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DECEMBER 2025



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FROM THE PRESIDENT

President Chief Paul J. Oliva

Town of Mt. Pleasant Police Department, Valhalla, N.Y., PD



Artificial Intelligence

Growing up in an era when I actually had to travel to a library to gather reference materials appears to have placed me at a disadvantage for the technological revolution that has taken place over the last 35 years.

As a young police officer, I would sometimes be assigned to the police desk. The duties included police and fire department radio dispatch, along with answering all of the incoming phone lines. As for documentation of these activities, in a pre-computerized police department, we were required to write the essential details and response to incoming calls for service in the police blotter. The blotter was a large bound book with lined paper. You would write in your neatest cursive penmanship and not take up more than 4 lines in the book.

In 1993, our police department purchased the first records management system and a supply of computers to input and retrieve the data. Over the decades, the systems and software were upgraded a few times. The functionality remained basically the same. Similar to the computer system, my career was upgraded a few times over the decades up to the head decision maker. Part of the responsibilities of the chief is to plan ahead and prepare for change. We all know that change is inevitable.

When the ChatGPT app was released on November 30, 2022, I was not paying close attention. Over the next year and a half, the realization of what it and other

similar apps could do with text and pictures were both amazing and concerning. As an administrator, I was concerned about our officers uploading sensitive data to an outside application and where it could end up. The result was a department order that prohibited the usage of AI applications to create official police reports. That was the AI ledge where the department has safely maintained our balance.

At the quarterly NYSACOP board meeting in September, we were introduced to Blue Voice. It is a recent startup software company that created a phone app customized and designed for police. More specifically, it is made to get accurate information to a patrol officer rapidly. The app is on a closed AI system and allows for voice search of New York State law and department policy. It can also house department forms that are fillable and can be signed using the phone. Several board members signed on immediately and the AI ledge that I created was starting to crumble.

The IACP conference was in Denver this past October. The overwhelming theme on the vendor floor was the introduction of products that have incorporated some version of AI to make a product better and your department more efficient. There is software that will monitor live camera feeds, identify firearms, and make notifications immediately. There is software that can



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FROM THE PRESIDENT

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be added to the recording equipment at 911 answering points. It makes any spoken words searchable and can grade a call taker on their performance. Axon has developed report writing software based on the transcription of audio from body camera footage. They have also developed technology to conduct roadside language translation using body cameras. These are just a few examples of recent AI developments. Before the conclusion of the conference, the realization set in that it is time to jump on the AI “bus”, before being run over by it.

There is no doubt that Artificial Intelligence will increase efficiency by saving time. It can gather data and create or clean up text quickly. The negative side is the consequences we as professional police officers are going to face, if we become too reliant on this emerging technology. We strive to teach our officers to be able to think independently and develop decision making skills. Good judgement and discretion have always been important for officers to possess. As law enforcement leaders, we need to continue to foster these skills regardless of how far this technology advances.

We will also face additional challenges. Determin-

ing if a video is AI modified or generated will become more difficult. Will the public perception of police body camera footage as being authentic become suspect? Swatting calls are already extremely dangerous.

AI has the potential of making them more difficult to discern. Criminals have always found a way to use technology to their advantage and they will find a way to use this particular one for nefarious purposes.

Law enforcement leaders will need to monitor these advances in technology and adapt to successfully carry out the mission of public safety. AI is both exciting and potentially dangerous. Fortunately, we have our organization of NYSACOP,

to keep us informed of the good and bad that may be heading in our direction. We are stronger together and I hope that this “bus” has seat belts. I know that it is not headed to the library. In closing, I would just add that I did not use AI to help write this article. On behalf of the NYSACOP Board and staff, we wish you and your families a safe and happy holiday season.

Fraternally,

Chief Paul J. Oliva



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FROM THE EXECUTIVE DIRECTOR

Chief/Ret. Patrick Phelan



Happy 125th Anniversary — 2026 & 2027 Conference News

You may have noticed the 125th Anniversary Logo on the front of this publication. Having been founded in 1901, we will be celebrating our 125th anniversary in 2026. We are very proud to be part of a 125-year tradition of providing training, resources, and networking opportunities for police chiefs.

