



Chiefly Speaking...

Monthly Newsletter of the
New York State Association of Chiefs of Police

April 2020

The Corona Virus



*Chief (Ret.) Larry Eggert Director of
Research, Development & Training*

It is April and obviously a very complicated and challenging time for everyone in New York State, across the country and all over the world—especially challenging for all the dedicated public safety professionals fighting a war against an invisible and insidious foe. The outbreak of the Corona Virus has everyone in the public safety professions scrambling to provide services while also protecting the health of our personnel. We at NYSACOP have been working hard in this difficult time to provide you with the most up-to-date information available to keep you informed and better assist you as you fight this battle. The

information we have gathered from many sources throughout the country are listed under the “Corona Virus Info” tab on the “Members Only” home page of our website. There you will find a listing of various resources available to law enforcement. For example, there is a resource guide that lists federal and state sites dedicated to the Corona Virus, HIPAA information release guidelines, Executive Law overviews regarding mutual aid and rights of law enforcement in an emergency, LEXIPOL Resource Center, NYS Health Department guidelines governing law enforcement personnel quarantines and return to work rules, and many other useful informational resources. We will continue to monitor and reach out to any and all agencies and entities to bring you the most current and useful information as we go forward. For urgent information, we will continue to send out email messages to get that information to you as quickly as possible. If you have any specific questions or concerns that are not answered in our Resources tab, please let us know and we will work to provide you with whatever we can to make your life and your job easier.

Thank you for the work that you every day to keep everyone safe! Take care and stay healthy and safe!!

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What 9/11 Taught Us About Leadership in a Crisis

By Stanley McChrystal and Chris Fussell

On Sept. 11, 2001, the job of every leader in the U.S. Special Operations community changed. In the ensuing years of fighting a highly complex, networked enemy, we redesigned how our organization communicated, shared information, made decisions and, most critically, maintained a cohesive culture while operating in almost every corner of the globe.

We're seeing a similar challenge today — except this time, it's facing the leadership of practically every organization in the world.

Leaders must be visible with their plans, honest with their words and adaptable with their actions — all while maintaining compassion for the situation & the impact it is having on their team. Here's what that means:

First, don't hunker down. Today's leaders must stand and be visible to their organizations, their communities, and their families.

Second, demonstrate candor — and demand it from the leaders below you. *In combat, when things look bad, the front-line troops always know it before the leadership.* Denying reality makes your people assume you're either lying or out of touch. Organizations can handle bad news and tough times if they feel their leaders are focused on solving the issues at hand. Today's leaders must be honest with their people to a level that will and should feel uncomfortable.

Third, give up more authority than feels natural. Fighting through complexity requires quick and informed action at the edge. This is dependent upon fast, transparent and inclusive communication. It's tempting in times of crisis to grab the reins and yank back, but this will be more disruptive than it is helpful. Be connected, listen, and adapt, based on what your front line is telling you.

Finally, be more compassionate than you think you need to be. As your organization disperses to remote-work status, the loss of personal interactions will quickly sink in. It will be easy for leaders to overlook the fear and stress their people are feeling because of this isolation. All of us learn by watching our teammates, and we gain confidence through informal feedback from our colleagues or bosses. *Your organization has lost that person-to-person contact. You must immediately take your culture online, and learn to reinforce camaraderie, esteem, and compassion, via digital platforms.*

"Digital leadership" was not in the job description for our generation, but it became a critical skill for all of us to learn. It's harder to express sympathy through a computer screen, harder to deliver nuanced criticism when not in person, harder to read tone and body language. You can and must learn these skills, but it will take focus and effort.

We are now weathering a once-in-a-hundred-year event, and Americans are hurt — physically, emotionally, financially, and spiritually. Leaders at all levels in society need to embrace the changes this crisis brings rather than struggle against it. Your people need you. This is your moment, and you can rise to it.

Mr. McChrystal is a former Army general and the founder of the McChrystal Group. Mr. Fussell is a former Navy Seal and the president of the McChrystal Group.

Sheriffs and Chiefs of Police Call on Governor Cuomo and State Legislature to Avoid Policy Legislation in Budget

With our State and Nation in the throes of a devastating epidemic, New York's Sheriffs and Chiefs of Police urge that this is not the appropriate time for the State Legislature to be enacting major policy changes that are unrelated to dealing with COVID-19. "We understand the need to get a budget in place soon, but it should not be a budget like last year's last minute passage crammed with big changes in public policy that are not truly budget-related", said Washington County Sheriff Jeff Murphy, president of the New York State Sheriffs' Association. He continued, "Adopting radical changes in public policy by pretending it is "budget-related" is a sham, and never the right thing to do, but especially this year. Sheriffs and Chiefs of Police are incredibly busy and highly focused on the current crisis, as are most of our citizens. We cannot take the time to contact State lawmakers to argue our point of view on these issues. And most of our citizens have their families and jobs on their mind right now, they're not thinking about lobbying their Legislators on the public policy issues that are, nonetheless, very important to them. Furthermore, even if we or our citizens had the time to give input on pending important policy issues, there is no one "home" to hear us. The Legislators and their staff are not in Albany, nor, in most cases even in their district offices. Even if it were safe to do so, there is no place for citizens to visit or rally and convey their concerns to Legislators. New York's Legislators should not be like some in Washington who see this crisis as an opportunity to slip through legislation that they would not be able to move in normal times. The major policy issues that were being hotly debated before this pandemic struck should not now be decided by Three Men in a Room, without a fair opportunity for input from practitioners and the citizenry".

Sheriffs and Chiefs take this position knowing full well that there are indeed items that require attention from the Legislature. Chief Patrick Phelan, Greece PD and President of the New York State Association of Chiefs of Police states, "We have been calling strongly for necessary amendments to last year's criminal justice reforms, but we would prefer that they be done in a calm deliberative process after this crisis has waned. Pushing something through in the budget, without an opportunity for input or guidance from the law enforcement professionals which we represent will, we fear, just result in additional unworkable, dangerous public policies".

