

CHIEFLY SPEAKING

Monthly Newsletter for New York State Law Enforcement Leaders

August 2022

Saluting Officer Anthony Mazurkiewicz

The following is the statement of Rochester Police Chief David Smith from July 22, 2022.

On Thursday, July 21, the day before two Rochester Police officers were shot, Chief David Smith said in a statement that he was asked by the news media, “How dangerous is it out there for the Officers of the Rochester Police Department?” Chief Smith replied, “...every day, the men and women of this department leave home, not knowing if they are going to return home at the end of their shift. Ten hours later, Officer Anthony Mazurkiewicz, a father, husband, and a 29-year-verteran of the RPD was killed in the line of duty while in service to our community.”

Smith elaborated on the incident, saying, “Last night, Officer Mazurkiewicz and his partner, Officer Sino Seng, were attacked in a cowardly ambush and fell victims to the very violence in our community that we are trying to combat. Officer Mazurkiewicz was shot at least once in the upper body. He was transported to Strong Hospital where, despite heroic efforts, he passed away. Officer Seng, an 8-year veteran of the RPD was shot at least once in the lower body and transported to Rochester General Hospital. Thankfully, he was treated, released, and now recuperating from his injuries at home with his wife and children. In addition, during this attack a female bystanders was also struck by gunfire and treated for non-life threatening injuries.”

Chief Smith offered thanks to the several law enforcement agencies that responded to assist Rochester Police during the incident: United States Marshal’s Service, ATF, New York State Police, NYS Parole, Monroe County Sheriff’s Office, Monroe



Officer Anthony Mazurkiewicz
Rochester Police Dept.

Photo: Officer Down Memorial Page

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FROM THE PRESIDENT CHIEF KEVIN SYLVESTER



Honored to Serve

This year's Annual Training Conference was one to remember! This event was result of incredible creativity, teamwork, and dedication from the association staff in carrying out the vision of our board to bring you the best available training. When I joined the board I shared my vision for expanded training and greater access to resources. This year we made remarkable progress toward that objective with our traditional learning options and the new Executive Track. These additional education sessions made our conference more accessible to new and aspiring law enforcement executives, something crucial to the long term health of our association. We had more vendors and record attendance. I'm inspired by the environment we have created and humbled by the opportunity to lead this association.

The conference kicked off with a moving keynote address from NYPD Commissioner Keechant Sewell and welcoming remarks from DCJS Commissioner Rossana Rosado. We hosted 18 educational sessions including an inside perspective on the Buffalo Tops mass shooting from Buffalo Police Commissioner Joseph Gramaglia and FBI Special Agent In Charge Stephen Belongia. DCJS Director of Public Safety Johanna Sullivan gave an informative presentation on hiring and decertification. Chief Joe Sinagra and Rueben Lindo explained the law enforcement implications of legalized cannabis. Asheville Police Chief Dave Zack gave a presentation on the Asheville riots and also presented in the executive track on recruitment and retention innovations. Syracuse Police Lieutenant Matt Malinowski gave perspective on perspective with, "How an 8-year-old who stole a bag of chips made national news." It was a remarkable list of presenters speaking to a packed house.

Legislative matters have been a top priority for our board and this year we were honored to be joined by Governor Kathleen Hochul, the first sitting governor to address our conference in nearly twenty years. We were glad to hear the Governor pledge her support for law enforcement and her commitment to giving NYSACOP a seat at the table to develop policies that will keep New York safe.

***I'm inspired by the
environment we have created
and humbled by the opportunity
to lead this association.***

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FROM THE EXECUTIVE DIRECTOR CHIEF/RET. PATRICK PHELAN



Concealed Carry

Enactment of State Law Regarding Requirements to Carry a Concealed Firearm

Our legal team has compiled this synopsis of the newly enacted New York State gun laws. It is important to note that NYSACOP engaged with the Governor's office prior to the enactment of these laws and requested exemptions for off duty and retired police officers. These exemptions were included in the laws.

A state bill of interest to the membership regarding license requirements to carry concealed firearms and the designation of restricted areas has been signed into law by Governor Hochul. Chapter 371 of 2022 **takes effect on September 1, 2022** with certain exceptions that are noted below, including the re-classification of "body vest" to "body armor," which is now in effect.

Under New York State law, a person was permitted to obtain an unrestricted license to carry a concealed pistol or revolver outside of his or her home only if "proper cause" existed for self-defense. However, the Supreme Court, in the recent decision *New York State Rifle & Pistol Association, Inc. v. Bruen*, ruled that the "proper cause" requirement was unconstitutional. Therefore, the state legislature and Governor repealed the "proper cause" requirement for a license to carry a concealed firearm and enacted the following law changes that outline requirements for a license to carry a concealed firearm as well as designating places where a firearm cannot be possessed:



Sensitive Locations

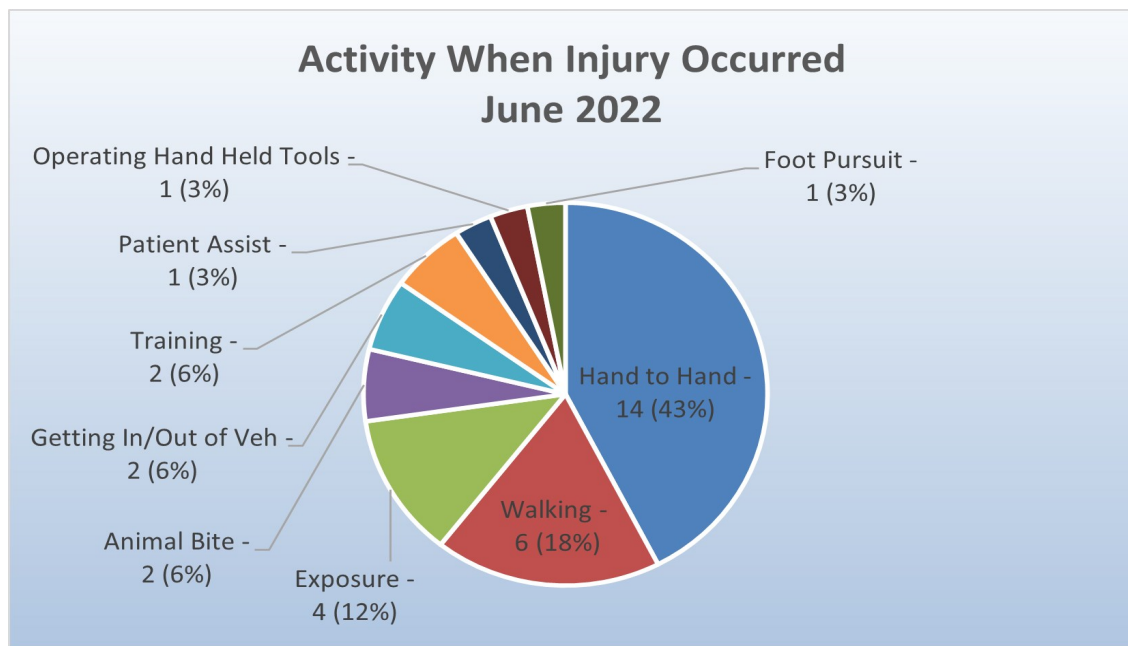
The new law identifies sensitive locations where carrying a firearm, rifle or shotgun is unlawful. Under new penal law § 265.01-e (criminal possession of a firearm, rifle or shotgun in a sensitive location), it is a class E felony to possess a firearm, rifle or shotgun in a sensitive location, regardless of whether the person has a concealed carry permit. The following have been identified as sensitive locations under the law:

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PERMA Law Enforcement/Corrections Injury Report - June 2022

The PERMA monthly injury report is based on workers’ compensation claims from PERMA-supported municipalities in New York State for law enforcement and corrections. Tracking the occurrence of workplace injuries enables us to be more proactive in protecting all of our member employees from injury and lost time. PERMA provides specific risk management initiatives for law enforcement to help advance safety culture throughout organizations. Learn more about us at www.PERMA.org/about.