I am excited to announce that we have contracted to host the 2026 and 2027 annual training conference in Lake Placid, NY. The next two conferences will be held at the Olympic Conference Center in Lake Placid. The host hotel will be the Golden Arrow on the shore of Mirror Lake. If you have never been to Lake Placid or it's been a while, your in for a treat.

the dates of the conference to May 18th to 21st, 2025. Moving the conference to before Memorial Day eliminates conflicts with summer vacation plans and busy summer work schedules. Second, we changed the days of the conference. Traditionally we have started



The Patio overlooking Mirror Lake.



The Golden Arrow Hotel located on the shore of Lake Mirror

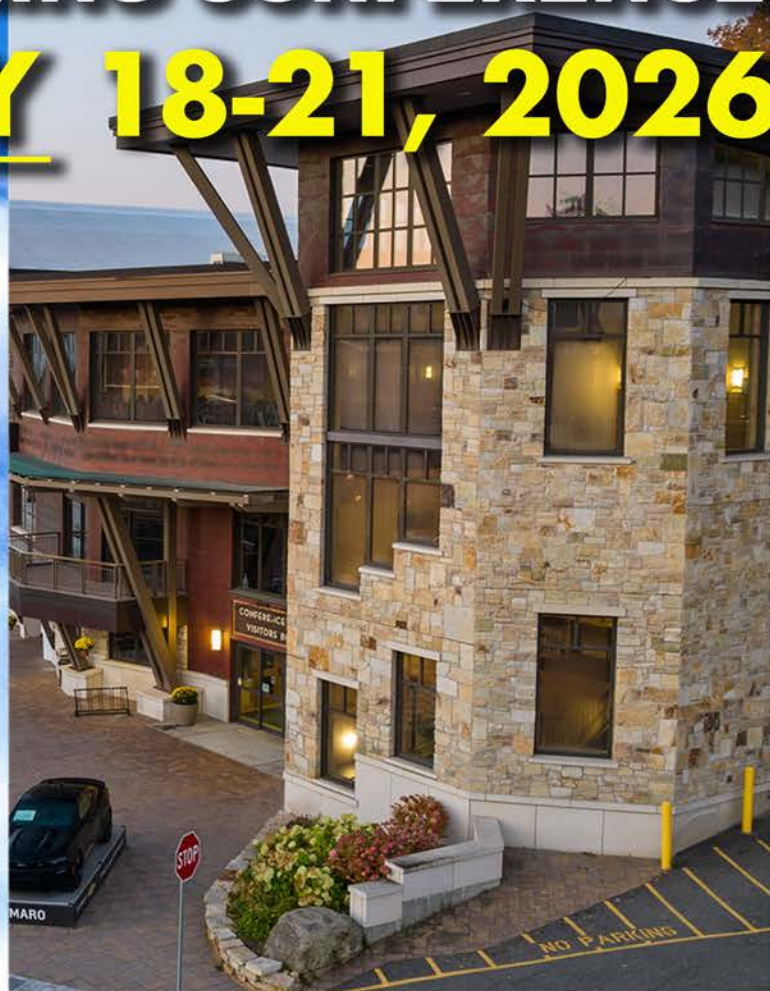
We have made some changes to the conference to make it easier for you to attend. First, after soliciting membership feedback it became apparent that July was a bad time to have a conference. We moved

the conference on a Sunday forcing you to travel on the weekend. This year the conference will start on a Monday and will not interrupt your weekend. We will start with arrival, registration, and a welcome reception on Monday, full training and exhibiting days on Tuesday and Wednesday, and a half day of training on Thursday ending at noon on Thursday. Lastly, we will be holding the conference at convention centers going forward making sure that we have adequate space for training and exhibiting to maximize your experience. We hope that these changes make it easier for you to attend the conference. If you have never attended before I encourage you to give it a try, you will find that our training in second to none and the networking opportunities are invaluable. If you are a regular attendee, I hope to see you again in Lake Placid. You will not be disappointed.