Similarly, we have been in the forefront, with law enforcement leaders across the State, parent-teacher and medical organizations in opposing legalization of marijuana in New York. We know that legalization would be bad public policy for New York, bringing with it many social and health problems, as evidenced by this ill-advised decision in other states. Law enforcement, local governments and the health community already have our hands full dealing with this deadly disease. We do not need, at this time, the inevitable problems that will come with legalization. Certainly, now is the worst time to introduce one more respiratory threat, when we are actively fighting vaping and Covid-19.

We collectively urge the Legislature to set aside these two items, and any other major policy changes it is contemplating, and pass a clean budget, addressing only true budget issues and, if necessary, any COVID-19 related bills. There will be time enough, after the crisis has subsided, to consider other issues in a thoughtful, deliberative way.

FOR FURTHER INFORMATION, contact Peter R. Kehoe, Esq., Executive Director, New York State Sheriffs' Association at 518-441-1865. Chief Patrick D. Phelan, President, New York State Association of Chiefs of Police at 518-355-3371.

Cheektowaga PD/Former NYSACOP President Chief Dave Zack Retirement Pictures



Chief Zack and NYSACOP President Pat Phelan



Chief Zack and fellow Erie County Chiefs of Police



Chief Zack addressing his guests

On March 6th, a retirement party was held for Cheektowaga Police Chief Dave Zack to recognize his 33 years of service to the citizens of Cheektowaga. He will assume the duties of Police Chief in Asheville, North Carolina immediately after his retirement from Cheektowaga. We thank him for his years of service and wish him well in his new position!



NYSACOP 3rd VP Chief Dan Denz presenting a special gift to Chief Zack



NYSACOP President Pat Phelan presenting a badge to Chief Zack for his years of service to NYSACOP

Town of Tonawanda Police Officer Office Michael Lewandowski Honored by the American Legion



Town of Tonawanda Police Officer Michael Lewandowski (pictured left with Tonawanda Police Chief James Stauffiger) received the Law Enforcement Officer of the Year Award from the Erie County American Legion and American Legion Department of New York 8th District for 2019. While investigating an incident of domestic violence, Lewandowski observed signs that a man involved in the incident was armed. After a foot pursuit, Lewandowski apprehended the subject and recovered a loaded 9mm handgun, 7.6 ounces of marijuana and 2.4 ounces of cocaine. The man was subsequently charged in federal court with possession with intent to distribute marijuana, attempted possession with intent to distribute cocaine and possession of a firearm in furtherance narcotics trafficking.

In addition to his achievements with the Town of Tonawanda Police Department, Lewandowski is also decorated and honorably discharged veteran of the Marine Corps, having served in combat operations in Iraq and Afghanistan. He also advocates on behalf Town of Tonawanda Police Department veterans. Lewandowski received the American Legion award at both the county level and for New York State.

BAIL REFORM: DEFENDANT TRASHES APPEARANCE TICKET, REFUSES TO LEAVE BOOKING

“Man Arrested in Connection to Homicide – Let Go on Appearance Ticket Due to Bail Reform Laws” – was a Syracuse news article¹ reporting on the assault and subsequent death of a local man who was reportedly beaten in the head by the suspect who was charged with criminally negligent homicide, a ticketable crime under new legislation. The stories of defendants charged with serious and violent crimes and then being released from custody without arraignment have been a daily event since January 1st, with outrage from police, prosecutors, victims and the legislature as new bail reform laws took effect. Incidents such as a serial bank robber in New York City (robbed four banks within about one week) was arrested by the feds after his fifth bank robbery committed just hours after being released from his previous crime. At the end of February, police in Auburn, NY were called to a motel where a witness saw someone aiming a gun from a window. After a two hour standoff which resulted in a multi-agency response and SWAT team deployment, three people were taken into custody and a BB gun recovered – all released on tickets under the new bail reform law. And then there’s several stories of hate crimes and assaults where the defendants are released before the arrest paperwork is finished.



It was less than three weeks into the new year when the effects of the bail reform law took a peculiar turn. This time, an incident in Fulton, New York that began with a domestic dispute in which the defendant was alleged to have choked his girlfriend to the point she almost passed out. She managed to report the incident to police who went to the residence to locate her boyfriend. The brother of the victim’s boyfriend confronted officers at the residence and interfered with the arrest of the defendant, so now, *both* brothers were in custody. But after the defendant’s brother had been issued an appearance ticket for obstructing and resisting arrest, he refused to leave the booking area. Fulton Police Chief Craig Westbrook said, “He threw the ticket in the garbage and refused to leave asking, ‘what are you going to do to me?’” Curiously, while the intent of bail reform is to allow defendants to be at liberty while their case is pending, what do you do when the defendant self-imposes his own custody? After pacing around the booking room for a few minutes the defendant had a change of heart and left. As Chief Westbrook said, “What were we going to do, issue another appearance ticket?” In recent weeks the Governor has stated that he will hold a public hearing to examine the bail reform laws, to include police, district attorneys and advocates.



¹ <https://www.localsyr.com/news/local-news/man-arrested-for-homicide-let-go-on-appearance-ticket-due-to-bail-reform-laws/>

New York News

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New York State Expected to Increase Enforcement of Cybersecurity Practices

Companies should take note of two imminent developments in New York in the area of cybersecurity regulation: enforcement of the New York Department of Financial Services (NYDFS) Cybersecurity Regulation and the effective date of the Stop Hacks and Improve Electronic Data Security Act (SHIELD Act). The Regulation and the Act both contain prescriptive cybersecurity requirements and new breach notification obligations for regulated organizations. Companies should expect to see increased enforcement in New York this year within the cybersecurity space. To view the article, visit: <https://www.hldataprotection.com/2020/02/articles/cybersecurity-data-breaches/new-york-state-expected-to-increase-enforcement-of-cybersecurity-practices/>

Long Island Woman Sentenced for Providing Material Support to ISIS

Zoobia Shahnaz was sentenced to 13 years' imprisonment by United States District Judge Joanna Seybert for providing material support to a foreign terrorist organization, specifically more than \$150,000 to the Islamic State of Iraq and al-Sham (ISIS), and attempting to travel to Syria to join ISIS. Shahnaz pleaded guilty in November 2018.