Activities Breakdown of the 33 Claims Submitted

Hand to Hand - 14 (bitten, punching, laceration, struck, fell, twisted finger)

Walking - 6 (stairs, uneven surface)

Exposure - 4 (blood, spit)

Training - 2 (pepper spray, poison ivy)

Animal Bite - 2 (tick, K9)

Getting In/Out of Vehicle - 2 (hand in door)

Fire/EMS Assist - 1 (patient assist)

Foot Pursuit - 1 (fell)

Operating Hand Held Tools - 1 (stake pounder)

Please direct questions about this monthly report to [Pete Frisoni](#) (Public Safety Risk Management Specialist)

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At the banquet I had the honor of being installed as President of the New York State Association of Chiefs of Police. It's humbling to consider that a group of professionals I so admire have chosen me as their representative. I hope that our efforts gave every attendee the ability to leave with something new – a new idea, a new tool, a new connection, or a feeling of renewed energy after being away from the office for a few days. My commitment is to spend my term in service to others so that my time as President will create value for our colleagues across New York. I'm glad we could create engagement with everyone from the Governor, to the New York State Senate and Assembly, to the commissioners of our largest agencies, to friends new and old from near and far. I've benefitted tremendously from this association and hope to pass that on to our membership through a year of hard work, strong leadership, and committed advocacy on behalf of New York's police chiefs and commissioners.

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County District Attorney's Office, Monroe County Probation, Town of Greece Police, Town of Irondequoit Police, Town of Gates Police, Town of Brighton Police, Town of Webster Police, and Village of East Rochester Police. Smith said, "This same full force is being utilized to bring whomever is responsible for this heinous act to justice."

Smith said that additional details of the ongoing investigation would be provided as they became available. His statement concluded, "As we speak, the brave men and women of the RPD are continuing to protect our community despite this horrific and shocking loss to our community."



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

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- a. any place owned or under the control of federal, state or local government, for the purpose of government administration, including courts;
- b. any location providing health, behavioral health, or chemical dependence care or services;
- c. any place of worship or religious observation;
- d. libraries, public playgrounds, public parks, and zoos;
- e. the location of any program licensed, regulated, certified, funded, or approved by the office of children and family services that provides services to children, youth, or young adults, any legally exempt childcare provider; a childcare program for which a permit to operate such program has been issued by the department of health and mental hygiene pursuant to the health code of the city of New York;
- f. nursery schools, preschools, and summer camps;
- g. the location of any program licensed, regulated, certified, operated, or funded by the office for people with developmental disabilities;
- h. the location of any program licensed, regulated, certified, operated, or funded by the office of addiction services and supports;
- i. the location of any program licensed, regulated, certified, operated, or funded by the office of mental health;
- j. the location of any program licensed, regulated, certified, operated, or funded by the office of temporary and disability assistance;
- k. homeless shelters, runaway homeless youth shelters, family shelters, shelters for adults, domestic violence shelters, and emergency shelters, and residential programs for victims of domestic violence;
- l. residential settings licensed, certified, regulated, funded, or operated by the department of health;
- m. in or upon any building or grounds, owned or leased, of any educational institutions, colleges and universities, licensed private career schools, school districts, public schools, private schools licensed under article 101 of the education law, charter schools, non-public schools, board of cooperative educational services, special act schools, preschool special education programs, private residential or non-residential schools for the education of students with disabilities, and any state-operated or state-supported schools;
- n. any place, conveyance, or vehicle used for public transportation or public transit, subway cars, train cars, buses, ferries, railroad, omnibus, marine or aviation transportation; or any facility used for or in connection with service in the transportation of passengers, airports, train stations, subway and rail stations, and bus terminals;

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- o. any establishment issued a license for on-premises consumption pursuant to articles 4, 4-A, 5, or 6 of the alcoholic beverage control law where alcohol is consumed and any establishment licensed under article 4 of the cannabis law for on-premises consumption;
- p. any place used for the performance, art entertainment, gaming, or sporting events such as theaters, stadiums, racetracks, museums, amusement parks, performance venues, concerts, exhibits, conference centers, banquet halls, and gaming facilities and video lottery terminal facilities as licensed by the gaming commission;
- q. any location being used as a polling place;
- r. any public sidewalk or other public area restricted from general public access for a limited time or special event that has been issued a permit for such time or event by a governmental entity, or subject to specific, heightened law enforcement protection, or has otherwise had such access restricted by a governmental entity, provided such location is identified as such by clear and conspicuous signage;
- s. any gathering of individuals to collectively express their constitutional rights to protest or assemble;
- t. Times Square, as determined and identified by the city of New York, provided the area is clearly and conspicuously identified with signs.

There are certain exceptions to allow for possessing a firearm in a sensitive location including for police officers in New York State, retired police officers who worked in New York State, out of state police officers and retired police officers who are qualified to carry under federal law, designated peace officers, registered security guards while at their work location during their work hours, employees of banking institutions or express companies (i.e. armed truck guards) while in the course of their official duties, judges while in the course of their official duties, corrections officers while in the course of their official duties, persons lawfully hunting, persons operating a program that is a sensitive location out of their residence as long as possession is in compliance with the operation, and active-duty military personnel. **This section goes into effect on September 1, 2022.**

Restricted Locations

The new law also adds a new section 265.01-d to the penal law (criminal possession of a weapon in a restricted location), which makes it a class E felony for a person to possess a firearm, rifle, or shotgun and enter into or remain on or in private property where such person knows or reasonably should know that the owner or lessee of the property has not permitted the possession. A person knows or reasonably should know unless there are clear and conspicuous signs indicating that the carrying of firearms, rifles, or shotguns on the property is permitted or the owner or lessee has given express consent. Under this section, the default is that a firearm, rifle or shotgun is not permitted to be carried on private property. The property owner must give affirmative consent by signs or express permission in order for a firearm, rifle or shotgun to be possessed lawfully on the property.

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Division of Criminal Justice Services

Public Safety Symposium

The New York State Division of Criminal Justice Services (DCJS) is bringing together criminal justice professionals from around New York State and beyond for the 2022 Public Safety Symposium. This Symposium is being held in Albany, NY from **September 27 – 29, 2022** at the Empire State Plaza Convention Center.

The goal of the symposium is to convene executives, police command staff, prosecutors, community supervision, crime analysts, researchers, community members and criminal justice practitioners from around the state and country. Over the course of three days, attendees will share innovative ideas, evidence-based violence reduction practices, as well as updates on police reform and reinvention collaborations.

The Symposium is open to all members of the criminal justice community in New York State. Additionally, members of the Law Enforcement Training Directors Association of New York State (LETDANYS) will have a track of presentations that is specific for training directors.

The symposium currently has nearly 70 presentations on a wide variety of important public safety topics, including:

- Leadership
- Officer wellness
- Shared Public Safety initiatives
- Crime Gun Intelligence
- Crime Analysis
- Procedural Justice/Criminal Justice reform
- Community Supervision
- Law Enforcement training
- And many others...

We are also pleased to announce keynote addresses by:

- NYPD Commissioner Keechant Sewell
- Buffalo Police Commissioner Joe Gramaglia
- Dr. Chico Tillmon of READI Chicago.
- The full agenda, including additional keynote speakers, will be available soon!

Please register for the symposium at <https://chm.memberclicks.net/dcjs-public-safety-symposium-registration-form>

For questions on the symposium, please contact us at PublicSafetySymposium@dcjs.ny.gov.

To view the symposium trailer video on YouTube, please visit <https://youtu.be/aURi1-5oPwk>.

We look forward to seeing you in September.

Raymond Neves, Associate Training Tech-Police; Gun Involved Violence Elimination (GIVE) Initiative
(518) 402-8455 Fax: (518) 457-0145 raymond.neves@dcjs.ny.gov

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There are certain exceptions to allow for possessing a firearm in a sensitive location including for police officers in New York State, retired police officers who worked in New York State, out of state police officers and retired police officers who are qualified to carry under federal law, designated peace officers, registered security guards while at their work location during their work hours, employees of banking institutions or express companies (i.e. armed truck guards) while in the course of their official duties, judges while in the course of their official duties, corrections officers while in the course of their official duties, persons lawfully hunting, persons operating a program that is a sensitive location out of their residence as long as possession is in compliance with the operation, and active-duty military personnel. **This section goes into effect on September 1, 2022.**

Safe Storage of Rifles, Shotguns and Firearms

Under penal law § 265.45 (failure to safely store rifles, shotguns and firearms in the first degree), it is a class A misdemeanor if a person who owns or is the custodian of a rifle, shotgun or firearm and lives with a person under 16 does not keep the rifle, shotgun or firearm in a locked safe storage depository. The new law changes the requirement so that the owner or custodian of a rifle, shotgun or firearm has to lock it up if he or she lives with a person under 18. It is still not a violation of this law if a person less than 18 has access to: (i) a firearm, rifle or shotgun for lawful use at a pistol range; or (ii) a rifle or shotgun for hunting if the person under 18 has a hunting license.

The new law also adds a new subdivision (2) to penal law § 265.45, making it a class A misdemeanor for a person to store or otherwise leave a rifle, shotgun, or firearm out of his or her immediate possession or control inside a vehicle without first removing the ammunition from and securely locking the rifle, shotgun, or firearm in an appropriate safe storage depository out of sight from outside of the vehicle. The subdivision specifies that a glove compartment or glove box is not an appropriate safe storage depository.