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CHIEF'S CORNER

The Looming Threat of Drones *A New Concern for Public Safety*

By Chief Stuart K. Cameron- Old Westbury PD



The rise of unmanned aerial systems, commonly known as drones, has revolutionized a range of industries, from agriculture and logistics to photography and public safety. But just as drones have proven themselves to be transformative tools for legitimate purposes, they are increasingly posing a complex, rapidly evolving threat to national and local security. While law enforcement and military agencies work to keep pace, the growing sophistication,

To fully understand the looming threat, one must look no further than the battlefields of Ukraine. Since Russia's full-scale invasion in 2022, Ukrainian forces have relied heavily on small, commercial-grade drones modified for a variety of purposes, including reconnaissance, targeting, and direct attacks. These improvised warfare methods have yielded startling results. Drones costing as little as a thousand dollars have aided in the destruction of multi-million-dollar Russian tanks, armored personnel carriers, and even aircraft. Ukraine has been so successful in adapting commercial drones for use in warfare, one major drone manufacturer has suspended sales of its products in both Russia and Ukraine.

Due to a lack of funding, the Ukrainian military has been extremely innovative in their use of consumer grade drones. For example, Ukrainian forces recently assisted one of their soldiers in escaping from nearby Russian troops by using a drone to bring an e-bike to the soldier. Drones have even been covertly driven near to targets and then launched from concealed platforms mounted to the tops of vehicles.

Perhaps most concerning to public safety experts is the level of ingenuity involved. Ukrainian operators have not only used off-the-shelf drones; they have also retrofitted them with thermal imaging, encrypted communications, and bomb-drop mechanisms. The tactics developed out of necessity in Ukraine have turned these small aircraft into precision-guided munitions capable of targeting high-value assets with deadly accuracy, all while providing a source of inspiration and a playbook to those who may be planning a domestic attack.

The success of these efforts has likely not gone un-

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The Alta X has a payload capacity exceeding 35 pounds.

affordability, and adaptability of drones, especially given their recent widespread use in warfare, suggests that we are potentially nearing a tipping point that could open a flood gate to a new and frightening frontier.

Drones are no longer a futuristic novelty or merely recreational toys; they have now become essential tools of warfare and, potentially, future weapons of domestic terror. The United States, and public safety officials in particular, must prepare for the inevitable: the malicious use of drones against civilian populations, infrastructure, and first responders.

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noticed by global adversaries, terrorist groups, and domestic malefactors. Whether in the form of lone wolves radicalized online or organized criminal syndicates, the appeal of drone-based attacks including the relative low cost, high level of anonymity, and minimal training required is not only powerful, but equally concerning. The battlefield in Ukraine is serving as a live-fire laboratory, refining drone warfare tactics that will inevitably migrate to civilian settings.

One of the few countermeasures that public safety agencies have relied on to date is radio frequency (RF) jamming, which effectively disables the connection between a drone and its op-

erator. But even this safeguard is being undermined by emerging technology.

Drones can now be flown using fiber-optic tethering, a method in which the drone is physically connected to a control system via an ultra-thin fiber-optic cable. This allows high-speed, jam-proof communication between the operator and the drone. Fiber-optic tethering can allow drones to fly for miles without the use of radio frequency connections. While typically used in specialized surveillance applications or within mili-

tary domains, this method is becoming more accessible commercially.

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The DJI Agras T40 is a drone built for agriculture, which can carry up to 88 pounds of liquid or granular payload.

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With fiber-optic control, conventional RF jamming systems are rendered useless. This introduces a host of challenges for public safety teams who rely on those systems to disable drones that enter restricted airspace, whether over sports stadiums, parade routes, or critical infrastructure sites. A malfasant utilizing fiber control could potentially guide a payload-laden drone into a crowded venue with no current means for public safety personnel to disrupt it mid-flight.