JAs set forth in court filings and facts presented at the sentencing hearing, between March 2017 and July 2017, Shahnaz defrauded numerous financial institutions to obtain money for ISIS, including a loan for approximately \$22,500. Shahnaz also fraudulently obtained more than a dozen credit cards and used them to purchase approximately \$62,000 in Bitcoin and other cryptocurrencies online. Shahnaz then made multiple wire transfers totaling more than \$150,000 to individuals and entities in Pakistan, China and Turkey that were fronts for ISIS. To read the full article, visit: <https://www.justice.gov/opa/pr/long-island-woman-sentenced-13-years-imprisonment-providing-material-support-isis>

Facial recognition 'merely a lead' and not proof of someone's involvement in crime, says new NYPD policy

Cops can use facial recognition software to identify criminal suspects — but any match is “merely a lead” and not probable cause that someone is connected to a crime, NYPD Commissioner Dermot Shea said Friday. “It is our responsibility to ensure investigators are equipped with effective technologies to bring justice to New Yorkers who have been victimized,” Shea said in a news release announcing a new facial recognition policy that will be added to the department’s Patrol Guide.

Under the new Patrol Guide regulation, facial recognition technology “must only be used for legitimate law enforcement purposes.” For the full article, visit:

<https://www.nydailynews.com/new-york/nyc-crime/ny-nypd-facial-recognition-rules-20200313-5gvkzrh6ubfmvi67he2vzjrm64-story.html>

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New York State News cont'd

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Almost 7% of NYPD cops out sick as coronavirus spreads

Nearly 7 percent of the NYPD's uniformed officers called out sick Monday, and while only a fraction of those actually have the coronavirus, the department expects the number of sick calls to keep rising. Some 100 officers have COVID-19, and a total of 2,407 officers called out sick Monday, representing about 6.6 percent of the force, NBC News reported. The number of sick calls is more than double the department's daily average. To read the full article, visit: <https://www.nbcnewyork.com/news/local/almost-7-of-nypd-cops-out-sick-as-coronavirus-spreads/2341402/>

NYC crime down 25% in first week of coronavirus shutdown — just one homicide

Crime dropped 25% in the five boroughs during the coronavirus shutdown last week — with just one person murdered compared to eight the week before, authorities said Monday. Each of the seven major crimes that determine the overall crime rate — murder, rape, robbery, felony assault, burglary, grand larceny and grand larceny auto — declined compared to the week before, according to NYPD statistics.

Just one person was murdered in the city the seven days ending Sunday — in Brooklyn — compared to eight the previous week. Rapes were more than cut in half, from 33 the week before last to 15 last week. And robberies were down 8%, to 210 from 229. The crime drop was expected, police sources said, given the streets were almost empty as New York City ground to a near halt in response to the coronavirus pandemic. For the full article, visit: <https://www.nydailynews.com/new-york/nyc-crime/ny-crime-down-under-coronavirus-20200323-qfajepyy3nf4fd7eri2zcgkxi-story.html>

Niagara Falls Man Who Forced The Closure Of The New York State Thruway Charged With Possessing Multiple Bombs

BUFFALO, N.Y. — U.S. Attorney James P. Kennedy, Jr. announced today that Jose M. Gandia, 47, of Niagara Falls, NY, was charged by complaint with unlawful possession of a destructive device and unlawful possession of a shortened shotgun.

On March 25, 2020, the New York State Police received a report of an individual pointing a shotgun with a red laser out of a red pickup truck on the New York State Thruway. A trooper located the vehicle near the Town of Hanover. The trooper approached the vehicle and attempted to handcuff Gandia, who resisted and a fight ensued. As the trooper struggled with the defendant, a second trooper arrived and assisted in handcuffing Gandia. The trooper who initially responded to the call suffered a broken hand in the altercation. A search of the vehicle located an live pipe bomb, ballistic vest, and two long guns. The pipe bomb later detonated while being disarmed by bomb technicians. A later search of Gandia home in Niagara Falls yielded 5 pipe bombs, with some rigged to the entrance doors and another attached to propane tanks. For the full article, visit: <https://www.justice.gov/usao-wdny/pr/niagara-falls-man-who-forced-closure-new-york-state-thruway-charged-possessing-multiple>

Corona Virus News

Coronavirus hits US police

More than a fifth of Detroit's police force is quarantined; two officers have died from coronavirus and at least 39 have tested positive, including the chief of police. For the 2,200-person department, that has meant officers working doubles and swapping between units to fill patrols. And everyone has their temperature checked before they start work. An increasing number of police departments around the country are watching their ranks get sick as the number of coronavirus cases explodes across the U.S. The growing tally raises questions about how laws can and should be enforced during the pandemic, and about how departments will hold up as the virus spreads among those whose work puts them at increased risk of infection. Nearly 690 officers and civilian employees at police departments and sheriff's offices around the country have tested positive for COVID-19, according to an Associated Press survey this week of over 40 law enforcement agencies, mostly in major cities. The number of those in isolation as they await test results is far higher in many places. For the full article, visit: <https://apnews.com/069d01bafbb1f15b1f6c4a4479ab1456>

Florida Governor asks retired first responders to return to fight COVID-19

Recently retired law enforcement and healthcare workers are being asked to head to the frontlines in the fight against COVID-19, per Florida Gov. Ron DeSantis' executive order. "We need folks to come and return to service," he said at a news conference at the Hardrock Stadium coronavirus testing site in Miami Gardens Monday morning. The order allows recently retired law enforcement officers and healthcare workers to return to workforce. Under Florida law, people who retire from these fields are not allowed to return within six months of retirement. As coronavirus cases near the 5,000 mark in Florida, DeSantis said the state needs all the manpower possible to eliminate the virus. For the full article, visit: <https://www.clickorlando.com/news/local/2020/03/30/we-need-folks-to-come-and-return-to-service-governor-asks-first-responders-out-of-retirement-to-fight-covid-19/>

Sex offenders among those released from New York jail to stop coronavirus spread

About 50 inmates — including eight registered sex offenders — have been released from an upstate New York jail as part of the efforts to [stop the spread of the coronavirus](#), according to a report. The inmates were sprung Saturday from the Monroe County Jail as part of a statewide order by the Department of Corrections and Community Services, [WIVB reported](#). Nine of them are staying at a Holiday Inn Express in Greece, NY — including four of the sex offenders, three of whom have been convicted of raping minors and were registered as Level 3, meaning they are most likely to re-offend, according to the news outlet. "It doesn't make any sense. If you could present an argument to me that makes sense, I'm willing to listen. But this doesn't make any sense," **Greece Police Chief Patrick Phelan said**. For the full article, visit: <https://nypost.com/2020/03/30/sex-offenders-among-those-released-from-new-york-jail-to-stop-coronavirus-spread/>

National Police News

U.S. to begin taking DNA samples from immigrants who enter the country illegally

U.S. border agents will soon begin a widespread program to gather DNA samples from immigrants who enter the country illegally and are in federal custody, according to two administration officials.