Additionally, the new law mandates that all safe storage depositories are fire, impact and tamper resistant, whether in the home or a car. These changes take effect on September 1, 2022.

“Good Moral Character”

Pursuant to penal law § 400.00, one of the requirements to obtain a license to possess a firearm is that the applicant be “of good moral character.” The new law amends penal law § 400.00 (1)(b) to define “good moral character” as “having the essential character, temperament and judgement necessary to be entrusted with a weapon and to use it only in a manner that does not endanger oneself or others.” This change applies to license applications made on or after September 1, 2022.

Licensing Officers Required to Give Notice

The new law amends penal law § 400.00 (18) to require licensing officers, upon issuing a license, to give the licensee the following information: the grounds for which the license may be revoked, which includes, but is not be limited to, possessing in areas and locations where firearms, rifles, and shotguns are prohibited

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pursuant to new sections 265.01-d (Restricted Locations) and 265.01-e (Sensitive Locations) of the penal law; notification of the safe storage requirement; and any other information necessary to ensure such licensee is aware of their responsibilities as a license holder.

The new law also modifies the mandatory written wording of the notice given to license holders regarding safe storage of firearms to reflect the new requirements to store a firearm safely when residing with a person under 18 (instead of 16) and to store a firearm in a safe storage depository when the firearm is in a vehicle and is outside the owner's immediate possession or control. These changes take effect on September 1, 2022

Right to an Appeal Denial of License to Possess a Firearm

The new law amends penal law § 400.00 to create an appeals process for any denial of an application for or renewal or recertification or revocation of a license to possess a firearm. Under penal law § 400.00 (4-a), the licensing officer must issue a written notice to the applicant setting forth the reasons for the denial. The applicant may, within 90 days of receipt of the notice, request a hearing to appeal the denial to the appeals board, which will be created by the Division of Criminal Justice Services ("DCJS") and the superintendent of state police. This provision takes effect on April 1, 2023.

Revocation of a License

Further, pursuant penal law § 400.00 (11), in addition to the conviction of the licensee of a felony or serious offense or a licensee, at any time, becoming ineligible to obtain a license being grounds for revocation of a license, the new law specifies that if a licensee engages in conduct that would have resulted in a denial of a license, such conduct will be grounds for revocation as well. Further, the new law specifies that the licensing officer must revoke any license issued in which an applicant knowingly made a material false statement on the application. A revocation for any reason requires the licensing officer to give the licensee writing notice that includes the basis for the determination, which has to be supported by a preponderance of the evidence, and information on how to appeal the decision. These provisions take effect on December 3, 2022.

Training Requirements for Concealed Carry License

The new law also specifies the training requirements for a license to carry a concealed firearm in the newly added subdivision (19) of penal law § 400.00. Applicants for a license to carry a concealed firearm or to renew such a license will be required to complete a 16-hour in-person live firearms safety course with curriculum approved by DCJS and the superintendent of state police with a minimum of two hours of a live-fire range training course. The applicant will be required to demonstrate a proficiency level determined by DCJS. The applicant will receive a certificate of completion after meeting the requirements. **The training requirement applies to any application for a concealed carry license made on or after September 1, 2022 and to subsequent renewals.** Note that an applicant for the renewal of a concealed carry license who

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was issued such a license before September 1, 2022 will only have to complete this training upon the first renewal after September 1, 2022.

Retired law enforcement officers who carry under a New York State license will have to take the training in order to obtain a concealed carry license. The training requirement does not apply to retired officers who are carrying solely because of their status as a “qualified law enforcement officer” under federal law, H.R. 218 or 18 U.S.C. § 926C (Law Enforcement Officers Safety Act of 2004).

License Renewal Period

Pursuant to new paragraph (d) of penal law § 400.00 (10), a license to carry a concealed firearm must be renewed every three years following the issuance of the license. Such licenses that were issued more than three years prior to September 1, 2022 or will expire before September 1, 2023 must be recertified or renewed within one year of September 1, 2022.

Concealed Carry License Disqualification

In addition to the requirements for a license to possess a firearm, as delineated in penal law § 400.00 (1), which includes being free from a felony or serious offense conviction, for a license to carry a concealed firearm, an applicant must also not have been convicted, within five years of the date of the application, of third degree assault under penal law § 120.00; a misdemeanor of driving while under the influence of alcohol or drugs in violation of vehicle and traffic law § 1192; or menacing, as defined in penal law § 120.15. A concealed carry license holder committing one of these offenses will be grounds for revocation of such license. Additionally, pursuant to penal law § 400.00, the Department must deny a license to a person who has been involuntarily committed under New York State law. The law now requires the Department to deny a license to a person who has been involuntarily committed pursuant to laws of other states that are substantially

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Check our Training Calendar at the end of this
Chiefly Speaking. Includes links for Registration,
Information, and Questions!**



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similar to New York State law. **These provisions apply to applications for concealed carry licenses made on or after September 1, 2022.**

Additional Requirements for a Concealed Carry License

For a license to carry a concealed firearm, applicants must: meet in person with the licensing officer for an interview and must also, in addition to any other information or forms required by the license application for the purposes of a background check, submit to the licensing officer the following: (i) names and contact information for the applicant's current spouse, or domestic partner, any other adults residing in the applicant's home, including any adult children of the applicant, and whether or not there are minors residing, full-time or part-time, in the applicant's home; (ii) names and contact information of four character references; (iii) certification of completion of the training requirement; (iv) a list of former and current social media accounts of the applicant from the past three years; and (v) any other information required by the licensing officer that is reasonably necessary and related to the review of the licensing application. **These requirements apply to applications for concealed carry permits made on or after September 1, 2022.**

Exemption for Live-Fire Training

Penal law § 265.20 (exemptions) has been amended by adding a new paragraph (3-a) to allow for possession of a pistol or revolver by a person undergoing live-fire range training pursuant to penal law § 400.00 while the person is undergoing training and is supervised by a duly authorized instructor. **This provision goes into effect on September 1, 2022.**

Statewide License and Record Databases and Ammunition Sales

The new law amends penal law § 400.02 to clarify that all records containing granted license applications from all licensing authorities will be checked monthly (instead of periodically) by DCJS, in conjunction with the division of state police, against criminal convictions, criminal indictments, mental health records, extreme risk protection orders, orders of protection, and all other records that are necessary to determine their continued accuracy as well as whether an individual is no longer a valid license holder.

Additionally, the new law adds a new subdivision (2) to penal law § 400.02 to create a statewide license and record database specific for ammunition sales to be maintained by the division of state police. Under this new provision, no later than 30 days after the superintendent of state police certifies that the statewide license and record database established for ammunition sales is operational, a licensed firearms dealer or ammunitions seller cannot sell ammunition unless the dealer or seller contacts the statewide license and record database and is given a unique identification number to certify that the buyer is eligible to possess ammunition, and the seller has verified the identity of the buyer by examining a valid identification issued by the Department of Motor Vehicles or, if the buyer is not a resident of New York, a valid identification document issued by the buyer's state or country of residence containing a photograph of the buyer.

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All records containing granted license applications from all licensing authorities will be checked monthly by DCJS, in conjunction with the division of state police, against criminal conviction, criminal indictments, mental health, extreme risk protection orders, orders of protection, and all other records as are necessary to determine their continued accuracy as well as whether an individual is no longer a valid license holder. DCJS will also check pending applications against the records to determine whether a license may be granted. All state and local agencies must cooperate with DCJS in making their records available for such checks.

Granting City Additional Authority

The new law also adds penal law § 400.30 (application), which states that nothing in penal law article 400 (licensing and other provisions related to firearms) is to be construed to impair or in any way prevent the enactment or application of any local law, code, ordinance, rule or regulation that is more restrictive than any requirement set forth in or established by the article. Therefore, the city of New York will have authority to enact further gun regulations.

Body Vest Re-Classified as Body Armor

The state had previously passed a law banning the purchase or sale of body vests (See DCLM 12-72/2022 attached). The law was amended by re-classifying “body vest” as “body armor.” Therefore, the definition of “body vest” is repealed and the definition of “body armor” is set forth in penal law § 270.20 (2) as “any product that is a personal protective body covering intended to protect against gunfire, regardless of whether such product is to be worn alone or is sold as a complement to another product or garment.” This definition includes hard body armor.

This reclassification also applies to general business law § 396-eee (unlawful sale or delivery of body armor) and executive law § 144-a (eligible professions for the purchase, sale and use of body armor). A police officer is an eligible profession.

These changes are in effect.

