = 1.16 (1.1, 1.23)<br>(p < 0.001)*** |
| 12. Duration > 15 minutes (logistic)<br>$n_B$ = 31,133; $n_H$ = 40,014 | OR = 1.28 (1.2, 1.37)<br>(p < 0.001)*** | OR = 1.16 (1.1, 1.23)<br>(p < 0.001)*** |

Notes:
-Duration models dropped cases with duration = "NULL" (6 Black, 3 White);(5 Hispanic, 3 White)
-All matched data sets use drivers only to avoid matching individuals in the same stop

Table 48. Post-Stop Outcome Differences, with Covariates

| Outcome | Covariates | Black / White | Hispanic / White |
|---|---|---|---|
| 3a. Exit vehicle | vehicle search, person search | OR = 1 (0.84, 1.17)<br>(p = 0.951) | OR = 0.98 (0.84, 1.14)<br>(p = 0.746) |
| 11a. Duration | vehicle search, person search | OR = 1.13 (1.06, 1.21)<br>(p < 0.001)*** | OR = 1.15 (1.08, 1.22)<br>(p < 0.001)*** |
| 12a. Duration > 15 minutes | vehicle search, person search | OR = 1.15 (1.08, 1.23)<br>(p < 0.001)*** | OR = 1.15 (1.09, 1.22)<br>(p < 0.001)*** |

Additional analyses focus on only applicable stops, e.g., we analyze whether drivers were placed in the back of the police unit only for stops in which they were required to leave their vehicles (see Table 49). We find that Black drivers were

- 42 percent more likely to be placed in the back of the police unit, given that they are removed from their own vehicle (a finding that holds also when vehicle and person searches are treated as covariates); and
- 29 percent more likely to have the vehicle search yield no contraband.

Though Black drivers are more likely to have their persons searched, those searches are *not* less likely to produce contraband. Though the inferences from such "outcome tests" can be misleading, as we discussed above, the findings concerning person searches that result in nothing found should give readers pause in reaching a conclusion about bias in searches of persons.

Table 49. Post-Stop Outcome Differences, with only Applicable Stops

| **Outcome** | **Black / White** | **Hispanic / White** |
|---|---|---|
| 8. Placed in back of unit (logistic)<br>$n_B$ = 2,110; $n_H$ = 1,822 | OR = 1.42 (1.2, 1.69)<br>(p < 0.001) | OR = 1.09 (0.9, 1.31)<br>(p = 0.373) |
| 13. Vehicle search = nothing (logistic)<br>$n_B$ = 1,782; $n_H$ = 1,400 | OR = 1.29 (1.07, 1.55)<br>(p = 0.0078)** | OR = 1.23 (0.99, 1.51)<br>(p = 0.0594) |
| 14. Person search = nothing (logistic)<br>$n_B$ = 1,966; $n_H$ = 1,538 | OR = 0.95 (0.79, 1.15)<br>(p = 0.631) | OR = 1.06 (0.85, 1.31)<br>(p = 0.622) |

Notes:
-Model 8 uses one-one matched data set (caliper = 0.1); exit vehicle only
-Model 13 uses one-one matched data set (caliper = 0.1); vehicle searches only
-Model 14 uses one-one matched data set (caliper = 0.1); person searches only
-All matched data sets use drivers only to avoid matching individuals in the same stop

Fewer differences are detected in the comparison of stops of Hispanic and White drivers. Compared with similarly-situated (i.e., matched) White drivers, Hispanic drivers are:

- 16 percent more likely to be subjected to a search of their person;
- 16 percent more likely to be arrested;
- 32 percent more likely to be ticketed;
- Ticketed for a larger number of violations;
- 25 percent less likely to receive a warning; and
- To be detained for a longer period of time (16 percent more likely to be detained for more than 15 minutes).

Hispanic drivers are marginally more likely to be subjected to a vehicle search that yields no contraband, though the likelihood that a difference that large could be a chance result is slightly greater than the conventional 5 percent.

It is certainly conceivable that some or much of the unexplained disparity stems from stops in which arrests are made, if Black and/or Hispanic drivers are more likely to be wanted on warrants, or more likely to be driving with a suspended license. Failures to appear in court or to pay fines could eventuate in the issuance of warrants and/or the suspension of driving privileges, and insofar as Black and Hispanic individuals are more likely to have limited economic means, they could be disproportionately represented among those whom police must take into custody once they are stopped, with other differences in post-stop outcomes following from that status.[111]

To obtain some additional perspective on the forces that affect post-stop outcomes, we conducted regression analyses that promise to estimate the independent effects of hypothetically pertinent factors, controlling statistically for other factors in the analysis. The first set of regression analyses focus on searches (see Table 50). We analyze searches of persons overall and separately examine several subsets: frisks only; searches other than frisks; and searches other than those incident to arrest.

Table 50. Regression Analyses of Searches

| | Vehicle | Person | Frisk only | Excluding frisks | Person – not incident to arrest |
|---|---|---|---|---|---|
| First Precinct | 9.74* | 6.96* | 10.27* | 5.56* | 8.25* |
| Third Precinct | 4.27* | 2.83* | 1.66* | 3.03* | 3.05* |
| Fifth Precinct | 2.50* | 2.38* | 1.33* | 2.52* | 2.34* |
| Precinct crime | 2.37* | 2.78* | 1.81* | 2.79* | 2.73* |
| Highway patrol | 0.06* | 0.31* | 0.04* | 0.35* | 0.13* |
| Other unit | 0.76 | 0.77* | 0.81 | 0.76* | 0.69* |
| Part I crime rate | 1.11* | 1.08* | 0.85* | 1.15* | 1.05* |
| Reasonable suspicion | 18.70* | 12.97* | 6.48* | 11.05* | 12.79* |
| BOLO | 4.08* | 3.22* | 3.56* | 2.89* | 2.75* |
| Equipment | 1.36* | 1.12* | 1.95* | 1.03* | 1.32* |
| 18:00-21:59 | 1.24* | 1.14* | 1.36* | 1.08 | 1.30* |
| 22:00-02:59 | 1.12* | 1.15* | 1.28* | 1.11* | 1.22* |
| Driver Black | | 2.03* | 1.90* | 1.97* | 2.12* |
| Driver Hispanic | | 1.23* | 1.24* | 1.21* | 1.25* |
| Driver male | | 3.24* | 5.22* | 2.80* | 3.35* |
| Constant | 0.01* | <0.01* | <0.01* | <0.01* | <0.01* |

Note: entries are odds ratios
* $p < 0.05$

[111] This speculation is supported by findings reported by Wendy Regoeczi and Stephanie Kent, "Race, Poverty, and the Traffic Ticket Cycle: Exploring the Situational Context of the Application of Police Discretion," *Policing: An International Journal of Police Strategies & Management* 37 (2014).

We treat precincts 2, 4, 6, and 7 as baseline precincts for comparison. In the first and third precincts, vehicle and person searches are more likely to be conducted, given a stop. Precinct crime units are more likely than precinct patrol units to conduct searches, and highway patrol and other units less likely. The likelihood of a search rises with the rate of Part I crime in the sector block. Searches are more likely given particular reasons for the stop: stops based on BOLOs, reasonable suspicion, or equipment violations. Searches are more likely in stops made after 6 p.m. and before 3 a.m. Finally, with all of the preceding factors statistically controlled, searches are more likely when the drivers are men, and when they are Black or Hispanic. Moreover, the elevated likelihood of searches of Black and Hispanic drivers remains even when stops ending in arrest are removed from the analysis.

Table 51. Regression Analyses of Searches with No Contraband Found

| | Vehicle | Person | Excluding frisks |
|---|---|---|---|
| First Precinct | 0.78* | 0.88 | 0.87 |
| Third Precinct | 0.89 | 0.92 | 0.94 |
| Fifth Precinct | 1.53* | 1.66* | 1.68* |
| Precinct crime | 0.48* | 0.44* | 0.41* |
| Highway patrol | 0.69 | 2.72* | 2.99* |
| Other unit | 0.64 | 0.70 | 0.64 |
| Part I crime | 0.86* | 0.96 | 0.96 |
| Reasonable suspicion | 0.78 | 0.69* | 0.70* |
| BOLO | 0.86 | 0.83 | 0.73 |
| Equipment | 1.13 | 1.05 | 1.06* |
| 18:00-21:59 | 0.98 | 0.91 | 0.92 |
| 22:00-02:59 | 0.77* | 0.92 | 0.89 |
| Frisk | NA | 3.10* | -- |
| Consent | 9.09* | 1.03 | 1.02 |
| Plain view | 0.13* | 0.04* | 0.04* |
| Probable cause | NA | 0.29* | 0.29* |
| Probable cause – drugs | -- | NA | |
| Probable cause – other | 7.07* | NA | |
| Incident to arrest | NA | -- | -- |
| Driver Black | 1.78* | 1.26* | 1.29* |
| Driver Hispanic | 1.40* | 1.24* | 1.18 |
| Driver male | 0.85 | 0.96 | 0.96 |
| Constant | 0.89 | 4.49* | 4.54* |

Note: entries are odds ratios

* $p < 0.05$

We also conducted regression analyses of the outcomes of searches, explaining the binary outcome of no contraband found as the object of explanation (see Table 51, above). Though vehicle and person searches are more likely to be conducted in the first and third precincts (see Table 50), they are not more likely than those in the comparison precincts to yield no contraband – that is, the searches are as or more successful than those conducted in precincts that search less frequently. In the fifth precinct, however, searches are more likely, given a stop, and those searches are substantially (i.e., 50 to 80 percent) more likely to yield no contraband. Other things being equal, searches of Black and Hispanic drivers' vehicles are less likely to yield results.

With regard to searches of persons, we treat searches incident to arrest as a referent. Against that baseline, which is low in officer discretion, searches based on plain view or probable cause are much more likely to have positive results. Searches based on consent are about as likely as searches incident to arrest to yield contraband. Frisks are three times as likely as searches incident to arrest to yield no results, but this is to be expected, given the limited purpose of a frisk. Searches of Black and Hispanic drivers are, other things being equal, more likely to have negative results (though excluding frisks, the estimated difference for Hispanic drivers does not reach statistical significance).

Table 52. Regression Analyses of Restraint and Duration

| | Restrained | Duration > 15 minutes |
|---|---|---|
| First Precinct | 9.12* | 1.75* |
| Third Precinct | 2.86* | 0.70* |
| Fifth Precinct | 1.27 | 1.49* |
| Precinct crime | 0.93 | 0.50* |
| Highway patrol | 0.14* | 1.20* |
| Other unit | 1.11 | 1.18* |
| Part I crime | 0.92 | 1.00 |
| Reasonable suspicion | 8.02 | 2.64* |
| BOLO | 8.82* | 1.30 |
| Equipment | 1.52* | 1.10* |
| 18:00-21:59 | 1.51* | 1.00 |
| 22:00-02:59 | 1.09* | 1.11* |
| Driver Black | 2.16* | 1.48* |
| Driver Hispanic | 1.22 | 1.51* |
| Driver male | 3.83* | 1.40* |

Notes:
-stops ending in arrest excluded
-entries are odds ratios
* $p < 0.05$

We analyzed whether the driver was restrained and whether the stop lasted 15 minutes or longer in regression models of the same kind, excluding stops ending in arrests. See Table 52, above. Drivers stopped in the first and third precincts are more likely to be restrained, as are those stopped between 6 p.m. and 3 a.m., or for equipment violations or based on a BOLO. Holding these factors constant, Black drivers were more likely to be restrained.

Stops in the first and fifth precincts were more likely, and stops in the third precinct less likely, to last more than 15 minutes. Stops by highway patrol and other units were more likely, and stops by precinct crime units less likely, to last more than 15 minutes. Stops based on reasonable suspicion tended to have the longer duration. Independent of these factors, stops of Black and Hispanic drivers were more likely to take more than 15 minutes.

Finally, we conducted a multinomial regression analysis of dispositions, contrasting arrests and tickets against all other disposition categories as the collective baseline (see Table 53). Formal enforcement action in the forms of arrests and Tickets were more likely in the first, third, and fifth precincts and by precinct crime units. The likelihood of each form of enforcement also rose with the rate of Part I crime in the sector block. Highway patrol units were more likely, and other units less likely, to issue tickets. Stops based on reasonable suspicion were much more likely to result in arrest

Table 53. Regression Analysis of Dispositions

| | Arrest | Ticket |
|---|---|---|
| First Precinct | 3.46* | 1.30* |
| Third Precinct | 2.28* | 1.20* |
| Fifth Precinct | 2.36* | 1.32* |
| Precinct crime | 3.82* | 2.11* |
| Highway patrol | 1.02 | 1.11* |
| Other unit | 0.78 | 0.82* |
| Part I crime | 1.12* | 1.02* |
| Reasonable suspicion | 5.42* | 0.27* |
| BOLO | 2.67 | 0.52* |
| Equipment | 0.91* | 0.90* |
| 18:00-21:59 | 0.81* | 0.94* |
| 22:00-02:59 | 1.02 | 0.92* |
| Searched | 11.30* | 0.69* |
| Driver Black | 1.36* | 0.95* |
| Driver Hispanic | 1.25* | 1.28* |
| Driver male | 2.03* | 1.15* |

Note: entries are odds ratios

* $p < 0.05$

and much less likely to result in a ticket. Stops for equipment violations were likely to eventuate in a warning instead of either an arrest or a ticket. As the analysis of matched stops indicated, Black and Hispanic drivers were more likely to be arrested; Black drivers were less likely and Hispanic drivers more likely to be ticketed.

Thus we find a number of disparities between sets of matched stops, matched in order to control for factors that could be associated with race/ethnicity and affect the outcomes, confounding the estimated effects of race/ethnicity and thereby complicating inferences about bias. Further analysis indicates that these remaining disparities are not a simple function of differences in drivers' offending that leads to arrest, for the disparities are found among stops that did not end in arrests. The differences in searches do not appear to stem from consent searches, though the data do not indicate when and from whom consent was *requested* but declined.[112]

Other explanations are conceivable, though we could not examine them with the data available to us. One factor, which was found in one previous study to account for racial disparities in searches, is the driver's criminal history.[113] We might expect that officers would more thoroughly question and otherwise investigate drivers with a criminal history, raising the likelihood of a search and thus the removal of the driver from the car and extending the duration of the stop. Similarly, we might expect the same sequence of events in stops involving identified or suspected members of street gangs. Our inability to take proper account of these factors is reason to be cautious in drawing inferences about the role of bias from the remaining disparities.[114]

Still other explanations include features of the vehicle and the driver that officers may take to be indicative of involvement in drug trafficking: rental vehicles; items such as luggage or a spare tire in the back seat rather than the trunk; air fresheners or carpet deodorizers to mask odors; fresh paint or body work (resulting from the formation of a hidden compartment). Drivers who are not the owners of the vehicles may also raise suspicion.[115] If these and/or other investigative practices contribute to racial and ethnic disparities in post-stop outcomes, then judgments could be made about whether the practices should be curtailed or regulated.

Finally, we would point to the context of the stops as one additional factor. We were able to take into account rates of crime (Part I crime and Part I violent crime) in blocks of police sectors, which enabled us to control for within-precinct variation in

[112] We note that it would have been useful to have information on: (1) whether consent to search was requested but declined; (2) whether any arrest was made pursuant to a warrant; and (3) the most serious charge associated with an arrest.

[113] Rob Tillyer, "Opening the Black Box of Officer Decision-Making."

[114] With information on the drivers' identities, in conjunction with other Suffolk County RMS data, some analysis of these factors could be performed.

[115] These and other explanations are discussed in Robin S. Engel and Richard Johnson, "Toward a Better Understanding of Racial and Ethnic Disparities in Search and Seizure Rates," Journal of Criminal Justice 34 (2006): 605-617.

crime. We could not take account of areas that are known or suspected for the distribution of illicit drugs. For that purpose, ideally, any analysis would rely on data that are independent of police enforcement patterns, such as citizen-initiated calls for service concerning drug activity.

## Conclusions

Pursuant to the SCPD's settlement agreement with the U.S. Department of Justice, we analyzed traffic stops and post-stop outcomes over a one-year period in Suffolk County, with a view toward assessing racial and ethnic disparities for evidence of bias in enforcement. Analyses of this kind pose methodological challenges that, if not approached with due care, undermine the credibility of analytic findings. We took account of the strengths and weaknesses in the approaches adopted in previous inquiries, and on that basis, we designed and conducted analyses that we believe have minimized the methodological threats.

Analyzing the initial stop decisions by SCPD officers, using the veil-of-darkness method to establish an acceptable benchmark, we found no evidence of racial or ethnic bias. Black and Hispanic drivers were as likely to be stopped in darkness, when officers' ability to detect the features of drivers (or other vehicle occupants) is impaired, as in daylight. We infer that SCPD officers' discretionary choices to stop (or to not stop) vehicles were not systematically influenced by race or ethnicity.

Analyzing a number of post-stop outcomes by matching stops of Black and Hispanic drivers, respectively, to stops of White drivers based on a number of factors, we detected disparities on several outcomes, including:

- The likelihood of a vehicle search (Black drivers);
- The likelihood of a search of their person (Black and Hispanic drivers);
- The likelihood of being restrained (Black drivers);
- The likelihood of being subjected to physical force (Black drivers);
- The likelihood of being ticketed rather than warned (Hispanic drivers);
- The number of violations for which they are ticketed (Black and Hispanic drivers);
- The likelihood of being arrested (Black and Hispanic drivers);
- The duration of the stop (Black and Hispanic drivers);
- Placement in the back of the police unit (Black drivers); and
- The likelihood that a vehicle search yields no contraband (Black drivers).

The available data precluded analyses that take account of several factors that might account for these differences. Our analysis of the use of force, for example, could not account for citizens' resistance. We advise readers to exercise caution in drawing inferences about bias in any of these forms of enforcement action.

Additional analyses that might prove informative are feasible. Some previous research has constructed "internal" benchmarks to determine the extent to which racial

or ethnic disparities stem from the enforcement practices of individual police officers. Controlling for the times and locations of stops, the racial/ethnic composition of the drivers stopped by individual officers are compared to one another to ascertain whether some officers exhibit disparities that are out of the ordinary. Findings from such analyses can form actionable information.[116]

[116] See, e.g., Ridgeway, *Analysis of Racial Disparities in the New York Police Department's Stop, Question, and Frisk Practices*. Also see Ridgeway and MacDonald, "Methods for Assessing Racially Biased Policing."

**Appendix A**
**Sector Blocks**

| Blocks | Sectors | Town/ Villages/Hamlets |
|---|---|---|
| First Precinct Blocks | 101, 104 | Republic Airport |
| | 102, 105, 106 | Wyandanch |
| | 103, 107, 108, 121 | Deer Park |
| | 109, 110, 114, 117, "1AM" | Copiague, Amityville |
| | 111, 115, 122 | N. Lindenhurst |
| | 112, 113, 116, 120 | Babylon |
| | 118, 119 | S. Lindenhurst |
| Second Precinct Blocks | 201, 202, 203, 208, 217 | Huntington |
| | 205, 206, 216 | Northport |
| | 207, 222 | Elwood |
| | 209, 211, 213, 214 | S. Huntington, Melville |
| | 212, 219, 220 | Dix Hills |
| | 204, 210, 215, 221 | Greenlawn |
| Third Precinct Blocks | 301, 313, 317 | W. Islip, W. Bay Shore |
| | 304, 314, 315, 323, 324 | Brightwaters, Bay Shore |
| | 303, 311, 312, 322 | Baywood, N. Bay Shore |
| | 302, 310, 316, 321 | N. Brentwood, N. Central Islip |
| | 305, 308, 309, 320 | Islip, Islip Terrace, Great River |
| | 306, 307, 318 | S. Central Islip |
| Fourth Precinct Blocks | 401, 414 | Kings Park |
| | 402, 404, 406, 407, 411 | E. Commack, W. Hauppauge |
| | 403, 410, 412, 415 | St. James, Nesconset, Smithtown |
| | 405, 409, 416, 417 | Islandia, Lake Ronkonkoma |
| | 408, 413 | Lake Grove |
| Fifth Precinct Blocks | 501, 502, 503, 504, 505 | Long Island, Bohemia, Oakdale, West Sayville |
| | 506, 507 | N. Patchogue |
| | 508, 509, 510, 512, 513 | Patchogue |
| | 511, 516 | S. Medford |
| | 514, 515 | Bellport, Brookhaven |
| Sixth Precinct Blocks | 601, 602, 603, 604, 605 | W. Selden, W. Farmingville |
| | 606, 608, 609 | Stonybrook, Setauket-East Setauket |
| | 607, 610 | Port Jefferson |
| | 611, 612, 613, 614 | Mt. Sinai, Port Jefferson Station |
| | 618, 619 | Farmingville, W. Yaphank |
| | 615, 616, 617, 620 | Coram, Gordon Heights |
| Seventh Precinct Blocks | 701, 702, 703 | Sound Beach, Rocky Point, East Shoreham |
| | 704, 705 | Middle Island, Ridge |
| | 708, 709, 711, 712 | Manorville, Moriches |
| | 706, 707, 710, 713, 714, 715 | Brookhaven Calabro Airport, Mastic, Mastic Beach |

## Appendix B
## Propensity Score Matching Tables

Table B-1. Black/White

| | Black Drivers | | White Drivers | | | |
|---|---|---|---|---|---|---|
| | n = 15,571 | | n = 42,837 | | n = 15,571 | |
| Variable | % | n | Pre-Match % | Pre-Match n | Post-Match % | Post-Match n |
| **Reason to Stop** | | | | | | |
| Reasonable Suspicion | 1.91 | 297 | 0.88 | 376 | 1.77 | 275 |
| Other Moving Viol. | 15.66 | 2,438 | 15.28 | 6,545 | 15.76 | 2,453 |
| Equipment Viol. | 29.34 | 4,568 | 20.29 | 8,691 | 29.14 | 4,537 |
| Speeding | 9.12 | 1,420 | 12.51 | 5,358 | 9.28 | 1,444 |
| Cell Phone | 3.01 | 468 | 6.02 | 2,578 | 2.97 | 462 |
| BOLO | 0.21 | 32 | 0.1 | 42 | 0.17 | 26 |
| Red Light | 1.85 | 288 | 2.63 | 1,126 | 1.86 | 289 |
| Stop Sign | 12.61 | 1,963 | 19.08 | 8,173 | 12.6 | 1,961 |
| Seatbelt | 3 | 467 | 2.42 | 1,036 | 3.08 | 479 |
| Other VTL | 23.3 | 3,628 | 20.79 | 8,905 | 23.37 | 3,638 |
| **Precinct** | | | | | | |
| 1 | 25.66 | 3,995 | 9.37 | 4,013 | 10.64 | 1,656 |
| 2 | 12.38 | 1,927 | 15.69 | 6,721 | 14.4 | 2,242 |
| 3 | 17.94 | 2,793 | 7.48 | 3,204 | 9.05 | 1,409 |
| 4 | 3.38 | 526 | 7.61 | 3,259 | 6.6 | 1,027 |
| 5 | 7.35 | 1,144 | 9.06 | 3,881 | 10.81 | 1,683 |
| 6 | 11.43 | 1,779 | 21.11 | 9,042 | 20.94 | 3,260 |
| 7 | 12.65 | 1,969 | 13.82 | 5,920 | 13.57 | 2,112 |
| 9 | 9.22 | 1,435 | 15.86 | 6,793 | 13.99 | 2,178 |
| **Sex** | | | | | | |
| Female | 34.03 | 5,298 | 36.03 | 15,434 | 33.66 | 5,241 |
| Male | 65.97 | 10,272 | 63.97 | 27,402 | 66.34 | 10,329 |

| | | | | | | |
|---|---|---|---|---|---|---|
| **Age** | | | | | | |
| <16 | 0.1 | 15 | 0.07 | 29 | 0.12 | 18 |
| 16 to 25 | 26.87 | 4,183 | 23.71 | 10,156 | 26.6 | 4,141 |
| 26 to 35 | 35.3 | 5,496 | 25.76 | 11,034 | 35.78 | 5,571 |
| 36 to 45 | 19.43 | 3,025 | 18.29 | 7,834 | 19.36 | 3,014 |
| 46 to 55 | 11.87 | 1,848 | 18.12 | 7,762 | 11.8 | 1,837 |
| 56 to 65 | 5.27 | 820 | 10.36 | 4,437 | 5.17 | 805 |
| >65 | 1.16 | 180 | 3.7 | 1,584 | 1.17 | 182 |
| **Time of Day** | | | | | | |
| 00:00 – 03:59 | 12.66 | 1,971 | 10.45 | 4,476 | 12.94 | 2,014 |
| 04:00 – 07:59 | 3.37 | 524 | 5.08 | 2,176 | 3.28 | 510 |
| 08:00 – 11:59 | 25.57 | 3,981 | 27.36 | 11,720 | 25.7 | 4,001 |
| 12:00 – 15:59 | 17.19 | 2,676 | 17.46 | 7,479 | 16.79 | 2,614 |
| 16:00 – 19:59 | 21.58 | 3,360 | 23.23 | 9,951 | 21.37 | 3,327 |
| 20:00 – 23:59 | 19.62 | 3,055 | 16.42 | 7,033 | 19.92 | 3,101 |
| **Day of Week** | | | | | | |
| Monday | 15.18 | 2,363 | 14.86 | 6,365 | 15.34 | 2,388 |
| Tuesday | 14.4 | 2,242 | 15.65 | 6,703 | 14.06 | 2,189 |
| Wednesday | 15.79 | 2,458 | 15.82 | 6,776 | 15.56 | 2,422 |
| Thursday | 15.03 | 2,340 | 15.9 | 6,811 | 15.33 | 2,387 |
| Friday | 14.3 | 2,226 | 14.84 | 6,357 | 14.33 | 2,231 |
| Saturday | 13.49 | 2,100 | 12.41 | 5,316 | 13.6 | 2,117 |
| Sunday | 11.82 | 1,840 | 10.52 | 4,506 | 11.77 | 1,832 |
| **Month** | | | | | | |
| January | 8.8 | 1,370 | 8.79 | 3,765 | 8.8 | 1,370 |
| February | 8.56 | 1,332 | 8.56 | 3,666 | 8.57 | 1,334 |
| March | 7.78 | 1,211 | 8.21 | 3,516 | 8.27 | 1,287 |
| April | 8.25 | 1,284 | 8.1 | 3,469 | 8.52 | 1,326 |
| May | 8.91 | 1,387 | 8.97 | 3,842 | 8.66 | 1,348 |
| June | 7.96 | 1,239 | 8.47 | 3,628 | 8.14 | 1,267 |
| July | 8.73 | 1,359 | 8.93 | 3,825 | 8.75 | 1,362 |
| August | 9.32 | 1,451 | 8.94 | 3,829 | 8.59 | 1,337 |
| September | 8.06 | 1,255 | 8.36 | 3,581 | 7.76 | 1,208 |
| October | 8.36 | 1,301 | 8.17 | 3,499 | 7.92 | 1,233 |
| November | 8.08 | 1,258 | 7.54 | 3,229 | 8.39 | 1,306 |
| December | 7.17 | 1,116 | 6.96 | 2,981 | 7.63 | 1,188 |

| | | | | | | |
|---|---|---|---|---|---|---|
| **Number of Occupants** | | | | | | |
| 1 | 91.4 | 14,231 | 94.27 | 40,382 | 92 | 14,325 |
| 2 | 6.76 | 1,052 | 4.7 | 2,013 | 6.25 | 973 |
| 3 | 1.41 | 219 | 0.72 | 308 | 1.14 | 177 |
| 4 | 0.37 | 57 | 0.25 | 107 | 0.48 | 74 |
| 5 | 0.04 | 6 | 0.05 | 21 | 0.11 | 17 |
| 6 | 0.01 | 1 | 0.01 | 4 | 0.03 | 4 |
| **Equipment Viol.** | | | | | | |
| 0 | 77.34 | 12,042 | 84.42 | 36,162 | 77.48 | 12,064 |
| 1 | 17.72 | 2,759 | 13.01 | 5,573 | 17.79 | 2,770 |
| 2 | 3.58 | 557 | 1.9 | 813 | 3.51 | 546 |
| 3 | 0.73 | 113 | 0.38 | 162 | 0.65 | 101 |
| 4 | 0.39 | 60 | 0.14 | 59 | 0.31 | 48 |
| 5 | 0.23 | 35 | 0.15 | 64 | 0.26 | 40 |
| **Violent Crime Rate (previous 30 days, per 10,000 people)** | | | | | | |
| Mean | 1 | | 0.71 | | 0.92 | |
| Median | 0.78 | | 0.55 | | 0.75 | |

Table B-2: Hispanic/White

| | Hispanic Drivers | | White Drivers | | | |
|---|---|---|---|---|---|---|
| | n = 20,011 | | n = 42,837 | | n = 20,011 | |
| **Variable** | **%** | **n** | **Pre-Match %** | **Pre-Match n** | **Post-Match %** | **Post-Match n** |
| **Reason for Stop** | | | | | | |
| Reasonable Suspicion | 1.29 | 258 | 0.88 | 376 | 1.25 | 250 |
| Other Moving Viol. | 15.46 | 3,093 | 15.28 | 6,545 | 15.59 | 3,119 |
| Equipment Viol. | 28.83 | 5,769 | 20.29 | 8,691 | 28.11 | 5,625 |
| Speeding | 8.94 | 1,788 | 12.51 | 5,358 | 8.94 | 1,788 |
| Cell Phone | 4.47 | 894 | 6.02 | 2,578 | 4.43 | 886 |
| BOLO | 0.08 | 16 | 0.1 | 42 | 0.06 | 12 |
| Red Light | 2.39 | 478 | 2.63 | 1,126 | 2.38 | 476 |
| Stop Sign | 14.65 | 2,931 | 19.08 | 8,173 | 14.73 | 2,947 |
| Seatbelt | 3.24 | 648 | 2.42 | 1,036 | 3.31 | 662 |
| Other VTL | 20.66 | 4,134 | 20.79 | 8,905 | 21.2 | 4,242 |
| **Precinct** | | | | | | |
| 1 | 12.26 | 2,453 | 9.37 | 4,013 | 10.92 | 2,185 |
| 2 | 15.49 | 3,099 | 15.69 | 6,721 | 14.68 | 2,937 |
| 3 | 31.03 | 6,209 | 7.48 | 3,204 | 8.84 | 1,768 |
| 4 | 4.8 | 960 | 7.61 | 3,259 | 6.85 | 1,370 |
| 5 | 6.97 | 1,394 | 9.06 | 3,881 | 10.53 | 2,107 |
| 6 | 10.49 | 2,099 | 21.11 | 9,042 | 20.53 | 4,108 |
| 7 | 7.36 | 1,472 | 13.82 | 5,920 | 13.06 | 2,613 |
| 9 | 11.61 | 2,323 | 15.86 | 6,793 | 14.58 | 2,917 |
| **Sex** | | | | | | |
| Female | 27.03 | 5,408 | 36.03 | 15,434 | 26.87 | 5,376 |
| Male | 72.97 | 14,602 | 63.97 | 27,402 | 73.13 | 14,634 |
| **Age** | | | | | | |
| <16 | 0.12 | 24 | 0.07 | 29 | 0.12 | 24 |
| 16 to 25 | 29.33 | 5,869 | 23.71 | 10,156 | 29.08 | 5,819 |
| 26 to 35 | 31.43 | 6,289 | 25.76 | 11,034 | 31.67 | 6,337 |
| 36 to 45 | 22.74 | 4,550 | 18.29 | 7,834 | 23.14 | 4,630 |
| 46 to 55 | 11.63 | 2,327 | 18.12 | 7,762 | 11.33 | 2,267 |
| 56 to 65 | 3.98 | 796 | 10.36 | 4,437 | 3.98 | 796 |
| >65 | 0.75 | 150 | 3.7 | 1,584 | 0.66 | 132 |

| | | | | | | |
|---|---|---|---|---|---|---|
| **Time of Day** | | | | | | |
| 00:00 – 03:59 | 10.68 | 2,137 | 10.45 | 4,476 | 10.79 | 2,159 |
| 04:00 – 07:59 | 4.95 | 990 | 5.08 | 2,176 | 4.93 | 986 |
| 08:00 – 11:59 | 25.98 | 5,198 | 27.36 | 11,720 | 25.96 | 5,194 |
| 12:00 – 15:59 | 16.73 | 3,347 | 17.46 | 7,479 | 16.86 | 3,373 |
| 16:00 – 19:59 | 23.73 | 4,748 | 23.23 | 9,951 | 23.84 | 4,770 |
| 20:00 – 23:59 | 17.94 | 3,589 | 16.42 | 7,033 | 17.62 | 3,525 |
| **Day of Week** | | | | | | |
| Monday | 14.33 | 2,867 | 14.86 | 6,365 | 14.45 | 2,891 |
| Tuesday | 14.59 | 2,919 | 15.65 | 6,703 | 14.54 | 2,909 |
| Wednesday | 15.39 | 3,079 | 15.82 | 6,776 | 15.23 | 3,047 |
| Thursday | 15.36 | 3,073 | 15.9 | 6,811 | 15.53 | 3,107 |
| Friday | 14.02 | 2,805 | 14.84 | 6,357 | 13.92 | 2,785 |
| Saturday | 14.14 | 2,829 | 12.41 | 5,316 | 14.34 | 2,869 |
| Sunday | 12.17 | 2,435 | 10.52 | 4,506 | 11.99 | 2,399 |
| **Month** | | | | | | |
| January | 8.79 | 1,758 | 8.79 | 3,765 | 8.66 | 1,732 |
| February | 8.96 | 1,792 | 8.56 | 3,666 | 9.05 | 1,810 |
| March | 8.41 | 1,682 | 8.21 | 3,516 | 8.69 | 1,738 |
| April | 8.53 | 1,706 | 8.1 | 3,469 | 8.8 | 1,760 |
| May | 8.21 | 1,642 | 8.97 | 3,842 | 8.23 | 1,646 |
| June | 8.03 | 1,606 | 8.47 | 3,628 | 8.09 | 1,618 |
| July | 8.54 | 1,708 | 8.93 | 3,825 | 8.24 | 1,648 |
| August | 9.02 | 1,804 | 8.94 | 3,829 | 8.87 | 1,774 |
| September | 8.48 | 1,696 | 8.36 | 3,581 | 8.27 | 1,654 |
| October | 8.36 | 1,672 | 8.17 | 3,499 | 8.34 | 1,668 |
| November | 7.43 | 1,486 | 7.54 | 3,229 | 7.28 | 1,456 |
| December | 7.28 | 1,456 | 6.96 | 2,981 | 7.52 | 1,504 |
| **Number of Occupants** | | | | | | |
| 1 | 91.72 | 18,354 | 94.27 | 40,382 | 92.22 | 18,454 |
| 2 | 6.21 | 1,242 | 4.7 | 2,013 | 6.1 | 1,220 |
| 3 | 1.54 | 308 | 0.72 | 308 | 1.11 | 222 |
| 4 | 0.4 | 80 | 0.25 | 107 | 0.46 | 92 |
| 5 | 0.1 | 20 | 0.05 | 21 | 0.09 | 18 |
| 6 | 0.02 | 4 | 0.01 | 4 | 0.02 | 4 |

| | | | | | | |
|---|---|---|---|---|---|---|
| **Equipment Viol.** | | | | | | |
| 0 | 75.7 | 15,148 | 84.42 | 36,162 | 76.38 | 15,284 |
| 1 | 19.2 | 3,842 | 13.01 | 5,573 | 19.1 | 3,822 |
| 2 | 3.73 | 746 | 1.9 | 813 | 3.33 | 666 |
| 3 | 0.73 | 146 | 0.38 | 162 | 0.68 | 136 |
| 4 | 0.39 | 78 | 0.14 | 59 | 0.27 | 54 |
| 5 | 0.25 | 50 | 0.15 | 64 | 0.23 | 46 |
| **Violent Crime Rate (previous 30 days, per 10,000 people)** | | | | | | |
| Mean | 0.94 | | 0.71 | | 0.89 | |
| Median | 0.78 | | 0.55 | | 0.72 | |

Table B-3: Black/White Vehicle Search

| | Black Drivers | | White Drivers | |
|---|---|---|---|---|
| | n = 1,099 | n = 805 | n = 891 | n = 805 |
| Variable | Pre-Match % | Post-Match % | Pre-Match % | Post-Match % |
| **Reason to Stop** | | | | |
| Reasonable Suspicion | 11.92 | 11.68 | 11.56 | 12.17 |
| Other Moving Viol. | 16.83 | 16.02 | 15.38 | 15.4 |
| Equipment Viol. | 32.94 | 30.31 | 28.4 | 29.81 |
| Speeding | 5.37 | 5.96 | 5.72 | 5.71 |
| Cell Phone | 1.82 | 2.24 | 2.92 | 2.48 |
| BOLO | 0.36 | 0.37 | 0.45 | 0.37 |
| Red Light | 0.18 | 0.25 | 1.35 | 0.25 |
| Stop Sign | 9.65 | 10.31 | 9.99 | 10.31 |
| Seatbelt | 4.28 | 4.72 | 4.38 | 4.1 |
| Other VTL | 16.65 | 18.14 | 19.87 | 19.38 |
| **Precinct** | | | | |
| 1 | 56.23 | 55.9 | 46.69 | 46.96 |
| 2 | 8.01 | 7.58 | 7.74 | 7.7 |
| 3 | 22.11 | 21.24 | 17.4 | 17.14 |
| 4 | 1 | 1.12 | 2.69 | 2.48 |
| 5 | 5.46 | 6.58 | 11.9 | 12.3 |
| 6 | 3.55 | 3.6 | 8.87 | 8.45 |
| 7 | 2.82 | 2.98 | 3.93 | 4.1 |
| 9 | 0.82 | 0.99 | 0.79 | 0.87 |
| **Sex** | | | | |
| Female | 15.29 | 19.88 | 23.34 | 19.5 |
| Male | 84.71 | 80.12 | 76.66 | 80.5 |
| **Age** | | | | |
| <16 | 0.27 | 0.25 | 0.11 | 0.12 |
| 16 to 25 | 40.67 | 41.99 | 41.86 | 41.86 |
| 26 to 35 | 38.85 | 34.91 | 33.11 | 34.29 |
| 36 to 45 | 11.28 | 12.67 | 13.92 | 13.29 |
| 46 to 55 | 6.19 | 6.83 | 7.63 | 7.2 |
| 56 to 65 | 2.37 | 2.98 | 3.14 | 2.98 |
| >65 | 0.36 | 0.37 | 0.22 | 0.25 |

| | | | | |
|---|---|---|---|---|
| **Time of Day** | | | | |
| 00:00 – 03:59 | 7.83 | 8.7 | 7.63 | 7.7 |
| 04:00 – 07:59 | 0.91 | 1.24 | 1.46 | 1.37 |
| 08:00 – 11:59 | 24.29 | 20.37 | 18.63 | 19.88 |
| 12:00 – 15:59 | 22.57 | 20.25 | 20.54 | 21.37 |
| 16:00 – 19:59 | 25.02 | 26.83 | 27.27 | 26.83 |
| 20:00 – 23:59 | 19.38 | 22.61 | 24.47 | 22.86 |
| **Day of Week** | | | | |
| Monday | 12.92 | 11.93 | 11.67 | 11.93 |
| Tuesday | 13.47 | 14.04 | 13.92 | 14.41 |
| Wednesday | 17.29 | 18.51 | 17.51 | 17.02 |
| Thursday | 14.83 | 14.53 | 14.48 | 14.41 |
| Friday | 14.19 | 14.91 | 15.38 | 14.78 |
| Saturday | 13.38 | 14.04 | 15.15 | 14.78 |
| Sunday | 13.92 | 12.05 | 11.9 | 12.67 |
| **Month** | | | | |
| January | 9.01 | 8.82 | 8.87 | 9.32 |
| February | 11.56 | 10.43 | 10.1 | 10.68 |
| March | 6.73 | 6.21 | 6.73 | 7.2 |
| April | 7.92 | 6.71 | 7.18 | 7.08 |
| May | 9.55 | 9.57 | 8.87 | 8.94 |
| June | 6.46 | 8.07 | 8.42 | 7.83 |
| July | 7.01 | 8.2 | 7.41 | 7.45 |
| August | 9.01 | 9.57 | 10.1 | 9.07 |
| September | 7.55 | 8.07 | 8.08 | 8.45 |
| October | 7.92 | 6.96 | 7.3 | 6.96 |
| November | 9.1 | 8.7 | 8.53 | 8.45 |
| December | 8.19 | 8.7 | 8.42 | 8.57 |
| **Number of Occupants** | | | | |
| 1 | 70.25 | 69.07 | 67.68 | 68.57 |
| 2 | 22.29 | 23.11 | 25.81 | 25.34 |
| 3 | 5.55 | 5.96 | 4.38 | 4.1 |
| 4 | 1.73 | 1.74 | 1.8 | 1.74 |
| 5 | 0.18 | 0.12 | 0.34 | 0.25 |

| **Equipment Violation** | | | | |
|---|---|---|---|---|
| 0 | 73.7 | 75.28 | 72.73 | 72.67 |
| 1 | 18.84 | 17.39 | 18.52 | 18.39 |
| 2 | 4.55 | 4.35 | 6.62 | 6.71 |
| 3 | 1.09 | 0.99 | 1.35 | 1.49 |
| 4 | 1.27 | 1.37 | 0.67 | 0.62 |
| 5 | 0.55 | 0.62 | 0.11 | 0.12 |
| **Violent Crime Rate (previous 30 days, per 10,000 people)** | | | | |
| Mean | 1.21 | 1.11 | 1.01 | 1.02 |
| Median | 0.98 | 0.96 | 0.78 | 0.78 |

