

Chiefly Speaking...

Monthly newsletter of the
New York State Association of Chiefs of Police, Inc.



July 2020

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FROM THE PRESIDENT

So the legislative assault on police in New York State has begun. Our legislature and governor seized the day and put into place the first round of “police reform” including, most notably, the repeal of Section 50-a and the creation of the Law Enforcement Misconduct Office in the Attorney General’s Office. We all knew that the repeal of §50-a was coming sooner or later, turns out it was sooner. And in their infinite wisdom, our legislature made the law effective immediately. As usual our legislature doesn’t understand reality and neither do the reporters who immediately filed freedom of information requests for every personnel record, for all time. Those of us who reside in the real world understand the complexities of this issue. While the legislation makes a police personnel file public record, there is of course a great deal of protected information within that file that must be carefully redacted prior to releasing the record. Part of the problem is that the legislators and reporters don’t really understand what they are looking for,



Chief Patrick Phelan
President—NYSACOP

(Continued on page 2)

Welcoming Our New Platinum Partner



The NYSP is implementing NicheRMS. Join us on July 7th or 9th to learn how the NYSP project might help you.
Please email Info@NicheRMS.com for more information.

www.NicheRMS.com

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what they want is discipline records. But by requesting a “personnel file” in many cases they will be getting a file with payroll information, direct deposit forms, United Way payroll deduction forms, W-4’s, insurance forms, adding dependents to benefits, change of address forms, C-2 forms, injury reports, exposure forms, doctors notes, etc. Some of the most boring information you could imagine but all containing personal information that needs to be carefully redacted. How about discipline and complaint files? We can just release those right away right? Not so fast, many complaints arise from arrests. What if the criminal charge has been adjudicated and sealed? If so, any information about the defendant or the arrest must be redacted from the record. There will also be personal information about the victim, witnesses, persons with knowledge all requiring redaction. The files will need to be reviewed carefully by a professional that understands the law. Something as simple as a recommendation for a commendation may have a crime report attached to it containing personal information of the parties involved as well as

What if the criminal charge has been adjudicated and sealed? If so, any information about the defendant or the arrest must be redacted from the record...

...the expense for all this will be the burden of the municipality and of course the taxpayer because our New York State legislature never funds any mandates.

the potential to contain information about an arrest that has been sealed. The review of these files will be an all-day every day proposition for some time to come. And the freedom of information requests won’t stop, they will continue to roll in from reporters on fishing expeditions with nothing to lose but the few minutes it takes to fill out the request. So what can you do? In the short term I recommend hiring an outside attorney to review and redact the files. No police chief has the time to complete this task. An attorney with an understanding of the applicable laws is needed to perform the review and redaction, I don’t see another way unless you have a robust law department that can handle it. Most departments do not have that luxury. In the long term your municipality will need to consider the idea of creating a position and hiring a new employee to perform this task - another municipal attorney or perhaps a compliance officer. Again, this will be a nonstop proposition for the foreseeable future. The expense for all this will be the burden of the municipality and of course the taxpayer because our New York State legislature never funds any mandates. They issue edicts and expect

their subjects to obey. They don’t give a moment’s thought to where the money is going to come from, because they simply don’t care. They live in a magical place called Albany where a six billion dollar budget gap is no big deal and the realities of life don’t exist. All this, of course, while our municipalities and already making cuts and are struggling with revenue loss from COVID-19. Unfortunately, there is no way around the additional expense. Your municipality will be the subject of litigation if you release information that is protected by law and should not be released, and you will lose. Pay now... or pay later.



Follow us on Twitter @nysacop

From the Executive Director

We announced last month that, after extensive deliberations, we cancelled our annual training conference originally scheduled for this month. Guidance on re-opening plans for such a conference, including mass gatherings, social distancing and food service was not available or adequately detailed. However, our Board recognizes that the need for training and information is critical, perhaps now more than ever. Some of our pressing issues include, but are certainly not limited to; protocols for handling Section 50-a, managing increasing demands with decreasing resources, civic protests, destructive riots, sustaining personnel levels in light of retirements, lack of academy training, and the inevitable challenges in recruiting personnel in an anti-police environment. To that end, we are in active planning stage with the New York State Sheriff's Association and will soon be announcing a joint two-day training event for later this year. Please check our weekly bulletins and visit our website at www.nychiefs.org for additional details.



Michael N. Geraci
Executive Director
NYSACOP

In the meantime, we are promoting webinars (see upcoming events in this newsletter) and developing a library of in-service training in the APB: All Points Bulletin podcast library. To assist our members in documenting their training, particularly due to the changes and availability of opportunities, we are offering certificates of completion for several of our podcasts. Please check our website often as we continue to add new information and training products.