Point of Contact State for NICS

For the purposes of the National Instant Criminal Background Check System (“NICS”), New York is not currently a point of contact state. As a result, in New York, firearms dealers initiate the background check required by federal law by contacting the FBI directly. However, this new law makes New York a point of contact state. Under the new executive law § 228, the division of state police will be the point of contact for NICS. Background checks will, therefore, be initiated by firearms dealers contacting NICS directly.

This new section also mandates that the division of state police create and maintain a statewide firearms license and records database, which will contain records held by the division of state police and any records that it is authorized to request from DCJS, office of court administration, New York state department of health, New York state office of mental health, and other local entities. Such database will be used for the

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certification and recertification of firearm permits under section 400.02 of the penal law, assault weapon registration under subdivision (16-a) of section 400.00 of the penal law, and ammunition sales under section 400.03 of the penal law. The database will also be used to initiate a national instant criminal background check upon a request from a licensed dealer.

Further, the new law adds section 400.06 (national instant criminal background checks) to the penal law. Under this new section, it is a class A misdemeanor for any dealer in firearms to sell, deliver or otherwise transfer any firearm without contacting the division of state police to conduct a national instant criminal background check pursuant to executive law § 228.

These provisions go into effect on July 15, 2023.

Expanding the Definitions of Rifle and Shotgun

The new law also amends the definitions of rifle and shotgun to include those where each projectile is loaded individually before use. Penal law § 265.00 (11) is amended so that the definition of “rifle” is a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive to fire only a single projectile through a rifled bore for each single pull of the trigger using either: (a) fixed metallic cartridge; or (b) each projectile and explosive charge are loaded individually for each shot discharged. In addition to common, modern usage, rifles include those using obsolete ammunition not commonly available in commercial trade, or that load through the muzzle and fire a single projectile with each discharge, or loading, including muzzle loading rifles, flintlock rifles, and black powder rifles.

Penal law § 265.00 (12) is also amended so that the definition of “shotgun” is a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive to fire through a smooth or rifled bore either a number of ball shot or a single projectile for each single pull of the trigger using either: (a) a fixed shotgun shell; or (b) a projectile or number of ball shot and explosive charge are loaded individually for each shot discharged. In addition to common, modern usage, shotguns include those using obsolete ammunition not commonly available in commercial trade, or that load through the muzzle and fires ball shot with each discharge, or loading, including muzzle loading shotguns, flintlock shotguns, and black powder shotguns.

These provisions go into effect on September 1, 2022.

SPD Deputy Chief Derek McGork Named Director of Security for Le Moyne

Derek McGork '97, a 23-year veteran of the Syracuse Police Department (SPD), has been selected from a strong pool of candidates to become the College's director of security. Currently one of four individuals serving as deputy chief for a police force with an authorized strength of 423 sworn officers and 165 civilian personnel, McGork will begin in his new position on Monday, Aug. 1.

"I'm proud and excited to return to my alma mater to serve our students and the campus community in this role," said McGork. "Throughout my career in law enforcement, both as an officer and an administrator, I have enjoyed working collaboratively with a diverse group of individuals to build and develop positive relationships to ensure delivery of progressive, accountable, transparent and effective public safety services."

A 1997 graduate of Le Moyne who majored in business administration and marketing and minored in information systems, McGork currently serves as chief of the uniform bureau, responsible for the executive leadership and oversight of the day-to-day operations of roughly 250 sworn uniformed officers. Prior to that, he served three years as chief of the Investigations Bureau, where his duties included management of the Criminal Investigations Division, Special Investigations Division, Criminal Intelligence Section and the Emergency Response Team. He also served on the executive board of the Federal Bureau of Investigation Joint Terrorism Task Force. During his time as chief of the Investigations Bureau, he also assisted with the development and implementation of the Syracuse Police Reform & Reinvention Plan, aimed at increasing police accountability, improving transparency and strengthening police-community relations.

Among his other roles during his career with the SPD were detective sergeant in the homicide squad, detective in the cold case squad, a hostage negotiator for the crisis response team, and, since 2005, an instructor for the department. He began his SPD career in 1999 as a uniformed police officer.

In addition to his work at SPD, since 2016 McGork has taught criminology courses at Le Moyne, and he has also taught at Onondaga Community College. He is a member of the Le Moyne College Information Systems



**Derek McGork is New Director of Security for
LeMoyne College in Syracuse**

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Advisory Board, the International Association of Chiefs of Police, the New York State Association of Chiefs of Police, the Central New York Association of Chiefs of Police, the Onondaga County Association of Chiefs of Police and the Police Executive Research Forum. In addition to his undergraduate degree, he also holds a Master of Advanced Study from the University of California at Irvine, majoring in criminology, law and society.

“Beyond his extensive expertise within multiple areas of law enforcement, Derek is a proven manager and leader,” said Joe Grasso, vice president for finance and administration. “Derek’s focus on community relationships, along with his time as a student and as an adjunct professor at Le Moyne, will allow him to build strong relationships with various student groups and with our neighbors.”



SAVE THE DATE

LEADERSHIP SUMMIT



Developed for New York State’s police executives, a special training and information session addressing prevailing topics in public safety, including a focus gun violence.

A partnership project of the New York State Sheriff’s Association and the New York State Association of Chiefs of Police.

November 9-10, 2022

Queensbury Hotel, Glens Falls, NY

Details and Registration Information Coming Soon

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Instructor: Greg Veitch is a 25-year veteran of law enforcement and published author with experience at all levels of leadership, retiring as Chief of Police with the Saratoga Springs, NY Police Department. Greg holds a master's degree in Leadership and is a graduate of the FBI National Academy. He has taught Transformational Leadership principles to hundreds of police leaders of all supervisory ranks.

To register for this course contact:

Email: gregveitch@noblecausetraining.com
 Phone: 518-857-2329
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Mayor Walsh and Chief Cecile Announce Promotion of Mark Rusin to Deputy Chief of Syracuse Police Department

Syracuse Mayor Ben Walsh and Syracuse Police Chief Joe Cecile announced the promotion of Mark Rusin to Deputy Chief of Police. Rusin, who has been a member of the Syracuse Police Department (SPD) since 2006, most recently served as Detective Sergeant. Rusin is known in the Department and the community for his work on the implementation of the Department's body-worn camera program, updated department policies and procedures and police reform initiatives.

"Mark's knowledge of law enforcement and his deep concern for the community has earned the respect of his fellow officers and residents and stakeholders with whom he has partnered to implement progressive, 21st-century police practices in Syracuse," said Mayor Walsh. "From his work on police-community dialogue circles to helping train officers on new policies and procedures to being a liaison to the Citizen's Review Board, Mark has demonstrated the ability to bring the community and our officers together to make the Syracuse Police Department the very best it can be."

"Sgt. Rusin has worked tirelessly to elevate the professionalism of the Syracuse Police Department through best practice training, policies, and procedures. He has also worked tirelessly in the community, working with a multitude of civic organizations on Criminal Justice Reform, Executive Orders, far-reaching and inclusive policies and procedures, as well as overall transparency," said Chief Cecile. "Because of this breadth of work, he is widely known and respected both within the SPD and in the community."

Rusin will oversee the Department's Uniform Bureau, replacing former Deputy Chief Derek McGork who left the Department earlier this month to become Director of Security at Le Moyne College.

Working as the Legal Affairs Liaison in the Office of the Chief of Police, Rusin played a lead role in the creation and implementation of the SPD's updated policies, including its Use of Force Policy in 2019, which is recognized as a model policy in New York State. Rusin has also been instrumental in developing and overseeing Mayor Walsh's Executive Order No. 1 enacted in 2020, which set forth sixteen pillars of police reform. He also helped draft the Syracuse Police Reform and Reinvention Plan created under a New York State Executive Order and has served on the Mayor's Police Oversight Reform Committee. Rusin also drafted the SPD's body-worn camera policy and supervised the rollout of the program to the police force.

Rusin served as a Patrol Officer in the Uniform Bureau from 2007 to 2009. He was a Detective in the Criminal

(Continued on page 19)



Mark Rusin becomes Deputy Chief of Syracuse Police Department. Pictured at recent NYSACOP Conference where Rusin was a presenter on Officer-Involved Shootings.

Photo: NYSACOP

(Continued from page 18)

Investigations Division from 2009 to 2018, investigating felonies, including multi-jurisdictional cases at the local, state and federal level. Rusin became a Legal Services Liaison in 2018. In addition to the Use of Force Policy, Rusin represented the Department when writing the “Interactions with Transgender Individuals” and was the department liaison to the local LGBTQ+ community. He is part of the SPD team working with the Onondaga County Department of Mental Health to create multi-agency and alternative response police for handling encounters with persons in crisis.