The officials said the collection effort will fully enforce the [DNA Fingerprint Act](#), a law Congress passed in 2005 that requires taking DNA samples from anyone arrested, facing charges or convicted — and from any non-U.S. citizens "who are detained under the authority of the United States."

Civil liberties groups have criticized the plan since it was first discussed last fall. "The administration's racist immigration policies will also implicate the right of family members in other countries and family members here, including American citizens," said Vera Eidelman, a staff attorney with the American Civil Liberties Union. For the full article, visit: <https://www.nbcnews.com/politics/immigration/u-s-begin-taking-dna-samples-immigrants-who-enter-country-n1151141>

Chicago Mayor forges compromise on civilian police review

Two years after demanding that then-Mayor Rahm Emanuel empower a civilian oversight board to fire the police superintendent and establish police policy, Mayor Lori Lightfoot has forged a compromise that does only one of those two things.

The Grassroots Alliance for Police Accountability wanted the right to take a vote of no-confidence in the superintendent that would trigger "some action" — either City Council hearings or a public statement by the mayor about why she agrees or disagrees. They didn't get it.

Instead, the compromise calls for the commission to work with the mayor to establish annual "goals" for the superintendent, Civilian Office of Police Accountability chief and Police Board. Each would be required to submit a "written self-evaluation," followed by the commission's assessment and the mayor's "final performance review."

Top mayoral aides acknowledged Thursday that the decision last month by a civilian police commission in Oakland, California to fire its police chief without cause hardened Lightfoot's opposition to giving a civilian oversight panel in Chicago similar powers.

"You need to look no further than Oakland and what has happened there to see what the downside of that can be," said a top mayoral aide. For the full article, visit: <https://chicago.suntimes.com/city-hall/2020/3/5/21166600/chicago-police-civilian-review-grassroots-alliance-reform-lightfoot>

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National Police News Cont'd

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DEA-led operation nets more than 600 arrests targeting *Cártel Jalisco Nueva Generación*

WASHINGTON – The Justice Department and the Drug Enforcement Administration today announced the results of Project Python, a DEA-led interagency operation encompassing all global investigations and related disruption activities targeting the *Cártel de Jalisco Nueva Generación* (CJNG).

This announcement marks the successful conclusion of six months of investigative and enforcement activity targeting CJNG, culminating in large scale arrests throughout the country within the past week. Project Python has resulted in more than 600 arrests, 350 indictments, as well as significant seizures of money and drugs.

“Project Python is the single largest strike by U.S. authorities against CJNG, and this is just the beginning,” said Acting Administrator Uttam Dhillon. “This strategic and coordinated project exemplifies DEA’s mission: to disrupt, dismantle, and destroy drug trafficking organizations around the world and bring their leaders to justice. Today, DEA has disrupted CJNG’s operations, and there is more to come as DEA continues its relentless attack on this remorseless criminal organization.” To read the full article, visit: <https://www.dea.gov/press-releases/2020/03/11/dea-led-operation-nets-more-600-arrests-targeting-cartel-jalisco-nueva-4>

Trump Administration Is Barred From Enforcing 3D Gun Rules

President Donald Trump’s administration was blocked from enforcing new rules on 3D-printed guns that U.S. states including New York and California say would lead to the “widespread proliferation” of home-made firearms.

A federal judge in Seattle on Friday issued a preliminary injunction blocking the rules, which the states contend are a “toothless prohibition” on gun-printing software that would let anyone with a 3D printer, including criminals and terrorists, make firearms at home. The rules were scheduled to take effect Monday. President Barack Obama’s administration had blocked a company from publishing computer-aided design files for guns on the internet for years. The State Department under Trump reversed course in 2018 and settled litigation with the firm.

The states, which also include Washington, New Jersey and several others, claim the revised rules would let the U.S. Commerce Department grant licenses to post 3D-printed gun files to the internet or to export them without congressional oversight. For the full article, visit: <https://www.bloomberg.com/news/articles/2020-03-09/trump-administration-blocked-from-enforcing-3d-printed-gun-rule>

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National Police News Cont'd

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Uber launches discreet Text-to-911 technology nationwide

Uber is launching a feature in its app nationwide which will allow riders and drivers a new way to text 911 seamlessly with information about the ride, including its current location, even if the driver has strayed from the route. The technology was first piloted in Los Angeles, Indiana and Minnesota and 911 dispatchers are saying that the new feature is saving lives.

According to Uber, the feature is now available wherever "Text to 911" has been activated by area 911 officials, including dozens of counties and metro areas in Arizona, California, Colorado, Connecticut, Delaware, Florida, Hawaii, Idaho, Iowa, Maine, Massachusetts, New Hampshire, New Jersey, North Dakota, Ohio, Oklahoma, Oregon, Rhode Island, South Carolina, Texas, Utah, Vermont and Washington State. In addition to creating a text message to 911 operators, the app also automatically sends them location information through a system called RapidSOS used in more than 60 cities across the country. To read the full article, visit: <https://abcnews.go.com/GMA/News/uber-launches-discreet-text-911-technology-nationwide/story?id=69488372>

ICE says it will not arrest most undocumented immigrants during coronavirus pandemic

Citing the worldwide response to the coronavirus pandemic, the Trump administration on Wednesday announced it would refrain from targeting and apprehending most undocumented immigrants in the U.S. who don't pose a threat to the public.