Table B-4: Black/White Person Search

| | Black Drivers | | White Drivers | |
|---|---|---|---|---|
| | n = 1,081 | n = 812 | n = 983 | n = 812 |
| Variable | Pre-Match % | Post-Match % | Pre-Match % | Post-Match % |
| **Reason to Stop** | | | | |
| Reasonable Suspicion | 10.92 | 9.98 | 9.46 | 10.59 |
| Other Moving Viol. | 16.93 | 18.47 | 19.23 | 17.49 |
| Equipment Viol. | 32.65 | 28.45 | 25.03 | 29.06 |
| Speeding | 5.55 | 6.65 | 7.83 | 6.03 |
| Cell Phone | 1.48 | 1.97 | 3.36 | 2.22 |
| BOLO | 0.37 | 0.25 | 0.31 | 0.25 |
| Red Light | 0.28 | 0.25 | 1.83 | 0.12 |
| Stop Sign | 9.34 | 10.22 | 10.68 | 10.59 |
| Seatbelt | 3.98 | 3.82 | 3.76 | 4.19 |
| Other VTL | 18.5 | 19.95 | 18.51 | 19.46 |
| **Precinct** | | | | |
| 1 | 54.86 | 53.94 | 40.08 | 42.73 |
| 2 | 8.42 | 8.25 | 7.02 | 7.51 |
| 3 | 19.61 | 18.35 | 12.72 | 13.05 |
| 4 | 1.76 | 2.09 | 3.56 | 2.96 |
| 5 | 6.38 | 6.9 | 12.82 | 13.18 |
| 6 | 3.79 | 4.06 | 10.27 | 9.48 |
| 7 | 2.87 | 3.57 | 5.9 | 5.91 |
| 9 | 2.31 | 2.83 | 7.63 | 5.17 |
| **Sex** | | | | |
| Female | 11.19 | 13.79 | 17.09 | 14.29 |
| Male | 88.81 | 86.21 | 82.91 | 85.71 |
| **Age** | | | | |
| <16 | 0.09 | 0 | 0.1 | 0 |
| 16 to 25 | 36.91 | 37.56 | 37.33 | 38.67 |
| 26 to 35 | 40.98 | 36.58 | 33.06 | 34.73 |
| 36 to 45 | 12.21 | 14.41 | 15.36 | 15.27 |
| 46 to 55 | 7.49 | 8.37 | 9.46 | 7.88 |
| 56 to 65 | 2.04 | 2.71 | 3.87 | 3.08 |
| >65 | 0.28 | 0.37 | 0.81 | 0.37 |

| | | | | |
|---|---|---|---|---|
| **Time of Day** | | | | |
| 00:00 – 03:59 | 8.88 | 10.84 | 15.67 | 11.7 |
| 04:00 – 07:59 | 1.11 | 1.35 | 1.63 | 1.72 |
| 08:00 – 11:59 | 24.79 | 21.43 | 18.11 | 20.44 |
| 12:00 – 15:59 | 21.46 | 19.7 | 18.11 | 20.2 |
| 16:00 – 19:59 | 23.96 | 24.51 | 23.91 | 25 |
| 20:00 – 23:59 | 19.8 | 22.17 | 22.58 | 20.94 |
| **Day of Week** | | | | |
| Monday | 12.77 | 12.44 | 11.8 | 12.32 |
| Tuesday | 13.23 | 12.44 | 13.02 | 13.42 |
| Wednesday | 17.21 | 18.6 | 17.7 | 17.24 |
| Thursday | 15.08 | 14.53 | 14.24 | 14.9 |
| Friday | 14.52 | 14.16 | 15.56 | 14.41 |
| Saturday | 13.78 | 14.41 | 14.75 | 13.92 |
| Sunday | 13.41 | 13.42 | 12.92 | 13.79 |
| **Month** | | | | |
| January | 9.44 | 8.5 | 9.16 | 9.98 |
| February | 11.38 | 11.58 | 9.77 | 10.59 |
| March | 6.48 | 6.77 | 6.31 | 6.65 |
| April | 7.4 | 7.02 | 6.21 | 7.02 |
| May | 8.33 | 8.13 | 9.36 | 9.48 |
| June | 6.57 | 6.65 | 7.53 | 6.9 |
| July | 7.59 | 7.51 | 7.63 | 7.64 |
| August | 9.34 | 9.85 | 9.66 | 9.24 |
| September | 8.33 | 8.74 | 9.16 | 7.64 |
| October | 7.96 | 7.39 | 7.93 | 8 |
| November | 8.6 | 8.87 | 8.65 | 8.5 |
| December | 8.6 | 8.99 | 8.65 | 8.37 |
| **Number of Occupants** | | | | |
| 1 | 74.65 | 74.63 | 73.86 | 72.41 |
| 2 | 18.32 | 17.98 | 21.06 | 22.29 |
| 3 | 5.27 | 5.42 | 3.76 | 3.82 |
| 4 | 1.67 | 1.85 | 1.02 | 1.11 |
| 5 | 0.09 | 0.12 | 0.31 | 0.37 |

| **Equipment Violations** | | | | |
|---|---|---|---|---|
| 0 | 73.73 | 75.49 | 75.38 | 73.52 |
| 1 | 18.32 | 16.87 | 16.79 | 17.98 |
| 2 | 5 | 4.8 | 5.9 | 6.65 |
| 3 | 1.2 | 1.11 | 1.42 | 1.23 |
| 4 | 1.2 | 1.23 | 0.41 | 0.49 |
| 5 | 0.56 | 0.49 | 0.1 | 0.12 |
| **Violent Crime Rate (previous 30 days, per 10,000 people)** | | | | |
| Mean | 1.23 | 1.05 | 0.95 | 1 |
| Median | 1.07 | 0.85 | 0.68 | 0.75 |

Table B-5: Hispanic/White Vehicle Search

| | Hispanic Drivers | | White Drivers | |
|---|---|---|---|---|
| | n = 700 | n = 605 | n = 891 | n = 605 |
| Variable | Pre-Match % | Post-Match % | Pre-Match % | Post-Match % |
| **Reason to Stop** | | | | |
| Reasonable Suspicion | 16.71 | 13.22 | 11.56 | 14.71 |
| Other Moving Viol. | 17.57 | 17.19 | 15.38 | 15.54 |
| Equipment Violation | 25.71 | 27.44 | 28.4 | 27.44 |
| Speeding | 6.14 | 6.45 | 5.72 | 6.28 |
| Cell Phone | 1.86 | 1.98 | 2.92 | 1.98 |
| BOLO | 0.29 | 0.33 | 0.45 | 0.5 |
| Red Light | 0.86 | 0.99 | 1.35 | 1.32 |
| Stop Sign | 6.86 | 7.93 | 9.99 | 7.27 |
| Seatbelt | 5 | 4.63 | 4.38 | 4.46 |
| Other VTL | 19 | 19.83 | 19.87 | 20.5 |
| **Precinct** | | | | |
| 1 | 31.29 | 31.4 | 46.69 | 45.95 |
| 2 | 9 | 9.42 | 7.74 | 6.61 |
| 3 | 45.86 | 45.45 | 17.4 | 17.02 |
| 4 | 1.57 | 1.65 | 2.69 | 2.64 |
| 5 | 4.71 | 4.63 | 11.9 | 12.07 |
| 6 | 4.71 | 4.3 | 8.87 | 10.25 |
| 7 | 1.71 | 1.98 | 3.93 | 4.46 |
| 9 | 1.14 | 1.16 | 0.79 | 0.99 |
| **Sex** | | | | |
| Female | 10 | 11.4 | 23.34 | 14.38 |
| Male | 90 | 88.6 | 76.66 | 85.62 |
| **Age** | | | | |
| <16 | 0.43 | 0 | 0.11 | 0.17 |
| 16 to 25 | 59.43 | 55.54 | 41.86 | 53.72 |
| 26 to 35 | 29.86 | 32.56 | 33.11 | 34.38 |
| 36 to 45 | 7.14 | 8.26 | 13.92 | 8.93 |
| 46 to 55 | 2.14 | 2.48 | 7.63 | 1.32 |
| 56 to 65 | 0.86 | 0.99 | 3.14 | 1.16 |
| >65 | 0.14 | 0.17 | 0.22 | 0.33 |

| **Time of Day** | | | | |
|---|---|---|---|---|
| 00:00 – 03:59 | 9.29 | 8.76 | 7.63 | 9.59 |
| 04:00 – 07:59 | 2.14 | 2.31 | 1.46 | 1.65 |
| 08:00 – 11:59 | 20.71 | 20.5 | 18.63 | 19.83 |
| 12:00 – 15:59 | 19.86 | 19.67 | 20.54 | 19.01 |
| 16:00 – 19:59 | 26.14 | 26.94 | 27.27 | 26.94 |
| 20:00 – 23:59 | 21.86 | 21.82 | 24.47 | 22.98 |
| **Day of Week** | | | | |
| Monday | 13.43 | 12.73 | 11.67 | 12.23 |
| Tuesday | 13.29 | 13.72 | 13.92 | 13.39 |
| Wednesday | 14.43 | 14.88 | 17.51 | 14.88 |
| Thursday | 15.29 | 15.37 | 14.48 | 15.87 |
| Friday | 12.71 | 13.06 | 15.38 | 13.72 |
| Saturday | 15.14 | 16.03 | 15.15 | 16.53 |
| Sunday | 15.71 | 14.21 | 11.9 | 13.39 |
| **Month** | | | | |
| January | 9.71 | 9.75 | 8.87 | 8.93 |
| February | 11.57 | 10.74 | 10.1 | 11.24 |
| March | 9 | 8.76 | 6.73 | 7.6 |
| April | 8.43 | 8.43 | 7.18 | 7.44 |
| May | 7.57 | 8.1 | 8.87 | 8.93 |
| June | 6.71 | 7.6 | 8.42 | 8.26 |
| July | 7.71 | 7.11 | 7.41 | 7.44 |
| August | 8.71 | 8.76 | 10.1 | 9.59 |
| September | 7 | 7.27 | 8.08 | 7.6 |
| October | 9.29 | 8.26 | 7.3 | 8.26 |
| November | 6.86 | 7.27 | 8.53 | 6.61 |
| December | 7.43 | 7.93 | 8.42 | 8.1 |
| **Number of Occupants** | | | | |
| 1 | 67.43 | 69.92 | 67.68 | 67.11 |
| 2 | 23.71 | 22.31 | 25.81 | 25.95 |
| 3 | 6.14 | 5.45 | 4.38 | 4.79 |
| 4 | 2.29 | 1.82 | 1.8 | 1.82 |
| 5 | 0.43 | 0.5 | 0.34 | 0.33 |

| **Equipment Violations** | | | | |
|---|---|---|---|---|
| 0 | 74.71 | 73.88 | 72.73 | 72.73 |
| 1 | 18.14 | 18.84 | 18.52 | 19.17 |
| 2 | 4.71 | 5.12 | 6.62 | 6.28 |
| 3 | 1 | 0.66 | 1.35 | 0.99 |
| 4 | 0.71 | 0.66 | 0.67 | 0.66 |
| 5 | 0.71 | 0.83 | 0.11 | 0.17 |
| **Violent Crime Rate (previous 30 days, per 10,000 people)** | | | | |
| Mean | 1.06 | 1.06 | 1.01 | 1.03 |
| Median | 0.96 | 0.96 | 0.78 | 0.78 |

Table B-6: Hispanic/White Person Search

| | Hispanic Drivers | | White Drivers | |
|---|---|---|---|---|
| | n = 769 | n = 667 | n = 983 | n = 667 |
| Variable | Pre-Match % | Post-Match % | Pre-Match % | Post-Match % |
| **Reason to Stop** | | | | |
| Reasonable Suspicion | 13.78 | 11.54 | 9.46 | 11.54 |
| Other Moving Viol. | 20.68 | 20.69 | 19.23 | 20.54 |
| Equipment Violation | 24.19 | 25.49 | 25.03 | 26.09 |
| Speeding | 6.37 | 6.9 | 7.83 | 7.5 |
| Cell Phone | 2.34 | 2.7 | 3.36 | 1.8 |
| BOLO | 0.39 | 0.3 | 0.31 | 0.3 |
| Red Light | 1.3 | 1.35 | 1.83 | 1.05 |
| Stop Sign | 7.15 | 8.25 | 10.68 | 7.95 |
| Seatbelt | 4.55 | 4.65 | 3.76 | 4.35 |
| Other VTL | 19.25 | 18.14 | 18.51 | 18.89 |
| **Precinct** | | | | |
| 1 | 28.61 | 28.49 | 40.08 | 42.13 |
| 2 | 9.36 | 9.6 | 7.02 | 6.75 |
| 3 | 42.78 | 41.68 | 12.72 | 12.74 |
| 4 | 1.69 | 1.65 | 3.56 | 3.45 |
| 5 | 6.5 | 7.05 | 12.82 | 13.64 |
| 6 | 5.59 | 5.7 | 10.27 | 9.6 |
| 7 | 1.95 | 1.8 | 5.9 | 5.1 |
| 9 | 3.51 | 4.05 | 7.63 | 6.6 |
| **Sex** | | | | |
| Female | 7.54 | 8.7 | 17.09 | 8.55 |
| Male | 92.46 | 91.3 | 82.91 | 91.45 |
| **Age** | | | | |
| <16 | 0.39 | 0.3 | 0.1 | 0.15 |
| 16 to 25 | 53.06 | 49.78 | 37.33 | 47.38 |
| 26 to 35 | 31.86 | 33.28 | 33.06 | 34.03 |
| 36 to 45 | 10.53 | 11.84 | 15.36 | 13.04 |
| 46 to 55 | 3.12 | 3.6 | 9.46 | 3.75 |
| 56 to 65 | 0.78 | 0.9 | 3.87 | 1.05 |
| >65 | 0.26 | 0.3 | 0.81 | 0.6 |

| **Time of Day** | | | | |
|---|---|---|---|---|
| 00:00 – 03:59 | 14.56 | 14.84 | 15.67 | 15.29 |
| 04:00 – 07:59 | 2.99 | 2.55 | 1.63 | 2.1 |
| 08:00 – 11:59 | 17.43 | 17.24 | 18.11 | 18.44 |
| 12:00 – 15:59 | 18.86 | 19.19 | 18.11 | 18.44 |
| 16:00 – 19:59 | 24.97 | 24.74 | 23.91 | 24.29 |
| 20:00 – 23:59 | 21.2 | 21.44 | 22.58 | 21.44 |
| **Day of Week** | | | | |
| Monday | 13.52 | 12.44 | 11.8 | 12.44 |
| Tuesday | 12.35 | 12.59 | 13.02 | 12.59 |
| Wednesday | 13.91 | 14.24 | 17.7 | 15.59 |
| Thursday | 13.39 | 14.24 | 14.24 | 13.94 |
| Friday | 13.39 | 13.04 | 15.56 | 14.99 |
| Saturday | 15.6 | 16.19 | 14.75 | 14.99 |
| Sunday | 17.82 | 17.24 | 12.92 | 15.44 |
| **Month** | | | | |
| January | 9.49 | 9.15 | 9.16 | 9.75 |
| February | 12.35 | 11.99 | 9.77 | 11.09 |
| March | 8.58 | 8.4 | 6.31 | 7.35 |
| April | 8.19 | 7.5 | 6.21 | 7.35 |
| May | 6.37 | 7.2 | 9.36 | 7.5 |
| June | 7.67 | 7.65 | 7.53 | 7.8 |
| July | 7.67 | 7.95 | 7.63 | 7.95 |
| August | 8.71 | 9 | 9.66 | 8.85 |
| September | 7.28 | 7.35 | 9.16 | 8.25 |
| October | 8.97 | 8.1 | 7.93 | 9.15 |
| November | 6.89 | 7.35 | 8.65 | 6.45 |
| December | 7.8 | 8.4 | 8.65 | 8.55 |
| **Number of Occupants** | | | | |
| 1 | 73.08 | 74.51 | 73.86 | 70.76 |
| 2 | 19.64 | 18.74 | 21.06 | 23.84 |
| 3 | 5.07 | 4.65 | 3.76 | 4.2 |
| 4 | 1.69 | 1.65 | 1.02 | 1.05 |
| 5 | 0.52 | 0.45 | 0.31 | 0.15 |

| **Equipment Violations** | | | | |
|---|---|---|---|---|
| 0 | 74.9 | 75.11 | 75.38 | 74.36 |
| 1 | 18.6 | 18.59 | 16.79 | 17.99 |
| 2 | 3.9 | 4.05 | 5.9 | 5.7 |
| 3 | 0.91 | 0.6 | 1.42 | 1.35 |
| 4 | 0.78 | 0.75 | 0.41 | 0.45 |
| 5 | 0.91 | 0.9 | 0.1 | 0.15 |
| **Violent Crime Rate (previous 30 days, per 10,000 people)** | | | | |
| Mean | 1.05 | 1.02 | 0.95 | 1.01 |
| Median | 0.96 | 0.94 | 0.68 | 0.76 |

Table B-7: Black/White Exit Vehicle

| | Black Drivers | | White Drivers | |
|---|---|---|---|---|
| | n = 1,314 | n = 1,055 | n = 1,469 | n = 1,055 |
| Variable | Pre-Match % | Post-Match % | Pre-Match % | Post-Match % |
| **Reason to Stop** | | | | |
| Reasonable Suspicion | 10.43 | 9.67 | 8.85 | 10.43 |
| Other Moving Viol. | 16.44 | 18.1 | 22.4 | 18.01 |
| Equipment Violation | 32.19 | 29.67 | 22.33 | 27.87 |
| Speeding | 6.32 | 7.11 | 10.35 | 6.73 |
| Cell Phone | 1.75 | 2.09 | 2.65 | 2.46 |
| BOLO | 0.46 | 0.38 | 0.2 | 0.28 |
| Red Light | 0.38 | 0.47 | 2.11 | 0.85 |
| Stop Sign | 9.13 | 9.29 | 8.71 | 9.67 |
| Seatbelt | 3.88 | 3.7 | 3.81 | 3.7 |
| Other VTL | 19.03 | 19.53 | 18.58 | 20 |
| **Precinct** | | | | |
| 1 | 50.91 | 49 | 31.59 | 36.97 |
| 2 | 8.45 | 9.1 | 7.35 | 7.11 |
| 3 | 20.24 | 19.53 | 12.05 | 13.65 |
| 4 | 1.9 | 2.27 | 4.56 | 3.03 |
| 5 | 6.77 | 7.3 | 10.82 | 11.94 |
| 6 | 4.41 | 4.55 | 10.35 | 9.86 |
| 7 | 3.04 | 3.41 | 5.65 | 5.88 |
| 9 | 4.26 | 4.83 | 17.63 | 11.56 |
| **Sex** | | | | |
| Female | 15.22 | 17.25 | 22.8 | 17.16 |
| Male | 84.78 | 82.75 | 77.2 | 82.84 |
| **Age** | | | | |
| <16 | 0.15 | 0.09 | 0.14 | 0.19 |
| 16 to 25 | 37.37 | 36.49 | 35.06 | 37.91 |
| 26 to 35 | 39.42 | 37.06 | 30.97 | 35.45 |
| 36 to 45 | 12.33 | 13.55 | 15.93 | 14.5 |
| 46 to 55 | 7.46 | 8.72 | 12.12 | 9.19 |
| 56 to 65 | 2.82 | 3.51 | 4.9 | 2.37 |
| >65 | 0.46 | 0.57 | 0.88 | 0.38 |

| | | | | |
|---|---|---|---|---|
| **Time of Day** | | | | |
| 00:00 – 03:59 | 10.27 | 12.32 | 21.51 | 11.85 |
| 04:00 – 07:59 | 1.45 | 1.8 | 2.04 | 1.99 |
| 08:00 – 11:59 | 25.04 | 23.03 | 15.86 | 20.57 |
| 12:00 – 15:59 | 20.62 | 19.62 | 16.75 | 19.91 |
| 16:00 – 19:59 | 23.44 | 23.51 | 21.85 | 24.74 |
| 20:00 – 23:59 | 19.18 | 19.72 | 21.99 | 20.95 |
| **Day of Week** | | | | |
| Monday | 13.17 | 12.8 | 11.03 | 12.7 |
| Tuesday | 13.17 | 13.93 | 13.07 | 13.65 |
| Wednesday | 16.67 | 16.68 | 17.15 | 17.25 |
| Thursday | 14.54 | 15.45 | 15.11 | 14.88 |
| Friday | 14.54 | 14.41 | 15.38 | 14.41 |
| Saturday | 14.31 | 14.5 | 16.07 | 14.79 |
| Sunday | 13.62 | 12.23 | 12.19 | 12.32 |
| **Month** | | | | |
| January | 8.98 | 8.34 | 8.1 | 9.19 |
| February | 10.81 | 10.14 | 9.39 | 10.81 |
| March | 7 | 7.96 | 8.03 | 8.34 |
| April | 6.93 | 7.2 | 6.6 | 6.92 |
| May | 8.45 | 9.29 | 9.19 | 8.72 |
| June | 6.93 | 7.3 | 7.49 | 7.3 |
| July | 7.61 | 8.25 | 8.03 | 8.34 |
| August | 9.21 | 9.1 | 9.19 | 7.77 |
| September | 8.37 | 8.06 | 8.92 | 8.06 |
| October | 8.52 | 7.87 | 8.37 | 8.25 |
| November | 8.9 | 8.25 | 8.71 | 8.34 |
| December | 8.3 | 8.25 | 7.96 | 7.96 |
| **Number of Occupants** | | | | |
| 1 | 73.06 | 74.6 | 75.49 | 72.32 |
| 2 | 19.48 | 18.96 | 19.26 | 22.18 |
| 3 | 5.56 | 4.64 | 3.47 | 3.79 |
| 4 | 1.75 | 1.8 | 1.43 | 1.33 |
| 5 | 0.15 | 0 | 0.27 | 0.28 |
| 6 | 0 | 0 | 0.07 | 0.09 |

| | | | | |
|---|---|---|---|---|
| **Equipment Violations** | | | | |
| 0 | 72.98 | 74.98 | 76.17 | 72.7 |
| 1 | 19.03 | 18.29 | 16.13 | 18.48 |
| 2 | 5.25 | 4.27 | 5.38 | 6.54 |
| 3 | 1.07 | 0.95 | 1.43 | 1.23 |
| 4 | 1.14 | 1.04 | 0.41 | 0.57 |
| 5 | 0.53 | 0.47 | 0.48 | 0.47 |
| **Violent Crime Rate (previous 30 days, per 10,000 people)** | | | | |
| Mean | 1.21 | 1.09 | 0.89 | 1 |
| Median | 0.98 | 0.87 | 0.61 | 0.73 |

Table B-8: Hispanic/White Exit Vehicle

| | Hispanic Drivers | | White Drivers | |
|---|---|---|---|---|
| | n = 1,023 | n = 911 | n = 1,469 | n = 911 |
| Variable | Pre-Match % | Post-Match % | Pre-Match % | Post-Match % |
| **Reason to Stop** | | | | |
| Reasonable Suspicion | 10.75 | 10.32 | 8.85 | 9.22 |
| Other Moving Viol. | 20.23 | 20.2 | 22.4 | 21.41 |
| Equipment Violation | 23.17 | 24.04 | 22.33 | 24.26 |
| Speeding | 6.74 | 7.46 | 10.35 | 7.9 |
| Cell Phone | 1.96 | 2.09 | 2.65 | 2.09 |
| BOLO | 0.39 | 0.33 | 0.2 | 0.22 |
| Red Light | 1.56 | 1.54 | 2.11 | 1.98 |
| Stop Sign | 7.53 | 7.9 | 8.71 | 7.79 |
| Seatbelt | 4.5 | 4.06 | 3.81 | 4.06 |
| Other VTL | 23.17 | 22.06 | 18.58 | 21.08 |
| **Precinct** | | | | |
| 1 | 23.75 | 23.82 | 31.59 | 34.8 |
| 2 | 9.78 | 10.1 | 7.35 | 7.46 |
| 3 | 39.69 | 38.31 | 12.05 | 12.95 |
| 4 | 2.05 | 2.09 | 4.56 | 3.4 |
| 5 | 5.87 | 6.15 | 10.82 | 11.86 |
| 6 | 6.26 | 6.59 | 10.35 | 10.1 |
| 7 | 1.86 | 1.76 | 5.65 | 5.93 |
| 9 | 10.75 | 11.2 | 17.63 | 13.5 |
| **Sex** | | | | |
| Female | 9.87 | 11.09 | 22.8 | 11.53 |
| Male | 90.13 | 88.91 | 77.2 | 88.47 |
| **Age** | | | | |
| <16 | 0.39 | 0.44 | 0.14 | 0.22 |
| 16 to 25 | 48.19 | 45.77 | 35.06 | 44.79 |
| 26 to 35 | 32.75 | 33.37 | 30.97 | 35.35 |
| 36 to 45 | 12.41 | 13.39 | 15.93 | 13.06 |
| 46 to 55 | 4.59 | 5.16 | 12.12 | 4.83 |
| 56 to 65 | 1.17 | 1.32 | 4.9 | 1.21 |

| | | | | |
|---|---|---|---|---|
| >65 | 0.49 | 0.55 | 0.88 | 0.55 |
| **Time of Day** | | | | |
| 00:00 – 03:59 | 16.52 | 17.23 | 21.51 | 18.66 |
| 04:00 – 07:59 | 4.11 | 3.62 | 2.04 | 2.63 |
| 08:00 – 11:59 | 17.6 | 16.68 | 15.86 | 17.01 |
| 12:00 – 15:59 | 18.38 | 18.44 | 16.75 | 17.12 |
| 16:00 – 19:59 | 23.56 | 23.82 | 21.85 | 24.04 |
| 20:00 – 23:59 | 19.84 | 20.2 | 21.99 | 20.53 |
| **Day of Week** | | | | |
| Monday | 13.59 | 13.06 | 11.03 | 11.64 |
| Tuesday | 13.39 | 13.28 | 13.07 | 12.62 |
| Wednesday | 14.57 | 14.93 | 17.15 | 17.12 |
| Thursday | 14.86 | 15.15 | 15.11 | 14.93 |
| Friday | 12.41 | 13.06 | 15.38 | 13.72 |
| Saturday | 14.96 | 15.26 | 16.07 | 15.37 |
| Sunday | 16.23 | 15.26 | 12.19 | 14.6 |
| **Month** | | | | |
| January | 8.99 | 9.44 | 8.1 | 8.34 |
| February | 12.61 | 10.76 | 9.39 | 10.54 |
| March | 10.07 | 9.55 | 8.03 | 9.11 |
| April | 8.41 | 8.12 | 6.6 | 8.34 |
| May | 7.04 | 7.68 | 9.19 | 7.35 |
| June | 6.94 | 7.57 | 7.49 | 7.03 |
| July | 8.11 | 7.9 | 8.03 | 8.12 |
| August | 7.62 | 8.34 | 9.19 | 9.44 |
| September | 7.23 | 7.57 | 8.92 | 7.57 |
| October | 8.8 | 8.89 | 8.37 | 9 |
| November | 6.45 | 6.59 | 8.71 | 6.92 |
| December | 7.72 | 7.57 | 7.96 | 8.23 |
| **Number of Occupants** | | | | |
| 1 | 73.22 | 74.09 | 75.49 | 73.55 |
| 2 | 19.65 | 19.21 | 19.26 | 20.53 |
| 3 | 4.99 | 4.61 | 3.47 | 3.95 |
| 4 | 1.66 | 1.54 | 1.43 | 1.65 |
| 5 | 0.49 | 0.55 | 0.27 | 0.22 |
| 6 | 0 | 0 | 0.07 | 0.11 |

| **Equipment Violations** | | | | |
|---|---|---|---|---|
| 0 | 74.39 | 74.2 | 76.17 | 73.87 |
| 1 | 17.79 | 17.34 | 16.13 | 17.12 |
| 2 | 4.59 | 4.94 | 5.38 | 6.26 |
| 3 | 1.56 | 1.65 | 1.43 | 1.76 |
| 4 | 0.88 | 0.99 | 0.41 | 0.55 |
| 5 | 0.78 | 0.88 | 0.48 | 0.44 |
| **Violent Crime Rate (previous 30 days, per 10,000 people)** | | | | |
| Mean | 1 | 0.98 | 0.89 | 0.98 |
| Median | 0.93 | 0.87 | 0.61 | 0.71 |

# Traffic Stop Report

**Office of the Commissioner – Legal**
**2019 Full Year**

## *Department Overview – Full Year 2019*

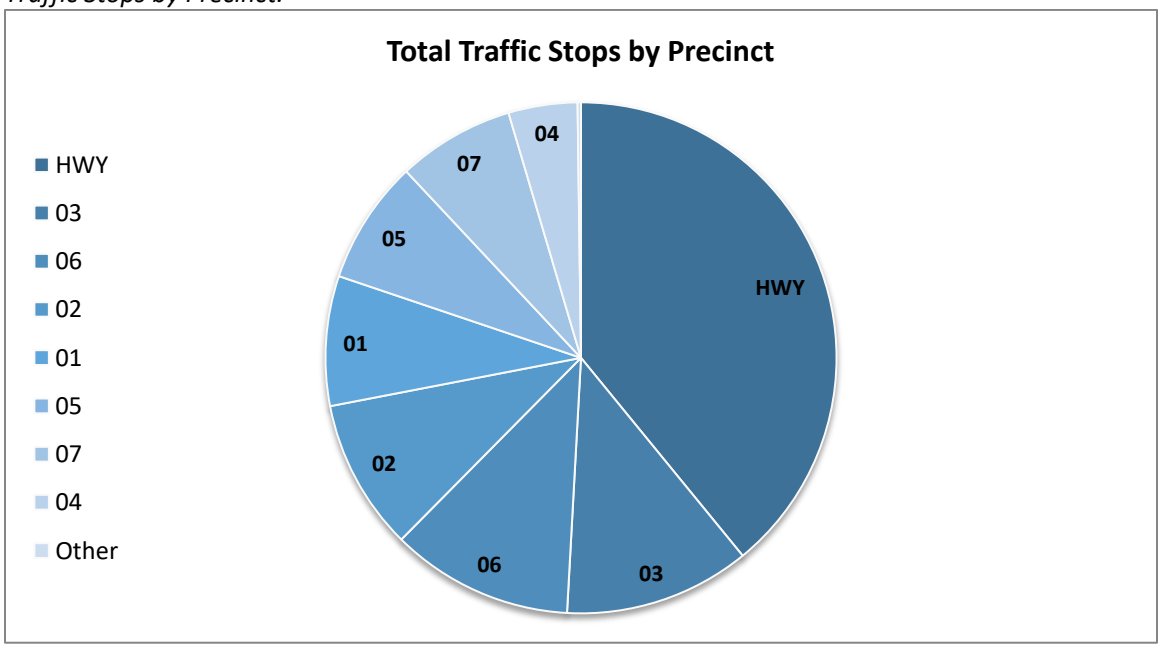
### Synopsis

The tables below show (1) total traffic stops (2) how many stops involved the issuance of a ticket and how many total tickets were written (3) how many of the total stops involved a vehicle search, and (4) how many of the total stops ended with an arrest.

| | (1) Total Traffic Stops | | (2) Ticket Issued | | (3) Vehicle Searches | | (4) Arrests Made | |
|---|---|---|---|---|---|---|---|---|
| **PCT** | **Count** | **%** | **Stops w/ Ticket** | **Total Tickets** | **Search** | **%** | **Count** | **%** |
| **01** | 10331 | 8.3% | 6885 | 18113 | 1481 | 44.2% | 1083 | 28.8% |
| **02** | 13039 | 10.5% | 9506 | 17809 | 417 | 12.4% | 298 | 7.9% |
| **03** | 13869 | 11.1% | 9254 | 19609 | 627 | 18.7% | 659 | 17.5% |
| **04** | 5771 | 4.6% | 4736 | 9098 | 93 | 2.8% | 134 | 3.6% |
| **05** | 10734 | 8.6% | 7994 | 16497 | 295 | 8.8% | 444 | 11.8% |
| **06** | 15377 | 12.3% | 8530 | 17715 | 151 | 4.5% | 252 | 6.7% |
| **07** | 9820 | 7.9% | 4815 | 12117 | 158 | 4.7% | 290 | 7.7% |
| **HWY** | 44429 | 35.7% | 26133 | 43826 | 111 | 3.3% | 578 | 15.4% |
| **Other** | 1182 | 0.9% | 605 | 1021 | 19 | 0.6% | 17 | 0.5% |
| **SCPD** | 124552 | 100.0% | 78458 | 155805 | 3352 | 100.0% | 3755 | 100.0% |

### Chart 2019-1

*Traffic Stops by Precinct.*



# *2019 – Stop Reason*

## Synopsis

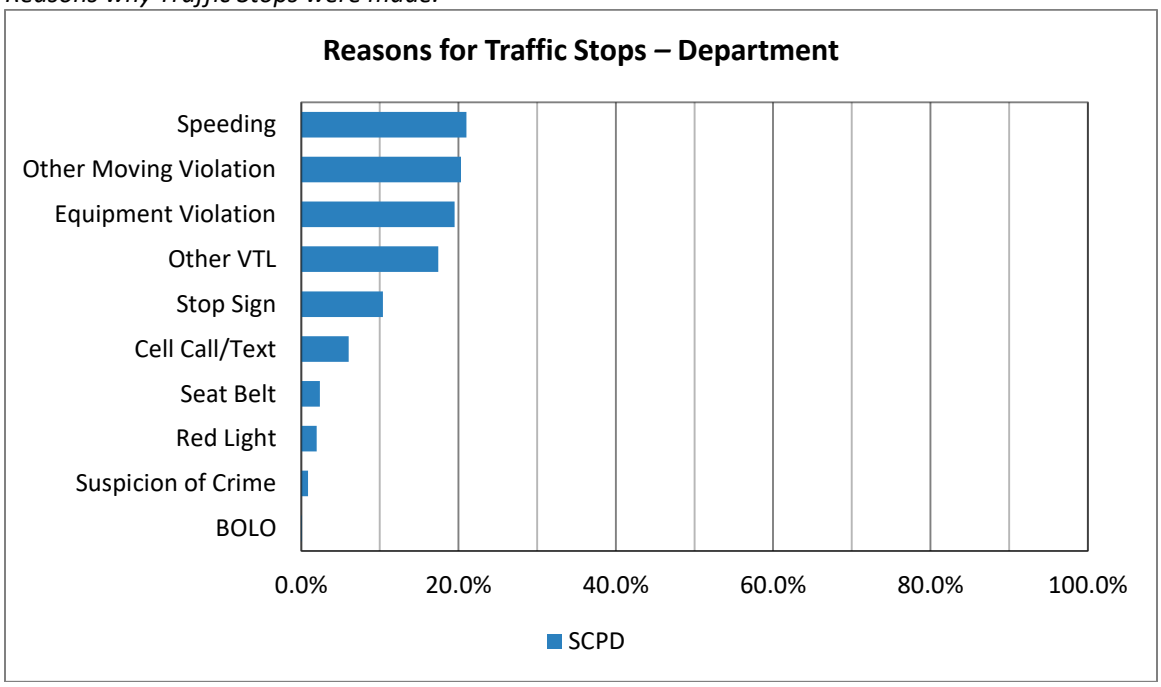
This table breaks down the total number of stops by the reason the stop was made.

**Reasons for Traffic Stops**

| Category | SCPD | % |
|---|---|---|
| Speeding | 26163 | 21.0% |
| Cell Call/Text | 7524 | 6.0% |
| Red Light | 2441 | 2.0% |
| Stop Sign | 12931 | 10.4% |
| Suspicion of Crime | 1087 | 0.9% |
| Other Moving Violation | 25278 | 20.3% |
| Seat Belt | 2960 | 2.4% |
| Other VTL | 21730 | 17.4% |
| BOLO | 135 | 0.1% |
| Equipment Violation | 24303 | 19.5% |
| **Total** | 124552 | 100.0% |

## Chart 2019-2

*Reasons why Traffic Stops were made.*



# *SCPD – Stop Disposition*

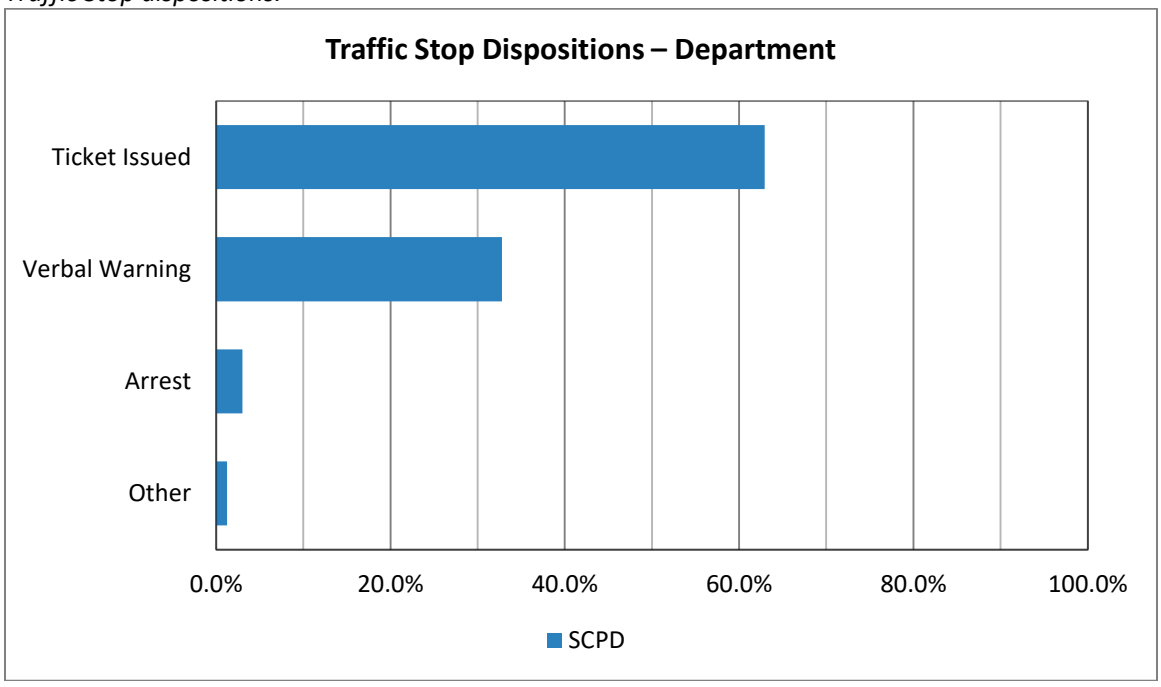
## Synopsis

This table breaks down the total number of stops by how they ended

| | Traffic Stop Dispositions | |
|---|---|---|
| **Category** | **SCPD** | **%** |
| Ticket Issued | 78402 | 62.9% |
| Verbal Warning | 40828 | 32.8% |
| Arrest | 3755 | 3.0% |
| Other | 1567 | 1.3% |
| **Total** | 124552 | 100.0% |

## Chart 2019-3

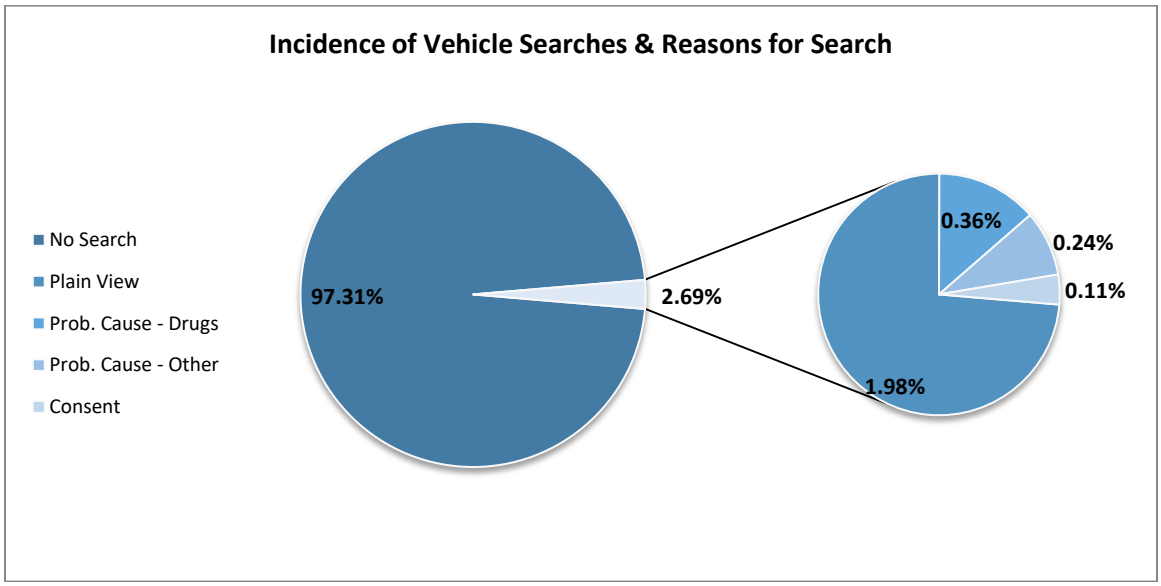
*Traffic Stop dispositions.*



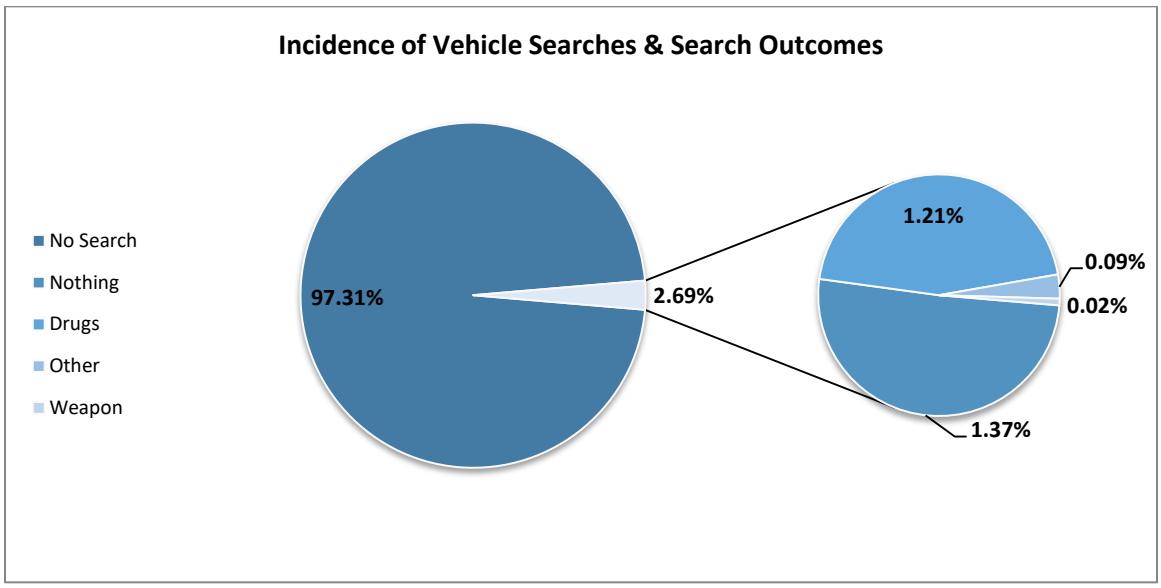
## *SCPD – Vehicle Searches 2019*

### Tables & Figures

Of all traffic stops that were performed in 2019, only a small fraction involved the search of the stopped vehicle.