Rusin has been a Police Academy and In-service Instructor since 2011. Rusin received the Post Standard Award for Excellence in Criminal Investigation in 2017, the InterFaith Works Leader Award in 2017, the Chiefs of Police Association Award in 2016, the Police Benevolent Association Merit Award in 2016 and the Chief’s Achievement Award for Bravery in the Line-of-Duty in 2012.

Rusin has a Bachelor of Arts degree from the State University of New York at Geneseo and a Master’s of Science in Criminology Law and Society from the University of California at Irvine.

Press Release; City of Syracuse, Aug. 5, 2022

State Police in Watertown Investigating Vehicle vs. Amish Buggy Crash

On August 8, 2022, at 2:32 p.m., a 2007 Honda Odyssey, operated by Anthony J. Morrow, age 55 from Theresa, NY was traveling northbound on State Route 37 when he failed to observe an Amish horse-drawn buggy that was traveling

northbound. The vehicle struck the Amish buggy from behind. The sole occupant of the Amish Buggy, Joe Swartzentruber, age 29 from Evans Mills, NY was transported to Samaritan Medical Center and is listed in stable condition with a head injury. Morrow was not injured in the crash, he was issued tickets for failure to use due car approaching a horse, following too closely, and speed not reasonable and prudent.



The investigation is continuing.

Evans Mills Fire and Ambulance also responded and assisted at the scene.

New York State Police Press Release and Photo.

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Transcript: Governor Kathy Hochul Remarks at the New York State Association of Chiefs of Police Annual Conference

VIDEO of the event is available on YouTube [here](#) and in TV quality (h.264, mp4) format [here](#).

AUDIO of the event is available [here](#).

Good morning. And thank you, Kevin, for that introduction. I had a real treat this morning, which is to meet your children, Lucy and Henry. So, I'm a mom. Any time I get to see little kids, it's refreshing. And it's great to see everyone here this morning and at this important training session. I know it's been going on for over a hundred years where you have a chance to come together and share ideas.

And I know a little bit about this business, having been married to a federal prosecutor for 30 years, and we always went to the Chiefs of Police of Erie County, Western New York events all the time. And I also, as a

local official, had the privilege of hiring many of the members of our police force. I did the interviews. I helped find an incredible individual to lead our police department at the time, Carmen Kesner from the Town of Hamburg, who still remains a great friend. So, I have always felt close to this community and your leadership has always been needed but needed now more than ever because of the challenges that we all face.

And so, I thank Kevin for assuming the position of leadership in becoming President and Pat Fallon and Tim Parisi, the outgoing President as well. So, leadership matters. Before I do talk about some of

my reflections, I do want to just acknowledge the collective pain that all of us feel as New Yorkers at the loss of one of our own.

I'll be at the funeral very soon. I think on Monday. Anthony Mazurkiewicz, father, 29-year veteran of the Rochester Police Force, who was just simply doing his job. And when you get that call, and all of you have experiences, that one of our own has gone down in the line of duty. It's a reminder of the fragility of life and the sacrifices that all of you are willing to make and your families are willing to make when you put on that uniform.

And as the chiefs, I know that's something you also feel deeply when you lose one of you own. So, I've been to far too many funerals of police officers across the State. And I will always continue to just call out, reject the violence. Those of you who are willing to sacrifice your lives to keep us safe deserve respect. You deserve our support, our vocal support. And that the era of denigrating our police has to be over. That we support you. We support you, 100 percent.



And that includes funding. We'll always be funding our police departments. And I'll get into that in a couple of minutes. So, I do also want to talk about just my opportunities to engage. It's a solemn occasion, but I try very hard in my eight years as Lieutenant Governor, now as Governor, to never miss gathering in Albany for the memorial service to honor those we lost.

And whether they're in active duty or people that ultimately succumbed to 9/11 illnesses, a lot of people went down there, and 20 years ago, stood shoulder to shoulder with people on the pile trying to recover the bodies of people we lost on that day. So, we're always dealing with that sense of emotion, but also the stress of the everyday job when you don't feel that there is support from a community. That has to be an extra burden, and I'm going to continue to work as your Governor to just remind everybody of how we do not have a civilized society without you.

You are at the front line out there to keep us from descending into chaos. And it's something that I think about a lot as Governor because we share the common objective: My number one responsibility as the Governor of New York is to protect New Yorkers. And that is also the same oath that all of you take to protect and to serve. So, we are aligned in our common objectives here, and we will be a better, stronger state when we find ways to bring together that common passion that drew you to your profession and drew me to mine, which is to simply serve others.

Governor Hochul: "You are at the front line out there to keep us from descending into chaos. And it's something that I think about a lot as Governor because we share the common objective: My number one responsibility as the Governor of New York is to protect New Yorkers. And that is also the same oath that all of you take to protect and to serve...We will be a better, stronger state when we find ways to bring together that common passion that drew you to your profession and drew me to mine, which is to simply serve others."

So, we've overcome a lot together. I do believe that there's always opportunities for improvements in relationships. This is what I'm trying to do as a new Governor, trying to dial back a lot of the drama involved and just work with people. Treat people with respect, bring them to the tables.

And I believe that there has been a shortcoming for years in terms of making sure that the voices of law enforcement are there when we're talking about policies that affect what you do every day. You have an important perspective that needs to be heard and needs to be shared. So, I've asked my team - I've said we're working on legislation. We're talking about red flag laws, for example, trying to strengthen them to protect society when we see threats that are already out there, that we can connect the dots more often, that we work

with you to get your perspectives on what we should be doing. And that's going on right now. And I told my team to be reaching out to this organization to make sure you're at the table with us.

So, these are the simple things that we can do is to change people's attitudes and say, "We're on the same side here." And the more I can say that and reinforce that as Governor, I believe that we can make real progress toward mutual understanding between the people the communities that are supposed to protect and the communities themselves, and a trust has to be rebuilt.

And I know all of you are committed to that. You want to see that. And we've seen experiences where people have stepped up and shown a creative way to engage in the communities like we see in Newburgh with the engagement with the local community and having movie nights and just talking to people and treating them with respect as well.



I think that's going to go a long way. We're just working closely together on eradicating this spike in cases and spike in gun violence. And what we have to do is continue support. I mentioned funding. I have said no one will ever say the words defund the police in my presence. That is not going to go anywhere. You're not going to make friends with me if you say that. In fact, in my budget, I said, "We're going to show our commitment to making sure you have the resources to do what you need to do." So, our funding for local law enforcement agencies is now \$393

million annually. That is our budget. We put that in. I said I wanted to see increases.

We also have \$227 million to help strengthen our gun violence protection efforts across the state. And part of that is our Gun Violence Elimination Initiative, which I know many of you participate in. \$18 million for that. And that's to help communities that have been hardest hit by gun violence.

Also, our crime analysis centers. I do hope that you're engaged with this. I really wanted to stand these up and make sure that they're really an active resource for you as we share information. That's how we're solving crimes. That's how we're getting ahead of the bad guys. The ones who are out there plotting every day how to prey on our citizens. We have to analyze this and share data. And I believe that we can be doing more. We have 10 facilities across the state and we're working closely with over 350 law enforcement agencies. And those of you who are participating in the training, I do hope you're starting to see the benefit of this cooperation.

And what we've also done is tripled the amount money we've been spending on the community-based violence responses, where people who've been through the criminal justice system go back out into communities and try to partner with police and the authorities to just get people make the right decisions, so they don't go down that wrong path that they may have themselves.

We also are going to continue fighting. Our budget just passed and some of these laws just went into effect to give the law enforcement more opportunities to have arrests for repeat offenders and property thefts and gun violence cases and hate crimes. All of those are now covered back under the law that had not been covered before. We also gave more authority for our judges to analyze the severity of an offense when they're making their decision. So, all these are not out there in the news, but that's exactly what we did in our budget. Just passed. Just went into effect a couple of weeks ago.

We are very concerned also about people with mental health problems that are posing threats to our law enforcement, as well as to our citizens. So, we have to address that head on. It got worse during the pandemic. Everybody knows it got worse during the pandemic, and now you are having to deal with this. I mean, members of your police departments, your police forces, are dealing with this problem more than they probably ever have in their lifetimes. And it's really having an effect, and we have a responsibility as government to help people get support and help and stop them from being a threat to society.