IACP STATEMENT—JUNE 18, 2020—Given the global impact of COVID-19, the IACP has decided to move IACP 2020 from an in-person meeting to an online training event and expo in the fall of 2020!

In making this decision, the IACP considered feedback from members and conference participants, state and local guidance on large gatherings, budgetary and travel restrictions placed on police agencies, and guidance from the Centers for Disease Control and Prevention and the World Health Organization. This decision was made for the safety of our attendees and their communities.

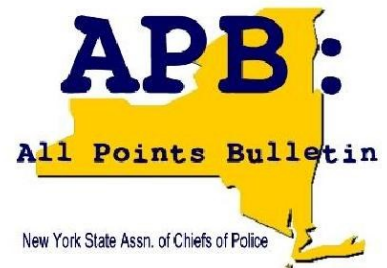
Visit the IACP website for details on the IACP 2020 Virtual Training Event and Expo.

“Some of our pressing issues include...protocols for handling Section 50-a, managing increasing demands with decreasing resources, civic protests, destructive riots, sustaining personnel levels in light of retirements, lack of academy training, and the inevitable challenges in recruiting personnel in an anti-police environment.”

New Podcasts in *APB: All Points Bulletin* Library

An array of law enforcement productions are available in our *APB: All Points Bulletin* podcast library (under the *Publications* tab). At a time when training opportunities are limited, these podcasts provide a unique opportunity for agencies to provide training on demand. Here's our latest postings:

- Detecting DWI Motorists
- Detecting DWI Motorists—After the Stop
- Detecting DWI Motorcyclists
- AMBER Alert
- Officer Safety & Risk Management*
- Ambushes & Surprise Attacks*
- Body Armor*
- Police Vehicle Crashes*
- Motor Vehicle Stops*
- Arrest Situations*
- Executing Warrants*
- Off Duty Arrests*
- Foot Pursuits*
- Building Searches*
- Use of Force*



*eligible for NYSACOP certificate of completion

OpOverwatch Update: A Visit to Lockport PD

The mission of OpOverwatch is to support the officers who sacrifice daily for all the people of their communities. Watch this short video about OpOverwatch's latest operation at Lockport PD where they delivered CARE packages with gift cards, Lock City T-shirts, and Behind the Badge Devotionals. For more information—visit OpOverwatch on [Facebook](#).



WEBINAR

Duty to Intercede: Conceptual, Cultural and Legal Aspects



Tuesday, July 7, 1 PM ET/10 AM PT

The duty to intercede when observing excessive force or otherwise unethical or illegal officer behavior has long been a bedrock component of law enforcement policy. Despite this, confusion remains among officers and leaders about what this concept means and how to intercede effectively. And recent scrutiny of police tactics has brought the term into the public discourse, creating even more urgency that agencies have clear policies and training on duty to intercede.

In this webinar, attorneys and law enforcement policy experts Chief (Ret.) Mike Ranalli and Laura Scarry will explore duty to intercede from a cultural, conceptual and legal perspective.

You'll Learn:

- When and to whom "duty to intercede" applies
- Important case law showing officers' obligation to step in or face individual liability
- How law enforcement leaders can and must build the duty to intercede into agency culture
- Communication tactics officers of any rank can use to intercede quickly, professionally and effectively

[REGISTER HERE](#)



WEBINAR

Coping with Trauma on the Frontlines of COVID-19

Tuesday, July 8, 12 PM

The Horizon Foundation will host a Trauma Series on July 8 at 12 p.m. focused on a group hit especially hard by those challenges: our front-line workforce, including healthcare workers, first responders, pharmacy and grocery-store staff and other vital employees.

This virtual event will include personal reflections from trauma survivors, followed by advice from mental health professionals on how to process and navigate through traumatic experiences.

[Register](#) for free.




HORIZON FOUNDATION

Coping with Trauma on the Frontlines of COVID-19

TO SUPPORT ESSENTIAL WORKERS
FACING THE UNIQUE MENTAL HEALTH
CHALLENGES OF THE COVID-19 CRISIS

**July 8, 2020
12 PM** After personal reflections from trauma survivors, mental health professionals will advise on how to process and navigate through traumatic experiences.

