

Chiefly Speaking...

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



November 2020

PRESIDENT'S MESSAGE

Highlights of the Leadership Summit

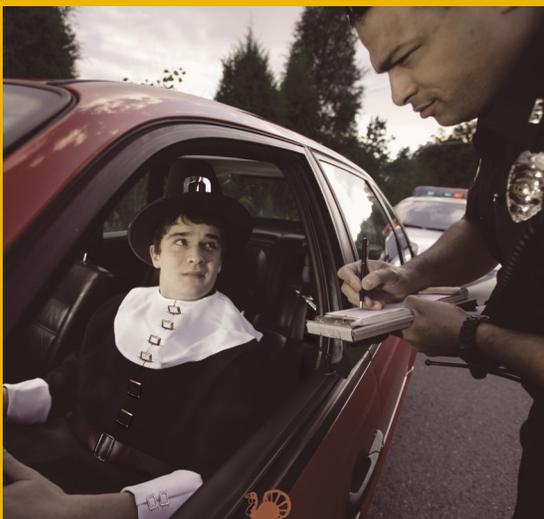
We did it! Despite having to cancel our annual training conference this past summer due to COVID concerns, we had a 'Plan B', a Leadership Summit that we held in partnership with the New York State Sheriff's Association (NYSSA) in Lake George on October 28-29. The pandemic was still a concern, but with precautions and meticulous planning, we were able to safely assemble 100 of New York State's law enforcement leaders to discuss the emerging issues of today. And it was obvious that our members were anxious for an in-person gathering, too. Attendees were treated to a diverse array of distinguished speakers with presentations on police reform, new legislation, traffic safety during a pandemic, training, policy, and community engagement. We were honored to have a presentation from Chief Steven Casstevens of



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Looks like you forgot a buckle

Resources to help you
with your Buckle Up initiatives

Visit TrafficSafetyMarketing.gov



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the International Association of Chiefs of Police (IACP). As you may know, President Casstevens just completed his term as IACP President. He shared the details of his one-on-one meeting with Attorney General William Barr. Casstevens spoke with Barr about The Presidential Commission on Law Enforcement, The President's Executive Order on safe policing and safe communities, calls for defunding of the police, and recruitment and retention of qualified police officers. Casstevens' full interview with Barr is highlighted in the October 2020 issue of *Police Chief* magazine.

Chief Chris McNerney of Greenburgh PD co-presented with Westchester County Sheriff/Commissioner Thomas A. Gleason about their experiences in implementing reform mandates. They described how the Westchester County Police Reform and Reinvention Task Force was formed with members being appointed by the County Executive, consisting of county and local police professionals, Human Rights Commission members, Police Advisory Board members, African-American Clergy, and Justice Activists. Commissioner Gleason explained that before the Task Force began to consider recommendations, they first needed to understand the current state of policing. A presentation about the police academy training, scheduled for 2 hours, went on for 3½ hours and was very informative to the participants. Chief Chris McNerney agreed, saying that we as police administrators need to do a better job at educating the public. Gleason also discussed departmental policies, civilian complaint statistics, demographics of persons stopped for traffic offenses, community engagement efforts and programs, law enforcement accreditation, and equipment such as in-car video and body worn cameras. Gleason and McNerney described how Westchester County held a number of community forums, both virtual and in-person. Gleason said that police were able to highlight to the Task Force some of the current Community Affairs Programs and Outreach efforts such as the Police Explorer program, Coffee with a Cop, Community Day events, bicycle patrols, and social media engagement. But there were some pitfalls – Gleason and McNerney noted that the Task Force was too large, and that working group leaders needed to keep their group focused on the specific mission of complying with the Governor's Executive Order.