Drones are also now beginning to use artificial intelligence, which allows them to autonomously complete missions once the operator has set a target. Multiple drones could be programmed to launch and fly autonomously using AI, with no real-time operator

input to track or jam. Many of the drones flown in Ukraine are first person view, FPV, using a virtual reality type headset or goggles, which allows the operator a real-time first-person perspective while operating the platform. FPV allows greater control, precision and speed while targeting.

A decade ago, the idea of a drone carrying a 50-pound payload sounded like science fiction. Today, it's a commercial off-the-shelf reality. The commercial drone market has exploded, and many of the tools once limited to military applications are now sold with minimal oversight. A recent video from China highlights the load capacity of modern drones. A farmer jury-rigged this commercial agricultural drone to rescue someone

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trapped in a nearby flood, lifting the person into the air with a rope attached to the drone and depositing them in a safe area.

Several drone models on the market today can carry significant loads, enough to transport explosives, incendiary devices, chemicals, or other weapons. Among them:

- **DJI Agras T40:** A drone built for agriculture, this model can carry up to 88 pounds of liquid or granular payload, typically intended for pesticides or fertilizers. However, that same capacity makes it capable of distributing harmful substances or delivering destructive payloads.

- **XAG V40 Agricultural Drone:** Another high-capacity drone intended for crop-dusting, the V40 is equipped with twin rotors and AI-powered route planning, making it highly efficient in covering large areas, which would be ideal for dispersing substances over a crowd or venue if weaponized.

- **Skyfront Perimeter 8:** A gas-electric hybrid drone with over five hours of flight time and heavy-lift capability. This drone is being marketed for industrial inspections but could easily be modified for malicious use.

- **Freefly Systems Alta X:** With a payload capacity exceeding 35 pounds, this quadcopter is often used in cinematography but is easily adaptable for aggressive purposes.

These drones are not sold in back alleys or on the dark web, they are available online, often with financing options and global shipping. While the FAA has established certain regulations regarding commercial drone use, enforcement and tracking of end-users is limited at best and often reliant upon self-policing. As is often the case, technological availability is outpacing legislative oversight and control. The ubiquitous

nature of artificial intelligence and machine learning is only widening this divide at an increasingly rapid pace.

What might a malicious drone attack look like in the United States? The possibilities are as sobering as they are numerous:

- **Sporting Events:** A heavy-lift drone carrying an explosive device could be flown into a stadium during a playoff game, causing mass casualties and widespread panic.

- **Chemical Dispersion:** Agricultural drones designed to spray crops could instead be used to disperse chemical agents or radioactive materials over parade routes, outdoor concerts, or crowded intersections.

Even spraying an irritant could cause a panic at a crowded venue and result in injuries, and disruption.

- **Targeted Attacks on individuals of authority:** A drone could be flown into an outdoor area and detonate an explosive payload in proximity of public officials inflicting casualties, causing panic and hindering response efforts.

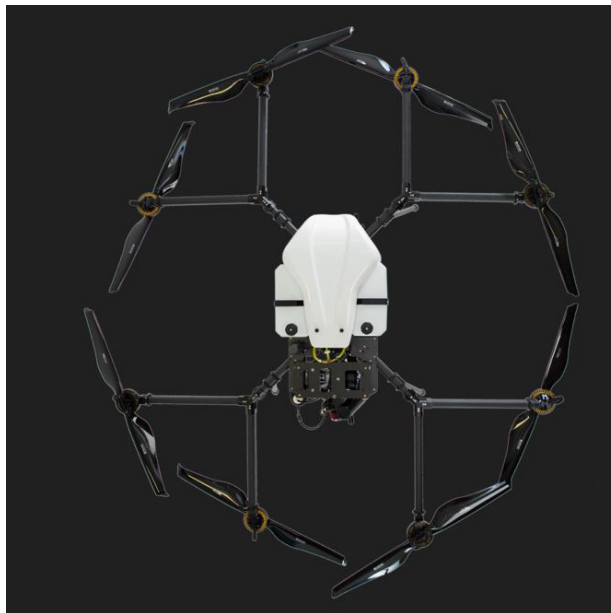
- **Prison Smuggling and Disruption:** Drones are already being used to drop contraband into correctional facilities. Employing more powerful models would allow attackers to drop tools, weapons, or even

distract law enforcement during escape attempts.