FEATURED SPEAKERS

- 
Chris Fields
Former Oklahoma City FD
- 
Jason "Jay" Redman
Retired Navy SEAL
- 
Dr. Linda Henderson-Smith
Counselor & Trauma Expert

Along with local clinicians who specialize in trauma, Kate Oliver and Dr. Joan Gillice

FREE REGISTRATION
Visit <https://bit.ly/hf-trauma-series>

WEBINAR

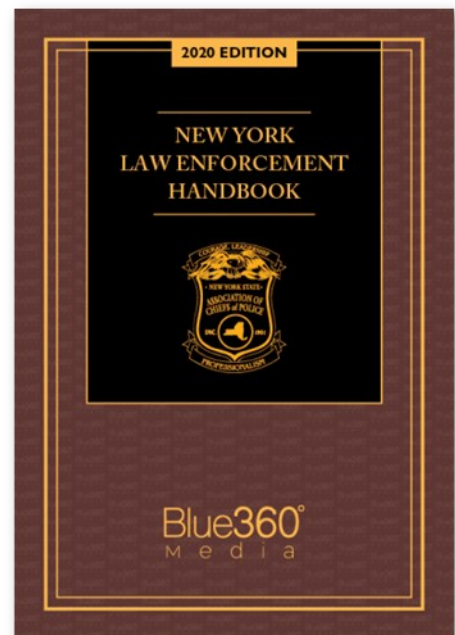
Exploring an Essential Resource for New York State Law Enforcement



Tuesday, July 21, 12 Noon ET

Blue360° Media is pleased to invite you to a Webinar featuring Chief (Ret.) Mark Spawn who will provide an overview of the New York State Law Enforcement Handbook, a compilation of statutes and special resources specially designed to meet the contemporary needs of police officers. Chief Spawn said, "This is the kind of resource that I wish I had during my uniform and detective days. It includes the laws most often needed in the field and overviews of a variety of topics handled by police." He will give a general overview of the specialized content of the Handbook, along with some examples of practical content. For example, questions such as:

- "What are the requirements for pre-arraignment processing of a 16 or 17 year old?"
- "How can I refer a DV victim to get notifications about the status of an order of protection?"
- "How often does a high risk sex offender have to register with local police?"
- "Are condoms evidence of prostitution?"
- "Where can I refer a person with addiction to get help for serious wounds or just to quit?"



Chief Spawn's background and experience in law enforcement, including policy and resource development, make him an ideal person to deliver this presentation. Even if you're a subscriber to the Handbook, this session will provide you with better insight about this comprehensive must-have publication.

In addition to the update Blue360° Media VP Content, Larry Selby will discuss the law enforcement publications offered in New York. He will also provide a short behind the scenes look at why users depend on our comprehensive treatment of New York legal materials.

The presentation will be one hour. All attendees will receive an UberEATS gift certificate for attending the webinar in addition to a certificate of completion. The webinar is limited to 50 people. If you would like to attend, please use the [link](#) to register. Please include your name, department and email address. We must have all the requested information to process your registration.



Traffic Safety Highlights

- July 4 Crackdown
- Training Schedules for ARIDE and DRE
- State Police Issue Almost 25,000 Tickets During Speed Week

Traffic Safety Report

STOP DWI New York - July 4th Enforcement Crackdown Mobilization:

The New York State STOP-DWI Association's "STOP-DWI Enforcement Crackdown" program has been an ongoing statewide enforcement partnership. This iconic American holiday is one of the deadliest of the year due to drunk-driving crashes. STOP-DWI's July 4th Enforcement Crackdown period will take place July 3rd – 6th and we look forward to your active participation. To help plan your mobilization visit NHTSA's [Traffic Safety Marketing page](#) for the latest campaign materials and resources to maximize your agency's enforcement efforts.



Dominick Macherone
NYSACOP-GTSC
Liaison

Additional information and resources are also available on the Traffic Programs Page of the [NYSACOP](#) website and the [STOP-DWI New York](#) homepage.

2020 Training Schedules for ARIDE and DRE Classes

The training schedules for the two-day Advanced Roadside Impaired Driving Enforcement (ARIDE) and Drug Recognition Enforcement (DRE) classes for 2020 that are supported by the Governor's Traffic Safety Committee (GTSC) are located [here](#). Questions on the training can be directed to NYS DRE Coordinator [Renee Borden](#).

STOP-DWI NEW YORK Mobile App – Have A Plan

The Governor's Traffic Safety Committee and representatives from the New York STOP-DWI Foundation wish to remind all partners of its free ["Have A Plan"](#) mobile application. The app encourages people to have a plan to get home safely if they are impaired by alcohol or drugs.