District Attorney Sandra Doorley (Monroe County) addressed Summit delegates about police reform legislation. Doorley, who also serves as the President of the District Attorneys Association of the State of New York, discussed the impact of the repeal of Section 50-a of the Civil Rights Law which protected the personnel records of police officers. She said that the repeal of Section 50-a means that police personnel records are no longer considered confidential. The discussion included references to FOIL and the Public Officers Law, as well as best practices in responding to requests for police personnel records. Doorley also discussed the duty to disclose impeachment material and the presumption that prosecutors have constructive and actual knowledge, and a duty to learn about every member of the



IACP Immediate Past President Steven Casstevens joined the Summit by teleconference, highlighting his meeting with U.S. Attorney General William Barr.

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prosecution team including case detectives and law enforcement witnesses, even if no personal or actual knowledge exists. Also discussed was the Eric Garner Anti-Chokehold Act, the Office of Special Investigation, medical attention for persons under arrest, the right to record law enforcement activities, required reporting of the discharge of a weapon, and the Law Enforcement Misconduct Investigative Office.

Certificates and challenge coins were also issued to Chiefs that have signed up for the NYSACOP Wellness Challenge; Chief Shawn Butler of Auburn PD, Chief Dave Catholdi of Brighton PD, Deputy Chief Mike Woods of Colonie PD, Chief Alan Laird of Irondequoit PD, Chief Brain Paladino of Lynbrook PD, and Chief Jim Stauffiger of Tonawanda PD. Sign up for the [Wellness Challenge](#) today at nychiefs.org.

A special thanks to Axon who was our sole sponsor for this special event. Their assistance in this endeavor is very much appreciated by all of us who attended this very special event. I would also like to thank Executive Director Mike Geraci, Director Larry Eggert, Treasurer Steve Conner, and the combined NYSACOP-NYSSA planning team for their work in planning and executing this special event.



Speaking on the topic of police reform and legislative changes was District Attorney Sandra Doorley who also serves as President of the District Attorneys Association of the State of New York.



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Traffic Safety Highlights

- National Drowsy Driving Prevention Week
- Webinar—Common Defense Strategies in DUI Cases and How to Combat Them
- NYS STOP-DWI Thanksgiving Enforcement Crackdown

Traffic Safety Report

National Drowsy Driving Prevention Week -

November 1-8, 2020: On Sunday

November 1, Daylight Saving Time ends, clocks are turned back, and we gain an hour of sleep.

However, this time change can suddenly disrupt sleep patterns. Therefore, we're asking law enforcement to join the New York Partnership Against Drowsy Driving to remind motorists to **"Stay Awake! Stay Alive!"** during this week.

Drowsy Driving can be just as deadly as drunk, drugged, or distracted driving, and this awareness campaign alerts drivers to the dangers associated with driving while fatigued and drowsy. So, stay alert behind the wheel and please help us in spreading the word to remind

motorists not to risk the trip without adequate sleep. These crashes are preventable, and don't put yourself or others in danger. For more information on Drowsy Driving prevention, please visit the National Sleep Foundation website <https://sleepfoundation.org/drowsy-driving> or the NYS Department of Health website: https://www.health.ny.gov/prevention/injury_prevention/driving_drowsy.htm.



Dominick Macherone
NYSACOP-GTSC
Liaison

Traffic Tuesdays-National Traffic Safety Resource Prosecutors (TSRP) Webinar Series:

As part of the continuing TSRP training initiative entitled **Traffic Tuesdays**, the next scheduled webinar on Tuesday **November 17, 2020 from 2:00 p.m. – 3:30 p.m. (EST)** will feature a presentation on **Common Defense Challenges in DUI Cases & How to Combat Them** by Miriam Norman, Washington Traffic Safety Resource Prosecutor.

Description: This presentation will train and expose prosecutors and officers on the most common defense challenges to DUI cases. It will discuss case law regarding DUI cases in general and explain how to effectively argue against and or avoid these common defense challenges in DUI cases. Finally, it will provide a legal basis for argument against such common defense issues and teach both prosecutors and officers how to overcome these challenges and be more successful in DUI trials. Registration Link [here](#).