I also want to mention that I stood up a new task force - first time ever we've had an interstate gun interdiction task force because of the flow of illegal guns coming from other states. We now have nine states including - and also the NYPD is participating, ATF, local chiefs of police, our district attorneys. I go to the meetings. The meetings are in Albany every month or so. We're going to do another meeting with the head of ATF for the country next month. And what I'm doing at this opportunity is to talk about how we can be sharing information as people cross state lines. I want to know where the guns are coming from. I want to know the point of entry. I know where they're going when they get here. And I've deployed my state police department to be heavily involved in working on this with all of you. This is how we start protecting our communities is the stop the flow of illegal guns coming to our communities.

But also, we've had to make some changes to our own laws. It was so clear after we saw the massacre of 10 neighbors in my community of Buffalo. Literally 10 minutes from my home, that Tops Grocery Store, and I'm going back there again this weekend to just help this community heal. It was absolutely devastating. But after we came back from that and we assessed, connecting the dots, what went wrong in that scenario, we realized we needed to pass a number of laws and change some laws saying that 18-year-olds should not have their

(Continued from page 24)

hands on AR-15s.

Because a short time later, an 18-year-old also went into Uvalde and destroyed the lives of 19 children. So, we changed the law to say, you at least have to be 21 years old. We think that is reasonable. It makes sense. It's going to help protect your members as well, but also closing some of the loopholes that were out there and we're now starting microstamping.

I believe that this is going to, it's going to take a little time to develop, but ultimately this will allow you, as you're trying to solve crimes, have a fingerprint on a bullet so you can trace it. It doesn't affect anybody's right to own a weapon, own a gun. You will always continue the legal permit process.

That's what we're going to focus on, making sure that that runs smoothly. I used to run the pistol permit office. I was the County Clerk. I issued all the pistol permits. So, I understand the process and the background checks that are involved. I also understand people's rights but being able to trace where a bullet originated is going to help all of you be able to do your jobs as well.

So, we're focused on that. Also, we're focusing on hate speech because so many times the intent of a mass killer is telegraphed to everybody on social media but no, one's been able to see that. And so, our State Police have stepped up with the monitoring. I've added more staff to that agency to focus on this, as well as having this, asking the Attorney General, to investigate the role of hate speech in people's activities, how they're becoming radicalized sitting in their house, being able to download videos of other mass shootings as we saw happen with the Buffalo shooter.

You know, he had already been watching the Christchurch Massacre over and over, as inspiration for his, you know, his radicalization. So that's what we're focusing on. Also trying to help identify and track ammunition is coming from. And I do want to give a shout out to the incredible leadership we saw in Buffalo at that time.

Commissioner, Joe, are you here? Are you in the room? I don't know if he's here or not. He left. Well, let's give him a round applause anyhow. Because that Joe Gramaglia, you talk about leadership in a crisis. He calmed a whole community down. His leadership, his calm, his sense of having it all together and knowing that the police were there to support this community that was so, so devastated. His leadership will go down in history as a hallmark to what a police chief can do to a community that is reeling in pain.

And I'm so proud to come from a city where our chief, our commissioner stood up in such a profound way. So, I do want to acknowledge him and recognize that so many of you unexpectedly are called to stand up and be that face of calm and reassurance to a community that is so anxious about what has happened to them, the terrorism that just occurred in their own community.

So, I want to just leave with you with a couple thoughts. We are making progress. This is a high priority of

(Continued on page 26)

mine to make sure that we start eradicating gun violence, fighting crime, working together in teamwork. That's something that hasn't happened before. We have seen a decline in gun shootings and violence.

We really have. Down about eight percent statewide, down 12 percent in New York City. So, we're starting to turn the corner. You know, we're comparing our numbers with the last two years. We're also going way back into 2012. And we're seeing, you know, property crimes are down 28 percent, violent crime is down about four or five percent, but we still have challenges.

I'm not going to say, "Oh, the numbers are good. We're all set." We're not there yet. Until I can guarantee that every New Yorker is safe from crime, we're not done. We're not done. But I know that working together in the spirit of collaboration, which has not been there before, that we can bring this State together, and that's the State I want to continue to lead as your Governor, but also, I will be able to form my responsibilities, but I show the respect to what you do every day and bring you to the table so we have your voices at the table, and we're making decisions. So, so I thank you. I thank you for being willing to just serve the communities in such a profound, powerful way, a visible reminder that a community is going to be safe because you dress up in your uniform every day and you show up to work.

That is very impactful for all of us. We need that. We need that sense of security because fear is debilitating. When people are afraid to walk down the streets afraid of having their house broken into when they leave, fearful something's going to happen to their children. That is debilitating.

We all have a responsibility to try and eradicate that. Give people the sense of security they deserve as a New Yorker, someone living in our State. They're the people that we are collectively fighting for every single day. So, thank you. Thank you for what you do, and I'll continue to support you in every way I can. Thank you very much for the opportunity to speak.



SAVE THE DATES

**New York State Association of Chiefs of Police
Annual Training Conference**

The Desmond Crowne Plaza, Albany

July 16-19, 2023

Rochester Man Pleads Guilty To Rioting During Rochester Civil Unrest In May 2020

ROCHESTER, N.Y. - U.S. Attorney Trini E. Ross announced today that Marquis Frasier, 29, of Rochester, NY, pleaded guilty before U.S. District Judge Charles J. Siragusa to rioting, which carries a maximum penalty of five years in prison, and a \$250,000 fine.

Assistant U.S. Attorney Cassie M. Kocher, who is handling the case, stated that on May 30, 2020, Frasier participated with others in a public protest near the Public Safety Building on Exchange Street in Rochester, which turned violent and resulted in vandalism, damaged property, looting, and fires. During the course of the protest, Frasier and others set fire to a mobile office located across the street from the Public Safety Building. Frasier assisted in lighting the mobile office on fire by throwing a bottle containing an accelerant and a rag into the mobile office. The burning of the mobile office was broadcast and recorded on Facebook Live, which streamed the burning of the mobile office online in real time. The mobile office was completely destroyed by fire.

The plea is the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives, under the direction of Special Agent-in-Charge John B. Devito, New York Field Division; the Rochester Police Department, under the direction of Chief David Smith; the Gates Police Department, under the direction of Chief James VanBrederode; the Monroe County Sheriff's Office, under the direction of Sheriff Todd Baxter; the New York State Police, under the direction of Major Barry Chase; the Federal Bureau of Investigation, under the direction of Special Agent-in-Charge Stephen Belongia; the Monroe County District Attorney's Office, under the direction of District Attorney Sandra Doorley; the Greater Rochester Area Narcotics Enforcement Team; the Rochester Fire Department, under the direction of Fire Chief Willie Jackson; and the United States Marshal's Service, under the direction of United States Marshal Charles Salina.

Sentencing is scheduled for October 6, 2022, at 10:00 a.m. before Judge Siragusa.

Press Release: U.S. Attorney WDNY; July 8, 2022



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State Fire Administrator

TO: Law Enforcement Officers in the State of New York
c/o New York State Sheriff's Association
c/o New York State Association of Chiefs of Police

FROM: Bret Welch, Deputy Chief
Investigation Branch-Training Courses
Bret.Welch@dhses.ny.gov
607.228.3105

SUBJECT: Post Blast Investigation Course Offering

DATE: June 30, 2022

The following course is offered annually and is delivered in conjunction with the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives:

Begins August 29th, 2022 at 13:00 & ends September 2, 2022.

Contact DC Welch at bret.welch@dhses.ny.gov or 607.228.3105 for any questions.

Course Description:

Post Blast Investigation

This course provides instruction related to explosives identification, component recognition, improvised explosive devices, blast effects, and laboratory analysis services. Attendees will observe an explosives demonstration and participate in scene processing and evidence collection exercises.

Designed for: All fire and law enforcement personnel, emphasis toward those with responsibility to investigate explosion incidents.

Course Length: 32 hours

Prerequisites: None

Course number: 01-01-0025

Course Location(s): Academy of Fire Science

Student Required Equipment/Materials: Personal protective equipment for scene processing as well as eye and ear protection.

Looking Back...



*Chief John Jameson of the Cohoes Police Department
NYSACOP Member in 1915*



COP TALES

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

Do You Forgive Me?

I was playing ice hockey one afternoon with a bunch of guys and when we returned to the locker room, we noticed that someone stole about five of our cell phones and other items. We reported it to the police and they were not able to locate the suspect. I continued to follow-up. Without discussing any of the details, I located the location of my phone about 9:30 that evening. I called the police detectives, but they could not respond. I called a detective from my own agency and he said he would meet me there. I had my unmarked patrol car at home and so I headed in that direction to see if I could at least see the neighborhood. As I approached the location, a bunch of guys were exiting a van. I stopped and ordered them to stand still just as my detective pulled up. I ran the license plate of the van and it returned as a stolen vehicle. There were two expensive bicycles in the back, amounts of methamphetamine, syringes, and our five cell phones. A few city police cars arrived and took over the investigation since the original theft occurred in their city.