Traffic Activities from the Field:

New York State Police Issue Nearly 25,000 Tickets During Speed Week

New York's "Speed Week" campaign, which was conducted from June 11–17, focused on speeding and other unsafe driving behaviors, including distracted driving and violations of the Move Over Law. [Read More](#)



Traffic Safety Take-Out Menu

Online Training Opportunities & Resources

GHSA Webinar Series: July 22nd 3:00 pm – 4:00 pm - Speeding: Diverse Approaches to Culture Change - This roundtable discussion will examine behavioral approaches to speed management, including pandemic speeding trends and highway safety community countermeasures. Panelists will discuss automated enforcement, as well as an upcoming speed management pilot project sponsored by GHSA, the Insurance Institute for Highway Safety, and the National Road Safety Foundation. Click [here](#) to register.

National Law Enforcement Liaison Program Recorded Webinars: The June webinar entitled “2020 Labor Day Impaired Driving Mobilization and NHTSA Drug-Impaired Driving Tool” is posted on the NLELP website along with other related [highway safety webinars](#).

Lifesavers Conference 2020 Webinar Series: With the cancelation of its 2020 Conference due to the COVID-19 outbreak, Lifesavers is using this as an opportunity to present a Webinar Series that will highlight presentations from various Conference tracks addressing hot-topics, latest trends, and cutting edge programs; Register for these individually scheduled presentations [here](#)

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 NYS Association of Chiefs of Police and funded by the National Highway Traffic Safety Administration with a grant from GTSC.

DCJS Online Training Distracted Driving Enforcement: This training video, produced by NYS 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](#)



Speed enforcement campaign materials are available from NHTSA.
Visit [TrafficSafetyMarketing.com](https://www.traffic-safety-marketing.com) for speed awareness tools like this...

A Message to Law Enforcement from Sen. Fred Akshar, II

Dear Friend: These past several weeks have been an incredibly challenging time for so many New Yorkers and it has reminded me how blessed we are to have such capable and dedicated members of law enforcement in our great state. While many are home staying inside to flatten the coronavirus infection rate curve, you continue to show up to work every day and do your part to keep us safe. The service and sacrifices you and your colleagues make every day are one of the reasons we live in the greatest nation on Earth. For you, every work day is a new battle for justice and a new opportunity to make life safer for the communities and families you serve. For me, the goal of law enforcement has always been about building a better, safer community for everyone. That was the duty I tried to fulfill every day as a former member of the Broome County Sheriff's Office for fifteen years and the duty countless men and women who wear the uniform strive to fulfill every single day across our nation. It's the responsibility of individuals on both sides of the badge to work together to carry out that mission, but in today's social and political climate, it's harder than ever. It's undeniable that the brutal murder of George Floyd at the hands of police officers was a disgrace to every member of law enforcement. It's also undeniable that in response to these despicable actions, the men and women of law enforcement across our nation have come under attack; not only on our streets and neighborhoods but within the halls and chambers of our state capitol, for that I am deeply sorry. The public's outcry over true injustice has unfortunately been hijacked and redirected by political opportunists to force through radical and regressive knee-jerk policy changes that do nothing beyond providing a convenient press release headline for downstate politicians. This shallow and cynical approach to public policy in the face of real tragedy has left morale lower than ever for those who devote their lives to public safety. Now the Governor wants to initiate a Police Reform and Reinvention Collaborative via his most recent Executive Order that would strip departments of critical funding if his specific demands aren't met by each of the over 500 local police agencies across our state. I've long held the strong belief that racism and bigotry exists in our society but this hatred is NOT borne from police agencies or from the selfless individual ls that serve in them. Arbitrarily punishing police agencies for the sake of a headline will never get to the root of the systemic problems our nation has continued to grapple with since its inception. Nor will it help bring about the additional transparency, accountability and trust between police and the communities that we must continue working together to strengthen. At a time when your job is becoming more dangerous and unpredictable, you need support and cooperation from our government more than ever, not blanket castigation, mischaracterizations or threats of abolition. Please know that I'll continue to fight against these misguided policies so that you and your fellow law enforcement officers can focus on doing your jobs and helping protect our communities. I'd also value your feedback on how we can and should move toward positive, productive and meaningful change at Akshar@nysenate.gov so I can bring one unified message to those in power. You'll always have a loud voice and a seat at the table so long as I am a Senator. Let me be clear and unabashed, you and the hundreds of thousands of hard working honest police officers across this nation have my unwavering support and I'll always have your back in the difficult work that you do. On behalf of a grateful community, thank you for your continued service and my thoughts and prayers are with you and your families as we navigate the challenging weeks and months ahead. Trust your gut, and always stay true to May God continue are the peacemakers, for they will be called the children of God."