2020 BUCKLE UP NEW YORK – CLICK IT OR TICKET: The 2020 Buckle Up New York (BUNY) Click It or Ticket (CIOT) mobilization will take place November 16-29, 2020. Seat belts have been proven to be one of

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the best ways to save your life in a crash. Yet many still don't buckle up. The **Click It or Ticket** campaign focuses on safety education, strong laws, and law enforcement's High Visibility Enforcement (HVE) efforts to help reduce crashes and save lives.

The BUNY/CIOT campaign includes the following components:

- HVE – achieved by using multi-agency checkpoints and saturation patrols
- Zero tolerance policy- **Click It or Ticket**
- Media Outreach – participate in press conferences and report enforcement efforts

Grantees are encouraged to include their campaign activity in the mid-year report

Throughout the enforcement period the National Highway Traffic Safety Administration will be promoting this campaign with public service announcements on television and radio. The Governor's Traffic Safety Committee (GTSC) will also be sharing social media posts on Facebook and Twitter during this period.

For information and resources to support your mobilization efforts visit the [NHTSA website](#).

2020 NYS STOP-DWI NY Thanksgiving Enforcement Crackdown - Drive Sober or Get Pulled

Over: The NYS STOP-DWI Thanksgiving Enforcement Crackdown period will take place **November 25-29, 2020**. While STOP-DWI efforts across New York have led to significant reductions in the numbers of alcohol and drug related fatalities, still too many lives are being lost because of crashes caused by drunk or impaired drivers. Highly visible, highly publicized efforts like the STOP-DWI Crackdown Campaign aim to further reduce the incidence of drunk and impaired driving. Sobriety checkpoints and saturation patrols play a key part in raising awareness about the problem. Through increased statewide enforcement efforts, raising public awareness through paid, earned, and social media, and by maximizing partnerships and local resources, we can help prevent injuries and save more lives on our roadways. In planning your mobilization visit NHTSA's Traffic Safety Marketing [page](#) for the latest campaign materials and resources to maximize your agency's enforcement efforts. Additional resource materials are also available on the Traffic Programs Page of the NYSACOP [website](#) and the STOP-DWI New York [homepage](#).

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. We look to our law enforcement agencies to help promote and market this free program in your communities. Download the mobile application [here](#).

Visit the Governor's Traffic Safety Committee [website](#) for additional traffic safety information and resources. Contact GTSC Staff at (518) 474-5111 with questions or for assistance with your traffic safety programs. NYSACOP Law Enforcement Liaison Dominick Macherone can be reached at traffic@nychiefs.org or at (518) 857-9943

Traffic Safety Take-Out Menu

Online Training Opportunities & Resources

GHSA Webinar Series: 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. Register and view this timely webinar at: <https://register.gotowebinar.com/register/8291448379193869072>

National Law Enforcement Liaison Program Recorded Webinars: September's webinar entitled *Distracted Driving, Click It or Ticket and Traffic Safety Champions* focuses on both upcoming mobilizations and the need for traffic safety champions during these challenging times of limited resources and competing priorities: visit <https://www.nlelp.org/training/recorded-webinars/>

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.: <http://criminaljustice.ny.gov/ops/training/other/ignition-interlock/story.html>

Governors Highway Safety Association (GHSA) Publications, Reports and Resources: visit <https://www.ghsa.org/resources>

NYSACOP PODCAST Releases:



Students Against Destructive Decisions



Traffic Safety Leadership



Real Risk Management

If Numbers Make Your Head Hurt, You Shouldn't Be the CFO

By Gordon Graham

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

Gordon Graham here and thanks for taking the time to read my ramblings about risk and how a full understanding of this discipline can benefit your police department operations. We have covered eight of the 10 Families of Risk and will now move on to Family Nine—financial risks.

There was a time in my career as a cop that I could verify the check digit on a 17-digit VIN (and please do not refer to it as the “VIN number”—that is what the “N” in VIN stands for) in my head. Now most of you reading that statement are thinking, “So what?” But if you ever worked auto theft you are thinking, “Now that is impressive.” To be fair, there were a lot of things in police operations that I performed in an only acceptable manner, but catching car thieves was one of my specialties. VINs and license plates are filled with numbers and I like numbers.