Of the searches that were performed about half yielded contraband, mostly drugs.



# Police Reform and Reinvention Task Force




Geraldine Hart
Police Commissioner

# Suffolk County Police Reform and Reinvention Task Force

**Welcome**

**Public Input Session 3-3rd Precinct**

- 214 registrants
- 46 speakers registered
- 15 task force members joined the session: Police Commissioner Geraldine Hart, Deputy Police Commissioner Risco Mention Lewis, Presiding Officer Robert Calarco, Legislator Tom Cilmi, Legislator Jason Richberg , ADA Leslie Anderson, Retha Fernandez, Daniel Lloyd, Roger Clayman, Kathleen King,, Lynda Perdomo Ayala, Pilar Moya, Girish Patel, Sharon Webber, Bishop Andy Lewter, Daniel Russo, David Kilmnick, Co-facilitators-Vanessa Baird-Streeter, Jon Kaiman
- Chief of Police Stu Cameron was on the call
- The video of the third meeting is posted on the Task Force site
- Next Public Input Listening Session-tonight **November 17th, 2020 @6:00pm**
  - **93 registrants and 30 speakers**

**Next proposed Task Force** Meeting-Any topics that we haven't covered that task force members would still like to cover? We are looking at subcommittees for the next set of meetings with Tsk Force members

**Task Force Website:**

- All three Public Listening Session videos are posted
- Task Force Meeting 6-Use of Force Presentation will be posted tomorrow
- RFEI for Body Worn Camera for Sworn Members of SCPD posted last week

**Stakeholder Organizations-who requested to meet with staff and or task force members-we will begin scheduling this week and will offer**

- **Suffolk County African American Advisory Board**-Community Policing, Use of Force, Officer Mental Health, Implicit Bias Training
- **Brighter Tomorrows**-Domestic Violence Agency-Domestic Violence, Language Access, SROs, Traffic Stops
- **Axis Church-** Anthony Pelella-SCPD and the personal views of the African American community
- **Assemblyman Phil Ramos**
- **LI United to Transform Policing & Community Safety**

# School Districts / School Resource Officers

**School Districts within the Police District**

- 45 School Districts
  - 295 School buildings
- Eastern Suffolk BOCES – 14 buildings
- Western Suffolk BOCES – 11 buildings
- Private Schools – 46
- Parochial Schools – 16

**SCPD School Resource Officers** – Total: 18

- 12 assigned to precincts and 6 assigned to HQ

# SCPD Total Persons Arrested by School Resource Officers

| | 2018 | YTD Oct 31 2018 | 2019 | YTD Oct 31 2019 | YTD Oct 31 2020 |
|---|---|---|---|---|---|
| **SRO Persons Arrested** | **15** | **15** | **5** | **5** | **0** |
| **SCPD Persons Arrested (17 y/o and under)** | 547 | 488 | 329 | 302 | 113 |
| **% of SRO Persons Arrested out of SCPD Arrests of Persons 17 y/o and Under** | 2.74% | 3.07% | 1.52% | 1.66% | 0.00% |
| **SCPD Persons Arrested (18 y/o and Under)** | 962 | 835 | 796 | 699 | 395 |
| **% of SRO Persons Arrested out of SCPD Arrests of Persons 18 y/o and Under** | 1.56% | 1.80% | 0.63% | 0.72% | 0.00% |
| **Total SCPD Persons Arrested** | **19,051** | **16,092** | **19,725** | **16,785** | **11,371** |
| **% of Total** | 0.08% | 0.09% | 0.03% | 0.03% | 0.00% |

| Year | Felony | Misd. | Viol. |
|---|---|---|---|
| **2018** | 3 | 6 | 6 |
| **2019** | 1 | 1 | 3 |
| **2020** | 0 | 0 | 0 |

# Demographics of SCPD Total Persons Arrested by School Resource Officers

| Year | Male | Female |
|---|---|---|
| **2018** | 13 | 2 |
| **2019** | 2 | 3 |
| **2020** | 0 | 0 |

| Year | White | Black | Hispanic |
|---|---|---|---|
| **2018** | 4 | 3 | 8 |
| **2019** | 1 | 1 | 3 |
| **2020** | 0 | 0 | 0 |

# Community Based Outreach and Violence Interruption Programs – Credible Messenger

- COTA – Council of Thought and Action
  - Re-entry
  - Youth Intervention
  - Trauma Training
  - Gun Violence
- SNUG
  - A statewide program aimed at reducing and preventing gun violence

# Using Summonses Rather than Warrantless Arrests for Specified Offenses

| SCPD Total Arrest Charges by Charge Type | | | | |
|---|---|---|---|---|
| **Charge Type** | **2018** | **2019** | **YTD 2020** | **Totals** |
| Bench Warrant | 508 | 431 | 169 | 1,108 |
| Felony | 4,314 | 4,089 | 2,696 | 11,099 |
| Misdemeanor | 16,858 | 16,750 | 8,857 | 42,465 |
| Violation | 1,498 | 2,533 | 2,283 | 6,314 |
| Infraction | 766 | 808 | 271 | 1,845 |
| **Totals** | **23,944** | **24,611** | **14,276** | **62,831** |

# SCPD Total Arrest Charges by Custody Status

| SCPD Total Arrest Charges by Custody Status | | | | |
|---|---|---|---|---|
| **Custody Status** | **2018** | **2019** | **YTD 2020** | **Totals** |
| **FAT** | **4,056** | **5,562** | **4,158** | **13,776** |
| **Summary Arrest [SA]** | **19,888** | **19,049** | **10,118** | **49,055** |
| Jail | 14,654 | 13,880 | 6,617 | 35,151 |
| Bail | 2,913 | 2,719 | 271 | 5,903 |
| Released, Own Recognizance [ROR] | 524 | 895 | 2,427 | 3,846 |
| Arraignment | 1,142 | 973 | 571 | 2,686 |
| Other* | 655 | 582 | 232 | 1,469 |
| **Totals** | **23,944** | **24,611** | **14,276** | **62,831** |

*SA: Summary Arrest includes all other types of arrest besides FAT.*

*ROR: Released with a Desk Appearance Ticket (DAT).*

**Includes other custody statuses; e.g. juvenile released to parent/guardian.*

# Diversion Programs

**PIVOT -** Preventing Incarceration Via Options for Treatment

- This proactive initiative began in Oct. 2017 in an effort to address the opiate overdose epidemic.
- Field Intelligence Officers research and vet individuals to ensure they are appropriate candidates for the program. Those individuals are referred to LICADD who has licensed counselors reach out to the individual and family to encourage entering treatment for their addiction.
  - **LICADD-** Long Island Council on Alcoholism and Drug Dependence

# Diversion Programs (cont.)

SCPD Educational campaign –

- Since 2015, the Community Relations Bureau embarked on an education and awareness program called the “Ugly Truth”. This program is presented to school officials, parents and community members to educate them on the highly addictive nature of opioid prescription medication, heroin and fentanyl.
- Participants are educated in signs and symptoms of overdose and how to administer NARCAN.

# Hot Spot Policing and Focused Deterrence

## Hot Spot Policing

- The idea is to focus on those locations where criminal activity takes place and those people who are engaged in criminal activity.
  - By doing this we avoid “overpolicing” communities

- This approach has proven successful and we are in the midst of expanding it to include an intervention type approach where we use data analysis to recognize problem areas early on.

# Hot Spot Policing and Focused Deterrence

## Focused Deterrence

- Has been in use since about 2012
- We have utilized “custom notifications” and “call-ins” to alert individuals suspected of being involved in violent crime that their actions are a risk to their communities as well as to themselves.
- The idea is to focus on those individuals involved in violent crime so as not to target an entire community for the actions of a few.

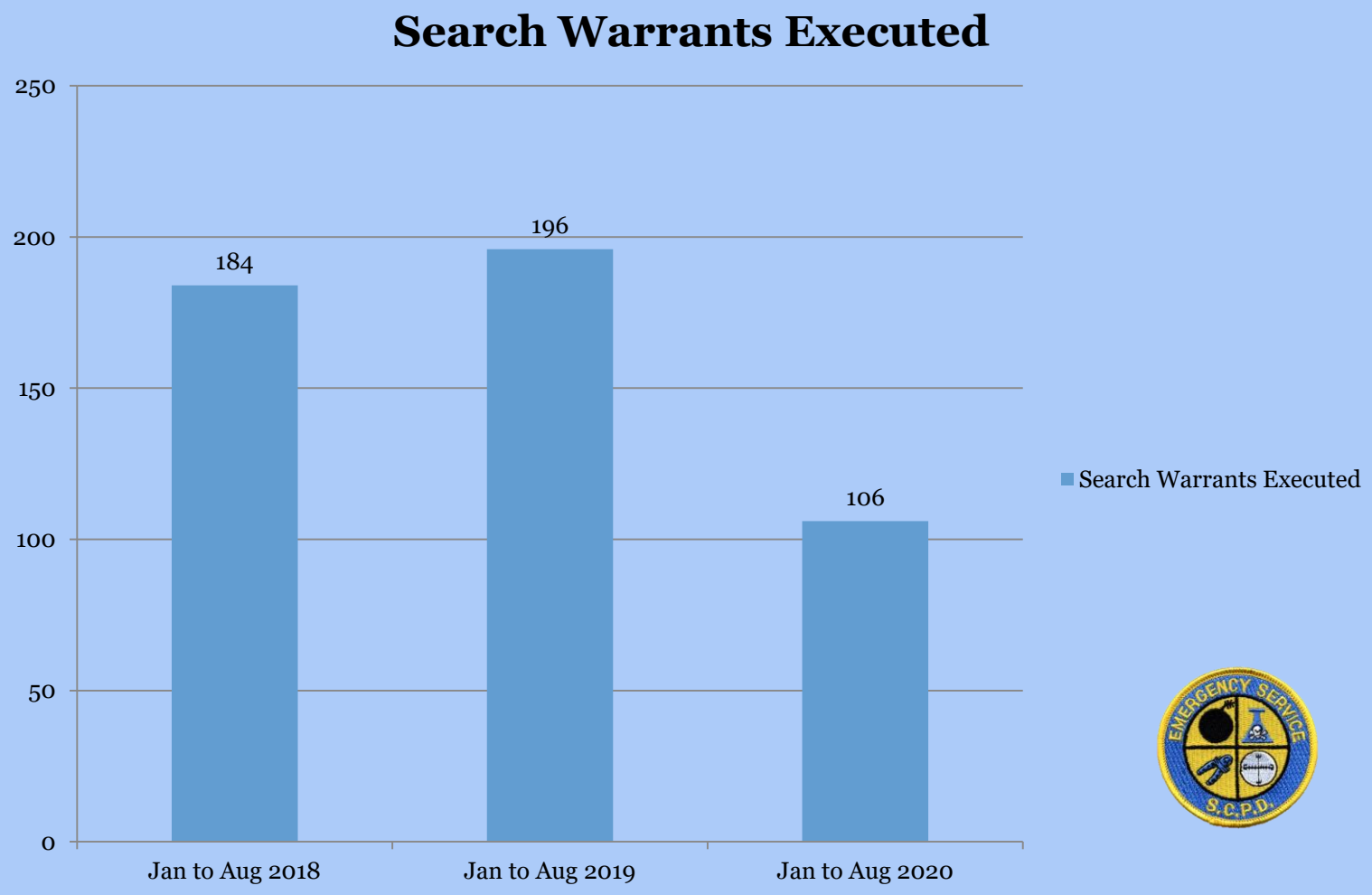
# Informal Quotas for Summonses, Tickets or Arrests

- Crime Meetings
- Promotion and Transfers

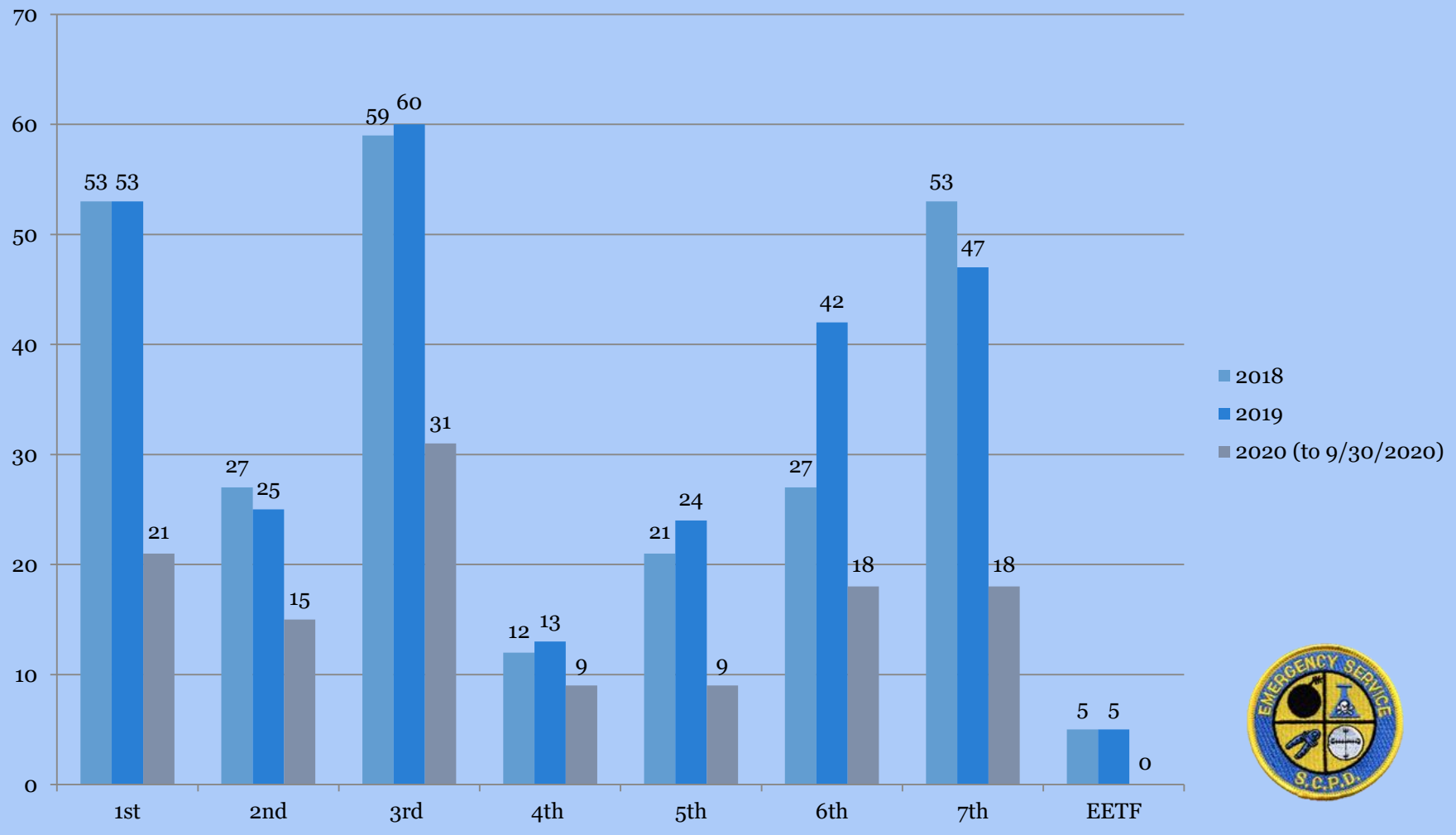
# Search Warrants Executed by ESS
# 2018 – 2019 – 2020 (to 9/30/2020)



# Search Warrants Executed by ESS Jan – August for 2018, 2019, 2020



# Search Warrants Executed by ESS
# Precinct of Search Warrant Execution



# Search Warrants Executed by ESS
# Hamlet of Search Warrant Execution

| 2018 | | 2019 | | 2020 (YTD) | |
|---|---|---|---|---|---|
| AMITYVILLE | 12 | AMITYVILLE | 15 | AMITYVILLE | 3 |
| BAYSHORE | 23 | BABYLON | 1 | BABYLON | 1 |
| BELLPORT | 6 | BAYPORT | 2 | BAYPORT | 1 |
| BLUE POINT | 1 | BAYSHORE | 22 | BAYSHORE | 8 |
| BRENTWOOD | 12 | BELLPORT | 6 | BELLPORT | 1 |
| BROOKHAVEN | 1 | BRENTWOOD | 12 | BRENTWOOD | 10 |
| CENTER MORICHES | 1 | CENTER MORICHES | 2 | CENTER MORICHES | 3 |
| CENTEREACH | 2 | CENTEREACH | 1 | CENTEREACH | 2 |
| CENTRAL ISLIP | 19 | CENTRAL ISLIP | 21 | CENTRAL ISLIP | 9 |
| COLD SPRING HARBOR | 1 | COMMACK | 1 | COPIAGUE | 3 |
| COMMACK | 3 | COPIAGUE | 3 | CORAM | 3 |
| COPIAGUE | 9 | CORAM | 13 | EAST ISLIP | 1 |
| CORAM | 8 | DEER PARK | 4 | FARMINGVILLE | 2 |
| DEER PARK | 4 | EAST ISLIP | 3 | GREENLAWN | 1 |
| DIX HILLS | 2 | EAST NORTHPORT | 2 | HOLBROOK | 1 |
| EAST NORTHPORT | 2 | EAST PATCHOGUE | 5 | HOLTSVILLE | 2 |
| EAST PATCHOGUE | 1 | FARMINGDALE | 1 | HUNTINGTON | 8 |
| EAST QUOGUE | 1 | GREENLAWN | 4 | HUNTINGTON STATION | 6 |
| FARMINGVILLE | 3 | HAUPPAGUE | 2 | ISLANDIA | 1 |
| GREENLAWN | 1 | HOLBROOK | 3 | ISLIP | 1 |
| HOLBROOK | 1 | HOLTSVILLE | 1 | KINGS PARK | 1 |
| HOLTSVILLE | 1 | HUNTINGTON | 3 | LAKE GROVE | 1 |
| HUNTINGTON | 2 | HUNTINGTON STATION | 12 | LAKE RONKONKOMA | 1 |
| HUNTINGTON STATION | 14 | ISLIP | 2 | LINDENHURST | 2 |
| ISLIP | 2 | ISLIP TERRACE | 1 | MANORVILLE | 1 |
| ISLIP TERRACE | 2 | LAKE GROVE | 1 | MASTIC | 3 |
| LAKE GROVE | 2 | LINDENHURST | 6 | MASTIC BEACH | 5 |
| LAKE RONKONKOMA | 3 | MANORVILLE | 1 | MEDFORD | 4 |
| LINDENHURST | 3 | MASTIC | 15 | MIDDLE ISLAND | 3 |
| MASTIC | 10 | MASTIC BEACH | 7 | N. AMITYVILLE | 4 |
| MASTIC BEACH | 15 | MEDFORD | 15 | NESCONSET | 1 |
| MEDFORD | 5 | MIDDLE ISLAND | 3 | NORTH BABYLON | 2 |
| MELVILLE | 2 | MILLER PLACE | 1 | NORTH BAYSHORE | 1 |
| MIDDLE ISLAND | 7 | MORICHES | 1 | PORT JEFFERSON ST | 1 |
| MONTAUK | 2 | MOUNT SINAI | 1 | RIDGE | 1 |
| MORICHES | 2 | N. AMITYVILLE | 10 | RONKONKOMA | 6 |
| MOUNT SINAI | 1 | NORTH BABYLON | 2 | SELDEN | 4 |
| N. AMITYVILLE | 9 | NORTHPORT | 1 | SHIRLEY | 4 |
| NESCONSET | 2 | PATCHOGUE | 3 | SMITHTOWN | 1 |
| NORTH BABYLON | 2 | PORT JEFFERSON | 1 | WADING RIVER | 1 |
| PATCHOGUE | 9 | PORT JEFFERSON ST | 6 | WEST BABYLON | 2 |
| PORT JEFFERSON ST | 3 | RIDGE | 1 | WEST ISLIP | 1 |
| RIDGE | 2 | RIVERHEAD | 6 | WYANDANCH | 4 |
| RIVERHEAD | 4 | RONKONKOMA | 5 | | 121 |
| ROCKY POINT | 2 | SAYVILLE | 1 | | |
| RONKONKOMA | 5 | SELDEN | 5 | | |
| SELDEN | 2 | SHIRLEY | 13 | | |
| SHIRLEY | 13 | SOUND BEACH | 1 | | |
| SMITHTOWN | 1 | ST JAMES | 2 | | |
| WEST BABYLON | 1 | WEST BABYLON | 2 | | |
| WEST ISLIP | 2 | WEST ISLIP | 1 | | |
| WYANDANCH | 14 | WYANDANCH | 16 | | |
| | 257 | | 269 | | |

# Night-time & No-Knock Endorsements

- YOU ARE THEREFORE, COMMANDED, any time day or night, without giving notice of your authority, to make a search of <particularly described persons and/or premise>. This target location is a <description of premise>.
- For the following property: <particularly described property>

# Search Warrants

- Investigative command contacts ESS supervisor
- ESS Supervisor reviews all available information including:
  - Intelligence provided by investigating command (tactical survey completed by investigating command)
  - Intelligence regarding persons suspected of being within
  - Past search warrant executions at specific location
  - Warrant reviewed to ensure signed and checked for endorsements (No-knock, Night-time)
    - Night-time endorsement for execution between 2100 and 0600
  - Personnel needs are determined by many factors including:
    - Intel on number of people expected to be within (including criminal history of target and known occupants)
    - Design of target residence (single family, multi-family, accessory apts., etc.)
      - Drive-by surveillance of location will be performed by ES when appropriate

# Search Warrants

- ESS supervisor will determine team assignments
- ESS supervisor will brief team personnel
  - Personnel will be given specific assignments/roles
  - Scope of search warrant will be detailed to all member of tactical team.
- Once scene is “secure”, investigative command takes control of scene and suspects/persons located within
- Debriefing is conducted following execution of SW
- A diagram will be drawn of the target location’s layout.
  - This proves valuable when the location is the subject of a future warrant.
  - The diagram captures any changes to the interior that might not appear on blueprints/property records possessed by local building authorities

# Search Warrants-Narcotics Section

- 129 Total Search Warrants executed in 2020 (to 9/30/2020)
- 40 Search Warrants resulted in the recovery of a weapon in 2020 (to 9/30/2020)
  - 117/155 SW in 2020 led to an arrest (to 9/30/2020)
  - 236/258 SW in 2019 led to an arrest
  - 242/259 SW in 2018 led to an arrest
- Post Warrant Execution Worksheet filed by Investigator with Courts outlining the results

# Search Warrants-Narcotics

| as of 11/16/2020 | 2017 | 2018 | 2019 | 2020 |
|---|---|---|---|---|
| Search Warrants YTD | 254 | 266 | 260 | 156 |
| Arrests | 438 | 482 | 403 | 200 |
| Handguns | 59 | 57 | 74 | 50 |
| Shotguns / Rifles | 63 | 50 | 104 | 47 |
| # SW with Weapons Seized YTD | 72 | 61 | 82 | 43 |
| % SW Weapons Seized | 28% | 23% | 32% | 28% |
| Heroin (grams) | 5,065.10 | 4,597.18 | 1,678.70 | 3,464.80 |
| Fentanyl (grams) | 2,346.10 | 300.40 | 474.80 | 4,464.90 |
| Crack (grams) | 3,923.28 | 1,755.20 | 3,398.40 | 1,746.40 |
| Cocaine (grams) | 5,628.80 | 8,544.37 | 8,435.20 | 21,016.00 |
| Marijuana (grams) | 131,326.92 | 50,274.66 | 37,676.41 | 13,474.85 |
| Oxycodone (grams) | 172.20 | 122.30 | 248.50 | 485.37 |
| Oxycodone Pills | 952 | 72 | 20 | 4125 |
| Cash Seized | $1,189,981 | $1,517,091 | $1,119,165 | $2,790,978 |
| Street Value of Drugs Seized | $3,704,669 | $2,430,999 | $1,657,177 | $3,654,382 |
| ATF eTrace | 369 | 391 | 374 | 259 |
| Fatal Overdoses | 314 | 277 | 227 | 308 |
| Nonfatal Overdoses | 1,438 | 1,007 | 936 | 1,053 |
| Narcan Saves | 1,152 | 719 | 725 | 774 |

# Search Warrants-Narcotics by Hamlet

| 2018 | | 2019 | | 2020 YTD | |
|---|---|---|---|---|---|
| **Hamlet** | **Total** | **Hamlet** | **Total** | **Hamlet** | **Total** |
| Bay Shore | 25 | Central Islip | 21 | Brentwood | 13 |
| Central Islip | 18 | Bay Shore | 19 | Bay Shore | 10 |
| North Amityville | 17 | Mastic | 18 | Huntington Sta. | 10 |
| Wyandanch | 15 | Wyandanch | 16 | Central Islip | 9 |
| Huntington Sta. | 13 | Coram | 13 | Huntington | 8 |
| Coram | 12 | North Amityville | 13 | Ronkonkoma | 8 |
| Mastic | 13 | Brentwood | 12 | Mastic Beach | 7 |
| Mastic Beach | 11 | Huntington Sta. | 12 | Coram | 6 |
| Shirley | 11 | Medford | 12 | North Amityville | 6 |
| Copiague | 10 | Shirley | 11 | Shirley | 6 |
| Brentwood | 9 | Lindenhurst | 6 | Wyandanch | 6 |
| Middle Island | 9 | Mastic Beach | 6 | Selden | 5 |
| Patchogue | 8 | Bellport | 5 | Copiague | 4 |
| Ronkonkoma | 6 | Copiague | 5 | Lake Grove | 4 |
| Deer Park | 5 | East Patchogue | 5 | Mastic | 4 |
| Medford | 5 | Greenlawn | 5 | Bellport | 3 |
| Montauk | 5 | Port Jefferson Sta. | 5 | Centereach | 3 |
| Port Jefferson Sta. | 5 | Ronkonkoma | 5 | Medford | 3 |
| Bellport | 4 | Selden | 5 | Middle Island | 3 |
| Lindenhurst | 4 | Deer Park | 4 | West Babylon | 3 |
| West Babylon | 4 | Middle Island | 4 | Center Moriches | 2 |
| Commack | 3 | Patchogue | 4 | Holtsville | 2 |
| Farmingville | 3 | East Islip | 3 | North Babylon | 2 |
| Islip | 3 | Holbrook | 3 | Port Jefferson Sta. | 2 |
| North Bellport | 2 | Riverhead | 3 | West Islip | 2 |
| All Other Hamlets | 39 | All Other Hamlets | 43 | All Other Hamlets | 24 |
| **2020 Total** | 259 | **2020 Total** | 258 | **2020 Total** | 155 |

# Discussion



# SUFFOLK COUNTY
# DISTRICT ATTORNEY'S OFFICE




**TRUTH · JUSTICE · INTEGRITY**

# Diversity

*Building the Foundation for the Office's Future*

| Class of 2019 | | Class of 2020 | | Class of 2021 | |
|---|---|---|---|---|---|
| 21.7% Non-white | 26% Speak Foreign Language | 26.7% Non-White | 20% Speak Foreign Language | 70% Non-White | 50% Speak Foreign Language |






HOW NEWSDAY COVERED SANDY 76-PAGE DIGITAL EXCLUSIVE INSIDE

newsday.com
$2.00 | LI EDITION
Thursday
Oct. 26, 2017

Newsday
SPORTS FINAL
THE LONG ISLAND NEWSPAPER

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CHANCE OF SHOWERS



# INDICTED

## Suffolk DA Spota and top aide charged by feds in cover-up of Burke case

A2-5, 14 | READ PROSECUTOR'S LETTER TO THE JUDGE AT NEWSDAY.COM

STEVE PFOST

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Wednesday
Dec. 18, 2019

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POWER ON TRIAL

# SPOTA'S FALL

## Ex-Suffolk DA and former top aide found guilty on all counts in cover-up case

A2-7 | VIDEO AT NEWSDAY.COM

BARRY SLOAN

## HISTORIC IMPEACHMENT VOTE SET FOR TODAY

A8-9

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EDITORIALS

OPINION

# Sini's task as DA: Clean up Suffolk

## And next police head must continue reforms

Suffolk County has a new district attorney.

Tim Sini now has his charge. He must restore the public's trust in one of the most important and powerful offices in the county. The mission of a prosecutor's office, in perception and reality, is to enforce the laws and deliver justice.

Thomas Spota, who held the office for 16 years, battered its reputation. For most of that time, he was endorsed by virtually every political party and accountable to no one. That kind of power is corrupting and corrosive, and last month Spota and his top deputy were indicted on federal charges that they helped cover up crimes, the physical abuse of a suspect in custody, by then-police chief and Spota protégé James Burke.

Now it's up to Sini to harness his undeniable ambition as fuel for the exorcism. He said all the right things in his victory speech, promising to restore integrity. He said he'd immediately begin to assemble a top-notch transition team. He vowed the office will no longer be a tool to benefit the politically connected. That will require big changes. If there aren't massive resignations from top managers, he should begin firing them on day one. He must follow through on his promise to require financial disclosures from deputies and bureau chiefs. He must set down rules that ban political activism to ensure the office is nonpolitical.



STEVE PFOST

District Attorney-elect Tim Sini

Perhaps most critically, he must be independent from the powers that helped deliver him his nomination on multiple party lines. Sini must remember: His allegiance is to the voters who gave him their confidence. One encouraging sign: Sini held his victory party at his own headquarters, separate from party leaders.

His victory means County Executive Steve Bellone also has a charge: To find a new police commissioner, and this time to follow a standard process for hiring one. Sini became commissioner only after the arrest of Burke. He started a cleanup of the police department, but the job is far from complete. The culture that festered under Burke is still there.

Bellone had foolishly appointed Burke, despite many red flags. He stuck with the disgraced chief long after it was clear that was not tenable. And he appointed Sini without the benefit of a real search to find someone who could address the morale and discipline problems on the force, as well as one who could shape it into a model department.

This time, Bellone should cast a wide net. He should consider someone who has run a large suburban police department. And both Sini and Bellone must understand their actions will be evaluated against the backdrop of a recent Newsday investigation that found a racial bias in the county's criminal justice system. Minorities are far more likely than whites to be stopped by police, arrested, jailed and charged with felonies for having cocaine or heroin. Better training in both offices is essential.

Suffolk also will have a new sheriff. Democrat Errol Toulon Jr. is leading but the tightness of his margin over Republican Lawrence Zacarese and the many outstanding absentee ballots means the result won't be final for weeks. Whoever wins must remain independent of the political machinations that marred this contest.

In Suffolk, criminal justice and politics have been an unholy mix. It's time to start anew.

— *The editorial board*

NEWSDAY, WEDNESDAY, NOVEMBER 8, 2017 newsday.com

LONG ISLAND / SUFFOLK

# DA-elect Timothy Sini unveils high-powered transition team

By Andrew Smith
andrew.smith@newsday.com
*Updated November 21, 2017 6:08 PM*

nounced a 13-member transition team Tuesday
e office and put his priorities into action.

U.S. Attorney for the Southern District of New
e Commissioner Justin Meyers.

n office recently vacated by Thomas Spota, who
l obstruction of justice charges. He has pleaded

District Attorney Emily Constant has been
ay.

nan, and Meyers, the team also includes Evelyn
r victim Kayla Cuevas, 16, who was beaten to
y members of the MS-13 street gang.

que perspective," Sini said.

LONG ISLAND / POLITICS

# Tim Sini: Transition to Suffolk DA will have 'investigative' aspect




Suffolk County District Attorney-elect Timothy Sini on Wednesday, Nov. 8, 2017, discussed moves needed to create an effective transition team as he prepares to start his new job. Credit: Barry Sloan

SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

# Era of Reform

# Era of Reform

- Conducted a top-to-bottom review of the Office, including interviews with all 180 ADAs in which they were asked to make recommendations to improve the office.
- Restored integrity to the leadership of the Office following the indictment of the former District Attorney and Chief of the Government Corruption Bureau.
- Ushered in a new culture of excellence and compliance with all legal and ethical obligations, including adopting the most progressive voluntary disclosure policy in the State.
- For the first time, required all ADAs to file financial disclosure forms with the Suffolk County Board of Ethics to ensure impartiality and avoid conflicts of interest.

# Era of Reform

- Reengaged our federal law enforcement partners
- Invested in new technology and began process of making the Office paperless in order to further our ability to collect and analyze data
- Restructured the Office and created new bureaus, including:
  - Enhanced Prosecution Bureau
  - Felony Offense Bureau
  - Intake Bureau
  - Conviction Integrity Bureau
  - Special Narcotics Bureau
  - Appeals & Training Bureau

SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

# Our Mission

SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

# Our Mission

*To make the Suffolk County District Attorney's Office a national model, to serve justice in each and every case, and to make Suffolk County as safe as possible to live, work and raise a family.*

SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

# Recruitment

# Recruitment

*Diversifying Perspectives*

- Since 2018, the SCDAO now participates in on-campus interviews and other recruitment events at dozens of law schools, including Ivy Leagues and HBCUs, from across the country.

- New Classes
  - Class of 2019: 25 new ADAs from 14 different law schools
  - Class of 2020: 30 new ADAs from 13 different law schools
  - Class of 2021: 10 new ADAs from 7 different law schools

# Recruitment

*Virtual Internship Seminar Program*

- In 2020, despite challenges posed by the coronavirus pandemic, the Office launched an unprecedented virtual internship program with more than 400 participants representing over 80 different law schools across the country.
- Gave students with limited resources and those coming from underserved communities an opportunity to engage in a substantive educational opportunity within the criminal justice system during COVID.
- Connected our office with hundreds of diverse future employment candidates who would have never considered Suffolk as a prospective employer.
- 93% of participants said the program made them more interested in joining the criminal justice system and interested in applying to Suffolk and 90% said they would recommend Suffolk to their peers.

SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

# Recruitment

*Breaking Down Barriers to Entry*

- Residency requirement lifted for new ADAs
- Partnered with the Harvard Kennedy School of Government to implement best practices with the objective of increasing talent and diversity
- Appointed a diverse Hiring Team (24% non-white, 42 total ADAs) to create a welcoming, inclusive environment
- Participated in recruitment efforts and job fairs with the National Black Prosecutors Association, Amistad Black Bar Association and Asian American Bar Association of New York
- Actively engaging in new partnerships and seeking additional opportunities to reach a diverse array of future prosecutors

SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

# Diversity

# Diversity

| 2017 | | 2020 | |
|---|---|---|---|
| 91% White<br>*170 Attorneys* | 9% Non-White<br>*17 Attorneys* | 85.5% White<br>*177 Attorneys* | 14.5% Non-White<br>*30 Attorneys* |
| | | | *Nearly Doubled in 3 Years* |

- Foreign language speakers:
  - 29 attorneys
  - 18 foreign languages spoken

- Ultimate goal is to have an Office that is reflective of the communities we serve by 2026

SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

# Diversity

*Building the Foundation for the Office's Future*

| Class of 2019 | | Class of 2020 | | Class of 2021 | |
|---|---|---|---|---|---|
| 21.7% Non-white | 26% Speak Foreign Language | 26.7% Non-White | 20% Speak Foreign Language | 70% Non-White | 50% Speak Foreign Language |






# Diversity

- Of the 93 new attorneys hired since 2018, 59.1% self-identify as either non-white, female, a foreign language speaker, or a member of the LGBTQ+ community.
    - 26.8% identify as non-white

- Under the prior administration in 2017, there was not a single person of color in a supervisory position. Today, there are 2 supervisors who self-identify as Black, 1 who self-identifies as Hispanic, and 2 who self-identify as Asian.

SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

# Training

# Training

- The SCDAO provides upwards of 110 hours of training opportunities and Continuing Legal Education (CLEs) for prosecutors each year to ensure we are employing the best, most up-to-date practices. Launched Working Group to continue to enhance our training program, including an anonymous office-wide survey.