Senator Fred Akshar II
52nd District

Open Letter to Governor Cuomo from NYSACOP and NYSSA

We need more leadership, and less rhetoric.

June 11, 2020

Dear Governor Cuomo:

During times of chaos and division, uncertainty and unrest, tension and suffering, we look to our leaders to help guide the ship. We look to our leaders to bring clarity, solutions, resolve, action, and healing. At the same time, we trust that our leaders will stoically stand for what's right, for truth and for the good of all.

Governor Cuomo, we call upon you today to stick to the facts. We call upon you to stop fanning the flames of division. We call upon you to stop exploiting anti-police hysteria and unwarranted political rhetoric to ram through legislation that is ill conceived, hastily crafted, and anti-police. We call upon you to involve all stakeholders in this process, and we call upon you to do what's right.

The noble police officers of this State are suffering from your actions and your rhetoric, and ultimately all New Yorkers will suffer when, by your actions, our police agencies have been rendered unable to effectively pursue the guilty and protect the innocent.

For more than 40 years, anti-police activists have pushed for the repeal of Civil Rights Law 50-a which protects the police and other emergency responders from undue harassment, and safeguards the Peoples' criminal cases from sabotage by unscrupulous defense attorneys. Each year, when repeal has been considered in the light of day, reason and logic have prevailed and the Legislature has rejected repeal. Now we find ourselves in a time when reason and logic are seemingly lost. As a result, you appear ready to "seize the moment" and stampede into law repeal of 50-a and a whole package of other anti-police legislation, without an opportunity for meaningful input and dialogue from all of the stakeholders. Not even the rank and file members of the Legislature have been afforded the opportunity to give these bills due consideration as they have been rushed through to a vote. A democratic legislative process requires transparency, due deliberation and leadership that can withstand the inflamed passions of the moment.

Governor Cuomo, your rhetoric and your refusal to speak up for the selfless police officers who, every day, put their lives at risk to defend those who are otherwise defenseless, is contributing to the irrational calls by a very vocal few to "Defund the Police." This ideology is dangerous and, if accepted and acted upon, only serves to put our communities, our families, our neighbors and our public servants at greater risk.

Make no mistake; the potential for very dangerous and unsettling days ahead is real. In recent days there have been more than 80 burglaries of firearms dealers, with more than a thousand firearms stolen. Explosives are finding their way into the hands of anarchists. The violent agitators who have been hijacking peaceful demonstrations are being empowered by demagogues who refuse to acknowledge that their criminal acts are wrong. Their violent activities will not soon subside. If police departments are defunded, who will protect the majority of our citizens from the marauding few?

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This situation screams for leadership. We implore you to call for reason in this time of mindless rage. Your silence on this issue is contributing to the dismantling of society's bulwark against anarchy.

Governor, before rushing to sign into law poorly vetted legislation that will put our police officers in grave danger, we implore you to consider the consequences of doing so. The overwhelming majority of police officers, firefighters, correctional workers, EMS providers and other public safety first responders are good and faithful servants. They do not condone the wrongdoing of any rogue cop. They serve ALL of the people of New York, without regard to race. They do so with concern and compassion for those they serve, even those who do not appreciate it, and do so despite the obvious risk to their own safety. Law enforcement officers across the country have been engaged for the past two weeks in protecting the peaceful protestors who have been protesting against them, in the course of which three police officers have been killed and 800 have been wounded. What other profession would expose themselves to such risks, and for such little gratitude? Governor, these good men and women deserve your active support, not harmful rhetoric nor punitive legislation.

Each year, a ceremony is held at the Police Memorial Wall in Albany where the names of New York's 1,622 hero police officers killed in the line of duty are inscribed. There is a long tradition, spanning several decades, of every sitting Governor attending this annual, somber event; but you never have. Each year your own criminal justice agency coordinates the selection of the winner of the Governor's Police Officer of the Year Award, recognizing an officer's sacrifices above and beyond the call of duty. Here again, there is a long tradition of the Governor attending every such annual ceremony to pay respect to the honoree, but you have chosen not to follow that tradition. Governor Cuomo, your absence from these events is palpable and strongly felt by the law enforcement community each time they gather. There is a broad sense among law enforcement that you simply do not support police officers in this state. That lack of support is made evident once again by your failure to insist that law enforcement have a seat at the table when momentous changes in policing are being considered. This is the time we should be working together. Law enforcement officers could provide important insight that would insure that any desired changes in the system would actually be workable. We have seen too many examples in the last few years of criminal justice legislation being pushed through in the dark of night without the opportunity for scrutiny or input from law enforcement, resulting in disastrous, unworkable laws.