Numbers and I have always gotten along. While I am now 15 years post-retirement, I still enjoy gassing up my car and in my head dividing the miles driven as evidenced on the trip meter by the amount of gas and coming up with the MPG to the nearest tenth of a mile. I dazzle my lovely bride in the grocery store by adding up the prices of things she is buying and predicting the amount that will show up on the cash register at checkout. My kids think I am nuts!

My guess is this all started with my mom who, when she was walking me to grade school, repeatedly drilled me on multiplication tables and division problems. As a result, it is difficult for me not to add up numbers I see. When I was traveling on the buses in San Francisco as a kid, I often asked the driver for “a transfer”—a strip of official paper that allowed you to transfer for free or for a reduced fee to another bus to get to your destination. There was an eight-digit number on this transfer—and as you probably surmised, I routinely added the numbers up, as did many other kids. If you had a total of 21, that was a sign of good luck coming your way.

Why am I boring you with this? In my last article I mentioned my early days as a lawyer doing police divorces. I usually was retained by the husband because most cops were men back then. I would ask him to bring his wife to my office, where I told them, “You can spend 100K arguing about things for a



Gordon Graham

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couple of years or you can act like adults and fairly share the community assets and be done with this marriage quickly.”

Fortunately most of the divorces I did involved short marriages with no kids from the relationship. I was often able to get him to turn over ownership of the house to her and get her to turn over ownership of her share of his pension to him. But I always interviewed them separately, just to figure out what was going on in the relationship that led to the divorce. And as you might suspect, the reasons for the split were pretty predictable.

One time I was chatting with an officer’s wife about all the things that led her to want a divorce: “The thing that bothers me the most is how stupid he is with math. He hates numbers and cannot balance the checkbook and when I go to the store the check I write later bounces. He does not know how to subtract and tells me that numbers make his head hurt.”

About a decade later I was doing some work in this officer’s department and as I walked past the budget office I noted the head of the unit was the “numbers make his head hurt” fellow. During our conversation I said, “I did not know you had a degree in finance.” And he responded, “I hate numbers, but I have a great staff and this is only a two-year assignment.” This is also the fellow who bought several years’ worth of “D Cell” batteries in order to get a better price—not realizing the life of the battery in storage was very short!

So a multimillion-dollar budget is being run by someone with no formal financial training and who admits his brain cannot comprehend numbers! Sadly, this lack of math skills in financial roles is not uncommon in police agencies.

It is not just the “mathematically challenged” people that worry me—it is the “mathematically skilled” people who lack integrity and are in charge of a department budget. Witness Rita Crundwell from a small city in the Land of Lincoln.

Here is a summary from Wikipedia: “Rita A. Crundwell was the appointed comptroller and treasurer of Dixon, Illinois from 1983 to 2012, and the admitted operator of what is believed to be the largest municipal fraud in U.S. history. She was fired in April 2012 after the discovery that she had embezzled \$53.7 million from the city of Dixon for over twenty-two years to support her championship American Quarter Horse breeding operation. Crundwell pleaded guilty to her crimes and was sentenced to 19 and a half years in prison.”

Do not think I am picking on Illinois. Over the 40 years I have been looking in-depth at police department operations, there have been financial scandals in every state in the union. Take,

She was fired in April 2012 after the discovery that she had embezzled \$53.7 million from the city of Dixon for over twenty-two years to support her championship American Quarter Horse breeding operation.

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for instance, the officer who used department email to send a message to another cop: “I see you are working on Friday and I am working on Saturday. Why don’t you call in sick on Friday and I can backfill you on overtime and I’ll call in sick on Saturday and you can backfill me.” This sounds like a criminal conspiracy to me!

I have had scores of cops in my law office over the years in trouble for overtime theft, misuse of city credit cards, theft from parking meters, falsified travel expense claims, misuse of grant money, theft of funds from special programs, theft from petty cash—and many other bad behaviors that end careers.