Under its new "enforcement posture," Immigration and Customs Enforcement, or ICE, said its agents will only focus on detaining "public safety risks," as well as immigrants whose criminal records require the agency to apprehend and detain them. For everyone else, ICE said it would "exercise discretion to delay enforcement actions until after the crisis." To read the full article, visit: <https://www.cbsnews.com/news/ice-says-it-will-not-detain-most-undocumented-immigrants-coronavirus-pandemic/>

FBI Adjusts To Persevere Through Pandemic As Much Of America Shuts Down

Conducting more witness interviews over the phone. Staggering work hours to keep physical distance from co-workers. Wearing protective masks and gloves when executing search warrants or making arrests. Those are just some of the ways in which the FBI is adjusting to the coronavirus outbreak and the sweeping changes it has imposed on all facets of American life.

The bureau's headquarters in Washington issued a memo to all employees this week that spelled out how the agency will adapt to the new reality. To read the full article, visit:

<https://www.npr.org/2020/03/20/818505883/fbi-adjusts-to-persevere-through-pandemic-as-much-of-america-shuts-down>

International Police News

Mexico Extradites Son of Powerful Cartel Leader to Face US Charges

Mexico extradited the son of the leader of the Jalisco New Generation Cartel to face drug charges in the US, leading to fears his gang may stage retaliations. The Department of Justice confirmed Friday that Ruben Oseguera will appear in a federal court in Washington. Oseguera is known as “El Menchito,” after his father, Nemesio Oseguera, aka “El Mencho.” The younger Oseguera was born in California and holds dual US-Mexican citizenship. He was arrested in 2015 on weapons possession and organized crime charges and had been fighting extradition. The US Embassy issued a security alert saying “following previous high-profile security operations, criminal groups operating in Jalisco have responded by taking retaliatory actions including an increase in anti-government rhetoric (banners and internet threats) and blockades inside the city and on interstate highways.” For the full article, visit: <https://www.latimes.com/world-nation/story/2020-02-21/mexico-jalisco-cartel-extradite-us-drug-charges>

Watch Israel’s New Drone-Killing Laser Weapon in Action

An Israeli-manufactured drone-killer has had a 100% success rate in all test scenarios, according to its developer, Rafael Advanced Defense Systems, who released a video of the weapon in action. The weapon, called the Drone Dome C-UAS, was able to successfully track its targets, small drones, and shoot them out of the sky while they were performing evasive maneuvers. According to Rafael, hostile drones are one of the fastest-growing threats which pose a serious security concern. Terrorists and other types of criminals are increasingly using autonomous drone attacks more often. To watch, visit: <https://americanmilitarynews.com/2020/02/watch-israels-new-drone-killing-laser-weapon-in-action/>

Nazi Salutes, Molotov Cocktails Rock Massive Mexico Women's March

A group of women outside Mexico City's main cathedral clashed on Sunday with men protesting abortion who made Nazi salutes, among scuffles that left dozens injured during a protest of tens of thousands of people on International Women's Day. The incidents reflected an undercurrent of anger throughout the day, in which the city government said 80,000 people marched through Mexico City's historic core to the public square fronting the cathedral and National Palace. Wearing green bandanas symbolizing support for abortion rights, at least a dozen women ripped down banners describing abortion as femicide and set them on fire. The male anti-abortion proponents, some of whom had shaved heads and one of whom carried a whip, yelled vulgar slang in return. Mexico has a small ultra-nationalist movement that shares ideology with global hard-right groups. To read this article, visit: <https://www.nytimes.com/reuters/2020/03/09/world/americas/09reuters-womensday-mexico-cathedral.html>

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International Police News cont'd

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Scope of Right-Wing Extremism Vexed Canada's Security Officials, Documents Show

Canadian security officials have been grappling not only with how to address the growing threat of right-wing extremism, but also the best means of defining the phenomenon and explaining it to the public, newly released documents show. In a briefing for deputy ministers responsible for national security, the Canadian Security Intelligence Service and the RCMP openly asked whether, given the nature of the threat, the government of Canada was "able to effectively respond?" The secret briefing was aimed at providing the senior officials with an overview of right-wing extremism in Canada and fostering discussion of "broader considerations" on dealing with the issue, says a heavily censored version of the April 2019 document, released through the Access to Information Act. To read this article, visit: <https://www.thestar.com/news/canada/2020/01/26/scope-of-right-wing-extremism-vexed-security-officials-documents-show.html>

Terrorists and Technological Innovation

Often when terrorists use new technology, they bungle it—the new bomb design does not detonate or the new video technology fails to upload. Yet terrorists often quickly master new technologies and use them in unanticipated ways. In this report, Daveed Gartenstein-Ross and Matt Shear of Valens Global, along with Colin Clarke of The Soufan Center, propose a new way of thinking about this threat. They detail the terrorist learning curve and how counterterrorism agencies respond and adapt. To read the full article, visit: <https://www.lawfareblog.com/terrorists-and-technological-innovation>

RCMP issues warning about its ability to police terrorism, foreign interference and cybercrime

The RCMP is sounding an alarm over what it calls "significant resourcing challenges" as demands on its terrorism-fighting and cybercrime investigators grow — and is warning that if it doesn't get help soon, it might not be able to properly police those files. The RCMP flagged potential problems in a pair of recent reports — its 2020-2021 departmental plan, tabled in the House of Commons Tuesday, and its most recent financial records. To read this article, visit: <https://www.cbc.ca/news/politics/rcmp-significant-resourcing-challenges-security-1.5492424>

Guest View from J.P. Kennedy—US Attorney for Western District of NY

Understand the true meaning of 'self-governance'

As a community and a nation, we come together in times of crisis. Ironically, when it comes to COVID-19, our unification is best done in a metaphorical rather than literal sense.

In that spirit of unity, I ask that everyone in the community reflect on the brave men and women of law enforcement and those who work throughout the criminal justice system, who despite these difficult times, come together each day on a shared mission to serve, protect, and uphold the rule of law. Every individual working in law enforcement, whether as a law enforcement officer or prosecutor, began their career with an oath. Because that oath engendered a promise, it also carried with it a moral obligation. In the case of those working in the criminal justice system, that obligation includes a promise to support and defend the Constitution of the United States and to uphold our nation's laws.