- We are currently creating an implicit bias awareness program for staff that we hope will be a national model for how law enforcement should address the issue.
  - Working with the County's Chief Diversity and Inclusion Officer on development of the program
  - Meeting with outside organizations and academic institutions for input and guidance, including Harvard University, Stony Brook University, and the Inheritance Project
  - Program will be an ongoing project that is continuously evaluated, updated and provided to all ADAs

SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

# Investing in Technology & Data Analytics

# Investing in Technology & Data Analytics

- Upgraded outdated case management system to PCMS in 2019
  - All-digital system brings us closer to achieving our goal of becoming a paperless office
  - Will allow for enhanced data analytics in the future
  - Includes a Digital Evidence Management System ("DEMS") to facilitate producing discovery materials in a timely, efficient manner
- Cases are added to the system immediately upon arrest by the Intake Bureau
  - Staffed 24/7 to assess the sufficiency of all accusatory instruments, address any legal issues that may arise during investigation or arrest, and begin to gather all documents and witness information needed to certify compliance with discovery laws

# Investing in Technology & Data Analytics

- Building an advanced data analytics platform
  - Consulting with the Manhattan District Attorney's Office and other DA's Offices as well as public and private sector agencies to develop best practices
  - Goal is to create a system to provide comprehensive, meaningful analyses that will be used as a national model
- Partnered with the National Guard, Brookhaven National Laboratory and other institutions

# Investing in Technology & Data Analytics

## *Evaluating Sentencing Data*

- Sentencing is based on a number of facts and circumstances and is ultimately determined by the Judge
  - ADAs can make sentencing recommendations, which are determined in consultation with supervisors after a thorough review of each case
- Sentencing data is compiled by the NYS Division of Criminal Justice Services and is available online at **www.CriminalJustice.NY.gov**

NYS DIVISION OF CRIMINAL JUSTICE SERVICES

**Suffolk County**
**Adult Arrests Disposed by Race/Ethnicity: 2019**

| Top Arrest Charge | | | Race/Ethnicity | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | White | | Black | | Hispanic | | Other | | Total | |
| | | | N | % | N | % | N | % | N | % | N | % |
| Felony | Total Dispositions | | 1,870 | 100.0% | 1,587 | 100.0% | 1,114 | 100.0% | 116 | 100.0% | 4,687 | 100.0% |
| | Convicted-Sentenced | | 1,578 | 84.4% | 1,328 | 83.7% | 947 | 85.0% | 90 | 77.6% | 3,943 | 84.1% |
| | Diverted and Dismissed | | 0 | 0.0% | 0 | 0.0% | 0 | 0.0% | 0 | 0.0% | 0 | 0.0% |
| | Covered by Another Case | | 56 | 3.0% | 48 | 3.0% | 24 | 2.2% | 0 | 0.0% | 128 | 2.7% |
| | Dismissed-ACD | | 106 | 5.7% | 59 | 3.7% | 48 | 4.3% | 17 | 14.7% | 230 | 4.9% |
| | Dismissed-Not ACD | | 100 | 5.3% | 139 | 8.8% | 88 | 7.9% | 7 | 6.0% | 334 | 7.1% |
| | Acquitted | | 1 | 0.1% | 1 | 0.1% | 1 | 0.1% | 0 | 0.0% | 3 | 0.1% |
| | DA Declined to Prosecute | | 0 | 0.0% | 0 | 0.0% | 0 | 0.0% | 0 | 0.0% | 0 | 0.0% |
| | Other | | 29 | 1.6% | 12 | 0.8% | 6 | 0.5% | 2 | 1.7% | 49 | 1.0% |
| | Convictions for: | Felonies | 488 | 26.1% | 543 | 34.2% | 375 | 33.7% | 24 | 20.7% | 1,430 | 30.5% |
| | | Misdemeanors | 733 | 39.2% | 562 | 35.4% | 341 | 30.6% | 33 | 28.4% | 1,669 | 35.6% |
| | | Non-Criminal/Unknown | 357 | 19.1% | 223 | 14.1% | 231 | 20.7% | 33 | 28.4% | 844 | 18.0% |
| | Sentences to: | Prison | 121 | 6.5% | 276 | 17.4% | 120 | 10.8% | 9 | 7.8% | 526 | 11.2% |
| | | Jail | 323 | 17.3% | 376 | 23.7% | 198 | 17.8% | 10 | 8.6% | 907 | 19.4% |
| | | Time Served | 111 | 5.9% | 115 | 7.2% | 64 | 5.7% | 7 | 6.0% | 297 | 6.3% |
| | | Jail+Probation | 65 | 3.5% | 44 | 2.8% | 29 | 2.6% | 5 | 4.3% | 143 | 3.1% |
| | | Probation | 306 | 16.4% | 165 | 10.4% | 178 | 16.0% | 20 | 17.2% | 669 | 14.3% |
| | | Fine | 159 | 8.5% | 89 | 5.6% | 120 | 10.8% | 3 | 2.6% | 371 | 7.9% |
| | | Cond Discharge | 468 | 25.0% | 254 | 16.0% | 229 | 20.6% | 34 | 29.3% | 985 | 21.0% |
| | | Other/Unknown | 25 | 1.3% | 9 | 0.6% | 9 | 0.8% | 2 | 1.7% | 45 | 1.0% |

SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

# Correcting Past Injustices

# Panel to monitor conviction reviews

BY ANDREW SMITH
andrew.smith@newsday.com


JAMES CARBONE

> 'All of these steps represent a commitment to doing the right thing. We don't want people convicted for crimes they did not commit.'
> — Suffolk District Attorney Timothy Sini

Suffolk District Attorney Timothy Sini on Thursday sharpened his office's plan to undo wrongful convictions and invited those who believe they were convicted of crimes they didn't commit to seek justice through his office.

Sini had already set up a Conviction Integrity Bureau in August to review selected convictions, ensuring they were based on valid evidence and testimony and fair legal practices. Prosecutors in Brooklyn, Philadelphia and elsewhere have established such bureaus.

Now, Sini has established an independent panel to review the bureau's work and make its own recommendations on whether a conviction should be vacated. Ultimately, Sini will make the final call.

"All of these steps represent a commitment to doing the right thing," Sini said. "We don't want people convicted for crimes they did not commit. . . . We're not going to spare any resource in our investigations."

The bureau, which already is investigating 28 cases, is headed for now by Sini's special counsel, Assistant District Attorney Howard Master, but Sini said he will appoint someone who will focus on the Conviction Integrity Bureau alone.

The independent panel consists of Jennifer Rodgers, founder of Columbia Law School's Center for the Advancement of Public Integrity; Suffolk County Bar Association president Justin Block; and civil rights attorney Laura Solinger, who helped free Shawn Lawrence after he was convicted of second-degree murder and sentenced to 75 years to life in prison.

Lawrence was convicted of taking part in a 2010 ambush that resulted in the shooting death of James Terry, 44, in North Amityville. He has since filed a wrongful conviction suit against Suffolk County.

Sini said he also has been advised by Assistant District Attorney Brendan Ahern. When Ahern was a defense attorney, he exposed misconduct committed by prosecutor Glenn Kurtzrock that was so egregious that Sini's predecessor, Thomas Spota, demanded Kurtzrock resign mid-trial. Kurtzrock also prosecuted Lawrence.

Both cases were marked by prosecutors refusing to turn over evidence favorable to the defense under what is known as the Brady rule. The 55-year-old U.S. Supreme Court decision requires prosecutors to do that to ensure a just trial.

"To not turn it over, it's egregious," Solinger said. With such evidence, defense attorneys are better able to investigate cases before trial and defend clients more fully, she said.

Sini said his office also has been investigating all of the cases Kurtzrock has handled during his career in Suffolk, and will issue a report when it is done.

Sini said it's possible that he, Master and panel members will disagree at times on how to handle a case. He pledged to be transparent in how cases are handled and said it's possible the office would make public the cases where it has denied applications.

When the office agrees to vacate a conviction, it will do so by making a joint application to the court with the defense. There is no time limit on seeking review from the bureau.

Sini said some cases now under review date to the 1970s. He noted that in the 1970s and 1980s, the state Investigation Commission had found widespread abuse in both the Suffolk County Police Department and the district attorney's office, particularly in narcotics and homicide cases.

"I wouldn't be surprised if we had petitions going back that far," Sini said.

He also noted that Spota is awaiting trial on federal obstruction of justice charges, so some petitions may come in related to that case.

Sini asked attorneys and defendants to have a case reviewed by filling out an initial form, available at nwsdy.li/2RVmFNd. Those seeking review also can call 631-853-4226 or email convictionintegrity@suffolkcountyny.gov.

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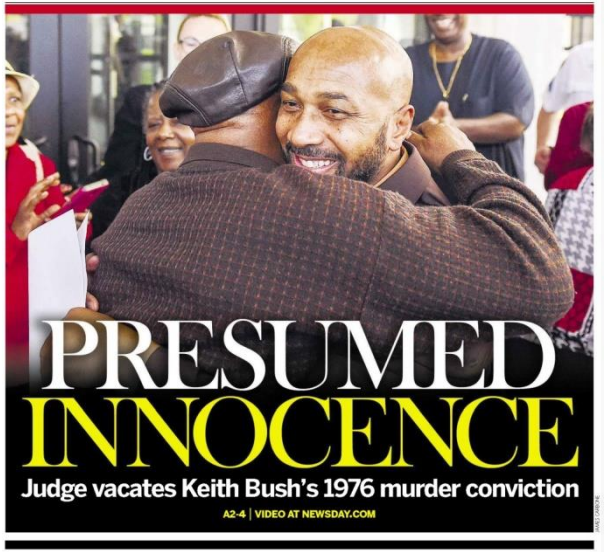

# PRESUMED INNOCENCE

## Judge vacates Keith Bush's 1976 murder conviction

A2-4 | VIDEO AT NEWSDAY.COM

**TRUMP** Pelosi accuses president of 'cover-up' as more Dems call for impeachment A5

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"Where there is no vision, the people perish."
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EDITORIAL

# At last, justice prevails

## Keith Bush's wrongful conviction and incarceration forced Suffolk to face up to past and present corruption

BY THE EDITORIAL BOARD



Keith Bush finally got justice in Suffolk County.

It came after he paid an unjustifiable and terrible price: 33 years of his liberty and the denial of his life's dreams.

A powerless, imprisoned Bush maintained his innocence all those years with the hope that someday there would be a few decent people who cared about correcting the wrongs of powerful but dishonest officials in law enforcement.

evidence from the defense.

While the level of intentional misconduct in Bush's case is stunning, there still are significant problems to be addressed. Sini already has dismissed one murder indictment because prosecutors failed to turn over required materials. His new bureau has received a total of 86 requests for review of convictions, 30 of which have been denied. Three are being investigated for constitutional violations of a defendant's rights, and the remaining ones are being processed.

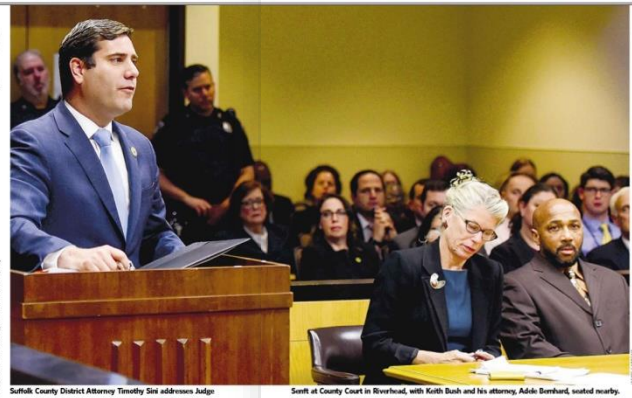
And while Bush's case is four decades old, strains of the outrageous arrogance that surrounded Suffolk police and prosecutors still exist.

Former Suffolk Chief of Police James Burke was sentenced in 2016 to 46 months in prison on federal charges that he beat a suspect in custody in 2012. Spota, the former district attorney who is awaiting trial on charges of abuse of power, was additionally accused last year, along with his top aide, of trying to or-





# '76 MURDER CONVICTION IS VACATED



Suffolk County District Attorney Timothy Sini addresses Judge

Senft at County Court in Riverhead, with Keith Bush and his attorney, Adele Bernhard, seated nearby.

## Keith Bush's name is cleared — at long last

BY ANDREW SMITH
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Keith Bush is no longer a convicted murderer or a registered sex offender, after a Suffolk judge vacated his conviction Wednesday as a result of a joint application from his lawyer and Suffolk District Attorney Timothy Sini.

"Mr. Bush, I cannot give you back that which was taken from you in the 1970s," Suffolk County Court Judge Anthony Senft said in a Riverhead courtroom filled to capacity. "But I can give you back your presumption of innocence. . . . I wish you well, sir."

"Thank you, sir," Bush said quietly.

His attorney, Adele Bernhard, who runs New York Law School's Post-Conviction Innocence Clinic, thanked the judge and Sini.

"Sometimes, in the words of Martin Luther King Jr., the arc of the universe does bend to justice, and it has in this case," she said. "A wrongful conviction affects the whole community, and it takes a whole community to set it straight."

"I am truly humbled by this decision," Bush said in court. He later said he feels sorrow not only for the decades he lost, but for the family of the victim, which will never know for sure who strangled 14-year-old Sherese Watson in North Bellport in January 1975. Bush served 32 years in prison after he was convicted of second-degree murder. Until Wednesday, he was still on parole and registered as a sex offender.

Bush was a 17-year-old junior at Bellport High School when Suffolk authorities charged him with killing Watson after a late-night house party. Watson's body was found in an lot full of weeds not far away from the party.

> **"Mr. Bush, I cannot give you back that which was taken from you in the 1970s. But I can give you back your presumption of innocence. ... I wish you well, sir."**
>
> — Suffolk County Court Judge Anthony Senft

Bernhard and the chief of Sini's Conviction Integrity Bureau, Howard Masser, formally filed the motion to undo the criminal case against Bush minutes after the Arthur M. Cromarty Criminal Court Complex opened at 9 a.m. The motion sought to vacate Bush's entire criminal case noting that police and prosecutors had evidence favorable to Bush and manufactured evidence against him, including a false confession that Bush only signed after what he said was a prolonged beating by police.

About an hour later, Senft's courtroom filled with lawyers, reporters and, finally, Bush's family and friends. Bush's mother, Lorraine Bush-Rolling, and fiancee, Dora Moore, came with him from Bridgeport, Connecticut, where he lives now.

Sini took the rare step of addressing the court himself. He urged Senft to grant the defense request to set aside Bush's case. "The law and justice so requires," he said.

Bush said in court that he was grateful to Sini's office for being the first to listen to him and Bernhard. "Someone sat down and listened to me," he said.

As the proceeding ended, the courtroom was flooded with applause. One woman shouted, "Happy day!"

The emotion carried out into the hallway, where Bush's mother sobbed in relief as she suffered from heart palpitations. Court officers cared for her and she was taken to Peconic Bay Medical Center in Riverhead.

In a news conference moments later, Sini praised the investigation that Bernhard did for Bush. His office spent the past year verifying her years of work.

"Mr. Bush wouldn't be here without her work and her clinic's work," Sini said. "It's an honor to work with her."

He then turned to Bush and said, "On behalf of the Suffolk district attorney's office and the law enforcement community, I'm sorry."

Sini recounted the investigation and what it found, including the discovery of an alternative suspect in the killing, John W. Jones Jr., who has since died. Detectives were aware that Jones had admitted to stumbling over Watson's body, but they had all evidence of him from Bush's defense and the court.

Sini said his office is committed to fighting present-day crime, but he added, "None of that matters if we don't correct the injustices of the past."

He said later: "This was a window into a very dark aspect of Suffolk County's history. ... I hope people are paying attention in the criminal justice community, including in my office."

The many injustices, Sini said, included a coerced false confession, a young woman bullied into giving false eyewitness testimony about seeing Bush and Watson together, "junk science" suggesting fibers from Bush's clothing were under Watson's fingernails and the hiding of Jones' existence.

"Any person with brain functioning is going to investigate that person for the murder of Sherese Watson," Sini said. "But instead they washed it. They covered it up."

Bernhard said she took on the case after Bush wrote to her in 2006 and she read the confession that he signed. "I didn't believe a word of it," she said of the confession. "It made no sense."

She noted that the detectives involved in the case were mentioned in a "fantastic series" by Newsday in the 1980s about how Suffolk homicide detectives relied heavily on confessions, some of which were false.

And then she met Bush herself. "He is, as you can see, a humble, upstanding, lovely person. ... He is a beacon. He was an inspiration to me."

When it was Bush's turn to speak, he spoke up for the murder victim. "Although this is a special day, it is a sad day for Sherese Watson and her family," he said. "There is no closure for her family."

Bush said 44 years was a "lifetime" to fight for his innocence, and he was grateful that Bernhard and Sini's office restored his faith in the justice system.

"Because of my attorney, the current district attorney's office — they shook up my pessimism about the system," he said.

MORE INSIDE Too much to forgive A4



Bush kisses his fiancée, Dora Moore, outside court after murder charges against him were vacated, nearly 44 years after his conviction.





# Sini's report details a litany of injustices

BY THOMAS MAIER
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After 44 years, Keith Bush's 1976 murder conviction was vacated by a judge after a district attorney's report concluded he had been wrongfully convicted of the set-related murder of teenager Sherese Watson.

A report filed with the court Wednesday by the Suffolk District Attorney's Conviction Integrity Bureau detailed how several former Suffolk authorities kept secret evidence of another potential murder suspect who may be the real killer.

The newly discovered evidence shows that "Bush is actually innocent of the crimes with which he was convicted," concluded Howard Masser, who heads the bureau for Suffolk District Attorney Timothy Sini. Bush, now 62, spent 33 years behind bars and had since been paroled as a sex-offender.

The nearly 200-page report said Bush was wrongfully convicted during a 1976 trial because of several dubious pieces of evidence, including faulty forensic evidence, witnesses who felt intimidated by police and a false signed confession that Bush says he had beaten out of him by homicide detectives.

Police denied any wrongdoing at the time but the report said one of the former detectives, when questioned recently by Masser's investigators, "alluded to use of coercive tactics" in putting together Bush's signed confession. Before his January 1979 murder arrest, Bush, then 17, had no criminal history.

Perhaps most significantly in reviewing out the conviction, the report said then-Suffolk authorities violated legal rules by failing to disclose the existence of "alternative suspect" John W. Jones Jr. — who admitted in 1975 to tripping over Watson's body at the murder scene and leaving behind a plastic comb that he identified as his own. Although Jones was twice given a polygraph test, Suffolk never mentioned anything about Jones at Bush's trial, as required by legal precedent.

"The alternative suspect [Jones] may well have committed the offenses of which Bush was wrongfully convicted," said the report, which points out Jones' history of violent and sex-related offenses both before and after Watson's 1975 murder. The report labeled Jones, who died in 2006, as "perhaps the most viable suspect in Watson's murder."

The report painted a disturbing picture about how Suffolk authorities, particularly trial prosecutor Gerard Sullivan along with then-Suffolk homicide detectives, hid vital information in the Bush case.

The evidence about Jones "was suppressed prior to trial and was highly material to Bush's defense because it could have helped Bush establish that someone else had committed the murder," the report concluded.

Recently, Conviction Integrity Bureau investigators questioned two former homicide former detectives, Dennis Rafferty and August Stahl, who interrogated Bush in January 1975 and put together his signed confession. Through his attorneys, Rafferty answered only a limited number of questions posed to him and denied any wrongdoing. But the report said that Stahl, now 90, displayed a "racial animus" and raised former Suffolk District Attorney Thomas Spota's name in the matter.

"Why is this thing being opened up again, I thought Tommy Spota took care of this?" Stahl said the investigators told him, the report said.




TUESDAY
How Newsday covered the story

See BUSH on A4

# Correcting Past Injustices

## Federal Grants

- In 2019, the Conviction Integrity Bureau was awarded more than $849,000 in highly-competitive federal grants from the U.S. Department of Justice to aid in the investigation of wrongful conviction claims:
    - $275,000 partnership grant awarded to the SCDAO and New York Law School
    - $574,060 two-year grant to support CIB's efforts to identify violent felony cases that could be subject to DNA testing and conduct such testing
- Created an Independent Review Panel to review applications and advise our office. It is an independent panel made up of outside attorneys.

SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

# Protecting Our Community

*A Nuanced Approach to Addressing the Public Safety Issues of Our Time*

SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

# Protecting Our Community

*A Multi-Faceted Approach to the Drug Epidemic*

# A Multi-Faceted Approach to the Drug Epidemic

*Continuum of Opportunities for Intervention*

- 2018: Comprehensive Addiction Recovery and Education ("CARE") Program
- 2020: Diversion Opening Opportunities for Recovery Services ("DOORS")
- Coming Soon: Post-arrest, pre-arraignment diversion program



SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

# A Multi-Faceted Approach to the Drug Epidemic

*Continuum of Opportunities for Intervention*

## Comprehensive Addiction Recovery and Education ("CARE") Program

| | Participants | Total Dispositions | Successful | | Unsuccessful | |
|---|---|---|---|---|---|---|
| Aug. - Dec. 2018 | 51 | 13 | 7 | 54% | 6 | 46% |
| 2019 | 125 | 86 | 64 | 74% | 22 | 26% |
| 2020 | 58 | 41 | 27 | 66% | 14 | 34% |

| Total Participants | 170 | 100% |
|---|---|---|
| Gender | | |
| Male | 116 | 68% |
| Female | 54 | 32% |
| Race | | |
| White | 132 | 78% |
| Black | 28 | 16% |
| Other | 10 | 6% |
| Ethnicity | | |
| Non-Hispanic | 130 | 76% |
| Hispanic | 36 | 21% |
| Other | 4 | 2% |

# A Multi-Faceted Approach to the Drug Epidemic

*Targeting Drug Dealers & Major Traffickers*

- Three drug dealers convicted of Manslaughter charges for causing fatal overdoses
- 2019:
  - 273 Narcotics search warrants
  - 7 wiretap investigations (60 eavesdropping warrants over 36 lines)
  - More than 20 kilograms of narcotics seized
  - 12 individuals charged with Operating as a Major Drug Trafficker
- 2020:
  - 173 Narcotics search warrants
  - 4 wiretap investigations (48 eavesdropping warrants over 25 lines)
  - More than 27 kilograms of narcotics seized
  - 10 OMTs charged

SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

# Protecting Our Community

*Eradicating Gangs*

# Eradicating Gangs

*Community-Based Prevention Strategies*

- "Life in America"
  - An educational program aimed at introducing recent immigrant students in schools to American society; informs them of "rules of the road" for residing in the U.S. and how it may differ from their home countries
  - Allows students to ask any questions they may have
  - Provided in partnership with the Probation Department

- Partnership with STRONG Youth
  - Programs offered in Brentwood, Wyandanch and Bellport school districts to address gang issues experienced by young people, students & families
  - Provides counseling in schools and the community, referrals for services, summer camp, assistance in ESL classes, community service opportunities, bereavement services

# Eradicating Gangs

*Community-Based Prevention Strategies*

- Suffolk County Sheriff's Office's "School to Prison Pipeline" Committee
  - Examines the factors leading young people to incarceration
  - Addresses the root causes of youth crime and racial inequities in the justice system
  - Brings together law enforcement, lawmakers, school officials, human service professionals and impacted individuals to innovate and create systemic change

# LARGEST MS-13 SWEEP YET

## Says 7 murder plots foiled — but warns fight isn't over

BY ROBERT BRODSKY
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Nearly 100 MS-13 members and associates, including the leaders of nine local cliques, have been charged in the largest state takedown of the dangerous street gang that terrorized parts of Long Island for years, Suffolk officials announced Friday.

The 23-month investigation thwarted seven murder plots and dismantled the so-called "New York Program," which was launched by the gang's El Salvadoran-based leadership to develop a foothold on Long Island, officials said Friday at news conference in Riverhead. But officials also acknowledged the gang is not eradicated and the investigation must continue.

Long Island has been a center of MS-13 crime since 2016, with at least 30 suspected murders attributed to a gang known for acts of raw violence involving guns and machetes. The bloodshed has led to dozens of arrests and attracted the attention of President Donald Trump, who twice visited the region to address the gang violence.

"MS-13 is a savage, ruthless gang which commits acts of violence to recruit, retain and control its members, enact revenge on its rivals as well as to extort innocent members of our community," said Suffolk District Attorney Timothy Sini. "They engage in various acts of criminality to generate money including drug dealing, and they send portions of that money to the leadership in their home base of El Salvador."

The sprawling and widespread investigation, led by the Long Island Gang Task Force, spanned 13 states and El Salvador, and it included court-authorized wiretaps on more than 200 phone lines, Sini said. It netted criminal charges against 96 MS-13 gang members and associates, officials said.

Last month, the Suffolk district attorney's office convened a special grand jury that issued an indictment against 45 MS-13 gang members — including the leaders of nine cliques operating in Huntington, Brentwood, Central Islip and Queens — and 19 of the gang's drug suppliers. Six of those suspects were charged with operating as a major trafficker, a felony that carries a maximum sentence of 25 years to life in prison.

Dozens of other members of the transnational criminal organization were charged by Suffolk law enforcement in the preceding weeks and months, while the investigation has netted more than 180 other arrests across the nation, including in Texas, Washington, D.C., Virginia and Maryland, officials said.

"MS-13 has terrorized Long Island communities for too long, murdering innocent New Yorkers and instilling fear in countless others," Gov. Andrew M. Cuomo said in a statement. "Thanks to the great work of Suffolk County DA Sini, law enforcement and our targeted programs to keep young people from joining gangs, MS-13's power is diminishing."

### 77 counts in indictment

The indictment identified 77 counts, including conspiracy to commit murder; first-degree assault; gang assault; firearms sales and possession; operating as a major trafficker; criminal sale of a controlled substance and drug possession. Many of the suspects were arraigned this week in Riverhead and held without bail, Sini said.

"This investigation sends a very clear message to the leadership of MS-13 that New York is not your home and it will never be your home," said Ray Donovan, special agent in charge of the DEA for New York.

The 96 individuals — 66 gang members and 30 drug distributors — range in age from 16 to 59 and include legal U.S. citizens, immigrants in the country illegally and those with varying degrees of legal immigration status, Sini said.

The suspects come from Brentwood, Bay Shore, West Babylon, Central Islip, Huntington Station, Farmingdale, Shirley, Coram, Deer Park, Kenkokema, Freeport, Levittown, Brooklyn, Queens, the Bronx, Manhattan, Connecticut, Massachusetts, Maryland and as far away as Holland, Sini said.

Suffolk County Police Commissioner Geraldine Hart called the investigation "unprecedented" for the region.

"MS-13 gang members act with depravity and no regard for the victims that they prey upon," said Hart, who spent more than 20 years with the FBI and was the previous head of the Long Island Gang Task Force. "Their violence has no bounds, which is why investigations like this one are so critical."

Mara Salvatrucha, commonly known as MS-13, has more than 50,000 members in Central America and another 8,000 to 10,000 members in the United States and Europe, Donovan said. At a forum in Berlhpage last year, acting Assistant Attorney General John Cronan put the number of MS-13 gang members operating on Long Island at roughly 2,000, but other law enforcement leaders have offered significantly lower estimates.

Between 2016 and 2017, MS-13 members are believed to be responsible for 28 murders across Long Island. Those figures dropped to one in 2018 and one in 2019, officials said.

Gang members have been charged with executing four young men in the woods behind a Central Islip soccer field and in connection with the violent deaths of a pair of high school students from Brentwood: Kevin Cuevas, 16, and Nisa Mickens, 15.

The violence captured the attention of Trump and his then-attorney general, Jeff Sessions. In a July 2017 visit to Brentwood, Trump said MS-13 had transformed communities across the country and on Long Island into "bloodstained killing fields."

The investigation, Sini said, was launched in 2017 through a tip from the Nassau district attorney's office that helped identify Noe Fuentes, also known as "Ghost," the head of Huntington Criminales Los Salvatrucha, the clique with the highest number of identified MS-13 gang members on Long Island.

Fuentes was the regional coordinator of the New York Program — tasked with expanding the group's presence throughout the state and collecting proceeds from the sale of drugs and weapons, the indictment states. Fuentes would send the cash back to El Salvador so the group's leadership could purchase more weapons, ammunition and narcotics, records show.

The 2018 arrest of Fuentes helped "dismantle" the New York Program, Sini said.

But the gang quickly reconstituted its leadership under the Park View clique in Brentwood, led by David Rodriguez, also known as "Turko," according to the indictment.

The task force, expanding the scope of its investigation, then obtained a wiretap on 215 phone numbers — making it one of the largest wiretap investigations of a gang operating in the United States, Sini said.

### Leaders arrested

In total, law enforcement officials arrested the leaders of nine MS-13 cliques, "decimating" groups based in Brentwood, Central Islip and Jamaica, Queens, Sini said. Each of the local cliques, Sini said, has an affiliate group of the same name based in El Salvador.

The clique leaders oversaw the gang's daily activities, including sanctioning violence, selling drugs and collecting dues from lower-level members, according to the indictment.

In addition to Fuentes and Rodriguez, the indictment identified five leaders of MS-13 cliques:

### MS-13 takedown by the numbers

**96 arrests**
including 66 gang members and 30 drug distributors

**9 leaders**
of Long Island or Queens-based MS-13 cliques arrested

**45 gang members**
and 19 drug suppliers charged in a 77-count special grand jury indictment

**7 murder plots**
thwarted

**More than 130**
other gang members or associates arrested across the country and overseas as part of the investigation

**10 kilos of cocaine**
and 1,000 fentanyl pills recovered, along with large amounts of heroin, crack and marijuana

**9 handguns,**
2 long guns, more than 500 rounds of ammunition, dozens of machetes and more than $200,000 in cash recovered

SOURCE: SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE



Suffolk DA Timothy Sini holds up a seized machete with the DEA's

Ray Donovan at his side Friday. ■ Video: newsday.com/li



# NETS 96 ARRESTS, SINI SAYS

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Saturday
Dec. 21, 2019

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YOUR EYE ON LI

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MOSTLY CLOUDY

# MS-13 TAKEDOWN



Suffolk County District Attorney Timothy Sini holds up a machete during a news conference at Suffolk County Court in Riverhead.

## Suffolk DA: 96 charged in largest gang investigation in state's history

A2-3 | VIDEO AT NEWSDAY.COM

JAMES CARBONE

# Eradicating Gangs

- In late 2019, 96 MS-13 gang members and associates were indicted in Suffolk County, the largest MS-13 takedown in history
  - Investigation resulted in more than 230 arrests throughout the world, including Guatemala, Europe and across the Eastern seaboard
  - Prevented over 10 murder plots in Suffolk County alone and took out leaders of 9 cliques in Suffolk County

- The Enhanced Prosecution Bureau continues to target and prosecute dangerous gang members, including Bloods, Crips, Latin Kings, etc.

SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

# Protecting Our Community

*Combating Human Trafficking*

newsday.com
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Tuesday
July 31, 2018

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Newsday
THE LONG ISLAND NEWSPAPER

HI 81° LO 72°
ISOLATED STORMS

## Back To School

Most LI districts will begin right after Labor Day

A4-5




LI STAFF

## Trump On Iran

Says he's willing to meet with nation's leader 'any time'

A6-7

# NEW FOCUS ON HUMAN TRAFFICKING



DANIEL GOODRICH

## Suffolk police create permanent investigation unit, first of its kind on LI

A3 | LI CRIME STATS AT NEWSDAY.COM/DATA

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# Targeting traffickers

## New Suffolk unit sees prostitutes as crime victims

BY ANDREW SMITH
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DANIEL GOODRICH

Suffolk DA Timothy Sini and other county officials unveil the new human-trafficking unit. "We're shifting the paradigm," he said.

The Suffolk County Police Department has established a permanent human-trafficking investigation unit, committing to an approach that treats those who work in prostitution as victims of traffickers, county officials announced Monday.

The new unit, the first of its kind on Long Island, will focus instead on those who force women, girls and boys into prostitution, often to support other criminal activity, such as drug dealing or gangs. The team will be staffed by six detectives, including a commanding officer, and two police officers. It had been operating as a temporary unit since May 2017.

"This is not a victimless crime," as prostitution is often described, Suffolk County Executive Steve Bellone said at a news conference. The victims, he and others said, are the prostitutes themselves.

District Attorney Timothy Sini, who established the temporary unit last year when he was police commissioner, said treating those in prostitution as victims is saving lives.

"We're shifting the paradigm," Sini said.

Assistant District Attorney Stacy Skorupa said women working as prostitutes are still arrested but are diverted into the county's Human Trafficking Court in Central Islip, where they are connected with counseling, drug treatment and job training in return for their help in making cases against the drug dealers or gang members who forced them into prostitution.

"The goal of that court is not to be punitive, obviously," Skorupa said. Those who are arrested and complete treatment have their charges dismissed or reduced to a noncriminal violation, she said.

Suffolk's Human Trafficking Court follows a model established six years ago in Nassau, Queens and Manhattan. Suffolk, however, benefits from the police department's new unit and a companion unit in the district attorney's office run by Skorupa that Sini established this year.

"We changed our approach dramatically," said Suffolk Police Commissioner Geraldine Hart. Law enforcement no longer will view those in prostitution as criminals but as victims, she said.

That reflects reality, Hart said. Those who sell sex usually do so because they've been coerced into it, she said.

"Females are induced into this activity by getting hooked onto drugs," most often opioids, Hart said.

Since the pilot unit began, she said, 37 people have been diverted from the criminal justice system into treatment.

"This is truly a collaborative piece of work," Sini said. He credited Gerard Gigante, chief of detectives, for pushing to create the pilot human-trafficking unit.

Helping victims has encouraged them to work with law enforcement, Sini said. "They have helped us put some bad people behind bars," he said.

The change is dramatic, he said. In the decade before the unit began working, five people were indicted on sex-trafficking charges, Sini said.

But since May 2017, he said nine people have been charged with 75 sex-trafficking counts, as well as another 90 counts on charges that include drug dealing, assault, stalking and menacing.

Sexual exploitation for profit does not look like the stereotype, said Jennifer Hernandez, executive director of Empowerment Collaborative of Long Island, a group that advocates for victims.

"We are going to be saving countless lives through this initiative," she said.

Many people assume that traffickers trick victims into coming from Asia or South America, only to force them into prostitution. While that does happen, Hernandez said, it is far more common for both traffickers and those forced into prostitution to be local — and it happens in every neighborhood on Long Island.

In affluent or mostly white neighborhoods, Hernandez said victims often are heroin users deep in debt to their drug dealers, who collect by taking a cut of what the victims make in prostitution.

"Most of these victims are young girls, 16-, 17-year-old girls into their 20s," Gigante said.

In minority communities, Hernandez said, the dynamic can be different. Sometimes family members sell children to support a drug habit, she said. In other cases, gangs sell women and girls as a source of income.

Hernandez and law enforcement officials, therefore, said attacking trafficking is also a way of attacking illegal drug dealing and gang activity.

Gigante said police also are alerting hotels and motels to what sexual trafficking looks like so they can call police if they see signs of it. Police also are monitoring social media, where women and girls are sometimes advertised.

"That was our original hook in," Gigante said.

newsday.com NEWSDAY, TUESDAY, JULY 31, 2018

# Combating Human Trafficking

- Three-pronged strategy:
  - Targeting and prosecuting human traffickers
  - Treating victims as victims and connecting them to services
  - Raising general awareness of the issue and increasing training for law enforcement

SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

# Protecting Our Community

*Protecting the Environment*

# Protecting the Environment

- Long Island has been the victim of illegal dumping for decades, primarily from construction sites in NYC
- Illegal dumping is linked to environmental racism, or the disproportionate impact of environmental hazards on communities of color
  - *Example:* Roberto Clemente Park



# Protecting the Environment

- **Operation Pay Dirt**: Special Grand Jury empaneled in 2018 had two phases:
  - Phase One was the largest illegal dumping investigation in NYS history, which resulted in a 130-count indictment against 30 individuals and 9 corporations and a 5-count indictment against one additional corporation. All 40 defendants have pleaded guilty and the ringleader was sentenced to prison.
  - Phase Two was an investigation into the effects of environmental crime on Long Island. The resulting report included recommendations on legislative and administrative action to effectively combat environmental crimes.

TODAY ON FEED ME TV A world of sundaes in Riverhead WATCH IT AT NEWSDAY.COM

newsday.com $2.50 | LI EDITION Thursday July 19, 2018

# Newsday

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HI 81° LO 67° SUNNY

## SHARK

Possible attacks on 2 kids close South Shore beaches

A2 | VIDEO AT NEWSDAY.COM



Casey Murphy, 18, of Wantagh, caught a shark off Kismet on Fire Island Wednesday.

## NASSAU ASSESSMENTS

More than half of homeowners filed grievance this year A6

# INSIDE ILLEGAL DUMPING SCHEME

DA: 'Dirt broker' used bogus lab results to put debris in homeowners' backyards

A3 | UPDATES AT NEWSDAY.COM

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# HITTING 'PAY DIRT'

LI broker called heart of illegal dumping scheme

BY RACHELLE BLIDNER

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An undercover operation that netted dozens of arrests Tuesday on illegal dumping charges centered on a dirt broker who offered residents clean fill and instead arranged for debris and solid waste to be placed on their properties, Suffolk County District Attorney Timothy Sini said.

Anthony C. Grazio, also known as Rock, was one of 24 people arrested in the monthslong Operation Pay Dirt — the largest bust for illegal dumping of construction and demolition debris in the state's history, officials said.

The investigation also resulted in charges against 12 companies in connection with the dumping. Investigators seized 27 trucks and froze $4.4 million in accounts, Sini announced at a Wednesday news conference in Brentwood State Park, near the site of some of the alleged dumping.

The investigation "uncovered an underground world of dirt brokers, solid waste facilities and trucking companies" working together to dump illegally, Sini said.

The work, part of a larger crackdown on illegal dumping launched by Gov. Andrew M. Cuomo called Operation TrashNet, also uncovered 21 new dumping sites, officials said. It was conducted by the district attorney's office, New York State Department of Environmental Conservation and Suffolk County police detectives.

Pay Dirt focused on 25 illegal dump sites, including backyards, public land, parks and properties next to bodies of water, Sini said. Investigators executed 20 search warrants, officials said.

Joseph Cozzo, an attorney for Grazio, 53, of Smithtown, and another defendant, Vito Fragola, 44, of Commack, said his clients deny the charges against them, including that Grazio is a dirt broker. He said third parties that Grazio and Fragola received fill from told them the materials were "up to code."

"They live here on the Island," Cozzo, whose office is in Central Islip, said of his clients. "The last thing they're looking to do is live somewhere and contaminate the place."

Investigators found Grazio brokered deals with recycling and solid waste management facilities and trucking companies to illegally dump construction and demolition debris into Suffolk parks and backyards, Sini said. Grazio also sold or offered clean fill to residents through online advertisements and door-to-door solicitation, and showed them "bogus lab reports" about the fill's contents, Sini said. Some homeowners paid the contractors to spread the fill in their yards, he added.

Grazio was charged with 50 felony counts, including criminal mischief, and 74 misdemeanors, according to court records. His bail was set at $167,000 bond or $77,000 cash, his attorney said.

A special grand jury was convened Wednesday to investigate, look into remediation and report on how to reduce illegal dumping, Sini said. Investigators also plan to seize and forfeit assets used in the scheme, Sini said.

The companies charged saved hundreds of thousands of dollars by dumping illegally, state Department of En- ... chief and two misdemeanors, ... and use it for soccer fields.



Mounds of illegally dumped dirt, seen near Brentwood State Park, were discovered as part of Operation Pay Dirt's undercover investigation.

### ARRESTED IN THE CASE

*Those arrested in Operation Pay Dirt's investigation of illegal dumping on LI:*

**Jose Luis Adamez**, Bronx
**Ivan Cesar Bermeo**, Queens
**Chris C. Bonsera**, St. James
**Michael C. Bonsera**, East Norwich
**Alexander Canales**, Selden
**Angel Cornejo**, Queens
**Feliciano Cruz**, Queens
**Gonzalo Figueroa-Marroquin**, Riverhead
**Vito Fragola**, Commack
**Anthony Grazio**, Smithtown
**Michael Heinrichs**, Port Jefferson Station
**Joseph Lamberta**, Hauppauge
**Ramon Mejia-Hernandez**, Brooklyn
**Carlos Melgar**, Patchogue
**Yasmael Nunez**, Queens
**Steven Nunezgenao**, Port Jefferson Station
**Milan R. Parik**, Centereach
**James Perruzza**, Fort Salonga
**Frank Rotondo Jr.**, Northport
**Dwayne Sanders**, Central Islip
**Alberto Santiago**, Shirley
**Thomas R. StClair**, St. James
**Wilfred Torres**, Ronkonkoma
**Robert Walters**, Nesconset

**COMPANIES CHARGED**

**DJCI Enterprises LLC**, Bay Shore
**IEV Industries Corp.**, Bay Shore
**Kris Trucking**, Queens
**Modern Leasing aka Dumpmasters**, Bay Shore
**Modern Leasing aka Silver Star**, Bay Shore
**New York Trucking And Carting (NYTAC) Corp.** West Babylon
**Starfire Industries Inc.**, Medford
**St. Clair/Clairco Industries LLC**, Medford
**Durante Bros. Construction Corp.**, Queens
**South Shore Materials**, Bay Shore
**CSF Trucking**
**C&L Materials**

BLUECROSS REVERSES DECISION TO DROP LI PROVIDERS A5

newsday.com $2.50 | LI EDITION Friday May 3, 2019

# Newsday

SPORTS FINAL

YOUR EYE ON LI

HI 56° LO 53° FEW SHOWERS

## Driver Rejects Plea Deal

Holbrook man accused of killing Boy Scout opts for trial

A2-3 | VIDEO AT NEWSDAY.COM



## Superhero At the Movies

Registered nurse saves man having sudden cardiac arrest at theater

A8 | VIDEO AT NEWSDAY.COM

# RINGLEADER GUILTY IN DUMPING SCHEME

Smithtown 'dirt broker' gets 2 to 4 years in prison, must pay $500G

A3 | UPDATES AT NEWSDAY.COM

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# Dumping bust a record

NY's Operation Pay Dirt nets nearly 2 dozen

BY RACHELLE BLIDNER

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Nearly two dozen people were arrested Tuesday in an undercover operation that New York's top environmental official described as the "largest-ever bust of illegal dumping in the state's history."