So how does this happen? It is the job of the Chief Financial Officer to build appropriate systems (policies, procedures, protocols) addressing all things related to finances and to ensure these systems are being taken seriously through a rigorous audit process.

Speaking of audits—here is a recent story from Seattle: Citizens who have dealt with Seattle Police Officer XXXX say he is a good, hard-working cop—but public interest groups are wondering how he ended up getting paid more in 2019 than the mayor, the police chief and even the president. The 58-year-old patrol officer made \$414,543 last year, more than any other city employee, the *Seattle Times* reports.

According to police department data, XXXX worked an average of 80 hours a week, including seven straight weeks in the summer where he worked between 90 and 123 hours a week. On six days, he was paid for more than 24 hours in a day, though auditors say this could be the result of overtime being logged late or contract provisions that require minimum amounts of overtime. Auditors say Seattle police officers also sometimes receive “standby pay” when they are already on duty.

In no way am I suggesting the involved officer did anything illegal—but assuming he worked the shifts as reported, there is no way this cop was not dangerously fatigued all the time. Was there a policy on how much overtime can be worked? Was it being taken seriously? How did this not get caught by some audit or inspection?

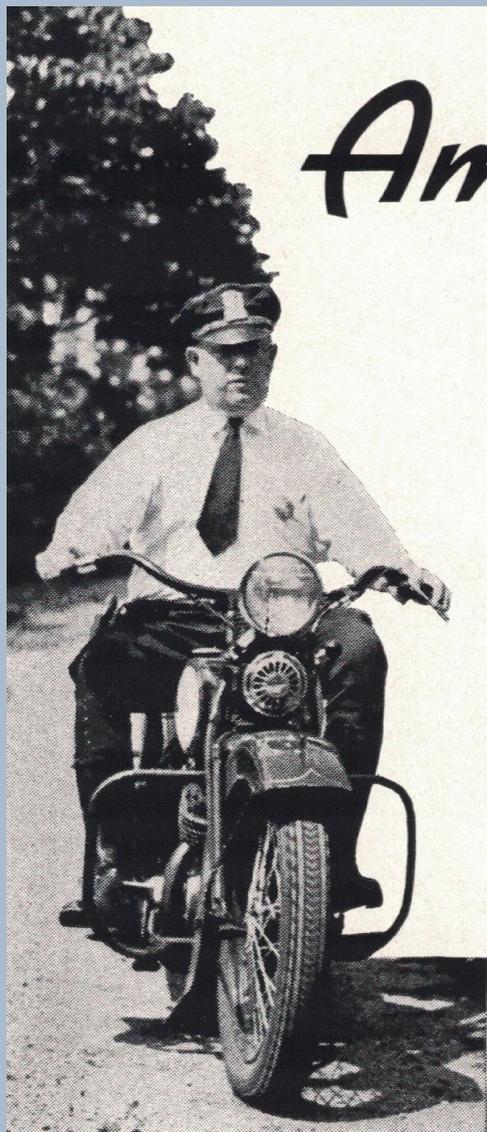
Let me wrap up with this: Please take a look at the pie charts your city uses to show citizens where the city funds come from and where the funds go. My experience tells me one of the biggest slices of the pie on the “money out” pie chart is the police department. Our hardworking, taxpaying citizens deserve financial accountability from their police department. They must have confidence that the funds the law enforcement agency receives are being properly spent. Ensuring that confidence is the role of the finance unit (or whatever you call it in your operations)—and the buck stops with the person running that operation.

In my next article, I will explore the top 10 financial problems experienced by police agencies and provide some recommendations on systems to prevent these problems.

It is the job of the Chief Financial Officer to build appropriate systems (policies, procedures, protocols) addressing all things related to finances and to ensure these systems are being taken seriously through a rigorous audit process.

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Looking Back...



America's Favorite

POLICE MOTORCYCLE

MORE and more police departments throughout the Nation are standardizing on Harley-Davidson Police Motorcycles. Over a generation of service in police work has given cities, counties, and states undeniable proof of the superiority of the Harley-Davidsons.