But their obligation — our obligation — does not end there. As Americans — no matter our occupation, no matter who we are, and no matter what we do — each of us are part of what our Founding Father's characterized as the "great experiment" in self-governance. Yet, I fear that too many of us have come to view self-governance as a descriptor of how we go about choosing our leaders more than it is a characterization for how we ought to go about living our lives.

Indeed, our very identity, as a nation and as citizens, is predicated upon our ability to engage in self-governance. That is, the responsibility and obligation that each of us have to control and govern our own behavior — to live morally. In times such as this, when we are tested, we must reaffirm our commitment to engage in self-governance and to unify in order to uphold those aspirational values which lie at the heart of our identity as Americans. As Americans, our identity depends not on where we came from, who we are, or what we have, but instead it is all about what we honor and uphold.

Notions such as equality, justice, fairness — and perhaps the greatest legal precept ever, the Golden Rule — serve as the signposts on our collective journey toward unification and continued survival. We call it the American way, and it is our commitment to that American way that has guided us through troubled and uncharted waters in the past and it will carry us through these difficult times as well.

Those of us working in the criminal justice system at all levels remain committed to ensuring that the justice system will continue to function during this national crisis. The tremendous men and women who serve in my office will follow the guidance of the Attorney General, which makes it clear that the critical mission of the Department of Justice will continue. We will work closely with our partners in law enforcement and with the judiciary in order to ensure the health of those public servants who selflessly do their best each day to live up to their oaths of office. Together, we will continue to hold accountable those who fail to live up to their moral obligation as Americans.

Finally, my office and the entire Department of Justice will remain particularly vigilant in detecting, investigating, and prosecuting wrongdoing related to the crisis. There have been reports of individuals and businesses selling fake cures for COVID-19 online and engaging in other forms of fraud, reports of phishing emails from entities posing as the World Health Organization or the Centers for Disease Control and Prevention, and reports of malware being inserted onto mobile apps designed to track the spread of the virus. The pandemic is dangerous enough without wrongdoers seeking to profit from public panic. Such conduct will not be tolerated.

Together, we will pull through this crisis and reaffirm to the world that, nearly 250 years after the "great experiment" in self-governance, our people, our communities, and our nation remain resilient, vital and healthy.

FBI NAA Training—How to Establish and Active Shooter Campaign



TRAINING WEBINAR

Wednesday, April 8, 2020

11:00 am ET | 8:00 am PT

How to Establish an "Active Shooter Response" Campaign: How Hard Could it Be?



How to Establish an "Active Shooter" Campaign. How Hard Could it Be?

Sometimes, it's not the message, but rather the messenger.

Even though WE know active shooter prevention training and instruction is the right approach for staff awareness, it will still require more than you are used to. You will need to wear your sales hat in an effort to convince and influence your healthcare partners, office managers, small business owners, grocery store managers, and education leaders.

Webinar learning objectives:

- How law enforcement agencies can establish active shooter campaigns within their community, without panic and fear.
- How to overcome any "pushback" when trying to establish these campaigns.
- What steps to take to establish a campaign and be successful.

Wednesday, April 8, 2020
11:00 am ET | 8:00 am PT

To register, visit: <https://fbinaawebinar1.splashthat.com/>

2020 Training Conference Reminder

Save the Date



The New York State Association of Chiefs of Police 2020 Training Conference will be held from July 19-22 at the Queensbury Hotel in Glens Falls, N.Y. (Adirondacks Lake George Region). To book your hotel room reservations, visit:

https://www.bookonthenet.net/east/premium/eresmain.aspx?id=1DWOHwj090Pz4wb6hJRL3yZYFE%2BQQRbAxwShPdQBB78%3D&arrival_date=2016-6-27&#/search

Use the code NYSACOP20

Hotel room reservations by phone can be made by calling 518-792-1121-#1

Conference Registration information is posted on the NYSACOP website (www.nychiefs.org)!

Membership Renewal Reminder

Are your dues up-to-date or do you owe past dues?

Now you can check online by signing into your online profile at:
www.nychiefs.org/members/login

Your **2020** membership renewal will come through as an automated email to your preferred email address that is listed in your membership website profile. If you are ready to renew for **2020** now, login anytime to update your membership contact information and dues.

If you have issues logging in or forgot your username or password, please contact the NYSACOP office at (518) 355-3371 or by emailing leggett@nychiefs.org.

Postal membership renewal notices will only be mailed to those who are past due and may not be aware of the electronic change. If you or someone you know has not yet renewed and is waiting on a paper renewal, please have them contact our office to go over the new procedure.

To pay your membership dues, go to:

- Members
- Manage Membership
- Renew

Please select a payment method:



Cancel payment and subscription

You can pay either by credit card or check based on the icon that you choose. The “Pay Offline” option gives you a printable invoice and the option to pay by check or purchase order.

Please be sure to update any profile information for accurate record keeping and to ensure receipt of your Chief’s Chronicle.

***PLEASE REFER US TO OTHER INTERESTED CHIEFS OF POLICE AND
COMMAND STAFF!***



NYSACOP GTSC Law Enforcement Liaison Report

April 2020

By Dominick Macherone

“Release of GTSC 2021 Police Traffic Services Grant Applications with New Online

PTS Application Example”: The Governor’s Traffic Safety Committee has released 2021 grant applications that must be submitted no later than May 1, 2020. To assist our law enforcement agencies who will be submitting a Police Traffic Services (PTS) grant proposal to support their existing traffic safety enforcement activities and efforts in reducing motor vehicle crashes, a new PTS Application Example is now available and posted as a resource on the Governor’s Traffic Safety Committee’s website; it’s located under the Application Materials Section at <https://trafficsafety.ny.gov/highway-safety-grant-program>. We strongly encourage law enforcement agencies applying for grants to review this example in preparing their proposals. Please take advantage of this resource and contact your agency’s GTSC Program Representative or Law Enforcement Liaisons with any questions you may have.