One of the officers called me over to the main suspect and told me the guy wanted to talk to me. I asked him what he wanted. He had tattoos all up his neck and some on his face. He asked me if I remembered him. He told me he played hockey with me years ago and he used to coach his son's team. I did not remember him. He told me he was a drug addict, he was separated and his wife would not let him see his son. He said he went to the ice rink to reminisce, but then decided to see if he could steal anything to buy drugs. He told me how sorry he was and asked if I forgave him.

I told him he wasn't sorry he stole the items, he was just sorry he got caught. He told me he was desperate and he was truly sorry. I started to walk away when he repeated, "Do you forgive me? I truly am sorry." I turned around and told him that I did not forgive him. I then told him if he wanted me to forgive him, he had to clean up his act, get off drugs and straighten up his life. I then walked away.

Approximately two years later, I was at an AHL hockey game at our main arena when a guy with a little boy approached me and called my name. I could see "faded" tattoos on his neck and face. He asked me if I remembered him. Since I did some work at a drug treatment center in the past, I asked if he was from that place. He said, "No Sir. I am the one who stole your cell phone. I always remembered what you said about

(Continued on page 32)

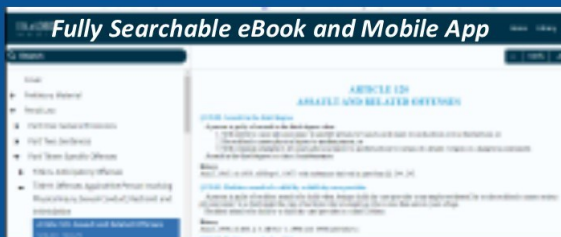
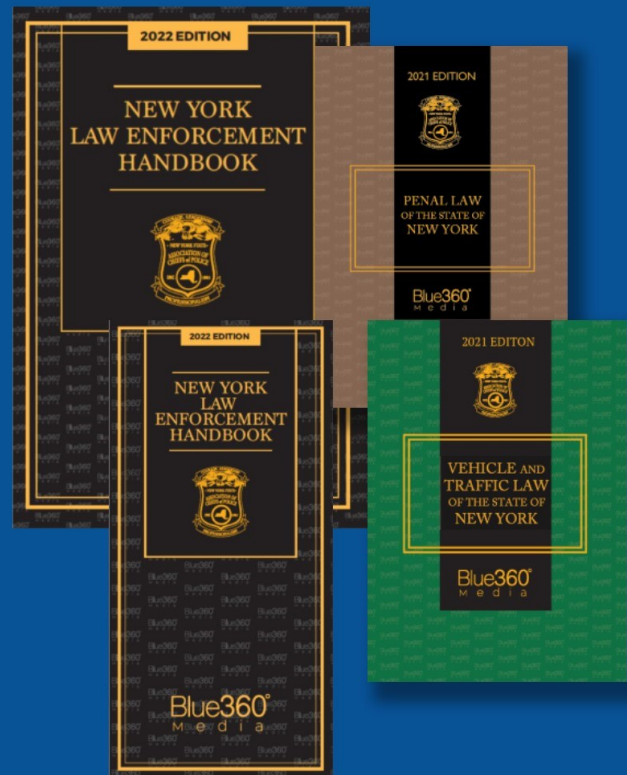


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◀ Podcast describes content and changes to 2022 Law Enforcement Handbook—[Click Here](#)

Last month's winner of a free New York State Law Enforcement Handbook was Capt. Steve Minard (Poughkeepsie PD) for correctly answering our monthly trivia question. Congratulations Capt. Minard! —your free New York State Law Enforcement Handbook is on the way from Blue 360° Media!



not forgiving me unless I straightened out my life, so I got off drugs, took classes, I am having my tattoos removed, I got a job, I'm working things out with my wife, and she allows me to take my son places. I came to a couple games figuring I would eventually see you here." I was totally shocked. He looked at me and said, "Do you forgive me now?" I instinctively just reached out, hugged him and said, "Absolutely. I am very proud of you." We talked a little longer and I can tell you we both left that meeting with tears in our eyes. It was one of the highlights of my career.

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

State Police Investigate Fatal Industrial Accident

The investigation revealed a 47-year-old male was standing near the loading container when a cable snapped, causing the container to roll back towards the trash compactor pinning the victim between the two.

The victim was pronounced deceased at the scene.

The investigation is continuing, however foul play was not suspected.

State Police were assisted at the scene by Long Lake EMS and fire personal.

New York State Police Press Release; August 9, 2022



Contact Us

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Visit us on the web at www.nychiefs.org
New York State Association of Chiefs of Police
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Start Planning Now:

Halloween Impaired Driving Prevention

October 31, 2022 (Monday)

Halloween is meant to be scary, but not when it comes to driving.

56 people were killed in 2020 on Halloween night in drunk-driving crashes.

Drug-Impaired Driving

In 2019, 49% of drivers who were killed in crashes and were tested for drugs, tested positive.

Now available: [Halloween drug-impaired campaign materials](#) for *If You Feel Different, You Drive Different*.
(The Social Media Playbook will be available soon.)

Use these marketing tools, which can be distributed to fit your local needs and objectives. These materials will partner your office with other States, communities, and organizations on this impaired driving prevention initiative.

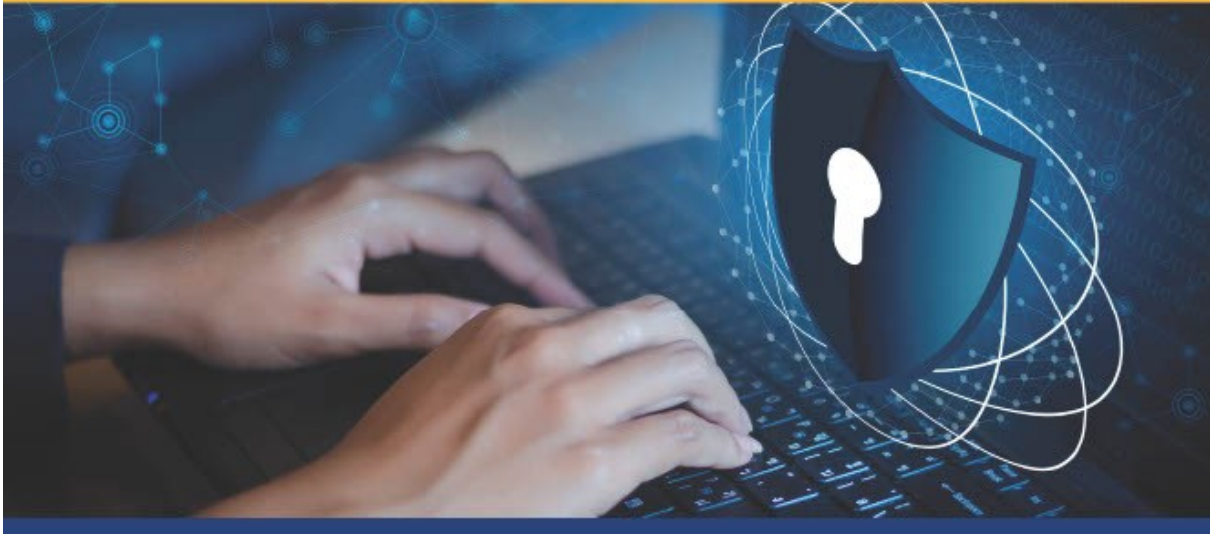




Counter
Terrorism

Cyber Incident
Response Team

Kathy Hochul
Governor



Web Browser Security

Web browsers are the most common way that users interact with the Internet, making them a primary target for cybercriminals. A few simple steps can reduce browser-based risks to your privacy and the security of your computer.

Here are some tips to help you secure your web browser:

Keep browsers up-to-date

- Keeping your browser updated to the latest version is one of the best ways to stay secure

Minimize the usage of browser plugins (sometimes called “add-ons”)

- Plugins provide useful features but may also collect information about you or weaken your computer’s security
- Browser-based attacks often target plugins instead of the browser because they’re more likely to be out of date

Verify the URL you are visiting

- Use caution when following links forwarded to you via email or other means (think about who sent the link and why)
- Hover over the link to see if it’s directing you to the same site that’s displayed on the page
- If you’re still uncertain about a link, contact your help desk or technical support team for guidance

Ensure you are using Hypertext Transfer Protocol Secure (HTTPS)

- HTTPS secures your connection to the site you’re visiting and makes it harder for someone to intercept your data
- Most reputable websites are HTTPS-enabled and display a padlock in the address bar to let you know

Pay careful attention to warnings and pop-ups like browser requests

- Don’t grant permissions or ignore warnings unless you’re sure those actions are necessary and appropriate
- When in doubt, contact your help desk or technical support team for guidance

If you suspect a cyber incident, immediately contact:

CIRT is an initiative of the New York State Division of Homeland Security and Emergency Services.
For additional information, visit dhses.ny.gov/cyber-incident-response-team

“If You See Something, Say Something” used with permission of the NY Metropolitan Transportation Authority.