The monthslong undercover operation called Operation Pay Dirt stretched across Long Island and New York City and found 21 new illegal dumping sites, said Basil Seggos, commissioner of the state Department of Environmental Conservation.

Officials said they arrested 23 people, charged 12 companies and seized 18 vehicles in connection with illegal dumping of construction and demolition debris.

"The intent is to reveal the scale of this problem, to crack down on the polluters and bring to justice those who sought to damage our environment," Seggos said of the investigation.

Suffolk County District Attorney Timothy Sini said the investigation focused on a self-proclaimed dirt broker who offered clean fill to residents who instead got solid waste, construction and demolition debris in their backyards.

The joint investigation began in February after county investigators found evidence that the broker, Anthony Grazio, also known as Rock, offered to give a Central Islip homeowner free clean fill and instead arranged for solid waste to be dumped in the backyard without the resident's knowledge, Sini said. Grazio also brokered deals with recycling and solid waste management facilities, Sini said.

The district attorney said his office will convene a special grand jury that will conduct investigations and report on "a broader picture of how we end dumping in Suffolk."

State investigators tracked down people and companies involved in illegal dumping by going "into undercover mode," following materials out of New York City, and tracking where the waste was being illegal[ly] dumped, Seggos said. Arres[ts] were carried out by about 1[...] police officers, including Su[ffolk] County police, starting at [...] a.m. Tuesday, he said.

State officials did not releas[e] the names of the majority [of] people or companies charge[d,] saying not all of those arreste[d] had been arraigned. The invest[i]gation and operation is contin[u]ing, and the DEC will work [to] ensure polluters are held a[c]countable for cleanup effort[s,] an official said.

Charges ranged from crim[i]nal mischief to endangerin[g] public health, safety and the en[vi]ronment, Sini said.

Operation Pay Dirt is part [of] a larger initiative called Oper[a]tion TrashNet, which Gov. An[]drew M. Cuomo launched [in] February 2017 to crack down o[n] the increased amount of ille[]gally disposed constructio[n] and demolition debris acro[ss] the state, officials said.

"Illegal dumping poses a ser[i]ous threat to our environmen[t,] and New York will not allow any unscrupulous businesses to continue to harm this state," Cuomo ...

wood. The dumping, which involved three other parcels in Suffolk, led to the convictions of ...



Pr[...]ncluded lot between [...] State Park and Bre[n]twood North Middle School, seen June 27.



# Prison in polluted fill scheme

Smithtown man gets 2-4 years, must pay $500G

BY MICHAEL O'KEEFFE

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A "dirt broker" who Suffolk prosecutors said led a massive scheme that supplied contaminated fill to construction sites across Long Island was sentenced to 2 to 4 years in prison Monday.

At a sentencing hearing in Riverhead, Suffolk County Court Judge Timothy Mazzei also ordered Anthony "Rock" Grazio, 54, of Smithtown, to pay $500,000 in restitution.

"Today's sentencing sends a clear message: It does not pay to commit environmental crimes in Suffolk County any longer," Suffolk District Attorney Timothy Sini said afterward.

Prosecutors say that between January and July of 2018, Grazio led a criminal ring that obtained fill contaminated by diesel fuel, heavy metals and other toxic substances, from trucking and demolition companies. Grazio and his associates then supplied it to homeowners and others seeking clean fill for construction sites and landscaping projects.

"The defendant, with no regard for the safety and well-being of Suffolk County residents, facilitated the dumping of solid waste on residential properties, properties near schools and other sites," Sini said. "Many of the sites contained materials that were hazardous or acutely hazardous."

Grazio apologized for his actions after a brief court appearance last week and again at his sentencing, saying he did not intentionally distribute polluted fill.

But prosecutors say it was clear from wiretaps and other evidence that Grazio knew he was supplying contaminated fill to construction sites, and Mazzei rebuked him Monday for not accepting responsibility for his actions.

Grazio's attorney, James Vlahadamis of Hampton Bays, said his client hoped to tell the court that he should have paid closer attention to the contents of the material he distributed across Long Island, and that Grazio's statement in the courtroom Monday did not come out as he had hoped. "He is remorseful for what happened," Vlahadamis said. "He has accepted his responsibility."

Sini's office, along with Suffolk police and the New York State Department of Environmental Conservation, launched a monthslong investigation into illegal dumping on Long Island called "Operation Pay Dirt" in February 2018. The investigation led to a 130-count indictment against nine corporations and 30 individuals, including Grazio, who are accused of illegally disposing contaminated waste at 24 locations in Nassau and Suffolk counties. The indictment was unsealed in November 2018.

In May, Grazio pleaded guilty to two counts of second-degree mischief, two counts of endangering public health and other criminal charges.

"Illegal dumping poses a serious threat to our environment, and New York will not allow businesses to continue to harm the state's environment and its citizens while putting profits over public health," said DEC Commissioner Basil Seggos.

newsday.com $2.50 | LI EDITION Tuesday Nov. 27, 2018

# Newsday

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THE LONG ISLAND NEWSPAPER

HI 47° LO 31° PARTLY CLOUDY

# NEW CHARGES IN ILLEGAL DUMPING PROBE

DA: Contaminated debris given to homeowners

22 suspects, 9 businesses accused in conspiracy

A3 | VIDEO AT NEWSDAY.COM



Suffolk DA Timothy Sini announces indictments yesterday.

**NORTHWELL** Health system to build research center at Nassau Hub A2

**BURKE** Ex-Suffolk police chief moved from prison to halfway house A5

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# A DUMPING 'NIGHTMARE'

Sini: Toxic waste went to homes promised clean fill

BY ANDREW SMITH

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Long Island property owners who thought they were getting clean dirt fill instead got construction debris — some of it contamined — in a conspiracy that investigators said is the largest such criminal operation in state history, Suffolk District Attorney Timothy Sini said Monday after new charges were filed in County Court.

The conspiracy, run by self-proclaimed dirt broker Anthony "Rock" Grazio, 53, of Smithtown, resulted in thousands of cubic yards of the debris being dumped at businesses and at the yards of homeowners responding to offers of clean fill for construction work, Assistant District Attorney Luigi Belcastro said in court.

The dirty fill included everything from demolition material at construction sites to dirt that reeked of diesel fuel and contained acutely hazardous material, he said.

"Children were unable to play in their backyards because of these defendants. Homeowners were unable to grow grass. This was a nightmare for those affected," Sini said.

Grazio's attorney, James Vlahadamis of Hampton Bays, said he and his client "vehemently deny the charges. Mr. Grazio never knowingly intended for anyone to receive solid waste material." Grazio is accused of conspiring with several trucking companies to deliver the contaminated fill. If convicted of the top count of second-degree criminal mischief, he faces 2⅓ to 7 years in prison.

"They did this to save money," Sini said of the 22 men and nine businesses charged in the 130-count indictment, which he dubbed Operation Pay Dirt after initial arrests were made in July. "And they did it at the expense of the health of our residents" in both Suffolk and Nassau counties.

Sini said the 39 defendants made it "undoubtedly the largest ever criminal case [of its type] in New York state history."

Sini said most of those victimized lived in low-income neighborhoods, a fact he said was offensive. And the crime affects all Long Islanders, because drinking water here comes from underground aquifers.

Suffolk Police Commissioner Geraldine Hart said the probe was ongoing and "additional suspects have been identified."

Belcastro and Sini said Grazio would advertise on Craigslist and elsewhere — including on signs nailed to utility poles — that he had cheap, clean fill. In some ads, he claimed it was certified as clean by the state Department of Environmental Conservation. He also provided to some customers a document purporting to show the dirt was clean, according to the indictment.

But what Grazio had the trucking companies he conspired with deliver was anything but clean, Belcastro said. Sometimes it was construction debris from demolition companies in New York City. Sometimes it reeked of diesel fuel, and later testing showed some samples contaminated by volatile organic compounds, heavy metals and other toxic substances, Sini said.

The motive to do this was greed, prosecutors said. Instead of trucking such waste longer distances to certified dump sites and paying environmental fees, Belcastro said, defendants got rid of the waste cheaply. Other defendants paid Grazio a "finder's fee" of $50 to $100 per truckload, Belcastro said.

Such waste ended up at 21 locations in Suffolk and three in Nassau, Belcastro said. Seventeen of those locations were homes, he said. Six — four of them homes — had acutely hazardous material dumped there, he said.

Homeowners have had to pay for the removal of the contaminated fill, put their home improvement projects on hold and in some cases lost the use of their property, Belcastro said.

He asked Judge Timothy Mazzei to increase Grazio's bail from a $177,000 bond posted after his July arrest to $250,000 cash or $500,000 bond. But Vlahadamis said Grazio had made his court appearances and did not flee. Mazzei let Grazio remain free on his existing bail.

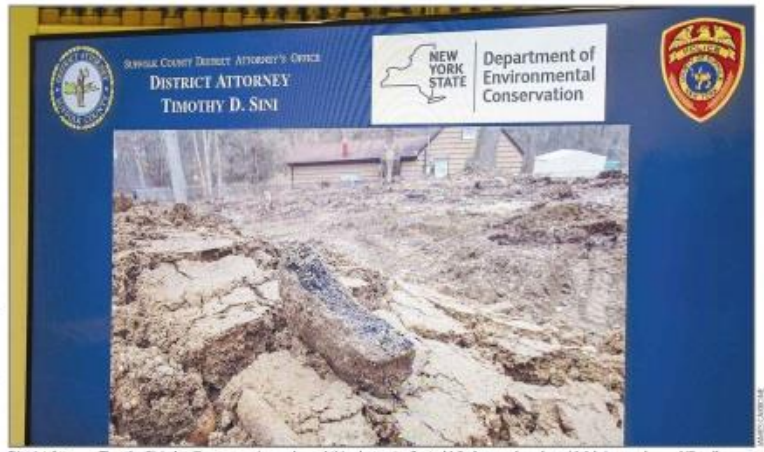
Other defendants — some of whom were charged in July — include trucking companies, their owners, truck drivers and one of the demolition companies that was the source of Grazio's material.

Attorneys for several of the trucking companies, their principals and the drivers said their clients and the trucking businesses believed they were dumping clean fill and had no reason to doubt documents certifying their loads as clean.

Defense attorney Nancy Bartling of Mineola said state law allows the fill to contain concrete, wood and other material. Her clients, Carlos Melgar, his businesses IEV Trucking Corp. and D.J.C.I. Enterprises, and also Kris Trucking Corp. were accused of unloading material that stank of diesel at a Ridge home in April, but Bartling said prosecutors have not proved their allegations.

Attorney Joe Cozzo of Central Islip said investigators forced his client, Vito Fragola, out of business by seizing the assets of his New York Trucking and Carting Corp. He said authorities tracked the trucks and several times did not show up to stop the dumping. *With Ellen Yan*

> "They did this to save money. And they did it at the expense of the health of our residents." — Suffolk District Attorney Timothy Sini




District Attorney Timothy Sini, detailing a conspiracy, showed this photo of a Central Islip home where he said debris was dumped illegally.

# Protecting the Environment

- As a direct result of the report, legislation was passed by the New York State Legislature signed into law in 2020 by Governor Cuomo to prevent large-scale illegal waste dumping in New York.



SPECIAL GRAND JURY REPORT:

## State needs to get tough on dumping

Suggests laws to punish offenders, regulate disposal

BY NICOLE FULLER



Suffolk County District Attorney Timothy Sini speaks regarding hazardous illegal dumping in the county. ▪ Video: newsday.com/li

NOW ONLINE
Read the grand jury findings at Newsday.com

GRAND JURY RECOMMENDATIONS:





Kaminsky shows proposed anti-dumping legislation at news conference Wednesday in Hauppauge. ▪ Video: newsday.com/environment

## Anti-dumping push

Bipartisan bill to make it easier to try, punish crime

BY ROBERT BRODSKY

Long Island state lawmakers introduced sweeping legislation Wednesday they said would make it easier to prosecute and punish individuals suspected of illegally dumping toxic materials and better protect the region's sole-source aquifer.

The bipartisan legislation would create new laws targeting illegal disposal, possession and acceptance of solid waste and hazardous materials while addressing gaps in existing statutes the lawmakers said failed to protect the public and environment.

Long Island, and particularly low-income Suffolk communi-

terials ... And so bad actors, in order to line their pockets with money, will break the law."

The legislation stems from a 55-page report unsealed last week by a Suffolk grand jury empaneled in July 2018 to probe illegal dumping and other environmental crimes on Long Island. The jury's findings were born out of "Operation Pay Dirt." The probe by Sini's office and the state Department of Environmental Conservation led to a 130-count indictment, the largest bust in state history for illegal dumping of construction and demolition debris. Prosecutors charged nine corporations and 30 individuals with disposing of contaminated waste at 24 sites in Nassau and Suffolk. Every defendant charged in the case, Sini said, has pleaded guilty.

"This is an issue that strikes at what being a Long Islander is all about," said Suffolk County Executive Steve Bellone. "Our envi-

**PROPOSED LEGISLATION TARGETING ILLEGAL DUMPING**

New criminal law statutes would include:
- Criminal disposal and aggravated criminal disposal
- Scheme to defraud by disposal of solid waste
- Criminal possession of solid waste
- Criminal acceptance of solid waste or construction and demolition material
- Criminal acceptance of a hazardous substance
- Criminal acceptance of an acutely hazardous substance
- Scheme to defraud by sand mining
- Criminal sand mining
- Criminal disposal incident to sand mining

our money but they do rob us of our health," said Adrienne Esposito, executive director of the Citizens Campaign for the Environment, a Farmingdale-based advocacy group. "And that's a crime and needs to be treated as such."

The legislation would allow prosecutors to charge suspects with scheming to defraud, and targets the lucrative business of mining for sand. Criminal penalties would be heightened when the illegally dumped materials contaminated the aquifer.

Existing laws would be strengthened to require "cradle-to-grave" documentation by a contractor or company of solid waste as well as construction and demolition material in a database investigators could track via a smartphone application.

"The communities that are being impacted by this are underserved communities," said State Sen. Todd Kaminsky (D-Long Beach), the bill's lead sponsor.

## Cuomo signs law making illegal dumping a felony

BY YANCEY ROY
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ALBANY — Gov. Andrew M. Cuomo signed a law Tuesday to designate as felonies illegally dumping of construction debris or participating in a dumping scheme, a move that was sparked by a disposal scandal that closed a Brentwood park for more than three years.

"Illegal dumping is a significant problem and too often its costs are unjustly passed on to the community," Cuomo said in a statement. "Not only does this legislation strengthen criminal penalties to ensure sanctions do not simply become another cost of doing business, but (also) it further discourages large-scale illegal dumping by holding developers and waste haulers accountable for creating the problem in the first place."

In the past, those caught dumping materials often were charged with a low-level offense, such as criminal mischief, and assessed a relatively small fine, legislators said.

The old law "did little to deter bad actors," said State Sen. Todd Kaminsky (D-Long Beach), the Senate sponsor of the legislation. "For too long, Long Island . . . has been a dumping ground of hazardous waste from New York's construction industry. This bill will finally give prosecutors the tools they need," Kaminsky said Tuesday.

Assembly sponsor Steve Englebright (D-Setauket) said too often toxic wastes from illegal dumping would "end up in our water supply."

Under the bill, "scheming to defraud" to illegally dispose of "solid waste" would be a felony carrying up to a 4-year prison sentence.

Other provisions specifically make illegal the dumping of construction debris, hazardous substances and "acutely hazardous" materials, with penalties varying according to the amount found.

The legislation was sparked by a scandal in Brentwood and other investigations that followed. In 2014, officials discovered 40,000 tons of contaminated material dumped at Roberto Clemente Park. An investigation led to the convictions of five men, including two former town parks employees.

Four years later, Suffolk County District Attorney Tim Sini subsequently convened a special grand jury to study the issue of illegal dumping.

The grand jury's findings were born out of "Operation Pay Dirt," a lengthy investigation by Sini's office and the state Department of Environmental Conservation into illegal dumping on Long Island. It led to the indictment of 30 individuals and nine corporations for disposing contaminated waste at 24 sites on the Island. Sini previously said all have pleaded guilty.

A Newsday investigation found some of the same companies and individuals playing roles both in the Clemente Park scandal and Operation Pay Dirt. It also outlined how a New York City building boom led to widespread dumping in Nassau and Suffolk counties.

The Newsday investigation also showed disposal costs for legally getting rid of construction and demolition debris were more than twice what haulers were paid to bring the material to Clemente Park — highlighting profit as a factor for the dumping.



MICHAEL OWENS

Illegally dumped dirt mounds in Brentwood on July 17, 2018.

SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

# Protecting Our Community

*Public Integrity Bureau*

A10

# Suffolk cop accused of $7G theft

BY STEFANIE DAZIO
stefanie.dazio@newsday.com

A Suffolk police sergeant was arrested on theft and corruption charges Tuesday after authorities said he stole more than $7,000 from the department by falsifying timesheets to collect an extra 12 paid days off.

Robert Kall, 48, of Shoreham, pleaded not guilty at his arraignment Tuesday before Judge Gaetan Lozito in First District Court in Central Islip, online court records show. He was released on his own recognizance after surrendering [illegible]

dance, Police Commissioner Geraldine Hart said in the release.

"Misconduct of any kind is taken seriously and will not be tolerated in this department," Hart said. "Residents should be assured that our officers are committed to their profession and Kall's conduct is not reflective of the Department's dedication to service."

Kall's Hauppauge lawyer, Anthony La Pinta, said his client, a patrol sergeant in Yaphank's Seventh Precinct, did nothing wrong, which will eventually be proved.

# Union leaders indicted

## Feds, Suffolk DA charge 11 with accepting bribes

BY NICOLE FULLER
nicole.fuller@newsday.com

Eleven top union officials in the construction industry on Long Island have been indicted by federal authorities on allegations of accepting bribes totaling over $100,000 following a two-year wiretap investigation that began in Suffolk County, officials announced Thursday.

Authorities allege the defendants — current and former members of Local 638, a union with jurisdiction over pipe fitting on Long Island and in New York City — agreed to accept dozens of bribes, beginning in October 2018, "to corruptly influence the construction industry at the expense of labor unions and their own members who they're supposed to be representing," according to Manhattan federal prosecutors and the Suffolk County district at-



Suffolk County District Attorney Timothy Sini called the alleged corruptio

of the United Association, based in Ronkonkoma, has jurisdiction for all plumbing work in Nassau and Suffolk counties, according to its website.

which represents over 200,000 unionized construction workers across the state. Prosecutors allege Cahill was the leader of the so-called "enter-

ney Timothy Sini, whose office brought the case to the U.S. attorney's office, said in a statement: "These union officials — who purported to be the ones looking out for workers and their rights — were in fact engaged in an enterprise of corruption at the expense of the hard-working men and women they claimed to represent. This was a complete betrayal of these

LONG ISLAND / CRIME

# Water Mill man twice sought absentee ballot for his dead mom, Suffolk DA says

LONG ISLAND

A13

# CHARGES IN CASINO PLOT

## Suffolk DA: Nassau officer and wife, a Jake's 58 cashier, planned robbery

BY NICOLE FULLER
nicole.fuller@newsday.com

A Nassau County police officer and his wife have been arrested by Suffolk authorities on allegations they conspired to rob an Islandia casino, the Suffolk County district attorney's office said Wednesday.

Officer Bruce Moeller and his wife, Christina Moeller, a cashier at Jake's 58 Hotel & Casino, were taken into custody Tuesday and charged with fourth-degree conspiracy, according to court docu-

past week as a result of a Suffolk grand jury investigation. The other officers — publicly identified by authorities for the first time Wednesday — are Erik Skoglund, charged with fourth-degree conspiracy, and Karen Ernst, charged with fourth-gree criminal facilitation, a demeanor. They were g desk appearance tickets an to be arraigned at a later da

The district attorney's o declined to answer quest Wednesday about the al tions the four defendants are ing or whether they're allege be part of the same conspir

The three police offi have been suspended wit pay, said Det. Lt. Richard Brun, a spokesman for the sau police department.

The Moellers pleaded not guilty at their arraignments Wednesday morning in First District Court in Central Islip, said Sheila Kelly, a spokeswoman for the district attorney's office. Bruce Moeller was released on a bond and Christina was released on a $50,000 bond, their attorneys said.

"We plan to strongly defend

said Spreer, whose practice is in Babylon. "We have to explore what the district attorney's allegation is. She has never been in trouble."

A spokesman for Jake's 58 did not respond to a message seeking comment.

Nassau Police Commissioner Patrick Ryder described the arrests as "disappointing and disheartening" and said the offi-

dent of the Nassau Police Benevolent Association, declined to comment.

The arrests of Skoglund and Ernst were announced June 5 by Suffolk County District Attorney Timothy Sini. His office refused to provide those officers' names and details of their arrests last week, citing grand jury secrecy rules, and reiterated that stance Wednesday. At-

LONG ISLAND / CRIME

# State trooper indicted on perjury charges in 2017 DWI arrest

By Bart Jones
bart.jones@newsday.com
*Updated November 7, 2019*

PRINT SHARE

State Police Trooper Kev
committing perjury in co
Suffolk County District A

Tunney, who joined the S
motorist has been dropp

TOP STORIES

A9

# EX-COACH IS GUILTY OF THEFT



David Falco was also charged with public corruption and corrupting the government.

## Sachem H.S. North's Falco filed fake timesheets to steal district money

BY MICHAEL O'KEEFFE
michael.okeeffe@newsday.com

A Suffolk County jury deliberated for about an hour Monday before finding former Sachem High School North head football coach David Falco guilty of filing bogus timesheets to steal money from the school district.

Falco, 53, filed timesheets requesting $5,755.68 in compensation for supervising weight room sessions at Sachem North between Dec. 8, 2017, and Jan. 15, 2018, work that was actually done by his assistant coaches, Suffolk County District Attorney Timothy Sini said Monday.

"We hold our public servants to a standard of trust, that they will serve the public in good faith," Sini said. "When they break that trust, we need to hold them accountable."

Falco told the assistant coaches who supervised the weight room sessions they would not be compensated for the work they performed.

"He was essentially stealing from his colleagues," Sini said.

Falco, of Center Moriches, was charged with third-degree larceny, public corruption, corrupting the government in the third degree and other charges in a seven-count indictment unsealed in November.

Falco faces up to five-to-15 years in prison when he returns to Suffolk criminal court in Riverhead on Nov. 12 for sentencing.

Sini said the jury was able to reach a speedy decision because prosecutor Laura De Oliveira presented her case "very clearly and effectively." Falco's attorney, John Scott Prudenti of Center Moriches, did not respond to requests for comment.

Sachem Superintendent Kenneth Graham declined to comment, calling it a personnel matter.

Falco has been on paid administrative leave since his arrest in November 2018. Graham said at the time Falco "has been reassigned to home pending the outcome of the legal process."

The 1984 Sachem North graduate coached the Sachem North football team for 15 seasons until his resignation in August 2018 just days before the start of the season. He also was the school's physical education chairman.

Falco started at the school in 1996. He coached the football team to a 82-58 record after taking over in 2003 and won the 2013 Long Island Championship.

*With Jim Baumbach*

A10

TOP STORIES

# Cop, pair held in drug ring



NYPD Officer Joseph Recca of West Islip, center, outside the courthouse in Central Islip Wednesday.

## Fatal overdose led to arrest of three on Island

BY MICHAEL O'KEEFFE
michael.okeeffe@newsday.com

An NYPD officer from West Islip and two other Long Island men were arrested on drug and conspiracy charges Tuesday, the result of an investigation sparked by the fatal overdose of a man in Copiague in September.

Joseph Recca, 28, who faces drug, conspiracy, official misconduct and unauthorized use of a computer charges, could serve up to 25 years in prison if convicted, Suffolk District Attorney Timothy Sini said Wednesday.

"This is obviously a shocking case because it deals with a member of law enforcement dealing drugs in our community, which is very concerning and we are going to hold him accountable," Sini said during a news conference outside Suffolk County Court in Central Islip.

Recca resigned from the NYPD after his arraignment Wednesday in Suffolk County court, the department said.

Recca's alleged partners in the drug distribution ring, Michael Corbett, 53, of West Islip, and Michael Sosa, 25, of Brentwood, also face drug and conspiracy charges. Sosa was charged with a gun violation after an unregistered and untraceable 9 mm weapon was found in his home during execution of a search warrant, officials said. Recca was charged with unauthorized use of a computer because he used an NYPD computer to determine the identities of people he suspected were following him, Sini said.

Investigators seized 400 grams of drugs, drug paraphernalia and $75,000 in cash while executing search warrants on Recca's car and the homes of Corbett and Sosa, officials said. Recca and his partners sold what they claimed was oxycodone, Sini said, but investigators suspect the drugs were pills containing fentanyl, a cheap, powerful and deadly synthetic opioid.

All three pleaded not guilty at arraignment Wednesday.

A judge released Recca with electronic monitoring. He is due back in court Monday.

Recca declined to speak with reporters after his arraignment.

His attorney, Matthew Rosenblum, of Commack, called Recca a "revered officer" who was a victim of rising anti-police sentiment.

Outside his West Islip home Wednesday, Jim Recca, the accused cop's father, described his son as "a great guy."

Corbett, also released on recognizance, is scheduled to return to court Sept. 9. Corbett's attorney Steven Politi said his client was released from a hospital following knee-replacement surgery the day before he was arrested. The drugs found in Corbett's home, Politi said, were prescribed by a physician.

Politi said Corbett had a large stash of cash at the home because he preferred to use cash rather than credit cards during the coronavirus lockdown.

Sosa's bail was set at $200,000 cash or $1.5 million partially secured bond. He is also expected to return to court on Monday. His attorney, Michael Brown of Central Islip, said he is confident the charges against his client will be proved to be unfounded.

"Recca was the ring leader," Brown said. "Mr. Sosa is just a minor player in all of this."

Sini said Sosa supplied what were purported to be oxycodone pills to Recca, who then sold them to Corbett, who sold the drugs to customers from his West Islip home.

Sini and Suffolk County Police Commissioner Geraldine Hart said the investigation began after a man in his 20s died from a drug overdose, and police uncovered evidence that Recca sold drugs to the man just before his death.

SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

# Grant Funding

# Grant Funding

- **The United States Department of Justice Office of Juvenile Justice and Delinquency Prevention (OJJDP) Youth Gang Suppression Grant:**
  - Award: $124,951
  - The purpose of this program is to support jurisdictions with an established gang presence to coordinate gang suppression efforts and activities by prosecutorial and law enforcement agencies.
  - The SCDAO uses this grant funding to conduct analysis of social media, to pay for interpreters, and for relocation efforts.

# Grant Funding

- **NYS Division of Criminal Justice Services (DCJS) Gun Involved Violence Elimination Initiative (GIVE):**
  - Award: $511,787
  - The GIVE program aims to eliminate shootings and homicides, or aggravated assaults where applicable, through the integrated use of evidence-based strategies that are incorporated into the four core elements of GIVE: people, places, alignment and engagement.
  - The DA's Office works with GIVE partners including the SCPD, Probation, and the Sheriff's Department to enact and maintain the strategies of hot spot policing, focused deterrence and outreach. This allows for the enhanced prosecution of the most violent armed offenders.

# Grant Funding

- **The United States Department of Justice Project Safe Neighborhoods Grant:**
  - Award: $90,002 (FYs '19 & '20 combined)
  - Project Safe Neighborhoods is a nationwide initiative that brings together federal, state, local and tribal law enforcement officials, prosecutors, and community leaders to identify the most pressing violent crime problems in a community and develop comprehensive solutions to address them. Both the SCDAO and SCPD receive this grant annually.

# Grant Funding

- **Financial Investigations & Money Laundering:**
  - Interagency Contract for Welfare Fraud Prosecution: Reimbursement of up to $150,097 per year from the Suffolk County Department of Social Services
  - DCJS Crimes Against Revenue Program (CARP) Grant: $1.6 million
    - Assists with investigations into individuals who fail to pay tax obligations, as well as those who commit Medicaid, welfare, unemployment and workers' compensation fraud
  - Motor Vehicle Theft and Insurance Fraud Grant: $290,000
    - Supports a variety of initiatives for the prevention and investigation of auto theft and auto insurance fraud

SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

# Community Outreach

# Community Outreach

*Prevention & Educational Programs*

- **Choices & Consequences**
  - Presentation by the Vehicular Crime Bureau on the dangers of drunk, drugged and distracted driving
  - Updated in partnership with LICADD to address drug use
- **Teen Dating Violence**
  - Presentation by the Child Abuse & Domestic Violence Bureau on dating violence, social media and internet safety, sexual assault awareness, and other issues that affect teens and young adults
- **Elder Abuse**
  - Presentation by the Financial Investigations & Money Laundering Bureau on protecting seniors citizens against financial exploitation
- **Coming soon: Social Media Safety**

# Community Outreach

- **Town Hall Meetings**: Open to the public and presented monthly on Zoom
- **Community Advisory Board**: A diverse group of community leaders representing each area of Suffolk County that meets quarterly to discuss important issues facing residents in each community
- **Labor Advisory Board**: Leaders from organized labor who represent Long Island workers. Meets quarterly with the DA to partner on efforts to target those who break the law and cause harm to workers

SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

# Achieving Justice for All

# Achieving Justice for All

- We have made significant progress in just three years, and this is only the beginning:
  - Implemented reforms throughout the Office; restored integrity to its leadership; and created a culture of excellence and compliance with our legal and ethical obligations as prosecutors
  - Invested heavily in recruiting diverse, top-tier attorneys to reflect the communities we serve and ensure long-lasting change
  - Shifted the paradigm on a number of public safety issues, taking a nuanced approach to better serve justice & protect the public through a combination of prevention, education and enforcement efforts

# Achieving Justice for All

- We have done all of this while reducing our jail population to the lowest level in recorded history AND reducing crime to the lowest level in recorded history.
  - Worked with the Sheriff's Office, Courts and all local law enforcement agencies to reduce the jail population. Effort began in 2015, which resulted in the lifting of an unfunded State mandate to build a third jail in Suffolk County.
    - Average daily population of inmates:
      - 2013: 1,543
      - 2019: 1,084
      - 2020 (after bail reform): approx. 400-800 throughout the year
      - 2021: 679

# SUFFOLK COUNTY
# DISTRICT ATTORNEY'S OFFICE

TRUTH · JUSTICE · INTEGRITY

# SCHOOL RESOURCE OFFICER PROGRAM

The Suffolk County Police Department's School Resource Officer Program is composed of a total of 17 School Resource Officers, 12 Precinct School Resource Officers and 5 County-wide School Resource Officers. The School Resource Officer is designed to facilitate cooperation and understanding and build a positive relationship between law enforcement, students, and school employees. The goal of the SRO program is to promote a safe school environment, reduce crime, and provide a law enforcement resource to school administrators, teachers and students.

## SCHOOL RESOURCE OFFICER STATISTICS

| | 2018 | YTD Oct 31 2018 | 2019 | YTD Oct 31 2019 | YTD Oct 31 2020 |
|---|---|---|---|---|---|
| **SRO Arrests** | **15** | **15** | **5** | **5** | **0** |
| **SCPD Arrest (17 y/o and under)** | 547 | 488 | 329 | 302 | 113 |
| **% of SRO Arrests out of SCPD Arrests of persons 17 y/o and under** | 2.74% | 3.07% | 1.52% | 1.66% | 0.00% |
| **SCPD Arrest (18 y/o and under)** | 962 | 835 | 796 | 699 | 395 |
| **% of SRO Arrests out of SCPD Arrests of persons 18 y/o and under** | 1.56% | 1.80% | 0.63% | 0.72% | 0.00% |
| **Total SCPD Arrests** | **19,051** | **16,092** | **19,725** | **16,785** | **11,371** |
| **% of Total** | 0.08% | 0.09% | 0.03% | 0.03% | 0.00% |

| Year | Male | Female |
|---|---|---|
| **2018** | 13 | 2 |
| **2019** | 2 | 3 |
| **2020** | 0 | 0 |

| Year | White | Black | Hispanic |
|---|---|---|---|
| **2018** | 8 | 3 | 4 |
| **2019** | 1 | 1 | 3 |
| **2020** | 0 | 0 | 0 |

*It should be noted that there was also one arrest in 2020 and one arrest in 2019 that was made by the School Resource Officer for an adult trespassing on school grounds. The arrest statistics are for School Resource Officers that made an arrest while operating in their official capacity as a School Resource Officer on school grounds for incidents involving a student.

**COUNTY OF SUFFOLK**
**NEW YORK**



**POLICE DEPARTMENT**

**GERALDINE HART**
POLICE COMMISSIONER

## Memorandum of Understanding

1. **Parties:**

   a. This Memorandum of Understanding is entered into by and between the _____ _____ School District (School District); and the Suffolk County Police Department (SCPD) for the placement of School Resource Officers (SROs) within the School District.

2. **Authority:**

   a. Education Law §2801-a, which requires schools to define the roles and responsibilities of school personnel, security personnel, and law enforcement officers that are deployed in schools.

3. **Purpose:**

   a. The SCPD and School District, in order to ensure a successful SRO program, will build a positive relationship between law enforcement, students, and school employees.

   b. The goal of the SRO program is to promote a safe school environment, reduce crime, and provide a law enforcement resource to school administrators, teachers and students.

   c. The purpose of this Agreement is to provide clarity and understanding regarding the roles and responsibilities of SROs.

4. **Independent Entities:**

   a. SROs shall be employees of the SCPD and shall be subject to the administration, supervision and control of the SCPD. SROs shall not be employees of the School District. School District and SCPD acknowledge that the SROs shall remain responsive to the chain of command of the SCPD.

   b. Neither the SCPD nor the School District shall be an agent of other. Neither the SCPD nor the

School District shall have the authority to bind the other absent express, written consent to do so.

c. SCPD shall be responsible for the payment of SROs' salaries and benefits. SROs shall be subject to all other practices and policies of the SCPD, except as such practices or policies are modified to comply with the terms and conditions of this Agreement.

d. In their capacity as employee of SCPD, SROs shall abide by School District policies applicable to police, visitors and contractors.

**5. Overall Roles and Responsibilities of the SRO:**

a. Perform duties, responsibilities of duly sworn SCPD Officer.
b. Forge & maintain effective relationships with students, faculty, staff & administration.
c. Assist school leaders in planning/execution of school safety drills including fire, lockdown, lockout and reunification. Understand School District's Code of Conduct and assist school personnel in observing/reporting infractions.
d. Plan/assist with emergency response for various circumstances.
e. Assist school officials when matters involving law enforcement officers are required.
f. Observe/evaluate potential threats to safety of student body.
g. Serve as visible deterrent to illegal/dangerous activity.
h. Handle requests for service in/around school, follow up on reports generated at School District, and engage parents/community as needed.
i. Conduct safety and security assessments.
j. Assist in the development of emergency management and incident response systems including mitigation/prevention, preparedness, response, and recovery.
k. Integrate appropriate security equipment/technology.
l. Respond to unauthorized persons on School District property.
m. Serve as a member of School District's Threat Assessment Team.
n. Serve as a member of School District's District-wide and/or Building Safety Committee(s).
o. Communicate regularly with School District security.

**6. SRO Selection:**

a. The SRO position will be filled according to the SCPD selection process. The SCPD will make the final selection of any SRO.
b. The parties shall use a collaborative process in the assignment of the SROs. The Precinct or Bureau Commander shall assign SROs in collaboration with the Superintendent of Schools or designee in accordance with the following guidelines:

    1. The SCPD will provide the School District with relevant operational information, such as timely notification of SRO leaves and absences, SRO scheduling and availability.

    2. The School District shall provide SCPD with relevant operational

information such as hours of operation, facilities and personnel issues.

3. SROs will be assigned to the School District with the intent of providing qualified SCPD officers who have the job knowledge, experience, training, education, appearance, attitude, communication skills and bearing necessary to perform the unique role of an SRO.

4. In the event the Superintendent or designee believes that an SRO is not effectively performing his/her duties and responsibilities, the Superintendent or his/her designee shall apprise the Precinct or Bureau Commander of the School District's concerns. The Superintendent or designee Precinct or Bureau Commander shall act in good faith to mutually resolve the School District's concerns. In the event the parties are unable to resolve the dispute, the School District may immediately terminate this agreement.

5. In the event the Superintendent or designee or the SCPD receives information that an SRO has been arrested, charged with a crime or accused of sexual abuse, child abuse, corporal punishment, sexual harassment, or a violation of project SAVE, the SRO shall be removed by SCPD pending an investigation. The Superintendent or designee Precinct or Bureau Commander shall act in good faith to mutually resolve the School District's concerns.

6. In the event of the resignation, dismissal, reassignment or other long term and/or permanent absence of an SRO, the SCPD shall provide a replacement SRO within a reasonable time after receiving notice of such resignation, dismissal, reassignment or other long term and/or permanent absence.

c. SROs shall complete the SCPD School Resource Officer Training Course prior to assignment in the School District. If no SROs are available who have completed the SRO Training Course, the School District and SCPD may mutually agree to the assignment of an SRO who is enrolled in the course and who has received mutually agreeable in-service training.

d. SROs shall receive in-service training when offered by the School District within the hours of SRO service on following topics: education of students identified as requiring special education or plans under Section 504 of the Rehabilitation Act (Section 504); Dignity for all Students Act, race, national origin, ethnic, and gender bias against students which may include a component that provides historical context; trauma management in youth; and de-escalation tactics for working with youth.

e. The SRO shall receive training from SCPD in sexual harassment that complies with State law.

f. The School District may require the SRO to participate in additional training at the sole expense of the School District, within the assigned hours of the SRO to the School District.

**7. Operation of SRO Program:**

7.1 SRO Supervision:

The police department will have sole responsibility and authority over the day to day operation and administrative control of the SRO assigned to the School District.

7.2 SRO Transportation of Students:

SROs shall not transport students in Police Department vehicles except as necessary to perform

the duties and responsibilities of a SCPD Officer. SRO shall notify the Superintendent of Schools prior to transporting any student and comply with School District Policy/Regulations with respect to the transportation of students unless such notification will impair the performance of duties and responsibilities of a SCPD Officer or endanger the health, safety and welfare of the student or others.

7.3 SRO Questioning of Students:

a. In accordance with District Policy/Regulation, SROs may question students about matters within the scope of their duties as an SRO provided that an SRO shall not question students with respect to:
   i. Immigration status;
   ii. Matters predicated upon a student's perceived race, nationality, color, or native language; and/or
   iii. Matters unrelated to the School District such as crimes or suspected criminal activity occurring off school grounds and away from school activities;
b. Prior to commencing service, SROs shall meet with the Superintendent or designee and review School District Policy/Regulation with respect to police involvement in searches or interrogations of students. SROs shall abide by such School District Policy/Regulations when questioning a student about criminal or suspected criminal activity.
c. If an SRO is involved in the questioning of a student on school premises, whether or not at the request of school authorities, it will be in accordance with applicable law and due process rights afforded students.
d. SROs shall consult with the Superintendent of Schools or designee should there be any question with respect to the role of the SRO and permissible questioning within the scope of School District Policy/Regulation.

7.4 SROs Role in Student Discipline:

a. The School District shall be responsible for student Code of Conduct violations and routine disciplinary violations. The SRO shall read and understand the student code of conduct for the School District. The SRO shall have no responsibility for student discipline. All student disciplinary matters must be referred to the Building Principal or Superintendent of Schools or his/her designee.
b. SROs may, upon witnessing a criminal offense, take the student into custody provided that, to the fullest extent practicable, in instances not requiring immediate arrest or other immediate action, SROs shall consult with the Superintendent of Schools or designee prior to making any arrest on school grounds or within the scope of his/her duties as an SRO. The School District bears the sole responsibility for enforcing the code of conduct and School District policies.
c. SRO should use a physical restraint or a physical restraint device (e.g. handcuffs or flex cuffs) only in a case that requires the physical arrest of a student for referral to the criminal justice system, or where necessary to prevent a student from endangering the health, safety and welfare of him or herself or others.