Dominick G. Macherone
Governor’s Traffic
Safety Committee
NYSACOP
Law Enforcement Liaison

“April 9-13, 2020 - National Distracted Driving Enforcement Campaign - U

DRIVE, U TEXT, U Pay”: In conjunction with April’s National Distracted Driving Awareness Month, the Governor’s Traffic Safety Committee wishes to remind our law enforcement community and partners that their agency’s participation in the **“U DRIVE, U TEXT, U Pay”** campaign will be completely left to the discretion of each department should available time and resources permit. This high visibility, stepped-up enforcement targets cell phone and texting violations in addition to other distracted driving behaviors. Visit <https://www.trafficsafetymarketing.gov/get-materials/distracted-driving/u-drive-u-text-u-pay/peak-enforcement-kit> for information on this mobilization and for other resource materials. Please direct questions on the campaign to our GTSC Program Representatives or Law Enforcement Liaisons.

“No Empty Chair” Teen Driving Safety Campaign - April 27 – May 1, 2020”: **CANCELED** Due to health and safety concerns surrounding COVID-19 (coronavirus) the 2020 No Empty Chair Teen Driving Safety Campaign has been canceled. GTSC wishes to extend our thanks to all of you for the support of this initiative over the years.

“Operation Safe Stop Education and Enforcement Day (OSS) – Thursday, April 30, 2020”: Should schools re-open and school buses return to the highways the statewide supported OSS education and enforcement initiative is scheduled to take place on Thursday, April 30, 2020. With law enforcement a cornerstone of this special school bus safety and enforcement program, your participation if possible, will be greatly appreciated as a part of the GTSC Police Traffic Services (PTS) grant. The OSS Reporting Form is located on the Resource Page of the GTSC’s website at: https://trafficsafety.ny.gov/resources?f%5B0%5D=filter_term%3A291. Program information is also located at: <https://trafficsafety.ny.gov/school-bus-safety>. GTSC thanks you for your traffic safety consideration during these challenging and difficult times.

“2020 Training Schedules for ARIDE and DRE Classes”: The training schedules for the two-day Advanced

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Governor's Traffic Safety Committee Report—Continued

(Continued from page 19)

Roadside Impaired Driving Enforcement (ARIDE) and Drug Recognition Enforcement (DRE) classes for 2020 that are supported by the Governor's Traffic Safety Committee can be found on the following link: <https://trafficsafety.ny.gov/training-and-events>. Questions on the training can also be directed to NYS DRE Coordinator Renee Borden at the Governor's Traffic Safety Committee at Renee.Borden@dmv.ny.gov.

"Practical Guidelines for Motorcycle Safety & Enforcement Training": With three training programs completed during February and March in Broome, Ontario, and Suffolk counties, no additional training programs are currently planned due to health and safety concerns surrounding COVID-19 (coronavirus). We'll keep you posted and updated, and also contact GTSC Program Representative Vanessa Waldron at vanessa.waldron@dmv.ny.gov for information on the program.



"Walk-Bike New York Symposium...Encouraging Sustainable Movement – Hyatt Regency, Rochester, NY – June 11-12, 2020": **EVENT CANCELED** - Due to health and safety concerns surrounding COVID-19 (coronavirus) the 2020 Walk-Bike New York Symposium, Hyatt Regency in Rochester, June 11-12 has been canceled. The advertised non-refundable policy has been waived, and all paid registrants will receive a full refund. The Hyatt has deleted the lodging room block, but please check your own room reservation to be sure it is canceled. We are currently planning to reschedule the conference, with specific dates and location to be determined. For updated information check the Institute for Traffic Safety Management and Research website at <https://www.itsmr.org/events/>.

"Upcoming Pedestrian Safety for Law Enforcement Train-the-Trainer Courses in 2020: TRAININGS POSTPONED - Consistent with the guidance from Governor Cuomo and the NYS Department of Health to reduce the community spread of Coronavirus Disease 2019 (COVID-19), the Governor's Traffic Safety Committee (GTSC) has cancelled or postponed all events, trainings and press events for the foreseeable future. For additional information on the status of the Pedestrian Safety training programs contact GTSC Program Representative James Knapp at james.knapp@dmv.ny.gov or by phone at 518.473-4734.

"Commercial Motor Vehicle Awareness Training for Law Enforcement": With 2020's first training held on February 20th at NYPD's Training Academy, it's our hope that sometime in the near future plans will focus on other training locations in the state that are determined and based on data identifying regions overrepresented in commercial motor vehicle crashes. Stand-by for additional information by Program Representative Rob Lopez, robert.lopez@dmv.ny.gov.

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Governor's Traffic Safety Committee Report—Continued

(Continued from page 20)

“Traffic Activities from The Field”:

“Save-the-Date - Empire State Law Enforcement Traffic Safety Conference – May 13-14, 2020”: The ESLETS Conference has been CANCELLED and will not be re-scheduled. Sorry for the inconvenience. Visit: <https://troopers.ny.gov/ESLETS/>.

Traffic Safety Take-Out Menu of Online Training Opportunities & Resources:

DCJS Online Training - Ignition Interlock Devices

This training will provide a comprehensive overview of Ignition Interlock Devices - how they appear, how they work, common circumvention tactics, and enforcement guidance for New York State police officers. It was produced by the New York State Association of Chiefs of Police and funded by the National Highway Traffic Safety Administration with a grant from the Governor's Traffic Safety Committee. <http://criminaljustice.ny.gov/ops/training/other/Ignition-Interlock/story.html>

DCJS Online Training Distracted Driving Enforcement

This training video, produced by New York State Association of Chiefs of Police, highlights the problem of distracted driving, general statistics, and strategies for education and enforcement. Examples of successful enforcement programs are profiled in the video. <http://criminaljustice.ny.gov/ops/training/other/Distracted-Driving-Enforcement/story.html>

National Law Enforcement Liaison Recorded Webinars: <https://www.nlelp.org/training/recorded-webinars/>

Governors Highway Safety Association (GHSA) Resources: <https://www.ghsa.org/resources>

NHTSA's Traffic Safety Institute (TSI) Online Training Resources: <https://tsi-dot.csod.com/client/tsi-dot/default.aspx>

The Staff, Program Representatives, and Law Enforcement Liaisons of the Governor's Traffic Safety Committee are continuing to work remotely each day to provide resources and service to our valued traffic safety partners and to answer any questions you may have. The most convenient and efficient way to communicate with GTSC's staff is through their individual emails. In closing we also offer our concern and best wishes for everyone's health, welfare, and safety during these challenging and uncertain times.