The time has come to hear each other, to support each other, and to work collaboratively to bring clear, transparent and fact-based information, ideas, and reforms forward. Let us work together to effect the positive change that we all wish to see, and let's do so in a way that accomplishes our goals without endangering the police officers who already risk so much, or the communities that they serve.

Governor Cuomo, we need more leadership and less rhetoric.

Respectfully,

Sheriff Jeffrey Murphy, President
New York State Sheriffs' Association

Chief Patrick D. Phelan, President
New York State Association of Chiefs of Police

Looking Back...



Star Police Box

**Has High Insulation and
Positive Acting Protectors**

thus affording maximum reliability of service and
greatest **Protection to Officers.**

Guaranteed to work in harmony with existing
police signaling systems.

When in the market for **Central Office Equipment** or
anything in the line of **Police Signaling Equipment** it
will be to your interest to communicate with

STAR ELECTRIC COMPANY

BINGHAMTON, N. Y.

*Star Electric Company, manufacturer of the police call box.
One of our conference advertisers in 1914.*

*...revisiting the rich history of the
New York State Association of Chiefs of Police*

Repudiate the Anti-Police Narrative

Comments submitted to the Committee on the Judiciary of the House of Representatives in response to the Oversight Hearing on Policing Practices

*Heather Mac Donald is the Thomas W. Smith Fellow at the Manhattan Institute, a contributing editor of City Journal, and the author of the bestseller *The Diversity Delusion: How Race and Gender Pandering Corrupt the University and Undermine Our Culture*.*

Chairman Nadler, Ranking Member Jordan, and committee members, my name is Heather Mac Donald. I am the Thomas W. Smith fellow at the Manhattan Institute for Policy Research, a public policy think tank in New York City. I have written extensively on criminal justice and am honored to address you today regarding policing practices.



Heather Mac Donald

It is understandable and appropriate, when viewing the horrific arrest and death of George Floyd, to ask whether we are seeing the tip of the iceberg when it comes to policing and the brutal indifference to human life. The history of law enforcement in the U.S. was interwoven with slavery and segregation. The memory of policing's complicity with racial oppression cannot be easily erased. But I urge this committee to reject the proposition that law enforcement today is systemically biased. The evidence does not support that charge. Police officials and officers across the country have expressed their disgust at the chillingly callous behavior seen in the Floyd video. It is a violation of everything that the profession currently stands for. Embracing the systemic bias allegation will only lead to more lives lost to criminal violence; many of them, sadly, will be black. To move from the stomach-churning specificity of Mr. Floyd's case to broader numbers is jarring. Nevertheless, if the charge against policing is systemic racism, we need to look at the system as a whole.

Policing today is driven by crime data and community demands for help. Victim reports send police disproportionately to minority communities because that is where people are most being hurt by violent street crime. Blacks between the ages of ten and 43 die of homicide at thirteen times the rate of whites, according to the CDC. In New York City, blacks make up 73 percent of all shooting victims, though they are 23 percent of the city's population. In Chicago in 2016, there were 4,300 shooting victims, almost all black. Among the two dozen victims under the age of 12 was a three-year-old shot on Father's Day who is now paralyzed for life and a ten-year-old shot on Labor Day whose pancreas and spleen were ripped apart. In Minneapolis, last September, a two-year-old girl was shot in her backyard at 1 AM; another Minneapolis two-year-old, Le'Vonte King Jason Jones, was killed in broad daylight in 2016 by gang rivals of his mother's boyfriend. These are the realities that police commanders in urban areas face daily.

But community requests for help also determine police deployment, and the most urgent

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requests come from the law-abiding residents of high-crime neighborhoods. An elderly cancer amputee in the Mt. Hope section of the Bronx described to me her fear of going into her building lobby, since it was so often occupied by trespassing youth hanging out and selling drugs. The only time she felt safe was when law enforcement was there: “As long as you see the police, everything’s A-OK. You can come down and get your mail and talk to decent people.” This vulnerable senior citizen longed for the surveillance watchtower that the local precinct had erected on her block several summers earlier to deter shootings. Anti-police activists would undoubtedly condemn such a watchtower as a weapon of the oppressive police state. To the cancer amputee, it was a literal godsend. “It was the peaceablest summer ever. I could sit outside at night. Please, Jesus,” she said, send the surveillance tower back.