7.5 SRO Uniforms:

SROs will be full-time and will wear their SCPD assigned uniform during their school schedule, which schedule will be mutually agreed upon in consultation with school officials.

7.6 SRO Weapons:

SROs shall wear their on-duty weapon issued by the SCPD while serving as an SRO.

**8. Community Engagement:**

All stake holders/parties involved in the SRO program will continually work on building and expanding existing community partnerships that help support the mission of safe schools. These community partnerships will provide resources that can help students get necessary support.

**9. Records and Information:**

a. It is the understanding of both the School District and SCPD that confidentiality and a student's right to privacy are of the utmost importance in the administration of these services. Therefore, student records shall be kept confidential in accordance with all applicable laws and professional standards. The mandate to keep student records confidential includes but is not limited to the requirement that the SRO may not disclose any information obtained from a student record to any other party without the prior consent of the parent or eligible student, unless otherwise permissible under applicable law. The SRO shall maintain a record of the disclosure of any information obtained from a student record to any other party, including but not limited to, the SCPD or other law enforcement agency or officer; and shall provide such record to the School District on a monthly basis.

b. The School District and SCPD shall abide by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g with respect to the release of student identifiable information. The School District shall provide SCPD with a copy of its Student Records Policy and any other policy or regulation applicable to the release of student identifiable information. In accordance with FERPA, the School District shall determine whether SROs are deemed "school officials" under the School District Policy and the limits of SRO ability to receive, disclose and share student identifiable information. The School District shall determine what constitutes "directory information" under FERPA and ensure any disclosure of directory information complies with FERPA.

c. The SRO shall maintain detailed and accurate records in his or her role at any school at which he or she is assigned and shall submit reports to the School District as required by the principal of the school or other District administration, including, at a minimum, monthly reports of interactions that occur between SROs and students including, (i) the name of the student (if known); (ii) the age and/or grade of the student (if known); (iii) what prompted the interaction; and (iv) the substance of the interaction. Records created and maintained by SROs for law enforcement purposes shall not constitute School District records and may be disclosed to SCPD and other law enforcement officials.

**10. Expenses:**

There is no cost to the School District for stationing a SCPD SRO in their District.

**11. Indemnification:**

a. School District agrees to defend, indemnify, and hold harmless SCPD, including its officers,

employees, and agents, against all claims, losses, damages, liabilities, costs or expenses (including without limitation, reasonable attorney fees and costs of litigation and/or settlement), whether incurred as a result of a claim by a third party or any other person or entity arising out of the services performed pursuant to this Agreement, which SCPD, or its officials, employees or agents, may suffer by reason of any negligence, fault, act, or omission of the School District, its officials, employees, representatives, subcontractors, assignees, or agents.

b. School District shall cause the School District's officers, employees, and agents to cooperate with the SCPD in connection with the investigation, defense or prosecution of any action, suit or proceeding, related to the subject matter of this Agreement.

c. SCPD agrees to defend, indemnify, and hold harmless School District, including its officers, employees, and agents, against all claims, losses, damages, liabilities, costs or expenses (including without limitation, reasonable attorney fees and costs of litigation and/or settlement), whether incurred as a result of a claim by a third party or any other person or entity arising out of the services performed pursuant to this Agreement, which School District, or its officials, employees or agents, may suffer by reason of any negligence, fault, act, or omission of the SCPD, its officials, employees, representatives, subcontractors, assignees, or agents.

d. The SCPD shall cause the SCPD's officers, employees, and agents to, cooperate with the School District in connection with the investigation, defense or prosecution of any action, suit or proceeding, related to the subject matter of this Agreement.

e. The provisions of this Section shall survive the termination and/or expiration of this Agreement.

**12. Insurance:**

a. SCPD is self-insured, at its sole expense, for comprehensive general liability coverage, with coverage for sexual harassment, sexual misconduct, discrimination, wrongful discipline, wrongful termination, against any claim for liability, personal injury, or death arising directly or indirectly from this Agreement or the performance of its officers or employees in an amount equal to $1,000,000 per occurrence and $3,000,000 per aggregate.

b. SCPD is self-insured, at its sole expense, for statutory Workers' Compensation coverage and employee vehicle use against any claim for liability, personal injury, or death arising directly or indirectly from this Agreement or the performance of its officers or employees.

c. The District shall maintain insurance or be self-insured, at its sole expense, for comprehensive general liability coverage, with coverage for sexual harassment, sexual misconduct, discrimination, wrongful discipline, wrongful termination, against any claim for liability, personal injury, or death arising directly or indirectly from this Agreement or the performance of its officers or employees in an amount equal to $1,000,000 per occurrence and $3,000,000 per aggregate.

d. The District shall maintain insurance or be self-insured, at its sole expense, for statutory Workers' Compensation coverage and employee vehicle use against any claim for liability, personal injury, or death arising directly or indirectly from this Agreement or the performance of its officers or employees.

**13. Assignment; Amendment; Subcontracting:**

This Agreement and the rights and obligations hereunder may not be in whole or part: (i) assigned, transferred or disposed of; (ii) amended; (iii) waived; or (iv) subcontracted, without the prior written consent of all parties, and any purported assignment, other disposal or modification

without such prior written consent shall be null and void.

**14. Waiver:**

The failure of a party hereunder to assert any of its rights under this Agreement, including the right to demand strict performance, shall not constitute a waiver of such rights.

**15. Termination:**

The MOU may be terminated without cause by either party upon thirty (30) days prior written notice.

**16. Consent to Jurisdiction and Venue; Governing Law:**

Unless otherwise specified in this Agreement or required by Law, all claims or actions with respect to this Agreement shall be resolved exclusively by a court of competent jurisdiction located in Suffolk County, New York, and the parties expressly waive any objections to the same on any grounds, including venue and *forum non conveniens*. This Agreement is intended as a contract under, and shall be governed and construed in accordance with, the Laws of New York State, without regard to the conflict of law provisions thereof.

**17. Notices:**

a. Any notice, request, demand or other communication required to be given or made in connection with this Agreement shall be: (a) in writing; (b) delivered or sent (i) by hand delivery, evidenced by a signed, dated receipt, (ii) postage prepaid via certified mail, return receipt requested, or (iii) overnight delivery via a nationally recognized courier service.

b. Any notice to the SCPD shall be sent to:

c. Any notice to the School District shall be sent to the attention of the Superintendent of Schools at the address specified on the School District website for administrative offices.

d. Notice deemed given or made on the date the delivery receipt was signed by an authorized representative of the party or date indicated in any tracking mechanism as delivered.

**18. All Legal Provisions Deemed Included; Severability; Supremacy:**

In the event that any provision of this Agreement shall be held to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby. Unless the application of this clause will cause a provision required by Law to be excluded from this Agreement, in the event of an actual conflict between the terms set forth above the signature page to this Agreement and those contained in any schedule, exhibit, appendix, or attachment to this Agreement, the terms and conditions set forth above the signature page shall control. To the extent possible, all the terms of this Agreement should be read together as not conflicting.

**19. Section and Other Headings:**

The section and other headings contained in this Agreement are for reference purposes only and shall not affect the meaning or interpretation of this Agreement.

**20. Entire Agreement:**

This Agreement represents the full and entire understanding and agreement between the parties hereto with regard to the subject matter hereof and supersedes all prior agreements (whether written or oral) of the parties relating to the subject matter of this Agreement.

**21. Modifications:**

This Agreement may not be changed orally, but only by an Agreement, in writing, signed by authorized representatives of both parties.

**22. Executory Clause:**

Notwithstanding any other provision of this Agreement, the SCPD and the School District shall have no obligations under this Agreement (including any extension or other modification of this Agreement) to any person unless: (i) all relevant and required SCPD and School District approvals have been obtained, including, if required, approval by the Board of Trustees, and Board of Education; and (ii) this Agreement has been executed by the Police Commissioner and President of the Board of Education.

**23. Annual Review and Revision:**

The term of this MOU shall be for ( ) year(s), commencing on the day of , 202_ and ending , 202_. The SCPD and the School District should review this agreement on an annual basis.

THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK

DATE: _____

FOR THE SCHOOL DISTRICT:

_____

[ ] School District

FOR THE COUNTY:

_____

Geraldine Hart
Police Commissioner

GGDOCS-388370896-608

# Police Reform and Reinvention Task Force




Geraldine Hart
Police Commissioner

# Suffolk County Police Reform and Reinvention Task Force

**Welcome**

**Public Input Session 3-3rd Precinct**

- 214 registrants
- 46 speakers registered
- 15 task force members joined the session: Police Commissioner Geraldine Hart, Deputy Police Commissioner Risco Mention Lewis, Presiding Officer Robert Calarco, Legislator Tom Cilmi, Legislator Jason Richberg , ADA Leslie Anderson, Retha Fernandez, Daniel Lloyd, Roger Clayman, Kathleen King,, Lynda Perdomo Ayala, Pilar Moya, Girish Patel, Sharon Webber, Bishop Andy Lewter, Daniel Russo, David Kilmnick, Co-facilitators-Vanessa Baird-Streeter, Jon Kaiman
- Chief of Police Stu Cameron was on the call
- The video of the third meeting is posted on the Task Force site
- Next Public Input Listening Session-tonight **November 17th, 2020 @6:00pm**
  - **93 registrants and 30 speakers**

**Next proposed Task Force** Meeting-Any topics that we haven't covered that task force members would still like to cover? We are looking at subcommittees for the next set of meetings with Tsk Force members

**Task Force Website:**

- All three Public Listening Session videos are posted
- Task Force Meeting 6-Use of Force Presentation will be posted tomorrow
- RFEI for Body Worn Camera for Sworn Members of SCPD posted last week

**Stakeholder Organizations-who requested to meet with staff and or task force members-we will begin scheduling this week and will offer**

- **Suffolk County African American Advisory Board**-Community Policing, Use of Force, Officer Mental Health, Implicit Bias Training
- **Brighter Tomorrows**-Domestic Violence Agency-Domestic Violence, Language Access, SROs, Traffic Stops
- **Axis Church-** Anthony Pelella-SCPD and the personal views of the African American community
- **Assemblyman Phil Ramos**
- **LI United to Transform Policing & Community Safety**

# School Districts / School Resource Officers

**School Districts within the Police District**

- 45 School Districts
  - 295 School buildings
- Eastern Suffolk BOCES – 14 buildings
- Western Suffolk BOCES – 11 buildings
- Private Schools – 46
- Parochial Schools – 16

**SCPD School Resource Officers** – Total: 18

- 12 assigned to precincts and 6 assigned to HQ

# SCPD Total Persons Arrested by School Resource Officers

| | 2018 | YTD Oct 31 2018 | 2019 | YTD Oct 31 2019 | YTD Oct 31 2020 |
|---|---|---|---|---|---|
| **SRO Persons Arrested** | **15** | **15** | **5** | **5** | **0** |
| **SCPD Persons Arrested (17 y/o and under)** | 547 | 488 | 329 | 302 | 113 |
| **% of SRO Persons Arrested out of SCPD Arrests of Persons 17 y/o and Under** | 2.74% | 3.07% | 1.52% | 1.66% | 0.00% |
| **SCPD Persons Arrested (18 y/o and Under)** | 962 | 835 | 796 | 699 | 395 |
| **% of SRO Persons Arrested out of SCPD Arrests of Persons 18 y/o and Under** | 1.56% | 1.80% | 0.63% | 0.72% | 0.00% |
| **Total SCPD Persons Arrested** | **19,051** | **16,092** | **19,725** | **16,785** | **11,371** |
| **% of Total** | 0.08% | 0.09% | 0.03% | 0.03% | 0.00% |

| Year | Felony | Misd. | Viol. |
|---|---|---|---|
| **2018** | 3 | 6 | 6 |
| **2019** | 1 | 1 | 3 |
| **2020** | 0 | 0 | 0 |

# Demographics of SCPD Total Persons Arrested by School Resource Officers

| Year | Male | Female |
|---|---|---|
| **2018** | 13 | 2 |
| **2019** | 2 | 3 |
| **2020** | 0 | 0 |

| Year | White | Black | Hispanic |
|---|---|---|---|
| **2018** | 4 | 3 | 8 |
| **2019** | 1 | 1 | 3 |
| **2020** | 0 | 0 | 0 |

# Community Based Outreach and Violence Interruption Programs – Credible Messenger

- COTA – Council of Thought and Action
  - Re-entry
  - Youth Intervention
  - Trauma Training
  - Gun Violence
- SNUG
  - A statewide program aimed at reducing and preventing gun violence

# Using Summonses Rather than Warrantless Arrests for Specified Offenses

| SCPD Total Arrest Charges by Charge Type | | | | |
|---|---|---|---|---|
| **Charge Type** | **2018** | **2019** | **YTD 2020** | **Totals** |
| Bench Warrant | 508 | 431 | 169 | 1,108 |
| Felony | 4,314 | 4,089 | 2,696 | 11,099 |
| Misdemeanor | 16,858 | 16,750 | 8,857 | 42,465 |
| Violation | 1,498 | 2,533 | 2,283 | 6,314 |
| Infraction | 766 | 808 | 271 | 1,845 |
| **Totals** | **23,944** | **24,611** | **14,276** | **62,831** |

# SCPD Total Arrest Charges by Custody Status

| SCPD Total Arrest Charges by Custody Status | | | | |
|---|---|---|---|---|
| **Custody Status** | **2018** | **2019** | **YTD 2020** | **Totals** |
| **FAT** | **4,056** | **5,562** | **4,158** | **13,776** |
| **Summary Arrest [SA]** | **19,888** | **19,049** | **10,118** | **49,055** |
| Jail | 14,654 | 13,880 | 6,617 | 35,151 |
| Bail | 2,913 | 2,719 | 271 | 5,903 |
| Released, Own Recognizance [ROR] | 524 | 895 | 2,427 | 3,846 |
| Arraignment | 1,142 | 973 | 571 | 2,686 |
| Other* | 655 | 582 | 232 | 1,469 |
| **Totals** | **23,944** | **24,611** | **14,276** | **62,831** |

*SA: Summary Arrest includes all other types of arrest besides FAT.*

*ROR: Released with a Desk Appearance Ticket (DAT).*

**Includes other custody statuses; e.g. juvenile released to parent/guardian.*

# Diversion Programs

**PIVOT -** Preventing Incarceration Via Options for Treatment

- This proactive initiative began in Oct. 2017 in an effort to address the opiate overdose epidemic.
- Field Intelligence Officers research and vet individuals to ensure they are appropriate candidates for the program. Those individuals are referred to LICADD who has licensed counselors reach out to the individual and family to encourage entering treatment for their addiction.
  - **LICADD-** Long Island Council on Alcoholism and Drug Dependence

# Diversion Programs (cont.)

SCPD Educational campaign –

- Since 2015, the Community Relations Bureau embarked on an education and awareness program called the “Ugly Truth”. This program is presented to school officials, parents and community members to educate them on the highly addictive nature of opioid prescription medication, heroin and fentanyl.
- Participants are educated in signs and symptoms of overdose and how to administer NARCAN.

# Hot Spot Policing and Focused Deterrence

## Hot Spot Policing

- The idea is to focus on those locations where criminal activity takes place and those people who are engaged in criminal activity.
  - By doing this we avoid "overpolicing" communities

- This approach has proven successful and we are in the midst of expanding it to include an intervention type approach where we use data analysis to recognize problem areas early on.

# Hot Spot Policing and Focused Deterrence

## Focused Deterrence

- Has been in use since about 2012
- We have utilized “custom notifications” and “call-ins” to alert individuals suspected of being involved in violent crime that their actions are a risk to their communities as well as to themselves.
- The idea is to focus on those individuals involved in violent crime so as not to target an entire community for the actions of a few.

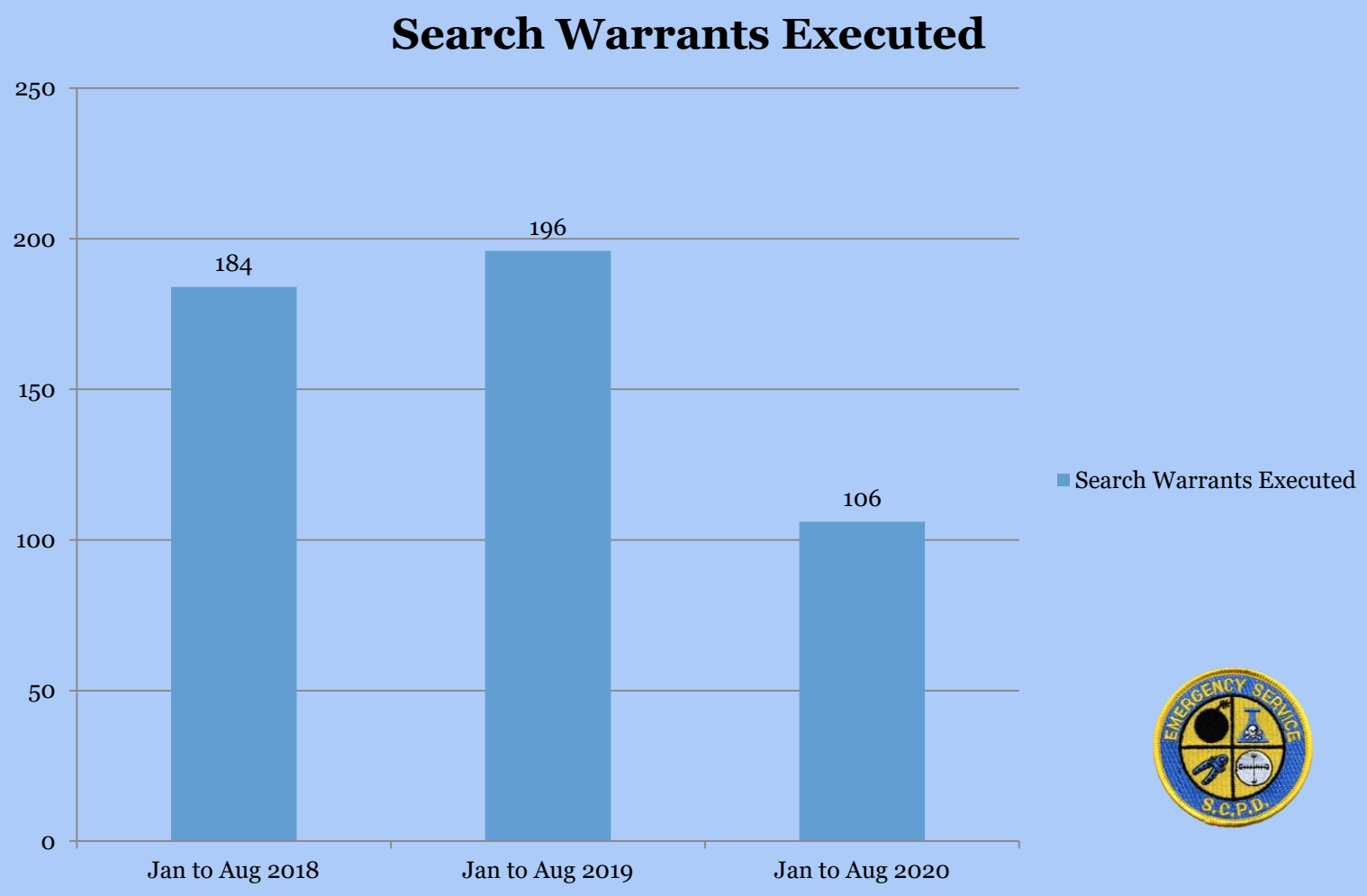
# Informal Quotas for Summonses, Tickets or Arrests

- Crime Meetings
- Promotion and Transfers

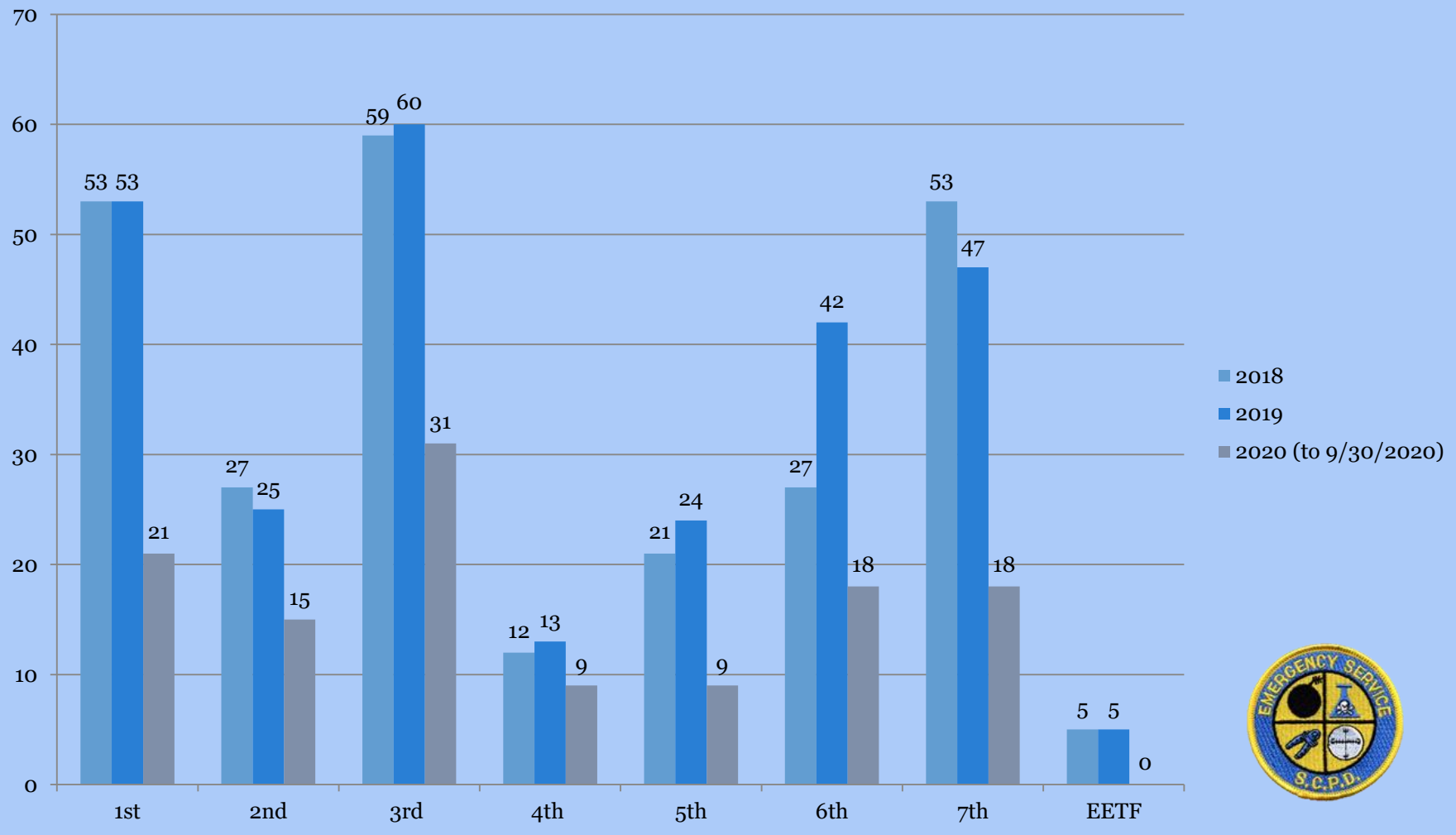
# Search Warrants Executed by ESS
# 2018 – 2019 – 2020 (to 9/30/2020)



# Search Warrants Executed by ESS Jan – August for 2018, 2019, 2020



# Search Warrants Executed by ESS
# Precinct of Search Warrant Execution



# Search Warrants Executed by ESS
# Hamlet of Search Warrant Execution

| 2018 | | 2019 | | 2020 (YTD) | |
|---|---|---|---|---|---|
| AMITYVILLE | 12 | AMITYVILLE | 15 | AMITYVILLE | 3 |
| BAYSHORE | 23 | BABYLON | 1 | BABYLON | 1 |
| BELLPORT | 6 | BAYPORT | 2 | BAYPORT | 1 |
| BLUE POINT | 1 | BAYSHORE | 22 | BAYSHORE | 8 |
| BRENTWOOD | 12 | BELLPORT | 6 | BELLPORT | 1 |
| BROOKHAVEN | 1 | BRENTWOOD | 12 | BRENTWOOD | 10 |
| CENTER MORICHES | 1 | CENTER MORICHES | 2 | CENTER MORICHES | 3 |
| CENTEREACH | 2 | CENTEREACH | 1 | CENTEREACH | 2 |
| CENTRAL ISLIP | 19 | CENTRAL ISLIP | 21 | CENTRAL ISLIP | 9 |
| COLD SPRING HARBOR | 1 | COMMACK | 1 | COPIAGUE | 3 |
| COMMACK | 3 | COPIAGUE | 3 | CORAM | 3 |
| COPIAGUE | 9 | CORAM | 13 | EAST ISLIP | 1 |
| CORAM | 8 | DEER PARK | 4 | FARMINGVILLE | 2 |
| DEER PARK | 4 | EAST ISLIP | 3 | GREENLAWN | 1 |
| DIX HILLS | 2 | EAST NORTHPORT | 2 | HOLBROOK | 1 |
| EAST NORTHPORT | 2 | EAST PATCHOGUE | 5 | HOLTSVILLE | 2 |
| EAST PATCHOGUE | 1 | FARMINGDALE | 1 | HUNTINGTON | 8 |
| EAST QUOGUE | 1 | GREENLAWN | 4 | HUNTINGTON STATION | 6 |
| FARMINGVILLE | 3 | HAUPPAGUE | 2 | ISLANDIA | 1 |
| GREENLAWN | 1 | HOLBROOK | 3 | ISLIP | 1 |
| HOLBROOK | 1 | HOLTSVILLE | 1 | KINGS PARK | 1 |
| HOLTSVILLE | 1 | HUNTINGTON | 3 | LAKE GROVE | 1 |
| HUNTINGTON | 2 | HUNTINGTON STATION | 12 | LAKE RONKONKOMA | 1 |
| HUNTINGTON STATION | 14 | ISLIP | 2 | LINDENHURST | 2 |
| ISLIP | 2 | ISLIP TERRACE | 1 | MANORVILLE | 1 |
| ISLIP TERRACE | 2 | LAKE GROVE | 1 | MASTIC | 3 |
| LAKE GROVE | 2 | LINDENHURST | 6 | MASTIC BEACH | 5 |
| LAKE RONKONKOMA | 3 | MANORVILLE | 1 | MEDFORD | 4 |
| LINDENHURST | 3 | MASTIC | 15 | MIDDLE ISLAND | 3 |
| MASTIC | 10 | MASTIC BEACH | 7 | N. AMITYVILLE | 4 |
| MASTIC BEACH | 15 | MEDFORD | 15 | NESCONSET | 1 |
| MEDFORD | 5 | MIDDLE ISLAND | 3 | NORTH BABYLON | 2 |
| MELVILLE | 2 | MILLER PLACE | 1 | NORTH BAYSHORE | 1 |
| MIDDLE ISLAND | 7 | MORICHES | 1 | PORT JEFFERSON ST | 1 |
| MONTAUK | 2 | MOUNT SINAI | 1 | RIDGE | 1 |
| MORICHES | 2 | N. AMITYVILLE | 10 | RONKONKOMA | 6 |
| MOUNT SINAI | 1 | NORTH BABYLON | 2 | SELDEN | 4 |
| N. AMITYVILLE | 9 | NORTHPORT | 1 | SHIRLEY | 4 |
| NESCONSET | 2 | PATCHOGUE | 3 | SMITHTOWN | 1 |
| NORTH BABYLON | 2 | PORT JEFFERSON | 1 | WADING RIVER | 1 |
| PATCHOGUE | 9 | PORT JEFFERSON ST | 6 | WEST BABYLON | 2 |
| PORT JEFFERSON ST | 3 | RIDGE | 1 | WEST ISLIP | 1 |
| RIDGE | 2 | RIVERHEAD | 6 | WYANDANCH | 4 |
| RIVERHEAD | 4 | RONKONKOMA | 5 | | 121 |
| ROCKY POINT | 2 | SAYVILLE | 1 | | |
| RONKONKOMA | 5 | SELDEN | 5 | | |
| SELDEN | 2 | SHIRLEY | 13 | | |
| SHIRLEY | 13 | SOUND BEACH | 1 | | |
| SMITHTOWN | 1 | ST JAMES | 2 | | |
| WEST BABYLON | 1 | WEST BABYLON | 2 | | |
| WEST ISLIP | 2 | WEST ISLIP | 1 | | |
| WYANDANCH | 14 | WYANDANCH | 16 | | |
| | 257 | | 269 | | |

# Night-time & No-Knock Endorsements

- YOU ARE THEREFORE, COMMANDED, any time day or night, without giving notice of your authority, to make a search of <particularly described persons and/or premise>. This target location is a <description of premise>.
- For the following property: <particularly described property>

# Search Warrants

- Investigative command contacts ESS supervisor
- ESS Supervisor reviews all available information including:
  - Intelligence provided by investigating command (tactical survey completed by investigating command)
  - Intelligence regarding persons suspected of being within
  - Past search warrant executions at specific location
  - Warrant reviewed to ensure signed and checked for endorsements (No-knock, Night-time)
    - Night-time endorsement for execution between 2100 and 0600
  - Personnel needs are determined by many factors including:
    - Intel on number of people expected to be within (including criminal history of target and known occupants)
    - Design of target residence (single family, multi-family, accessory apts., etc.)
      - Drive-by surveillance of location will be performed by ES when appropriate

# Search Warrants

- ESS supervisor will determine team assignments
- ESS supervisor will brief team personnel
  - Personnel will be given specific assignments/roles
  - Scope of search warrant will be detailed to all member of tactical team.
- Once scene is “secure”, investigative command takes control of scene and suspects/persons located within
- Debriefing is conducted following execution of SW
- A diagram will be drawn of the target location’s layout.
  - This proves valuable when the location is the subject of a future warrant.
  - The diagram captures any changes to the interior that might not appear on blueprints/property records possessed by local building authorities

# Search Warrants-Narcotics Section

- 129 Total Search Warrants executed in 2020 (to 9/30/2020)
- 40 Search Warrants resulted in the recovery of a weapon in 2020 (to 9/30/2020)
  - 117/155 SW in 2020 led to an arrest (to 9/30/2020)
  - 236/258 SW in 2019 led to an arrest
  - 242/259 SW in 2018 led to an arrest
- Post Warrant Execution Worksheet filed by Investigator with Courts outlining the results

# Search Warrants-Narcotics

| as of 11/16/2020 | 2017 | 2018 | 2019 | 2020 |
|---|---|---|---|---|
| Search Warrants YTD | 254 | 266 | 260 | 156 |
| Arrests | 438 | 482 | 403 | 200 |
| Handguns | 59 | 57 | 74 | 50 |
| Shotguns / Rifles | 63 | 50 | 104 | 47 |
| # SW with Weapons Seized YTD | 72 | 61 | 82 | 43 |
| % SW Weapons Seized | 28% | 23% | 32% | 28% |
| Heroin (grams) | 5,065.10 | 4,597.18 | 1,678.70 | 3,464.80 |
| Fentanyl (grams) | 2,346.10 | 300.40 | 474.80 | 4,464.90 |
| Crack (grams) | 3,923.28 | 1,755.20 | 3,398.40 | 1,746.40 |
| Cocaine (grams) | 5,628.80 | 8,544.37 | 8,435.20 | 21,016.00 |
| Marijuana (grams) | 131,326.92 | 50,274.66 | 37,676.41 | 13,474.85 |
| Oxycodone (grams) | 172.20 | 122.30 | 248.50 | 485.37 |
| Oxycodone Pills | 952 | 72 | 20 | 4125 |
| Cash Seized | $1,189,981 | $1,517,091 | $1,119,165 | $2,790,978 |
| Street Value of Drugs Seized | $3,704,669 | $2,430,999 | $1,657,177 | $3,654,382 |
| ATF eTrace | 369 | 391 | 374 | 259 |
| Fatal Overdoses | 314 | 277 | 227 | 308 |
| Nonfatal Overdoses | 1,438 | 1,007 | 936 | 1,053 |
| Narcan Saves | 1,152 | 719 | 725 | 774 |

# Search Warrants-Narcotics by Hamlet

| 2018 | | 2019 | | 2020 YTD | |
|---|---|---|---|---|---|
| **Hamlet** | **Total** | **Hamlet** | **Total** | **Hamlet** | **Total** |
| Bay Shore | 25 | Central Islip | 21 | Brentwood | 13 |
| Central Islip | 18 | Bay Shore | 19 | Bay Shore | 10 |
| North Amityville | 17 | Mastic | 18 | Huntington Sta. | 10 |
| Wyandanch | 15 | Wyandanch | 16 | Central Islip | 9 |
| Huntington Sta. | 13 | Coram | 13 | Huntington | 8 |
| Coram | 12 | North Amityville | 13 | Ronkonkoma | 8 |
| Mastic | 13 | Brentwood | 12 | Mastic Beach | 7 |
| Mastic Beach | 11 | Huntington Sta. | 12 | Coram | 6 |
| Shirley | 11 | Medford | 12 | North Amityville | 6 |
| Copiague | 10 | Shirley | 11 | Shirley | 6 |
| Brentwood | 9 | Lindenhurst | 6 | Wyandanch | 6 |
| Middle Island | 9 | Mastic Beach | 6 | Selden | 5 |
| Patchogue | 8 | Bellport | 5 | Copiague | 4 |
| Ronkonkoma | 6 | Copiague | 5 | Lake Grove | 4 |
| Deer Park | 5 | East Patchogue | 5 | Mastic | 4 |
| Medford | 5 | Greenlawn | 5 | Bellport | 3 |
| Montauk | 5 | Port Jefferson Sta. | 5 | Centereach | 3 |
| Port Jefferson Sta. | 5 | Ronkonkoma | 5 | Medford | 3 |
| Bellport | 4 | Selden | 5 | Middle Island | 3 |
| Lindenhurst | 4 | Deer Park | 4 | West Babylon | 3 |
| West Babylon | 4 | Middle Island | 4 | Center Moriches | 2 |
| Commack | 3 | Patchogue | 4 | Holtsville | 2 |
| Farmingville | 3 | East Islip | 3 | North Babylon | 2 |
| Islip | 3 | Holbrook | 3 | Port Jefferson Sta. | 2 |
| North Bellport | 2 | Riverhead | 3 | West Islip | 2 |
| All Other Hamlets | 39 | All Other Hamlets | 43 | All Other Hamlets | 24 |
| **2020 Total** | 259 | **2020 Total** | 258 | **2020 Total** | 155 |

# Discussion

# Police Reform and Reinvention Collaborative




Geraldine Hart
Police Commissioner

# Suffolk County PD

**Welcome**

**Public Input Session 4 (Smithtown) & 5th (Islip/Brookhaven)**

- Attendees- 133 (4th), 233 (5th)
- Speakers-37 (4th), 60 (5th)
- 13 (4th) 12 (5th)
- Written transcripts will be provided for the 4th and 5th public listening sessions by Monday, December 7th Transcripts
- Next Public Input Listening Session-December 9th 6:00pm

**Task Force Website:**

- All five Public Listening Session videos are posted
- All task Force Presentations posted

**Meetings with Stakeholder organizations**

- **Suffolk County African American Advisory Board**- 8 members
- **Axis Church-**Anthony Pelella-
- **Assemblyman Phil Ramos**
- **Minority Millennials-** 16 members

**Upcoming**

- **LI United to Transform Policing & Community Safety (CPE)**
- **SC Hispanic Advisory Board**
- **LI United**
- **LI Advocates for Police Accountability**

**Subcommittees**

- **Training and Staffing/ Community Policing**
- **Traffic Stops**
- **Arrests/Warrants**
- **Police Systems Accountability/Body Cameras**
- **Mental Health Response**

**Subcommittee Meeting Framework – subcommittee meetings will be guided and organized through the following framework:**

1. **Discussion Title/Topic**
2. **NYS Guidance document reference (EO 203)**
3. **Summation of previous discussions and questions**
4. **Previously shared research and resources**
5. **Is additional data needed for review?**
6. **Review of topic-specific Suffolk County, regional and national best practices and policies**
7. **Concluding suggestions/recommendations based on subcommittee census**

# Suffolk County PD

# Mental Health

# Police Response

How do police spend their time? A recent study of police response in 10 jurisdictions revealed the following:

- 4% - response to Part 1 violent crime
  - Homicide, Robbery, Rape, Aggravated Assault
- 15% - response to "law enforcement" incidents
- Large % of remaining incidents are law enforcement's biggest challenges and are "public health" in nature
  - Mental health crisis, addiction, homelessness
  - Many are very complicated situations
  - If these situations go 'sideways' the result will likely be significant scrutiny. "Should your agency have been able to identify an issue with the individual earlier?" "Was your agency's actions in previous encounters appropriate?"

# Person with Mental Illness

- As of Nov 30,2020 SCPD responded to **4,227** Mental Health Incidents
- Approx. **91%** (3,808) resulted in a transport to CPEP (2 officers are needed to conduct the transport)
- During this time period, there were over 20 individuals with more than 5 mental health incidents. The highest being:
  - Jane Doe #1 with 27 incidents
  - John Doe #1 with 11 incidents

# Person with Mental Illness

- John Doe #1
  - 58 entries in PD records
  - 17 total Psychiatric Transports
    - ✓ 14 in 2020
  - 2 arrests in 2020 for criminal mischief
- John Doe #2
  - 200 entries in PD records
  - 22 total Psychiatric Transports
    - ✓ 8 in 2020
  - 61 aided cases in total with 22 in 2020

# Person with Mental Illness

- John Doe #3 (13 year old juvenile)
  - 73 entries in PD records
  - 13 total Psychiatric Transports
  - Multiple school incidents
  - Involved in multiple burglaries
- Jane Doe #2
  - 260 entries in PD records
  - 24 Aided Cases with 4 in July 2020
  - 20 PMI incidents with 1 in June and 3 in July 2020
  - Multiple arrests: robberies, prostitution, drugs

# 911 Callers

- Jane Doe #3
  - 2,152 entries in PD records
  - In 2020, 255 police reports were prepared as a result of 911 call activity
    - ✓ She made a total of 654 calls to SCPD
  - No significant PMI history; however, she was recently committed.
  - Estimate - 84 patrol hours were dedicated to response to Jane Doe #3

# 911 Callers

- John Doe #4
  - In 2020, he called 911 a total of 227 times
  - 205 reports were generated in 2020 (as of 10/7/20)
  - 235 of the 312 PD entries were from 2019 to Oct 2020
  - Majority of the calls reviewed pertain to a complaint of smell in the area.

John Doe #5

- In 2020, he called 911 a total of 227 times
- 2,001 entries in PD records with 150 in 2020 (as of 10/7)
- He is a veteran with PMI history.

# Mental Illness Calls for Service

| Suffolk County Police Department<br>Reported Persons with Mental Illness Incidents from<br>Jan. 1, 2016 to Nov. 30, 2020 | | | | | | |
|---|---|---|---|---|---|---|
| | **2016** | **2017** | **2018** | **2019** | **YTD Nov. 30, 2020** | **Grand Total** |
| **PMI-NO PSYCH TRANSPORT** | 517 | 460 | 547 | 525 | 419 | **2,468** |
| **PMI-PSYCH TRANSPORT** | 4,147 | 4,387 | 4,818 | 5,032 | 3,808 | **22,192** |
| **Grand Total** | **4,664** | **4,847** | **5,365** | **5,557** | **4,227** | **24,660** |
| | | | | | | |
| Source: IRS 12/03/20 | | | | | | |

# Person with Mental Illness

- In 2020, were 27 mental health incidents reported to SCPD by SOCR West (a NYS Mental Health facility in Kings Park)
  - Should this be a police issue?
  - Is there another entity better suited to address this crisis?
  - From a mental health facility to a hospital psychiatric unit?

# Crisis Intervention Training

- Goals of the CIT Program
  - Ensure that law enforcement has the knowledge, skills and support to De-escalate situations & provide those individuals with the appropriate response and care that they need.
  - Minimize the times that law enforcement are the first responders to citizens in emotional distress.
  - Increase community safety
  - Provide Police with the tools to properly handle mental health crisis
  - Make the Mental Health System more understandable & accessible

# Crisis Intervention Training

- Collaborative effort by the following organizations:
  - NYS Office of Mental Health
  - NYS division of Criminal Justice Services
  - National Alliance on Mental Illness (NAMI)
  - Mental Health Association in NYS, (MHANYS)
  - Institute for Police, Mental Health, & Community Collaboration
  - Family Service League
  - Individual community members
  - Various Law Enforcement Agencies throughout NYS
- DASH (Diagnosis Assessment Stabilization Hub) constructed and put into operation to assist in providing an additional resource to the community when criteria for committal in CPEP is not met; admission to DASH is voluntary.
  - Police and Mental Health Professionals collaborated and met weekly during this new initiative
  - Meetings still held on a monthly basis to continue the commitment to working together

# Crisis Intervention Training

- 5-day CIT training for Officers
- As of December 3, 2020 the Suffolk County Police Department has held 8 CIT training programs and certified 153 SCPD and 24 Associated Agency officers.
- Police Academy instructors attended an additional “train-the-trainer” session in Albany, New York to further expand their understanding of the program and become certified CIT instructors.
- This training is in addition to the training on Mental Health Officers receive in the Police Academy.