Governor's Traffic Safety Committee

“TRAFFIC ENFORCEMENT IS LAW ENFORCEMENT”



By Gordon Graham

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

Gordon Graham here! Thanks for the feedback regarding my last article on “information risks” and the need for an independent investigation whenever the action or inaction of a law enforcement officers results in the death of an individual. Hopefully this concept will spread from Wisconsin to other states—including yours—and we can start to learn (and share) what really causes tragedies in law enforcement.

Before I move into Family Seven of the 10 Families of Risk, just a quick thought about one of the top stories in the news at the time I’m writing this: the death of Kobe Bryant. I did not know him but respected his skills and abilities as a basketball player. I did have some very minor involvement in his criminal case in Colorado 27 years ago, providing some advice to the involved law enforcement personnel on the tactics that Mr. Bryant’s lawyer might use to impeach the involved deputies—but that is another story for another time.

Regardless, I GUARANTEE you the NTSB is continuing to peel back the layers of the onion and identify the real “problems lying in wait” that ultimately led to the helicopter crash that killed Mr. Bryant and eight others. The investigators will get beyond the “proximate” cause and fully investigate the history of the involved pilot, the involved company, the maintenance history of the involved Sikorsky, the training records of the pilot and mechanics, the electronics on the helicopter, the actions of the air traffic control personnel in Burbank—and a whole bunch of other stuff. And then they’ll release a comprehensive, in-depth report on what really happened.

From what we have learned already, I am pretty sure other similarly situated professional athletes (and other very wealthy people) are revisiting their use of helicopters to save time—and my guess is some/many have concluded it is just not worth the risk. I have to think Mr. Bryant knew the risk—it is reported he would not fly with his wife to avoid the risk of his children being orphaned.

Not to digress (but if you have been reading the past 53 iterations of these writings you know I have a tendency to do just that), but I saw on [Officer Down Memorial Page](#) (again, you need to visit this site often and get their app) that we lost Deputy Sheriff Richard Whitten on Feb. 3, 2020. He was shot in a violent confrontation in Texas on May 29, 2019. I daresay many of you were unaware of his being shot in the neck (in very heroic circumstances)—and I will double down and say that no one outside of his department has read the final report on his shooting and subsequent death. How are we going to learn if we do not know all the facts?

Real Risk Management—Continued

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Bottom line (and I am almost done with this rambling) is we need to get some national, standardized approach—similar to NTSB investigations—to the investigative process into line-of-duty deaths, officer-involved shootings and other critical events. When these investigations are complete, they need to be shared so all interested parties (including law enforcement personnel) can learn what really happened so that such a tragedy never happens to them.

Enough of that. Let's move on to Family Seven—the risks involved in Human Resources operations. Going all the way back to Family One, I identified “external” risks as the most difficult family of risks facing law enforcement personnel. There is little we can do to address terrorism, the vicious murder of police personnel, criminal street gangs, pandemics (look what is going on with coronavirus right now), arsonists and other things over which we have little or no control. HR risks are the opposite—they are “internal” risks—no less dangerous but much more under our control.

Family Seven is the most expensive family of risks we face. Many law enforcement agencies pay out more money in claims, settlements and verdicts involving HR issues with their own employees than they do for lawsuits and claims filed by non-employees.

Here is my “nightmare” scenario for you to consider: You have a supervisor or manager who makes an incorrect employment law decision. Let's choose one that is in the news regularly, a decision involving pregnancy. The involved employee contacts a lawyer. Here I go digressing again, but earlier today I drove from the Birmingham airport to Tuscaloosa for a presentation and I counted over 40 billboards on both sides of the interstate containing advertisements for plaintiff law firms. My point is that it's pretty easy to find a lawyer who will take an employment law case (particularly involving a government agency) because government agencies make a lot of mistakes involving dealing with employees—and government is always seen as “the deep pocket.”

So imagine you are a fly on the wall of the lawyer's office and she/he is listening to the aggrieved employee about his/her issues involving pregnancy. (By the way, I am not kidding when I use the “his” identifier in the last sentence—I am seeing more and more pregnancy cases involving fathers who feel they were not afforded the time off the law allows.)

The plaintiff lawyer recognizes there is some money to be made in representing a single plaintiff. But this same lawyer knows there is a lot more money available if she/he can make it a class action lawsuit, rather than just a single plaintiff.

“Have other people in your department been treated in the same illegal manner?” the lawyer asks the woman/man sitting on the other side of the desk. And if the client says, “Oh yes, they do that all the time”—BLAM—all of a sudden this becomes a class action lawsuit, where the plaintiff lawyer represents scores or hundreds (or thousands) of plaintiffs who were similarly situated.

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Real Risk Management—Continued

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My comments in the above paragraph make the process seem quick and easy—let me assure you it is not—but the return on investment for the clever plaintiff lawyer can be huge. I have seen verdicts in the millions of dollars in these types of cases. And that’s powerful motivation for them to try to make a bigger case out of one person’s claim.

But let’s suppose your agency prevails in the litigation. I have personal experience with bosses in police agencies who prevail in court and their attitude is “We won, we won, we won!” My response is, “Do you actually think you have won something, Lieutenant? How much did it cost you in terms of lawyer fees, the costs of employees preparing for testimony and the time spent attending hearings and depositions? You may have won the case, but you paid out a ton of money to do so.”

There is a “fix” for this—and I will share it in our next visit. Until then, please work safely.

Timely Takeaway—Do you have policies in place to address ALL the federal and state laws and regulations governing conditions of employment?

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

Timely Takeaway: Do you have policies in place to address ALL the federal and state laws and regulations governing conditions of employment?



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In and Around New York State

A special column to highlight various activities and events around the area. Submit recommendations for this column to leggert@nychiefs.org.

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Members' Forum Activity



If you have a question related to policing, please contact Larry Eggert at leggert@nychiefs.org and your inquiry will be sent to the membership!



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