Another elderly lady blurted out in the middle of a police-community meeting in the South Bronx’s 41st Precinct: “How lovely when we see the police. They are my friends!” This sentiment has been echoed time and again in the dozens of police community meetings I have attended. The percentage of black respondents in a 2015 Roper poll who wanted more police in their community was twice as high as the percentage of white respondents who wanted more police. The activists who seek to disband police departments will have to explain to these terrified seniors and other law-abiding residents that they are just going to have to fend for themselves.

Are the police nevertheless engaging in an epidemic of racist violence, as we hear daily? They are not. For the last five years, the police have killed about 1,000 civilians a year, the majority of those victims armed or otherwise dangerous. In 2019, the police killed 235 blacks, most of them also armed or dangerous, out of 1,004 police shooting victims overall. That roughly 25 percent ratio has also remained stable. It is less than what the black crime rate would predict, since police shootings are a function of the rate at which officers encounter armed and violent suspects, a fact confirmed most recently by a 2019 study in the *Proceedings of the National Academy of Sciences*. In the 75 largest U.S. counties, which is where most of the population resides, blacks constituted around 60 percent of all robbery and murder defendants, according to the Bureau of Justice Statistics, even though blacks comprise only 15 percent of the population in those counties.

What about unarmed victims of fatal police shootings? As of June 1, the *Washington Post*’s data base of fatal police shootings showed nine unarmed black victims and 19 unarmed white victims of fatal police shootings in 2019. That number of black unarmed victims is down 76 percent from 2015, when the *Post* began keeping its data base. The *Post* defines “unarmed” loosely to include suspects who have grabbed an officer’s gun or who are fleeing from a car stop with a loaded semi-automatic pistol in their vehicle. Those nine allegedly unarmed black victims represent 0.1 percent of all black homicide victims, which number about 7,500 a year—more than all white and Hispanic homicide victims combined.

“Are the police nevertheless engaging in an epidemic of racist violence, as we hear daily?”

They are not.”

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After the tally of nine unarmed black victims was reported in certain news outlets last week, the *Post* reclassified over a dozen of its armed victims of police shootings as unarmed. This reclassification occurred six months after the *Post* had already closed its 2019 data base. The reclassification was not done on the basis of any new information; it was undoubtedly done to get the black victim numbers up. The *Post* is now showing 15 unarmed black victims in 2019. That is 0.2 percent of all black homicide victims, still a negligible number.

No one hears about unarmed white victims, because they do not fit the anti-police narrative. In 2016, in a case that adumbrated Mr. Floyd's death, an agitated schizophrenic, Tony Timpa, called 911, saying he was off his medication. Three Dallas police officers held the handcuffed Timpa on the ground for 13 minutes with a knee to his back, while he pleaded for help more than 30 times. They continued joking and laughing after he stopped moving or making any sounds. His death was ruled a homicide, caused by the officers' physical restraint and by cocaine.

In Mesa, Arizona, in 2016, a cop unleashed a barrage of gunfire from his AR-15 rifle at a 26-year-old man who had been reported as having a gun. The victim was down on his hands and knees in a hotel corridor, trying to comply with the conflicting commands that a sergeant was screaming at him, and begging "Please don't shoot me!"

In 2015, a 50-year-old man in Tuscaloosa involved in a domestic violence incident ran at the officer with a spoon and was fatally shot. A 25-year-old in Des Moines led the police on a car chase and walked quickly toward the officer when he got out of the car and was fatally shot. A 21-year-old in Akron escaped from a grocery store robbery on a bike and didn't take his hand out of his waistband when commanded to do so and was fatally shot.

The point here is not to justify any of these deaths, it is to rebut the claim that questionable tactics occur only in the case of black suspects. Indeed, it is premature to conclude that the Floyd brutality was a product of racial animus at all, as opposed to poor training and an unfit temperament. No police critic has ever suggested a benchmark for evaluating the number of officer use-of-force incidents. Ideally, officers would take no one's life in the course of their duties. But in light of the number of arrests that officers make each year—around 11 million—and the number of deadly weapons attacks on officers—27 a day in just two-thirds of the nation's police departments—it is not clear that 1,000 civilian deaths, the vast majority occurring in the face of a potentially deadly attack, show a law enforcement profession that is out of control.

Nevertheless, there are reasonable measures to further lower officer use of force—above all, more hands-on tactical training, practice in de-escalation, and techniques to control stress. Federal support should go to such practical training, not to implicit bias sessions, which are an insult to officers' intelligence and street knowledge. Nor should police hiring be based on race. A 2015 Justice Department analysis of the Philadelphia Police Department found that white

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police officers were *less* likely than black or Hispanic officers to shoot unarmed black suspects. Existing efforts to boost minority hiring in many departments have already resulted in the elimination of a clean criminal record requirement and in lowered standards for reading comprehension and writing. These changes risk increasing disciplinary problems, rather than reducing them.