# **DASH** – Diagnosis Assessment Stabilization Hub

DASH tracks when a mobile crisis team calls 911 for police to respond to a location in order to transport a client to **CPEP** (Comprehensive Psychiatric Emergency Program):

- In 2019, MCT called police **179** times
- In 2020 (through Sept), MCT called police **115 times**
- 70% of these transports to CPEP resulted in hospitalization.

*These totals do not include instances when a mobile crisis team calls police to accompany on a well check when there is a potential risk of violence.

Instances when DASH calls PD to transport someone from DASH to CPEP:

- 2019 total (only began tracking in Sept, 2019): **18**
- 2020 total (as of Oct): **34**

# Mobile Crisis Team

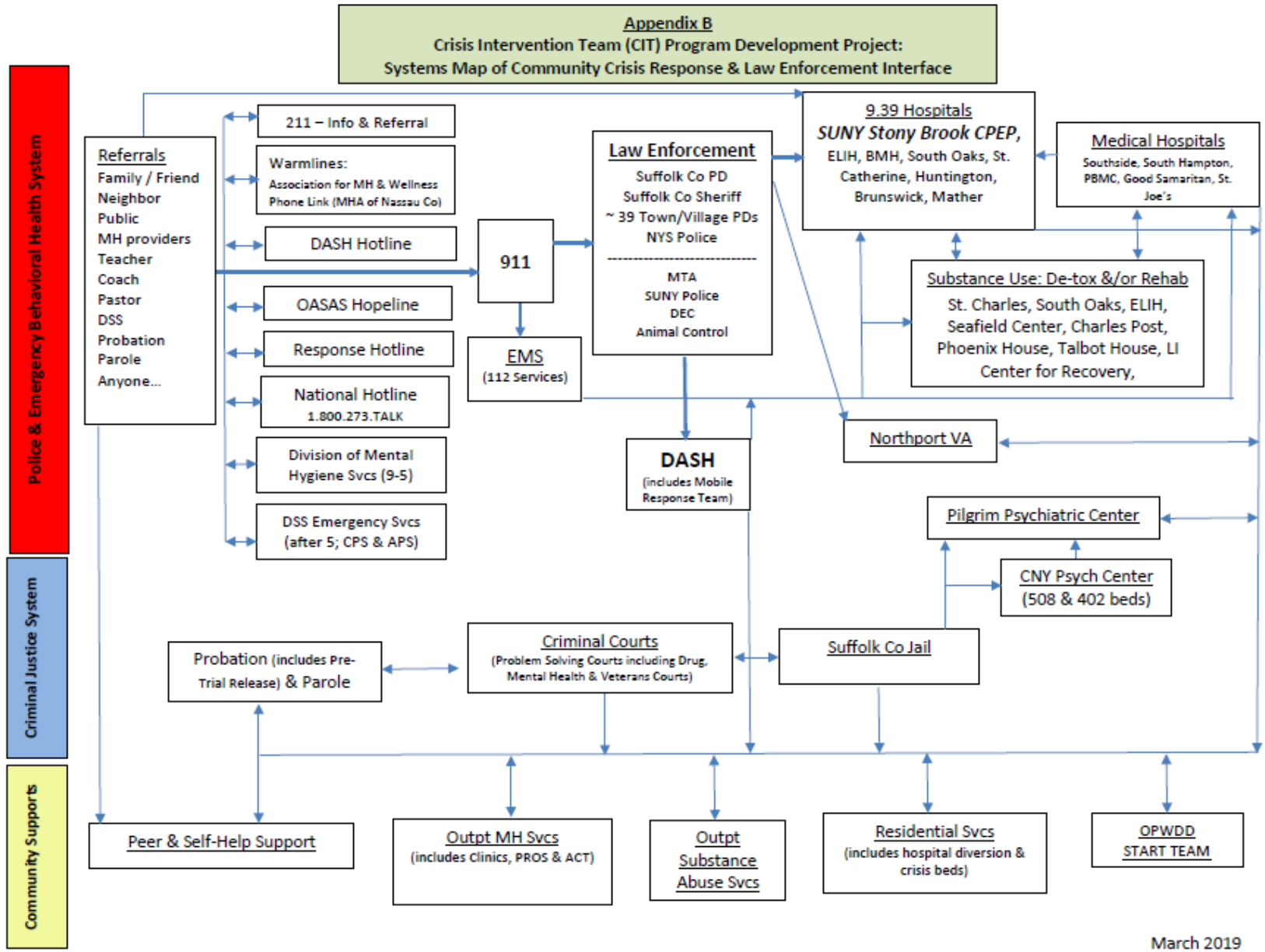
Current Mobile Crisis Team staffing levels:

- Weekdays: 2 overlapping teams from 11AM to 7PM and 12PM to 8PM
- Weekends: 1 team from 12PM and 8PM

Teams are typically comprised of 2 staff members:

- 1 Social Worker
- 1 Certified Peer

# Mobile Crisis Team



# Police Reform and Reinvention Collaborative




Geraldine Hart
Police Commissioner

# Suffolk County Police Reform and Reinvention Collaborative

**Welcome**

**Suffolk County Landing Page**

- Please share thoughts via email after meeting
- Resources tab includes data and information for the public to review
- We will continue to add pertinent resources on a continual basis
- Missing pictures and bios-please forward to bridget.foley@suffolkcountyny.gov as soon as you can

**Task Force Members request for information and communication**

- We will share requested information and communication with all task force members
- After this meeting you will receive documents that have been requested and communication that has been shared
- We would like to share contact information of the task force members with our group as well

**Stakeholder Organizations**

Stakeholder organizations are receiving an email and questionnaire from Suffolk County today, notifying them of the landing page, activities to date, upcoming public forums and ascertaining subject areas of policing that they want to focus on

# Suffolk County Police Reform and Reinvention Collaborative

- Public Input Forums
  - Our Public Input forums will take place via a virtual format
  - Our public input forums will begin with a presentation explaining the mission of the Suffolk County Police Reform and Reinvention Task Force, our activities to date and will provide logistics as to how the listening sessions will proceed
  - Our first Public Input forum will take place on October 27th -1st Precinct
  - We will share with task force members as well as stakeholder organizations the public input forum flyer for distribution to the public-flyer will be sent after this meeting
  - Language Access is available for Spanish speakers and listeners
  - We would like for at least four task force members to be on each virtual public input forum-we will send a survey which will allow task force members to sign up for the forums they would like to attend
  - We will share comments made at our public input forums with all task force members.

# Suffolk County Police Reform and Reinvention Collaborative

## SCPD Regularly Scheduled Community Meetings 2020

**SUFFOLK COUNTY POLICE DEPARTMENT**

**Community Meetings 2020**

We value your input and feedback - Join us each month to discuss what is happening in ***YOUR*** community and Police Department

**FIRST PRECINCT** (631) 854-8100
555 Route 109, West Babylon, NY

***Meetings are held at West Babylon Public Library, 211 Route 109 and begin at 7:00 PM***

July - No Meeting Scheduled
August 6th
September 3rd
October 1st
November 5th
December 3rd

**SECOND PRECINCT** (631) 854-8200
1071 Park Avenue, Huntington, NY

***Meeting time and location as indicated below***

July 7th — 10 AM – Second Precinct
August 4th — 7 PM – South Huntington Library
September 1st — 10 AM – Second Precinct
October 6th — 7 PM – South Huntington Library
November 3rd — 10 AM – Second Precinct
December 1st — 7 PM – South Huntington Library

**THIRD PRECINCT** (631) 854-8300
1630 Fifth Avenue, Bay Shore, NY

***Meetings are held at the Third Precinct and begin at 7:00 PM***

July – No Meeting Scheduled
August 4th
September 1st
October 6th
November 10th
December 1st

**FOURTH PRECINCT** (631) 854-8400
727 Veterans Memorial Highway, Smithtown, NY

***Meetings are held at 7:00 PM - LOCATION TO BE DETERMINED***

July – No Meeting Scheduled
August – No Meeting Scheduled
September 1st
October 6th
November 10th
December 1st

**FIFTH PRECINCT** (631) 854-8500
125 Waverly Avenue, Patchogue, NY

***Meetings are held at the Fifth Precinct and begin at 7:00 PM***

July – No Meeting Scheduled
August – No Meeting Scheduled
September 8th
October 13th
November 10th
December 8th

**SIXTH PRECINCT** (631) 854-8600
400 Middle Country Road, Selden, NY

***Meetings are held at the Sixth Precinct at the times noted***

July – No Meeting Scheduled
August – No Meeting Scheduled
***September 9th – 6:00 PM – SELDEN FIRE HOUSE, 2ND FLOOR***
October 13th – 10:00 AM
November 10th – 7:00 PM
December 8th – 10:00 AM

**SEVENTH PRECINCT** (631) 852-8700
1491 William Floyd Parkway, Shirley, NY

***Meetings are held at the Seventh Precinct at the times noted***

July 7th – 7:00 PM
August 4th – 7:00 PM
September 1st – 10:00 AM
October 6th – 7:00 PM
November 3rd – 7:00 PM
December 1st – 10:00 AM

## Task Force Public Input Forums

Suffolk County Police Reform & Reinvention Task Force

**PUBLIC INPUT LISTENING SESSIONS**

Throughout this process, it is imperative that we hear from people across Suffolk County about the things that matter most to them. Register for any of our **eight public listening sessions** to help your community create positive change!

| | | |
|---|---|---|
| **1ST PRECINCT** Tues 10/27 6:00pm | **2ND PRECINCT** Wed 11/4 6:00pm | **3RD PRECINCT** Wed 11/11 6:00pm |
| **4TH PRECINCT** Tues 11/17 6:00pm | **5TH PRECINCT** Tues 12/1 6:00pm | **6TH PRECINCT** Wed 12/9 6:00pm |
| **7TH PRECINCT** Tues 12/15 6:00pm | **EAST END** Mon 12/21 6:00pm | |

*Please visit and register at www.suffolkcountyny.gov/Police-Reform*

# Suffolk County Police Reform and Reinvention Collaborative

Discussion

SCPD John F. Finn Institute for Public *Safety-Traffic Stops by Suffolk County Police*

# Suffolk County PD

# Officer Accountability Part 2

# Discipline

# Discipline Policy

It is essential that public confidence be maintained in the ability of the Department to investigate and properly adjudicate complaints against members of the Service. Additionally, the Department has the responsibility to seek out and discipline those whose conduct discredits the Department or impairs its effective operation.

# Discipline

- Discipline and punishment against any member of the Service shall be taken in accordance with pertinent provisions of the Civil Service Law of the State of New York and Section A13-7 of the Suffolk County Administrative Code.

- When the finding of an investigation is substantiated and a violation of the Rules and Procedures has occurred, appropriate disciplinary action shall be taken. Some violations may be referred by the Office of the Commissioner to the member's Commanding Officer so as to initiate Command Discipline procedures. More serious violations, however, shall result in disciplinary charges.

# Discipline

Power to Discipline

The Police Commissioner has the power, pursuant to NYS Civil Service Law and the Suffolk County Administrative Code, to seek to impose discipline upon a member of the Service. If a hearing officer or arbitrator determines that a charged member has committed misconduct, the following are penalties that may be imposed:

a. Reprimand
b. Fine
c. Suspension, with or without pay
d. Dismissal or removal from the Service
e. Reduction in rank to any grade below that in which the member is serving

# Discipline Procedures

Policy – Minor violations of the Rules and Procedures by members of the Department may be resolved by command discipline procedures at the discretion of a commanding officer.

**Command Discipline Procedures** are used to either:

- Document the summary of an investigation conducted at the command level relating to a Rules & Procedures violation, as well as the findings and proposed disciplinary action; or,
- Document the disciplinary action taken at the command level at the direction of the Office of the Commissioner once an IAB investigation has concluded. (Command referral examples: counseling, re-training, or forfeiture of accrued time.)

# Command Discipline Procedure

- Review of Disciplinary Action - If the member accepts the finding of the commanding officer but **seeks review** of the proposed disciplinary action by the Command Discipline Review Panel, the Chief of Department will be notified in writing and he will convene a panel of three (3) Department members above the rank of captain.
- Command Disciplinary Review Panel - The Command Discipline Review Panel shall have the authority to:
  1. Approve the proposed disciplinary action.
  2. Reduce the proposed disciplinary action to any corrective measure that the commanding officer was authorized to take or propose.
  3. Increase the disciplinary action to not more than double the penalty imposed by the commanding officer, not to exceed maximum penalty of a loss of five days of accrued leave time.
- Final Decision of Review Panel - The decision of the Command Discipline Review Panel is final.

# Command Discipline Procedure

Declination of Command Discipline - If the member **declines** the proposed disciplinary action under Command Discipline Procedures, Charges and Specifications shall be prepared and served on the member, as per the Rules and Procedures. The disposition shall be noted on the Supervisor's Complaint Report.

# Command Discipline Procedures

**Command Discipline Procedure is used to:**
Document the summary of an investigation conducted at the command level relating to a minor Rules and Procedures violation, the findings and disciplinary action recommended.

OR

Document the disciplinary action taken at the command level at the direction of the Office of the Police Commissioner once an IAB investigation has concluded. (Command referral examples: counseling, re-training, or forfeiture of accrued time consisting of 5days or less)

When a proposed command discipline is served on a member, the member can:

Accept the findings and the proposed discipline

Accept the findings but appeal the proposed discipline to the Command Discipline Review Panel

Chief of Department will convene a panel of 3 Dept. members above the rank of Captain. They have the authority to:
1. Approve the proposed disciplinary action.
2. Reduce the proposed disciplinary action to any corrective action the Commanding Officer was authorized to take or propose.
3. Increase the disciplinary action to not more than double the penalty imposed by the Commanding Officer but not more than 5 days.

The decision of the Panel is final.

Decline to accept findings and proposed discipline and request a hearing on Charges and Specifications. Excluded from the arbitration option are circumstances where penalty sought is 5 days or less.

Departmental Charges Procedure initiated

# Discussion

# Departmental Charges

**Departmental Charges**

- Written Charges - Charges in writing are preferred against a member of the Service alleged to be guilty of infractions of the Department's Rules and Procedures, or of departmental orders and instructions.
- Suspension – Additionally, the Police Commissioner has the authority to suspend a member of the Department without pay for a period of up to thirty (30) calendar days.
- Rights of Accused – The accused is offered an opportunity to be represented by an attorney at any resulting hearing to adjudicate the charges. Additionally, the accused can offer evidence and testimony, present witnesses, and cross-examine witnesses.

# Disciplinary Options

## Procedure for Department Charges

A copy of the charges is given to the officer being served, together with a disciplinary hearing option election form. The Officer can choose a Department hearing or arbitration to adjudicate the charges.

## Departmental Hearing (Civil Service Law)

If a Department hearing is required, the Office of Labor Relations will represent the Department at the proceeding, and the Police Commissioner shall designate the Hearing Officer (a member holding the rank of Deputy Inspector or higher rank).

## Disciplinary Finding

After a Department hearing is completed, a written report documenting the hearing officer's findings and recommendations is sent to the Police Commissioner. The hearing officer's findings and recommendations are not binding, and the Police Commissioner shall render a final determination.

# Disciplinary Options

## Arbitration

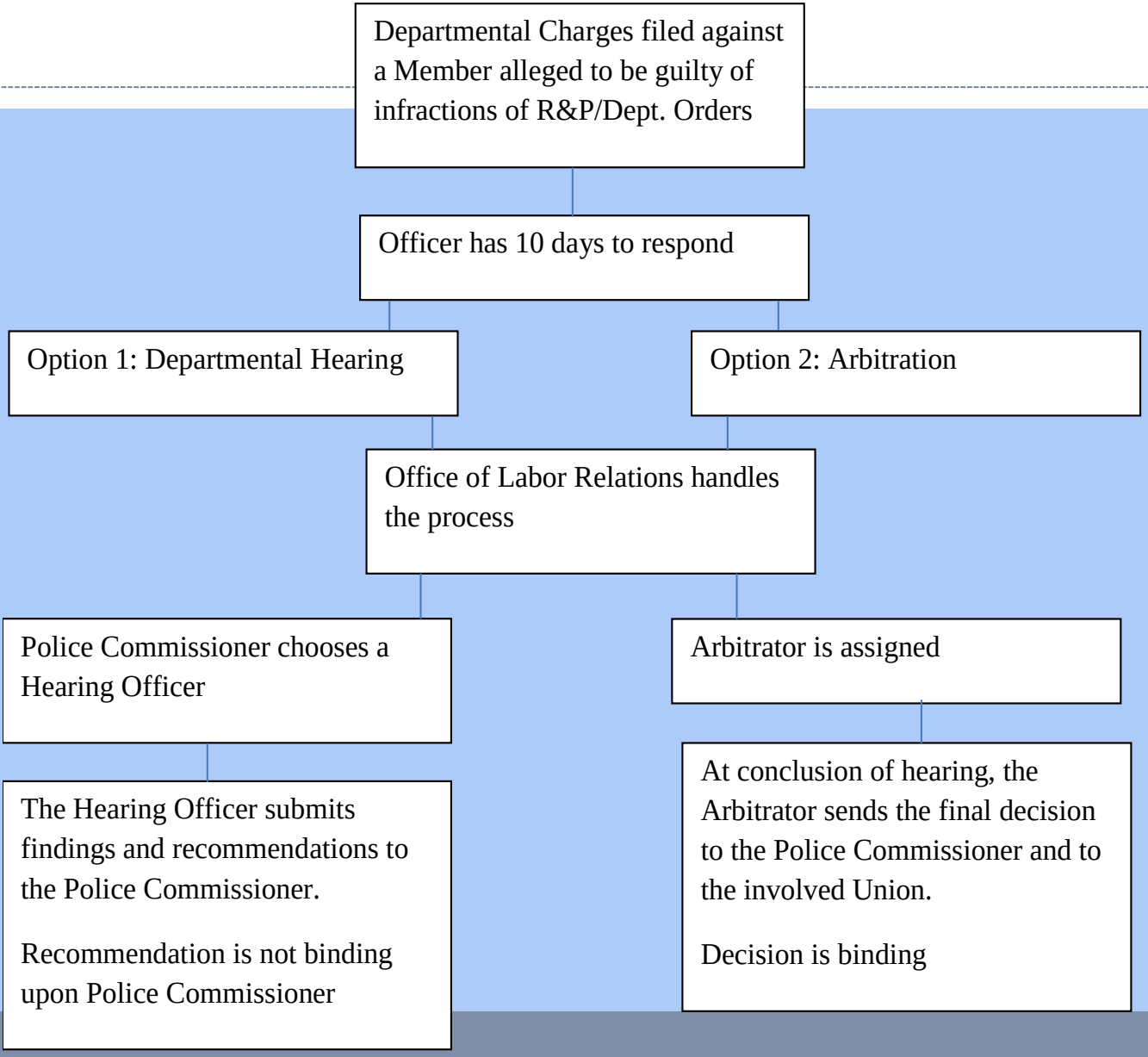
If the officer requests arbitration, the Director of Labor Relations is notified to proceed with the arbitration process. A rotating list of arbitrators is maintained by the Office of Labor Relations, and the next arbitrator on the list shall be designated to adjudicate the matter. The Office of Labor Relations shall represent the Department at the proceeding.

**Note:** All sworn members seeking arbitration contractually waive their Civil Service Law rights limiting a suspension without pay to 30 calendar days.

## Disciplinary Finding

After the arbitration hearing is completed, the final decision is sent to the Police Commissioner and the involved union. The Arbitrator's decision is binding.

# Departmental Charges Procedure



# Discussion

# Disciplinary Options

Stipulation and Agreement

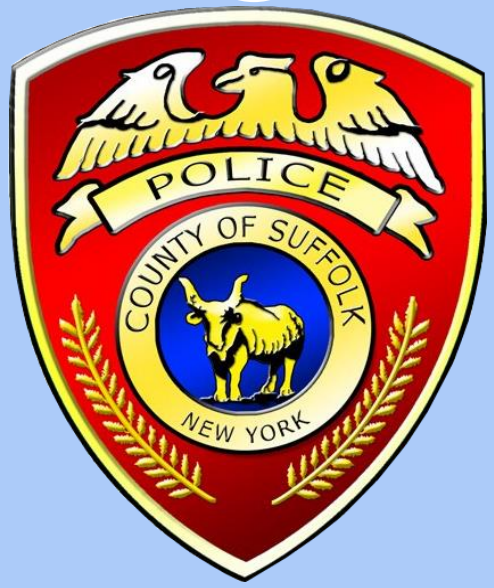
After the drawing up of Charges and Specifications and prior to a Hearing Officer's or Arbitrator's finding, the accused member and the Department may enter into a "Stipulation and Agreement" to resolve the matter. This agreement memorializes the penalty imposed and any other terms. When negotiating a Stipulation and Agreement, the Police Commissioner can negotiate terms of continued employment of such member that cannot be imposed pursuant to a hearing or arbitration. Examples of such terms are disciplinary probation, directed drug and/or alcohol testing, required counseling, terms affecting off-duty conduct, and/or stipulated dates for severance of employment.

# Police Reform and Reinvention Collaborative




Geraldine Hart
Police Commissioner

# Police Reform and Reinvention Task Force



# Suffolk County Police Reform and Reinvention Task Force

**Welcome**

**Bios and pictures still needed for the website:**
Missing pictures and bios-please forward to bridget.foley@suffolkcountyny.gov as soon as you can

**Public Input Session 1-1st Precinct-Town of Babylon**

- 119 registrants
- 20 speakers registered
  - 10 speakers spoke, some who were registered indicated that they did not need to speak
  - Due to the decrease of speakers we allowed for speakers from the meeting
  - An additional 5 speakers spoke and we allowed previous speakers to provide additional comment
- 15 task force members joined the session: Police Commissioner Geraldine Hart, Deputy Police Commissioner Risco Mention Lewis, Presiding Officer Robert Calarco, Legislator Tom Donnelly, Legislator Jason Richberg, Retha Fernandez, Daniel Lloyd, Daniel Russo, Roger Clayman, Kathleen King, Theresa Sanders, Lynda Perdomo Ayala, Jennifer Leveque, Co-facilitators-Vanessa Baird-Streeter, Jon Kaiman
- Chief of Police Stu Cameron was on the call
- Cristian Macario, County Executive Staff (bi-lingual) moderated the Public comment portion of the meeting
- County Executive staff-Portia Ingram and Bridget Foley monitored the chat function
- The video of the first meeting will be posted to the website by Friday, October 30
- All Task Force members will receive written transcription of the Public Input Forum by Friday, October 30
- Lessons learned
- Updated flyer in English and Spanish will be disseminated to Task Force members later today
- Next Public Input Listening Session- November 4, 2020 2nd Precinct-6:00pm

# Suffolk County Police Reform and Reinvention Task Force

**Task Force Members request for information and providing information**

- We will continue to share requested information and information provided by task force members
- After this meeting you will receive documents that have been requested and communication that has been shared

**Stakeholder Organizations**

- Stakeholder organizations have begun responding to our communications, providing policing areas they have prioritized and requesting meetings with staff
- When we schedule these meetings will ask task force members if they would like to attend.

**Next Task Force Meeting-Friday, November 6, 2020-Use of Force**

- **Additional Opportunity for Task Force Members:**
- De-escalation/Force training at the Academy-11/12/2020-2 hours

# OVERVIEW

# Command Discipline Procedures

**Command Discipline Procedure is used to:**
Document the summary of an investigation conducted at the command level relating to a minor Rules and Procedures violation, the findings and disciplinary action recommended.

OR

Document the disciplinary action taken at the command level at the direction of the Office of the Police Commissioner once an IAB investigation has concluded. (Command referral examples: counseling, re-training, or forfeiture of accrued time consisting of 5days or less)

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- Accept the findings and the proposed discipline
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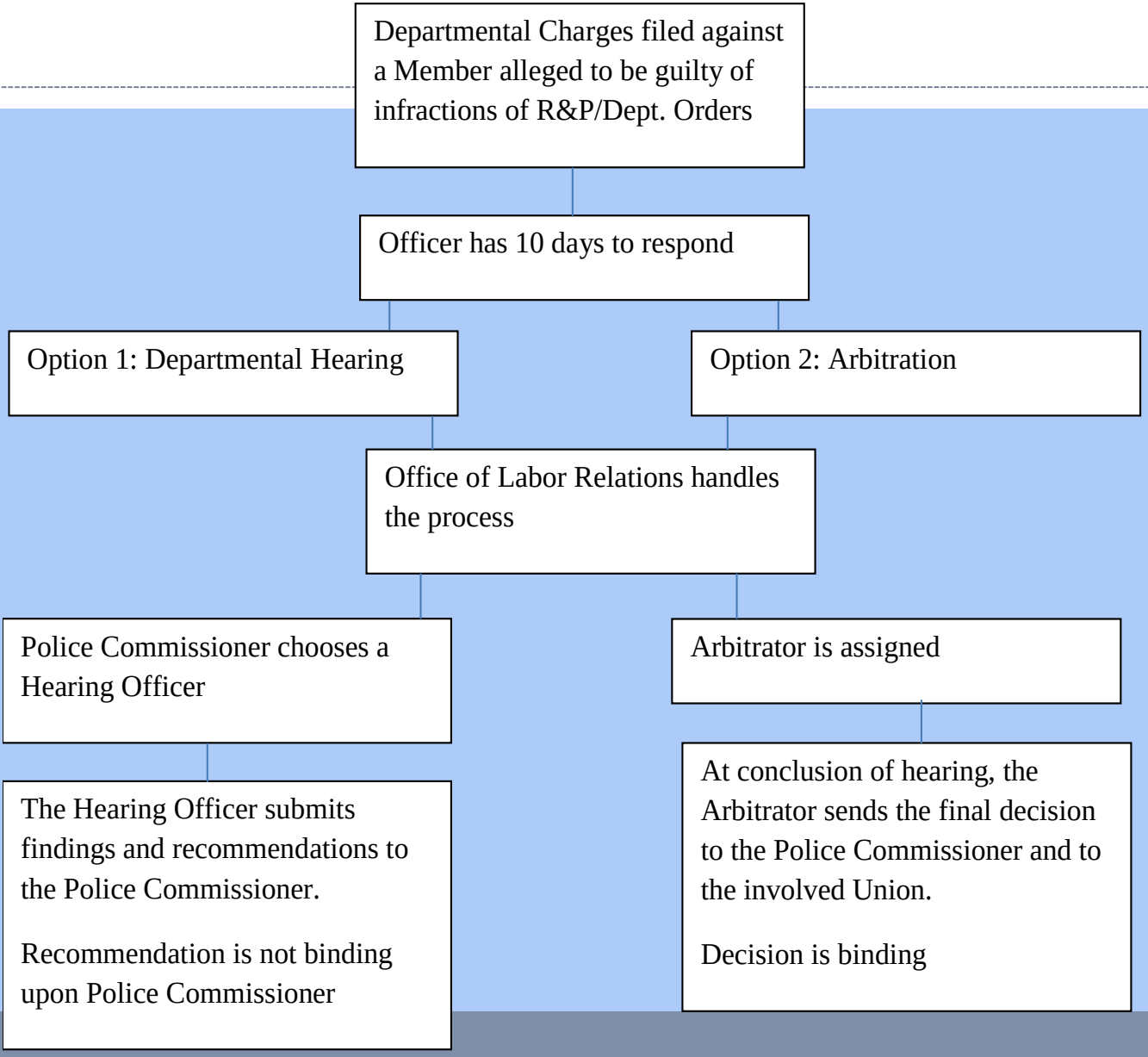
    1. Approve the proposed disciplinary action.
    2. Reduce the proposed disciplinary action to any corrective action the Commanding Officer was authorized to take or propose.
    3. Increase the disciplinary action to not more than double the penalty imposed by the Commanding Officer but not more than 5 days.

    The decision of the Panel is final.
- Decline to accept findings and proposed discipline and request a hearing on Charges and Specifications. Excluded from the arbitration option are circumstances where penalty sought is 5 days or less.
  - Departmental Charges Procedure initiated

# Departmental Charges Procedure



# Disciplinary Options

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# Referrals

**Allegation of Criminal Conduct**

- Upon ascertaining information that a member may have committed an offense, a referral shall be made to the District Attorney's Office, the US Attorney's Office for the Eastern District of NY, and/or the NYS Attorney General.

# Internal Affairs Bureau Response Team

- **Internal Affairs Bureau Response Team**
  - Firearms Discharge Investigation – In situations in which a confrontational discharge of a weapon occurs, or in which an accidental discharge of a weapon occurs pursuant to law enforcement action, an I.A.B. response team comprised of a Captain and two Lieutenants shall respond.
  - Arrest of a Member – In situations in which a member is arrested, an I.A.B. response team shall respond to the law enforcement agency that effected the arrest (or S.C.P.D. precinct, if S.C.P.D. effects the arrest) to gather information to apprise the Police Commissioner, and to take any action directed by the Police Commissioner.
  - Other Critical Incidents – An I.A.B. response team shall respond to investigate other critical incidents, such as an in-custody death.

# External Review

- **External Review of I.A.B. Investigations**
  - U.S. Department of Justice
  - U.S. Attorney, Eastern District of NY
  - Office of the District Attorney
  - NYS Law Enforcement Accreditation Program
  - Quarterly Reports Submitted to the Suffolk County Legislature
  - Members of the Public

# External Review

- U.S. Department of Justice (Pursuant to 2014 Agreement)
  - Reviews all investigations that involve an allegation of discriminatory policing.
  - Reviews other investigations of interest to D.O.J.
  - Reviews all audits conducted by I.A.B. regarding calls for police service from persons with limited English proficiency (to ensure members properly provided language services).

# External Review

- U.S. Attorney, Eastern District of NY
  - Investigations are reviewed by the U.S. Attorney, EDNY, when investigations by such office overlap with investigations conducted by the S.C.P.D.

# External Review

- Office of the District Attorney
  - Upon completion of an investigation, a copy of the investigation is forwarded to the Office of the District Attorney.

# External Review

- NYS Law Enforcement Accreditation Program
  - In order for the S.C.P.D. to maintain accreditation, NYSLEAP must review and approve the following:
    - At least four completed I.A.B. investigations concerning allegations of excessive force;
    - At least four completed I.A.B. investigations concerning other allegations of misconduct;
    - At least four completed investigations conducted by commands other than Internal Affairs Bureau;
    - At least four completed "negative personal contact" investigations;
    - At least two I.A.B. inspections/audits of Property Section (I.A.B. must conduct inspections/audits regarding invoiced firearms, controlled substances, money & high-value items);
    - At least four I.A.B. inspections of personnel & equipment; and,
    - At least two I.A.B. firearm discharge investigations.

# External Review

- Quarterly Reporting to the Suffolk County Leg.
  - At the end of each quarter, the S.C.P.D. must report the following information to the Public Safety Committee of the Suffolk County Legislature:
    - Number of misconduct complaints received during quarter, number of which are to be investigated by I.A.B., and number of which are to be investigated;
    - Sources of complaints / referrals;
    - Tally of specific allegations;
    - Demographic info of involved persons, zip codes of incident locations, complaints involving persons with mental illness, and complaints deriving from domestic incidents;
    - Number of cases completed by I.A.B., and number of cases determined to be substantiated.
    - Disciplines imposed; and,
    - Timeline of all open / pending I.A.B. investigations (in particular, investigations that have been open for more than 18 months).

# Disciplinary Records

- Freedom of Information Law Requests

Consequent to recent repeal of Civil Rights Law Section 50-a, copies of disciplinary records are now available to the public.

# Internal Affairs Report

- I.A.B. Annual Summary Reports Available on Website

Annual summary reports regarding I.A.B. investigations for 2016, 2017, 2018, and 2019 are available on the Department's website, www.suffolkpd.org, under "Information and Policies."

As requested by a Committee member:

Percentages of IAB investigations that result in substantiated allegation(s) of misconduct:

2020 (1st two quarters) – 21%

2019 – 11%

2018 – 24%

As requested by a Committee member (cont.):

Number of complaints received:

2020 (1st two quarters) – 93

2019 – 218

2018 - 221

- As requested by a Committee member (cont.):

- Complaints by hamlets:

| **2020** (1Q & 2Q) | **2019** | **2018** |
|---|---|---|
| Brentwood – 5 | Bay Shore – 27 | Patchogue – 15 |
| Huntington – 4 | Shirley – 13 | Shirley – 14 |
| Medford – 4 | Patchogue – 12 | Bay Shore – 13 |
| Patchogue – 4 | Brentwood – 8 | Central Islip – 10 |
| W. Babylon – 4 | W. Babylon – 8 | Medford – 9 |
| Coram – 3 | Huntington – 7 | Huntington – 8 |
| Hauppauge – 3 | Central Islip – 6 | W. Babylon – 8 |
| Hunt. Sta. – 3 | Islandia – 6 | Wyandanch - 8 |

# Discussion

# Police Reform and Reinvention Collaborative




Geraldine Hart
Police Commissioner

# 2019

# Internal Affairs Report




Suffolk County Police Department

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30 Yaphank Avenue, Yaphank, New York 11980
Prepared by the Office of the Police Commissioner

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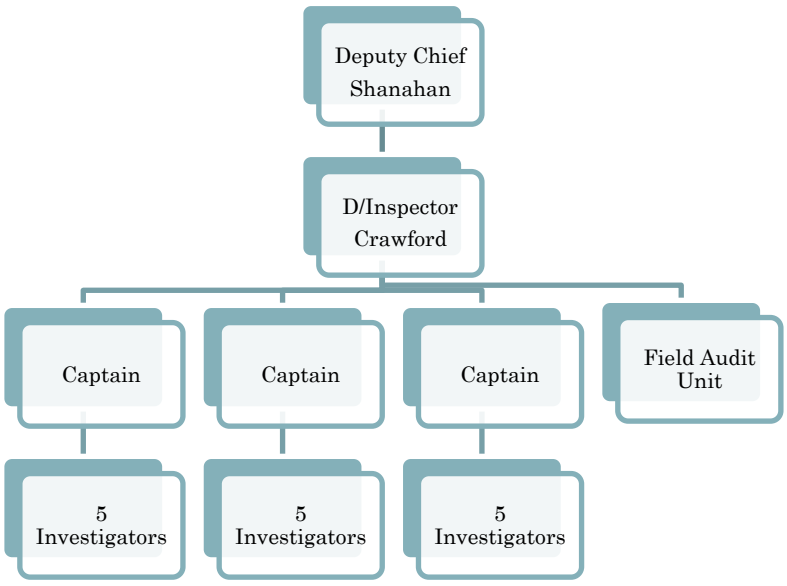
# The Internal Affairs Bureau

The Suffolk County Police Department is committed to maintaining the highest level of professional responsibility among all its officers and civilian personnel. It strives to maintain the trust and confidence of the public, and to that end, investigates all complaints of misconduct. The Internal Affairs Bureau is responsible for overseeing these investigations in a timely, thorough and impartial manner pursuant to exacting policies and procedures.[1]




# Complaint Procedures

Complaints may be lodged in person at any Department facility or with any Department supervisor. Members of the public may also lodge a complaint via telephone, email or regular mail. Regardless of how it is lodged, every complaint will make its way to the Internal Affairs Bureau [IAB] within 48-72 hours. Most are received by IAB within 24 hours. Complaints are all entered into a dedicated, secure database which serves as a central clearing house and early warning system for all misconduct and disciplinary matters within the Department.

All complaints are accepted regardless of the complainant's personal involvement in the incident. Family members, witnesses, advocates, attorneys, members of the Department and even anonymous sources may lodge complaints. Every employee of the Department has a responsibility to accept complaints and route

[1] Rules and Procedures Chapter 5, §2 available online at http://suffolkpd.org/InformationandPolicies.aspx

them appropriately[2]. Language assistance services are provided to all those in need and are available regardless of the means chosen to lodge the complaint, i.e., telephonic or face-to-face interpretation, email or document translation, etc.[3]

Once an investigation is opened, it is assigned to an investigator and contact with the complainant is made within 72 hours. All information and evidence obtained from the complainant is kept in strict confidence and is not released without a court order.[4] Contact with the complainant is maintained on a regular basis throughout the investigation and written notification of the outcome is provided to all complainants in their native language.

All investigations culminate in one of four findings:

"**Substantiated**" – when sufficient evidence exists to establish both that the alleged act occurred and that it constituted misconduct.

"**Unsubstantiated**" – when the alleged act constitutes misconduct however insufficient evidence exists to establish that it occurred.

"**Exonerated**" – when sufficient evidence exists to establish both that the alleged act occurred and that it did not constitute misconduct.

"**Unfounded**" – when sufficient evidence exists to establish that the alleged act did not occur.

Once an investigation is complete and a finding is made, the case is reviewed by the investigator's Captain. When the Captain determines all investigative steps have been exhausted and an appropriate finding was made, the case is reviewed by the Executive Officer and then the Commanding Officer. The final step in the process involves review by the First Deputy Police Commissioner who reviews the findings and determines what discipline, if any, is appropriate. Complainants are then notified by mail of the findings and the disposition of their complaint.

## 2019 Complaints

The Department received 218 complaints in 2019, containing an aggregate of 518 separate allegations of misconduct.[5] (Chart 2019-1) According to policy, the Internal Affairs Bureau retained 113 cases for investigation, and delegated 105 to subordinate commands.[6] Of the 113 cases investigated by Internal Affairs, 46 have been completed. Dispositions for the allegations contained in these cases are displayed in Chart 2019-2.