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Until then, please work safely. These are very challenging times for everyone in police work and my hat is off to you for your ongoing efforts to properly perform your rightful work.

Timely Takeaway—What percentage of your city budget is dedicated to the police department? What percentage of your budget goes to personnel? What can you do to reduce expenditures in your department?

Leadership in Challenging Times

The New York State Association of Chiefs of Police in partnership with NYSACOP member Chief/Ret. Greg Veitch will be hosting a Leadership Training webinar titled *Leadership in Challenging Times* on **November 18, 2020 from 1:00 PM—2:00 PM**. The cost for NYSACOP members is \$49.



Police leadership is no easy task in the best of times. Recently, individual leaders and the profession of policing seem to be enduring an unprecedented number of challenges, with no end in sight. In uncertain times there is nothing more valuable to an organization than solid leadership that sustains and improves the four core pillars of any organization: Leaders, Followers, Culture and Mission. This webinar will address those areas where police leaders need to focus their attention and effort to achieve both short and long term success for themselves and their departments in these challenging times.

To register for this course, [CLICK HERE](#).

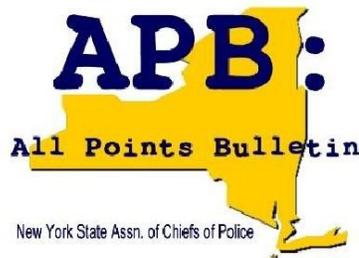
The course will be a one hour webinar hosted on Zoom. Attendees will be sent the meeting link once they register for the course.



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. He 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 throughout New York State. Chief Veitch is currently a lecturer at SUNY Adirondack, and the owner of Noble Cause Training and Development, LLC.

APB: ALL POINTS BULLETIN

Podcasts for New York State Law Enforcement Officers



Check out our podcast series featuring a variety of titles and topics relevant to your profession. Be sure to share them with your officers. This month we are highlighting a few of the titles from the NYSACOP podcast library:

Certified First Responder Counselor Program (NEW)

The Certified First Responder Counselor program ensures that first responders seeking counseling services get the special attention they deserve. Counselors are oriented to the high stress world of police, fire, EMTs, and 911 telecommunicators. Read the full story in the upcoming edition of *The Chief's Chronicle* magazine.

AMBER Alert: Kidnapping Victim Rescued

A 13-year-old Ramapo, NY girl is grabbed from her front yard after she got off the school bus. Chief Brad Weidel, a Detective Lieutenant at the time, details the harrowing case, including the AMBER Alert activation, a dragnet of police from the streets and the sky, and a media blitz about the missing girl and suspect vehicle. With actual radio traffic and a media interview from the incident, you will hear how Weidel made the decision to call for an AMBER Alert, and how that led to a single phone call that would save the girl's life.

Discussing Reform with the Community As municipalities continue to engage their constituents with mandates for police reform, Chief Alan Laird of Irondequoit PD shares the results of the first community meeting with stakeholders in Monroe County. Not only did police learn what the community wanted, but citizens also learned things about the police they never knew.

The Stresses of the Front Lines Following the success of the NYSACOP-PERMA officer wellness and suicide awareness podcast series, a similar podcast series was produced for fire, EMS, and 911 telecommunicators. First hand accounts from an FDNY firefighter/EMT sharing the struggles of dealing with COVID deaths and the impact on his family, an Assistant Fire Chief whose "stress bucket" overflowed, and a 911 telecommunicator who shares the challenges of being the first, first responder."

New Members

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Facebook Post of the Month

From Endicott PD:

We are very proud to announce that we have three new officers joining the Endicott Police Department!



Are You Retiring?

Let us know:
APB@nychiefs.org

Contact Us

Share your stories, photographs,
and questions:

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New York State Association
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Instagram Post of the Month

Westchester County DPS:

Officers seized
16 pounds of
marijuana during
a traffic stop on
the Hutchinson
River Parkway in
Harrison.