Training Calendar

Check out these training opportunities specially selected for New York State law enforcement leaders; with links for registration and questions. DO you have a training event you would like to share? Email us at APB@nychiefs.org



MPTC Use of Force for Correction Officers [Online Training Questions](#)

Crash Management Courses (Erie and Westchester Cos.) - (various dates 2022-2023) [Announcement](#) [Register Erie](#) [Register Westchester](#) [Questions](#)

Open-Source Intelligence (NCTC) - (various dates/locations) Free [Register](#) [Questions](#)

National Law Enforcement Roadway Safety Program Training Series—[Executive Wkshp](#): Aug. 9; [Patrol Officer Training](#): Aug. 11; [Train-the-Trainer](#) Aug. 11 [Questions](#)

National Law Enforcement Roadway Safety Program Training Series - Albany Co.— (Free) Aug 9 [Executive Workshop](#); Aug. 11 [Patrol Officer Trg.](#); Aug. 11 [Train-the-Trainer](#) [Questions](#)

DWI and Modern Drug Trends - Webinar/Free - Aug. 16 [Announcement](#) [Register](#) [Questions](#)

Suicide Prevention for Lockups—Instructor Level (Free) (Orange Co. Aug. 16-17, Saratoga Co. Sept 7-8) [Prerequisites](#) [Register](#) [Questions](#)

Basic Crime Prevention Through Environmental Design (CPTED) Training Course—[Oneida Co.](#) Aug 23-25; [Schenectady Co.](#) Sep 20-22 [Questions](#)

Basic Crime Prevention Through Environmental Design (CPTED) Training Course— [Rockland](#) Jul 19-21; [Oneida](#) Aug 23-25; [Schenectady](#) Sep 20-22; [Questions](#)

Officer Wellness In-Service Training (Free) - Aug. 9 Jefferson Co.; Aug. 11, Orange Co. [Register](#) [Questions](#)

ICISF Group Crisis Intervention (Free) - Jefferson Co. Aug. 15-16 [Register](#) [Questions](#)

Sexual Offense Trauma-Informed Victim Response Training (Free) Aug. 17 (Monroe Co.) [Application](#) [Questions](#)

MPTC Basic School Resource Officer Course (Saratoga Co. Jul. 25-29) (Livingston Co. Aug. 22-26) [Register](#) [Questions](#)

ALERRT Active Attack Integrated Response (Train the Trainer) Aug .22-26 (Westchester Co.) [Register](#) [Questions](#)

Officer Wellness Toolbox Training (Wellness/Suicide Prevention Training) - Allegany Co.: Aug. 18; Orange Co. Sept. 8; Cortland Co. Oct. 19 [Register](#) [Questions](#)

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Electronic Measuring Device/Forensic Mapping Course (Free) - Erie Co. Aug. 23-26; Warren Co. Sept. 26-29 [Announcement](#) [Register](#) [Questions](#)

Extreme Risk Protection Orders—Overview for Law Enforcement (DCJS Law Enforcement Webinar Series) Aug. 24 10:30A—12:00N [Register](#) [Questions](#)

Drug Recognition Expert—Phase I & II Sept. 5-16, 2022, Geneseo, NY; Phase III Sept. 25-Oct. 2 Jacksonville, Florida [Announcement](#) [Registration](#) [Questions](#)

Commercial Veh. Enf. Awareness (Free) Tompkins Co. Aug. 1-3; Monroe Co. Oct. 12-14; Essex Co.—TBD) [Info](#) [Register](#) [Questions](#)

Crisis Intervention Team Training—Aug. 8-12 Cortland Co.—[Info](#)

The Impaired Driver: From the Arrest to the Test— (4 hrs.) Westchester Co. Aug. 17; Erie Co. Aug. 24. [Register](#) [Questions](#)

Electronic Measuring Device/Forensic Mapping Course—(Free) - Erie Co. Aug. 23-26; Warren Co. – Sept. 26-29. [Info](#) [Register](#) [Questions](#)

Basic School Resource Officer Course at Annual SNYPJOA Conference (Syracuse) Aug. 29—Sept. 2 [Register](#)

Fundamental Crisis Intervention Skills for Law Enforcement: Instructor Level Training - (Free); Jefferson Co. (Watertown)Sept. 13-15; Broome Co. (Binghamton) Sept. 27-29 [Personal History Form](#) [Register](#) [Questions](#)

Interview and Interrogation Training Seminar—Sept. 15-16 (9AM-5PM—Cortland Co.—[Info](#)

Post Critical Incident Seminar (LEAP/Free) Sept. 26-28 (Broome Co.) [Announcement](#) [Register](#) [Questions](#)

Public Safety Symposium—Detail and Registration to be announced soon—Sept. 27-29 [Questions](#) [Symposium Trailer](#)

IACP—Dallas—Oct. 15-18 [Info](#)

Accreditation Assessor Training—Nov. 3 (Niagara Co.) [Announcement](#) [Register](#) [Questions](#)

Leadership Summit by NYSACOP and NYSSA—Nov. 8-10
Queensbury Hotel, Glens Falls, NY—*details coming soon*

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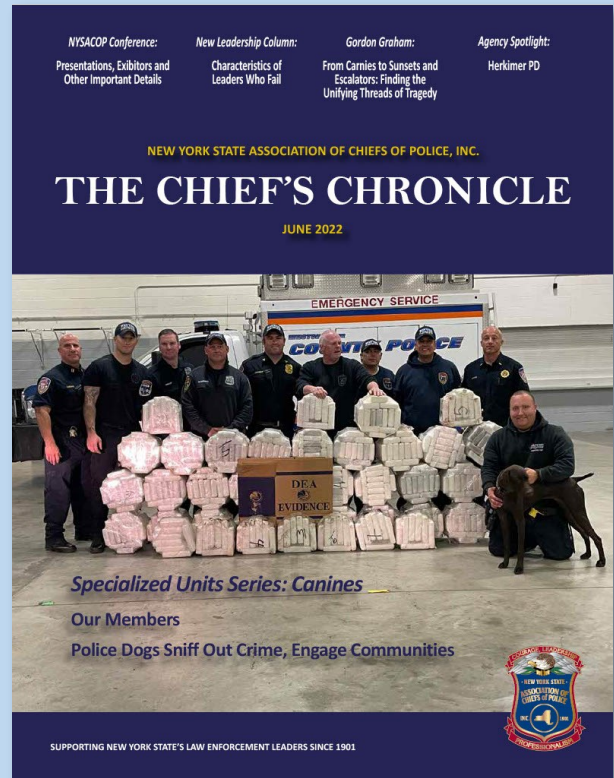
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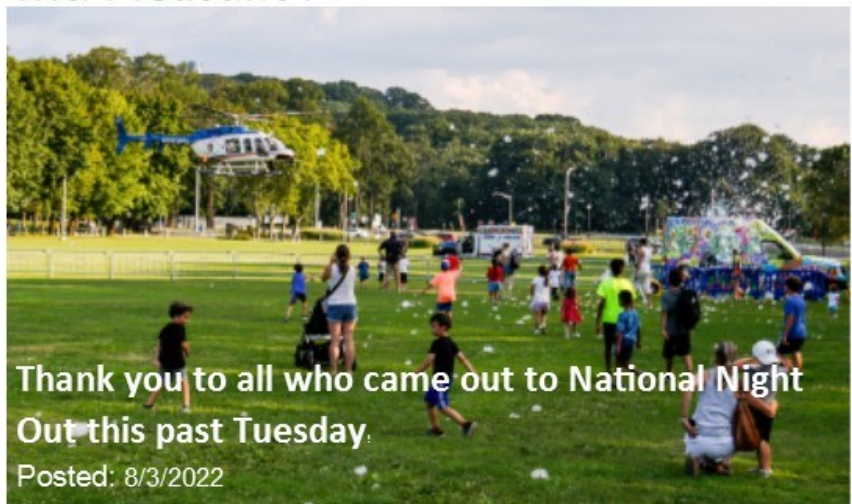
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Check out the
June edition of
our magazine,
*The Chief's
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Click on
Publications
at nychiefs.org



Mt. Pleasant PD



Thank you to all who came out to National Night
Out this past Tuesday.
Posted: 8/3/2022