[2] Rules and Procedures Chapter 5, §2 (V)B
[3] Rules and Procedures Chapter 26, §5 (Dept. Gen. Order 16-59, 05/13/2016)
[4] NEW YORK CIVIL RIGHTS LAW§50-a
[5] These numbers do not include Administrative Investigations, i.e. those generated internally. In 2019 fifty-three Administrative Investigations were opened.
[6] Rules and Procedures Chapter 5, §2 VI(C) (Dept. Gen. Order. 15-56, 12/04/2015)

**Chart 2019-1**

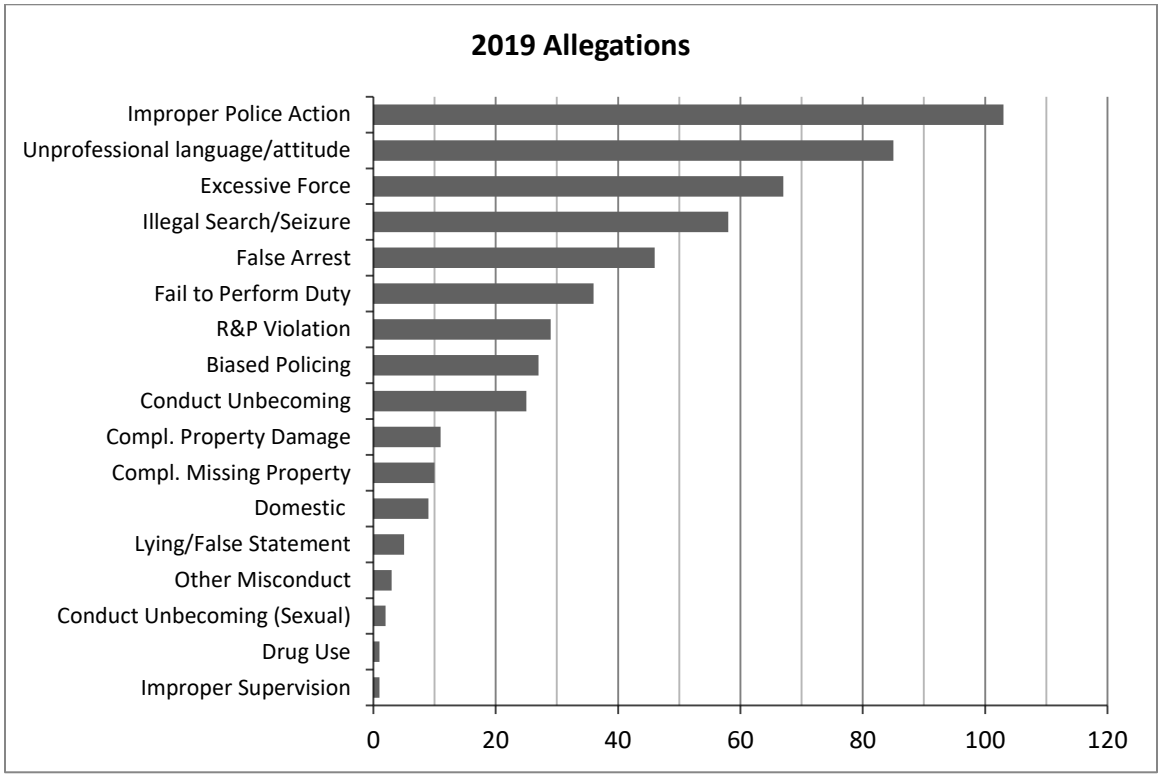
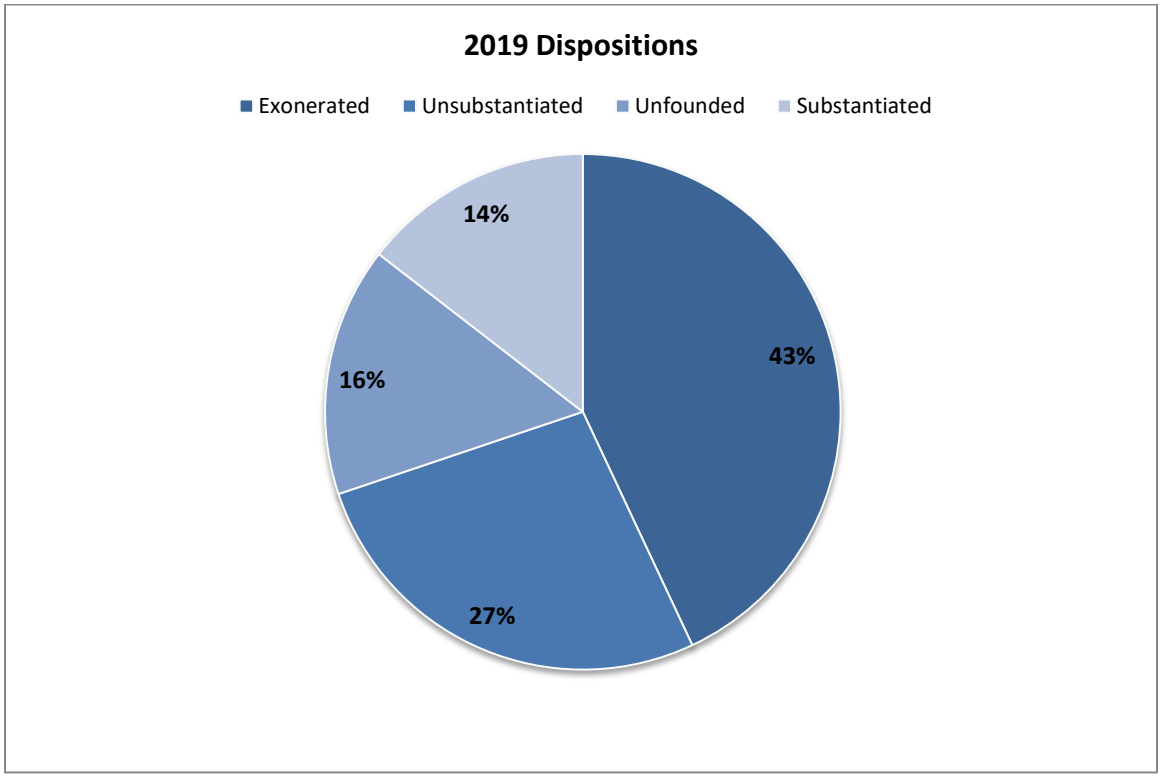



**Chart 2019-2**



# Biased Policing Allegations

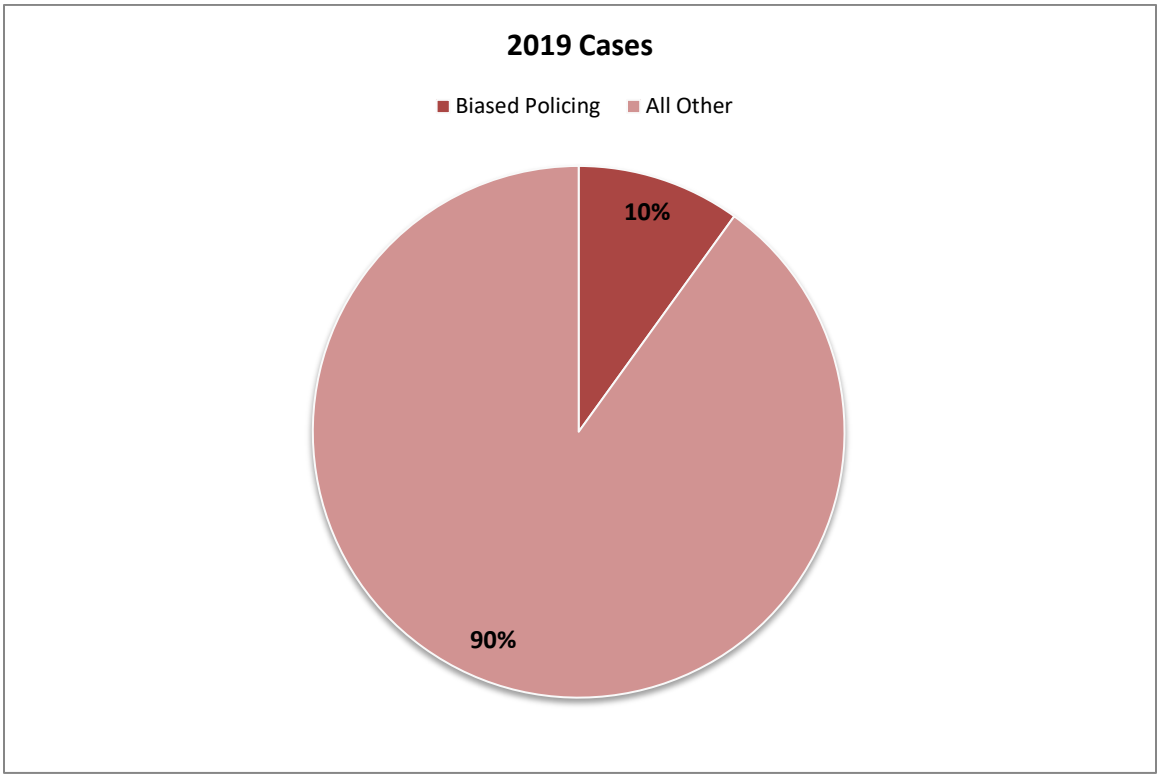
Biased Policing is defined as:

> The selective enforcement or non-enforcement of the law, including the selecting or rejecting of particular policing tactics or strategies, based upon an individual's race, ethnicity, national origin, age, gender, religion, disability, English language proficiency, income, sexual orientation, or gender identity.[7]

Of the 218 cases opened in 2019, 19 contained a total of 27 allegations of Biased Policing. (Chart 2019-3) Nine of those cases, which contained 12 allegations of Biased Policing, have dispositions.[8]

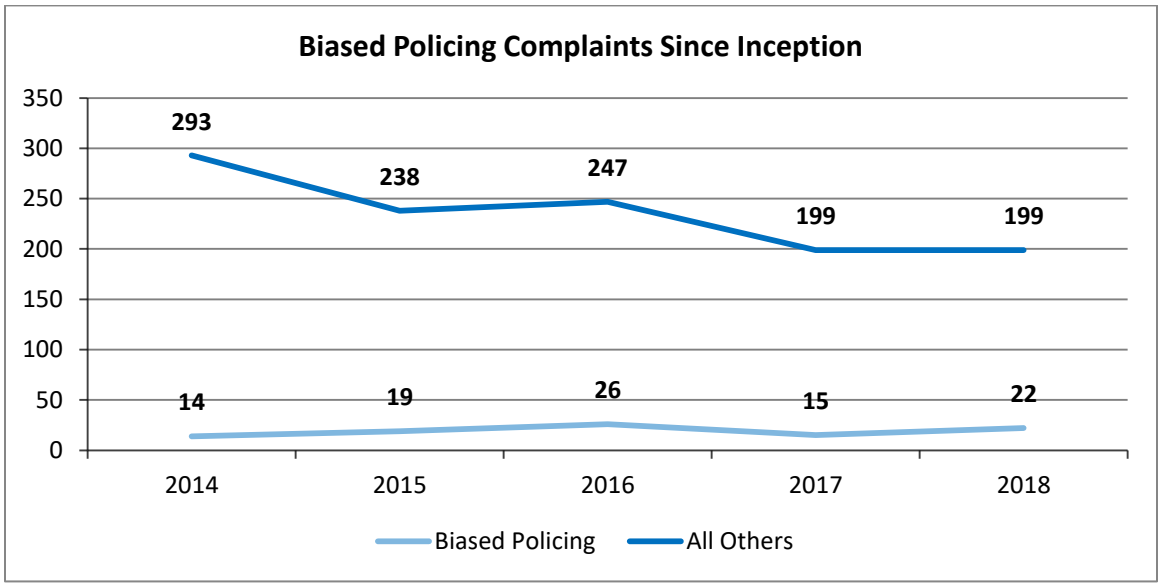
The Department analyzes Biased Policing allegations by reviewing the facts of each complaint, the demographics of the involved parties, and the geographic location of the underlying incident. These analyses have been conducted annually since Biased Policing was adopted as an allegation in 2014. Although five years of data has been compiled thus far, biased policing remains a very small subset of complaints overall.

**Chart 2019-3**




[7] Rules and Procedures Chapter 1, §11
[8] Six were Unsubstantiated and six were Unfounded.

This has held true since reporting began in 2014, and the average number of Biased Policing complaints received per year has hovered closely around 20.




# The Cases

Case #1
Complainant: African-American female
Officer(s): Caucasian males
Command: 2nd Precinct
Allegations: Biased Policing, False Arrest, Illegal Search/Seizure

Case #2
Complainant: African-American female
Officer(s): Caucasian male
Command: 6th Precinct
Allegations: Biased Policing, Unprofessional Lang./Attitude

Case #3
Complainant: Black Latino female
Officer(s): Caucasian male
Command: 1st Precinct
Allegations: Biased Policing, Excessive Force, False Arrest

Case #4
Complainant: Disabled male
Officer(s): Caucasian male
Command: 2nd Precinct
Allegations: Biased Policing, Improper Police Action

Case #5
Complainant: African-American male
Officer(s): Latino male, Caucasian male
Command: 1st Precinct
Allegations: Biased Policing, Illegal Search/Seizure

Case #6
Complainant: Latino male
Officer(s): Caucasian male
Command: 5th Precinct
Allegations: Biased Policing, Illegal Search/Seizure

Case #7
Complainant Latino female
Officer(s) Caucasian male
Command Highway Patrol
Allegations: Biased Policing
Unprofessional Lang./Attitude

Case #8
Complainant Mixed race
Officer(s) Asian male, Caucasian males
Command 1st Precinct
Allegations: Biased Policing
Improper Police Action

Case #9
Complainant African-American male
Officer(s) Caucasian males
Command 2nd Precinct
Allegations: Biased Policing
Unprofessional Lang./Attitude

Case #10
Complainant Latino male
Officer(s) Caucasian males
Command 3rd Precinct
Allegations: Biased policing
Excessive Force
False Arrest

Case #11
Complainant Black male
Officer(s) Caucasian male
Command 3rd Precinct
Allegations Biased Policing
Improper Police Action

Case #12
Complainant African-American male
Officer(s) Caucasian males
Command 1st Precinct
Allegations: Biased Policing
Illegal Search/Seizure

Case #13
Complainant African-American male
Officer(s) Caucasian male
Command 3rd Precinct
Allegations: Biased Policing
Improper Police Action

Case #14
Complainant African-American male
Officer(s) Caucasian males
Command 3rd Precinct
Allegations: Biased Policing
Improper Police Action

Case #15
Complainant African-American male
Officer(s) Caucasian males
Command 3rd Precinct
Allegations: Biased Policing
Illegal Search/Seizure
Excessive Force

Case #16
Complainant African-American male
Officer(s) Caucasian male,Latino male
Command 5th Precinct
Allegations: Biased Policing
Unprofessional Lang./Attitude
Illegal Search/Seizure

Case #17
Complainant Caucasian male
Officer(s) Caucasian males
Command 1st Precinct
Allegations: Biased Policing
False Arrest
Improper Police Action

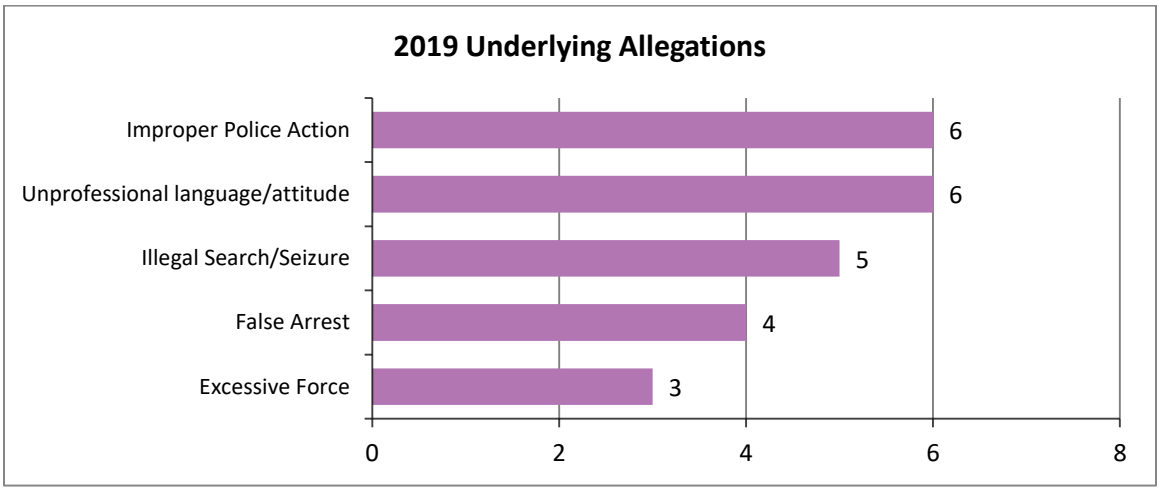
Case #18
Complainant Muslim male
Officer(s) Caucasian male
Command 6th Precinct
Allegations: Biased Policing
Unprofessional Lang./Attitude

Case #19
Complainant Jewish female
Officer(s) Caucasian male
Command Highway Patrol
Allegations: Biased Policing
Unprofessional Lang./Attitude

# Analysis

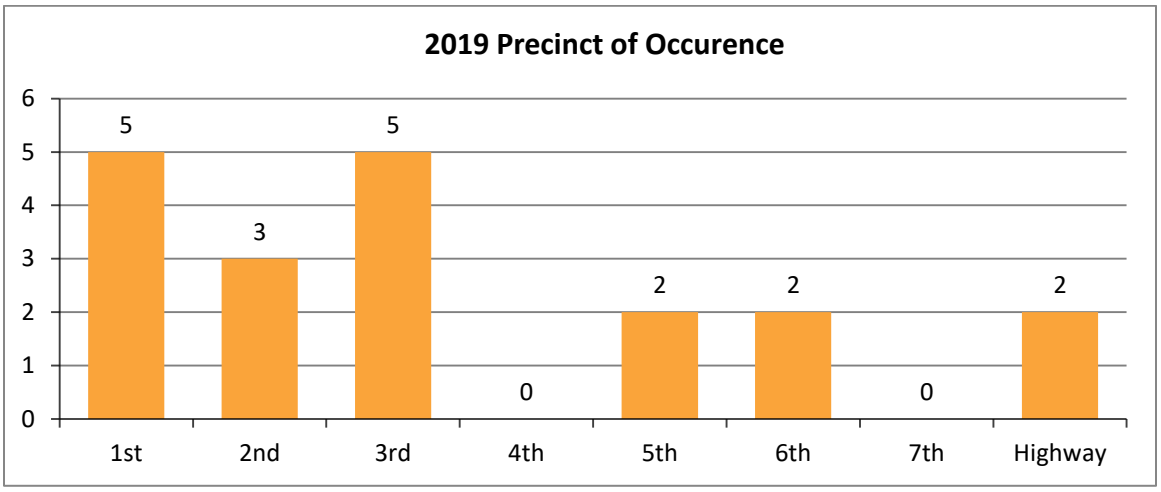
The two underlying allegations most prevalent in Biased Policing cases for 2019 were "Improper Police Action", and "Unprofessional Language/Attitude". These were also the top two allegations in the aggregate. (Chart 2019-1, page 5). The allegation of "Improper Police Action" covers a broad spectrum of alleged misconduct. When a complainant alleges facts which do not fit a more specifically defined allegation, the complaint is carried as "Improper Police Action" until or if the investigation determines that a more specific allegation is appropriate. For example, the allegation that an officer took the side of one party over another because of race when reporting a domestic dispute would be an allegation of "Improper Police Action" and "Biased Policing". Whereas, an allegation that an officer stopped and searched an individual because of their race would be characterized as "Biased Policing" and "Illegal Search/Seizure".

**Chart 2019-4**




Of the 19 cases opened in 2019, the First and Third Precincts had the most at 5 each. Both the Fourth and Seventh Precincts had none.

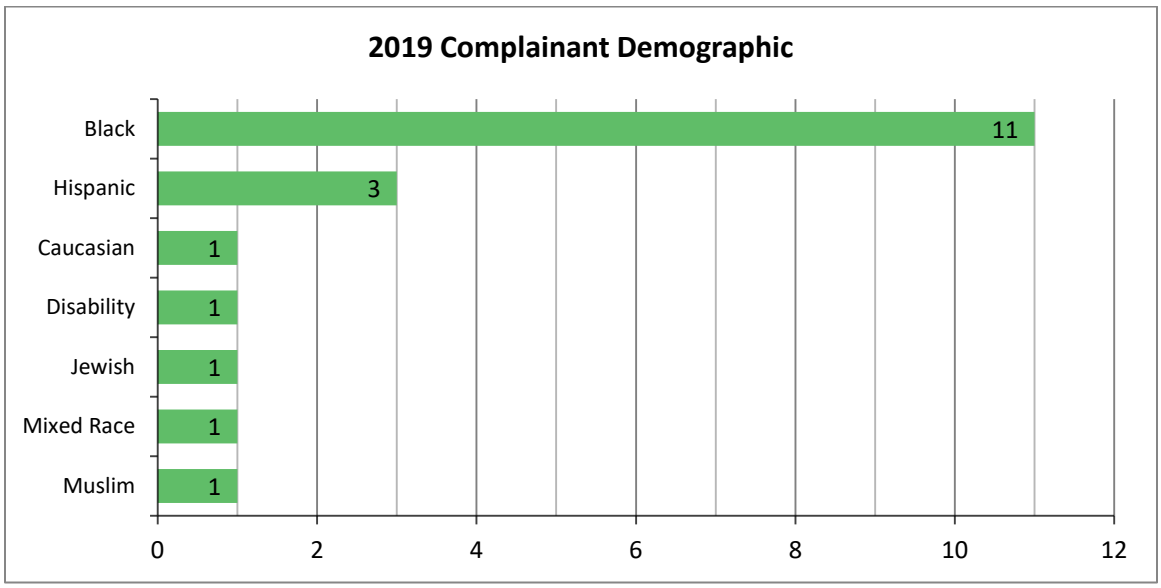
**Chart 2019-5**



Seven separate demographics were represented in the 19 reported cases. Demographic classification is based upon the complainant's perception of the officer's bias. For example, an allegation from a Latino female who claimed she was treated unfairly because she is a woman will be classified as a Gender bias.

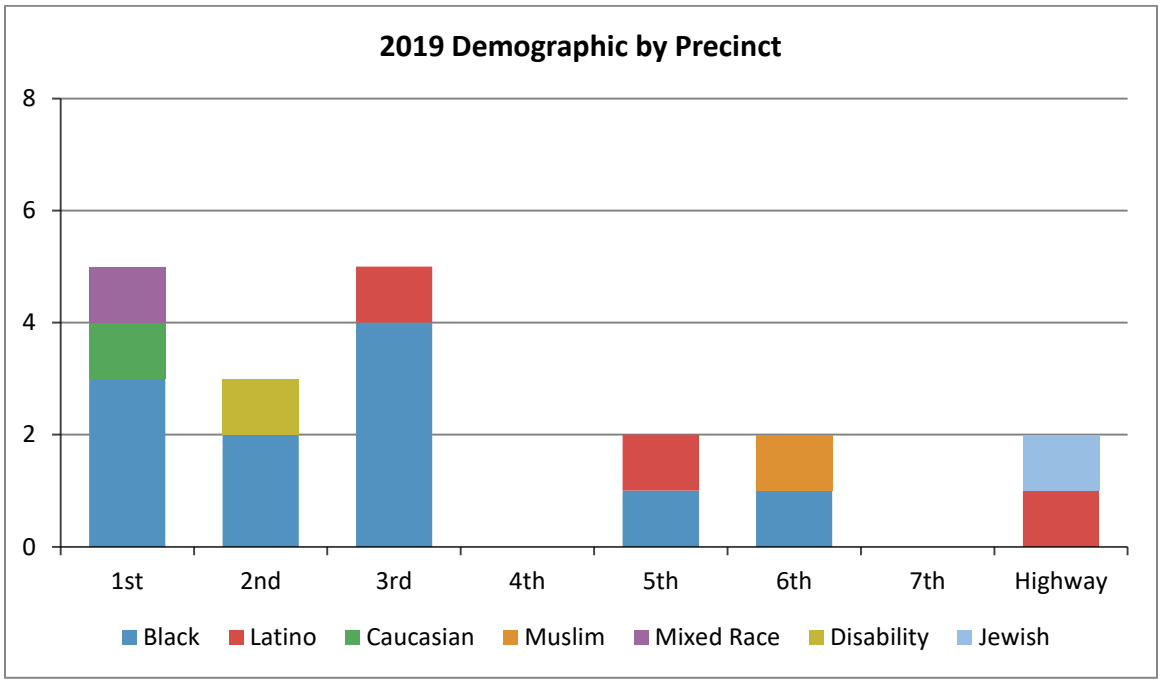
Complaints from Black individuals far outpaced any other demographic, in 2019.

**Chart 2019-6**




Black complaints were highest in the western-most Precincts, comprising nearly all of the complaints in the Third Precinct in 2019.

**Chart 2019-7**



The Third Precinct received the highest number of complaints from Black individuals in 2019, but overall, the First Precinct has received the greatest number in total since reporting began. While remaining in single digits each year, the number of Latino complaints has consistently trailed Black complaints, and has been concentrated in the Third and Fifth Precincts.

**Chart 2019-9**

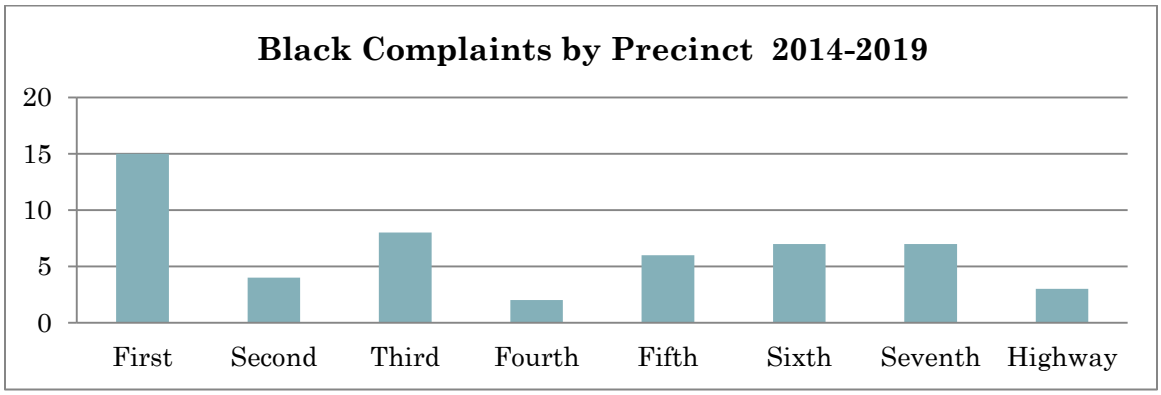



**Chart 2019-10**

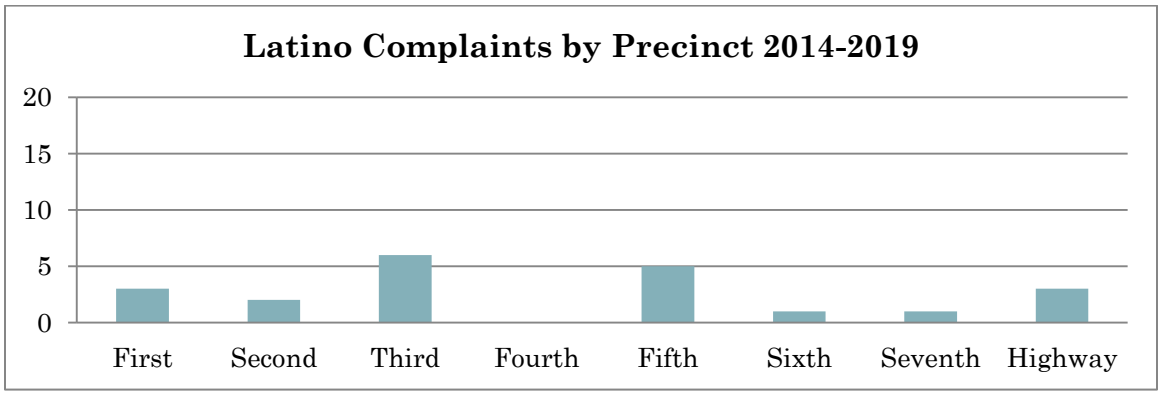
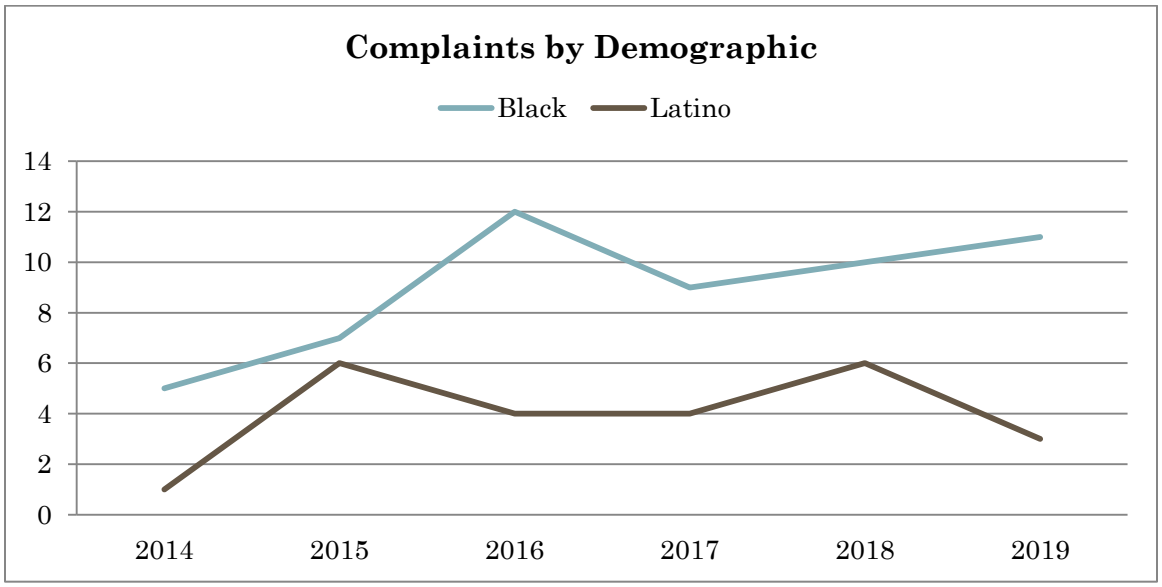



**Chart 2019-11**



# Conclusion

The Department remains vigilant in tracking and analyzing Biased Policing complaints in order to gain insights on how its officers perform their duties and how their actions are perceived by the public. As the results of this year's analysis shows, very few trends have developed over the years other than the prevalence of Black complaints and their concentration in the First Precinct.

**SUFFOLK COUNTY OFFICE OF CENTRAL PROCUREMENT ON BEHALF OF THE SUFFOLK COUNTY POLICE DEPARTMENT IS SEEKING EXPRESSIONS OF INTEREST FOR BODY WORN CAMERAS FOR SWORN MEMBERS OF SCPD**

**Timeline**

| | |
|---|---|
| **Advertised/Issue Date:** | **November 5, 2020** |
| **Technical Questions Due:** | **November 30, 2020 at 4:00 PM**<br>**Must be submitted in writing (fax/email acceptable)** |
| **RFEI Due Date:** | **December 17, 2020 at 4:00 P.M.** |

**Contact Information**

Name: Thomas J. Malanga Tel. (631) 852-5463
Intergovernmental Relations Coordinator Fax (631) 852-5221
Suffolk County Office of Central Procurement, Room 103
335 Yaphank Avenue, Yaphank, NY 11980

Email: Thomas.Malanga@suffolkcountyny.gov

**Response Package Requirements**

- Submissions to be sent to Suffolk County Office of Central Procurement.
- Number of Copies: Original plus 10 copies, plus 1 CD or USB Flash Drive that includes submission.
- The Suffolk County RFEI No. (located on the upper right hand corner of this page) must be on:
    - All outer mailing packages/envelopes
    - Original Response and all copies on the binder/cover page.
- Original must be labeled “Original”
- Responses should be submitted in a tabbed and labeled binder, not permanently bound.
- Transmittal letter and all required documents should be placed in First Tab or Binder.
- Do Not return RFEI document. This is for you to keep for reference.

**LATE RESPONSES WILL BE REJECTED**

**Table of Contents**

**I. Introduction**

**II. Administrative Information**

**III. Project Background**

**IV. The Project**

**V. Evaluation Review Process**

**VI. Submission Requirements**

# I. Introduction

The County of Suffolk ("County"), on behalf of the Suffolk County Police Department, is issuing a Request for Expressions of Interest (RFEI) to deploy a body-worn camera system for sworn members of the Suffolk County Police Department. The County is seeking responses from entities which would potentially enable the Suffolk County Police Department to employ a body-worn camera and video storage solution for its approximately 2,400 sworn members. The sworn members of the Police Department work varying days and shifts with many members requiring the need to wear the camera for a minimum of 40 hours per week.

In addition to the aforementioned provisions of hardware, Respondent organizations must provide a video storage solution, to store, manage, retrieve and share captured digital video. Respondents will also potentially provide service agreements which include service on equipment, hardware and software.

Respondents should also demonstrate experiences in designing, implementing and maintaining body worn cameras and back-end server solutions. This demonstration of experience should also include experience with the evaluation of existing customer networks to ensure the solution is successful. The intent of this RFEI is to explore the potential acquisition of body worn cameras for police officers that ensure ease of use, functionality, and adequate recording and storage capabilities.

# II. Administrative Information

## 1. RFEI Distribution

This RFEI may be distributed to a committee consisting of County employees or their agents.

## 2. Questions and Comments

### a. Administrative Questions

Administrative questions (e.g., procedural questions on how to respond to this RFEI) may be submitted by telephone or writing (fax/email acceptable) to the Central Procurement Office contact listed on page one of this RFEI.

### b. Technical Questions

Technical questions (questions which are specific to the information requested in this RFEI) must be submitted in writing (email acceptable) on or before the Technical Question Due date set forth on page one of this RFEI to William.Doherty@suffolkcountyny.gov. Responses to such technical questions will be developed by the requesting department and issued to the Central Procurement Office in the form of an Addendum to this RFEI.

## 3. Due Date for Responses

Responses to the RFEI (Responses) must be submitted to the attention of the Central Procurement Office contact listed on page one, by 4:00 p.m. on the Submission Due date set forth on page one of this RFEI. In the interest of fairness to all participants, no extensions or exceptions will be permitted, unless issued as an Addendum to this RFEI and applicable to all respondents

## 4. Number of Copies and Responses

One original, plus such additional copies as set forth on page one of this RFEI are required to be sent to the Suffolk County Office of Central Procurement. Do not submit Responses that are permanently bound.

## 5. RFEI Policies, Procedures and Disclaimers

a. The information provided in this RFEI is subject to change and is not binding on the County.

b. This RFEI is issued solely for the information and planning purposes and does not constitute a solicitation or offer to procure or contract for any services. Responses to this RFEI are not an offer and cannot be accepted by the County to form a binding contract.

c. This RFEI is not intended, and shall not be construed, to commit the County to pay any costs incurred in connection with any Response submitted during the RFEI process. The Respondent shall be solely and fully responsible for all costs associated with the development, preparation, transmittal, and submission of any material in response to the County's representative at County Offices, and the costs of such presentations shall be solely the responsibility of the Respondent. The County assumes no contractual or other obligations as a result of the issuance of this RFEI, the preparation or submission of materials by a Respondent, the evaluation of materials, the Respondent's conduct of presentations, or the selection of any respondent for future presentation. There may be no claims whatsoever for reimbursement from the County or any of its consultants or agents for such costs.

d. While the County is under no obligation to contact the Respondent's for clarifications, it reserves the right to do so. Depending on the number and quality of the Responses received, the County may elect to interview all or some of the Respondents.

e. The County reserves the right to reject or cancel any or all Responses or any part thereof submitted in response to this RFEI.

f. The County reserves the right to disqualify any Respondent whose conduct and/or Response fails to conform to the requirements of the RFEI.

g. No oral response by any employee, consultant, or agent of the County shall be binding on the County, or shall in any way constitute a commitment by the County.

### 6. Disclosure/Confidentiality

Any Responses to the RFEI submitted for the County's consideration shall be disclosed to any potential committees, advisory groups, agents or consultants, and County employees at the sole discretion of the County. In addition, any Response to the RFEI may be disclosed if required or authorized by law or judicial order.

Therefore, if a Respondent believes that any information in its submission constitute a trade secret or is otherwise information which if disclosed would cause a substantial injury to the competitive position of the Respondent's enterprise and the Respondent wishes such information to be withheld if requested pursuant to FOIL, the Respondent shall include with its submission a separate letter addressed to the primary contact reference in this RFEI specifically identifying the page number(s). line(s), or any other appropriate designation(s) containing such information, explaining in detail why such information is a trade secret or is other information which, if disclosed, would cause substantial injury to the competitive position of the Respondent's enterprise, and formally requesting that such information be kept confidential. Failure by a Respondent to include such letter with its Response will constitute a waiver by the Respondent of any interest in seeking exemption of this information under Article 6 of the Public Officer's Law relating to protection of Trade secrets. The proprietary nature of this information designated confidential by the Respondent may be subject to disclosure if it is requested and the County deems it subject to disclosure or if ordered by a court of competent jurisdiction. A request that an entire submission be kept confidential may not be considered reasonable since a submission cannot reasonably consist of all data subject to FOIL

### 7. RFEI Posted on County Website

This RFEI is available online at www.suffolkcountyny.gov : Select the "Business" drop-down and then click the "Doing Business" button; click "Bids & Proposals" in the left column; follow links to Suffolk County's Procurement Announcement System to register and download document. By registering, you will automatically receive all future addenda.

If you should need assistance, please contact Thomas J. Malanga at the Office of Central Procurement for help, via email at Thomas.Malanga@suffolkcountyny.gov or 631-852-5463.

## III. Project Background

By issuing this RFEI, Suffolk County government seeks to gain an accurate and comprehensive roadmap for the implementation of body worn cameras for sworn members of the Suffolk County Police Department.

This effort is being undertaken to further advance the professionalism and accountability of the Suffolk County Police Department and its members. Additionally, this conduit would potentially provide both the Suffolk County Police Department and the Suffolk County District Attorney's office with more complete evidence in furtherance of their respective missions.

## IV. The Project

**The Response shall include, but is not limited to the following:**

### 1. Budgetary Items

- Unit price for body worn cameras;
- Unit price for camera accessories (mounts, collars, etc.);
- Unit price for evidence transfer managers (docking stations);
- Annual price for hardware maintenance and support;
- Annual price for software maintenance and support;
- Price for hosting storage for immediate access;
- Price for hosting archival storage;
- Extended warranty and upgrade/replacement pricing;
- Training services cost;
- Warranty information and all hardware and software provided.

### 2. Camera Specifications

- Within industry standards for size and weight;
- Wide angle lens (Min. 135 degrees);
- Waterproof, shockproof case;
- Built in Wi-Fi;
- Built in GPS;
- Multiple mounting options-on the body, i.e. clasps, plates, etc. Also list other mounting options, on personnel, vehicles, motorcycles, etc;
- Ability to record continuously for a minimum of 8 hours;
- If camera has pre-record, must have the ability to deactivate this feature if requested by the County;
- Secure encryption of data;
- Resolution settings;
- Audio and video record;
- Multiple charging options, AC, 12V, DC;
- Mpeg-4 format or latest format.

### 3. Storage

- Off site, secure, cloud storage, unlimited capacity;
- 24 hour access for viewing or downloading stored videos;

- Upon termination of any contract, Suffolk County or a succeeding vendor shall be given sufficient time to download all audio and video content;
- Acknowledgement that all data is the property of Suffolk County and must be made available at no additional cost;
- Storage solution compliance with law enforcement Criminal Justice Information Services (CJIS) data protection and transport (i.e. SSL) standards. No external party-initiated connections will be allowed. The storage facility must be located within the United Sates (lower 48) including data storage for disaster recovery (DR) solutions;
- Clear indication of storage cost, equipment replacement costs, and cloud transaction costs;
- Ability to export audit trail along with video, including redactions in an industry standard format;
- Identified scope of audit trail;
- Identified data integrity;
- Capability to produce digitally authenticated duplicates;
- Suitable data integrity standards to ensure admissibility of body worn camera footage and files into a court of law in New York State.

## 4. Technical Requirements

- Cameras must be able to connect with any Windows 7 or newer computer for download and maintenance;
- Respondent/contractor must include video/audio management software;
- 24-hour remote technical support provided (US Stateside).

## 5. Service and Repair

- All service and repair devices provided at no cost to the County. List any exceptions to covered repairs. Replacement camera provided within 7days, when sending a device for repairs. Replacement schedule of cameras and accessories to commence with original product delivery to maintain most current operability;
- 24 hour Technical Support (US Stateside);
- Provide adequate in site additional body worn cameras to account for breakage to ensure all required personnel have a body worn camera.

## 6. System Warranty

- Minimum warranty for all patches, hardware, and software with option to extend warranty;
- Articulated Return Material Authorization Process;

- Maximum time allowed for replacement of inoperable equipment by the vendor.

### 7. Ownership and Public Records

The County shall own all rights to the data and video that is stored in the Vendor's host site, (if applicable) with no transfer, conveyance, assignment, or sharing of data ownership to/with the hosting provider. It will be the responsibility of the County to notify the vendor when the data can be deleted form the Vendor's host site.

### 8. Maintenance and User Fees

The County will not pay software maintenance or support fees until the functions and features are demonstrated as operational in production. The County shall be entitled to exercise its option to purchase Extended Maintenance for a given period.

User account fees, if any, will include costs for all subscription licensed software provided by the Vendor, such as third-part modules, middleware, and integration. During implementation, testing, training, validation and integration, the Vendor will provide sufficient numbers of user access accounts to enable the team to achieve successful "go-live" into production. User Account fees will be based on production system use. Training, Development and Test accounts will not be considered additional users for access purposes.

All yearly maintenance costs and support fees shall be provided at a "fixed" price per year. Operation of all software and hardware products shall be covered by warranty for a period of 36 to 48 months from the date of acceptance at no additional cost.

## V. Evaluation Review Process

Responses may be reviewed by a committee made up of representatives from the County and/or agents of the County. Any potential review will take into account the total cost of purchase and implementation. This includes, but is not limited to ease of use, training cost, support cost; monitoring cost and any potential network upgrade cost to implement Respondent's proposal.

## VI. Submission Requirements

Responses should be submitted in a non-permanent binder and:

- Include a Letter of Intent, on Organization letterhead, identifying the Key Contact Person for the project and all contact information (phone, email)
- Describe the nature of your Organization (e.g. Business Corporation, not-for-profit corporation, proprietorship, etc.)
- Provide the History of the Organization which includes:

-Mission Statement
-Brief History of the Organization including years of operation.
-Organizations current programs and activities.
-Information regarding any awards, or successes.

- Provide a Statement of Interest and Experience
  -Why is your organization interested in this project?
  -What is your Organization's experience with similar projects of this size and scope? Please include a history of body-worn camera projects, especially for larger Law Enforcement Organizations.

**END OF TEXT**