Figuring out how to encourage officers to intervene in their fellow officers' questionable behavior is necessary, though doing so is especially challenging when it is a supervisor who is misusing his authority. Some powerful unions place too many roadblocks in the way of firing incompetent or abusive cops. Getting rid of qualified immunity, however, will only lead to cops shutting down further.

This committee should denounce the defunding of police agencies. Shrinking their resources will result in poorer service to the law-abiding residents of high crime areas. Officers in depleted departments who cannot get back-up when they face dangerous suspects will be even more stressed out, and more at risk of poor judgment. Response times will increase. Cash-starved agencies will train less, not more. Lower pay scales will result in less qualified recruits.

Shifting police funding to social services will not solve crime. For decades, New York City was the welfare capital of the United States, spending one-seventh of all government welfare dollars. Crime continued to rise. Crime started falling in the city only when the New York Police Department adopted the data-driven policing that has now become the norm across the country.

But the most urgent task before this committee is to repudiate the narrative that law enforcement is infected by racism. The atmosphere in which officers are working is becoming more vicious and volatile. The attempts on officers' lives, some successful, that we have seen in the last two weeks will increase. And under the pervasive charge that they are racist, officers will back off of proactive policing in minority neighborhoods. The victims will be overwhelmingly black.

In 2015 and 2016, when officers also retreated to purely reactionary policing, an additional 2,000 black males died, the largest two-year increase in homicide in half a century. Harvard economist Roland Fryer, University of Utah law professor Paul Cassell, and University of Utah economist Richard Fowles have recently documented what I have called the Ferguson Effect: the sharp rise in crime during episodes of pervasive anti-cop rhetoric and depolicing.

There are bad cops of all races who must be removed. But the overwhelming majority of officers are motivated by a desire to help the most vulnerable among us. Though many officers work under unimaginable conditions, encountering the worst consequences of pervasive family breakdown, they continue to believe fervently in the good people who support them. If this mania of cop hatred is not quelled, those good people will suffer further and the nation's cities will become places of fear and decay.

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Courtesy City-Journal; Eye on the News; June 10, 2020 and the Manhattan Institute

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Most Reject Calls for Defunding Police

Despite the high-profile anti-police protests nationwide, few Americans believe there are too many cops in this country, and most reject the push by the political left to defund police departments.

The latest Rasmussen Reports national telephone and online survey finds that 27% of American Adults favor reducing the police budget in the community where they live. Despite the growing political movement to defund police departments and channel that money into more social services, 59% are opposed to cutting their local police budget, while 14% are undecided. (To see survey question wording, [click here.](#))

[Rasmussen Reports: June 9, 2020](#)

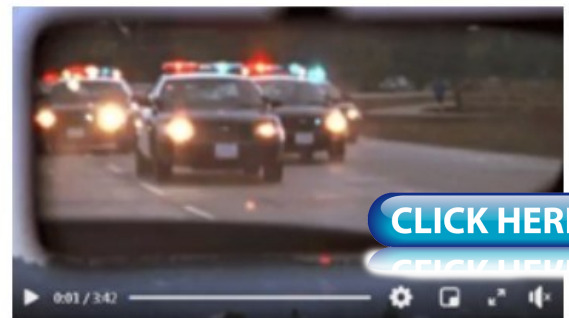


Facebook Post of the Month

From:
Aubrey Rose

My sustained investigation focused on creating a body of work that sought to humanize the individuals who fill the roles as a

first responder or military personnel. I wanted to tell the story of their experiences, fears, and complicated emotions that came with their chosen occupation.



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Membership Drive Growing Our Association

Did you know of a fellow police executive who is not a member of our proud organization? Please encourage them to join and take advantage of the benefits of membership. Stay up-to-date on the latest news and information affecting New York State law enforcement, read our carefully selected news items and bulletins and other publications, and be the first to receive information on our annual training conference. Remember that second-in-command staff are also eligible, as are certain commanders of divisions. For more details, check out our [Join Now](#) page or call our office at 518-355-3371.



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Are You Retiring?

Let us know:
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Instagram Post of the Month

From: New York State Police

**Please be advised:
Vehicles will be
stopped for invalid
license plates.
Yes, we stopped
this driver.**



Contact Us

Share your stories, photographs,
and questions:

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