- **Critical Infrastructure Sabotage:** Drones can reach remote substations, communication towers, or transportation choke points with little difficulty. A fiber-controlled drone could evade electronic perimeter defenses and have the capability to cripple vital systems.

Unfortunately, these are all realistic scenarios that require immediate planning and investment to prevent. It is truly not a matter of if, but when something like this occurs.

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Skyfront Perimeter 8 is a gas-electric hybrid drone with over five hours of flight time and heavy-lift capability

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Despite growing awareness, most local police departments remain underequipped and undertrained to counter this threat. Drone detection systems—ranging from radar arrays to acoustic sensors—are expensive and require specialized personnel to operate. Even in cities that have invested in such technologies, the systems are not always in use and response times remain a concern.

Furthermore, the legal framework for engaging

with hostile drones remains murky. While the federal government has empowered certain agencies to take down threatening drones, most local departments are constrained by FAA regulations that prohibit the disabling or destruction of aircraft, manned or unmanned, without explicit authority. Even if a hostile drone is detected, public safety agencies may not be legally or technically able to act in time to prevent an attack from occurring.

There must be increased coordination between federal agencies like DHS, FAA, and FBI, and local law enforcement. Information-sharing platforms, joint training exercises, and resource-sharing agreements are critical. Congress should empower state and local agencies to act more decisively against drone threats. This includes crafting laws that clearly define hostile drone use and establish authority for interdiction in real time.

Companies that manufacture and distribute drones should be required to implement enhanced tracking and verification systems. Building defensive technology into the drones to lessen this threat may thwart many who do not possess the technical capability to overcome these safeguards.

Public safety agencies need funding to acquire advanced counter Unmanned Aircraft Systems technology. This includes Radar and acoustic-based detection systems, RF scanners capable of tracing drone signals back to their operators, kinetic interception tools like net guns and drone-on-drone neutralizers or microwave and laser-based systems capable of disabling drones at a distance. While this seems like science fiction, it is truly becoming our new reality.

In the meantime, public safety agencies should begin to incorporate drone-based threat countermeasures into special event planning. For example, indoor areas that can be used to shelter people should be identified in advance and utilized if a drone-based attack is launched at the event. For large outdoor events, agencies that lack

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drone detection technology may wish to post officers in elevated positions to monitor for the presence of potentially hostile inbound drones, to provide advanced warning prior to their arrival at the event. These officers can also monitor other more traditional ground-based threats.

Just as officers are trained to recognize gang symbols or improvised explosive devices, they must now be taught to identify drone threat indicators. The public should also be educated on suspicious drone activity and encouraged to report it. While the recent proliferation of drone sightings over New Jersey proved to be non-threatening, it highlights how ill-prepared local law enforcement is to cope with this threat, especially at night.

Unlike traditional weapons, which require considerable infrastructure and logistics, drones are cheap, mobile, and easy to deploy. They are also attractive to asymmetric threats, groups or individuals that lack the manpower or funding for larger attacks but can cause disproportionate disruption through innovation. They are an ideal platform for a technically competent lone wolf to attack, while affording an increased ability to remain anonymous and potentially attack again.

Drone swarming is also a new reality, with multiple drones controlled from a single location.

As drones become more sophisticated, and as warfare like that seen in Ukraine continues to push the boundaries of what is possible, the risk to American communities grows. The window for proactive work on closing this gap and preventing a domestic attack is rapidly closing.



The looming threat of drones being weaponized against the public is not a far-off danger, nor the topic of a science fiction movie, it is a near and present reality. The use of drones in the Ukraine conflict has made clear how effective, adaptable, and devastating these tools can be. When combined with fiber-optic control, artificial intelligence, long-range capacity, and heavy payload abilities now becoming available on the commercial market, drones have

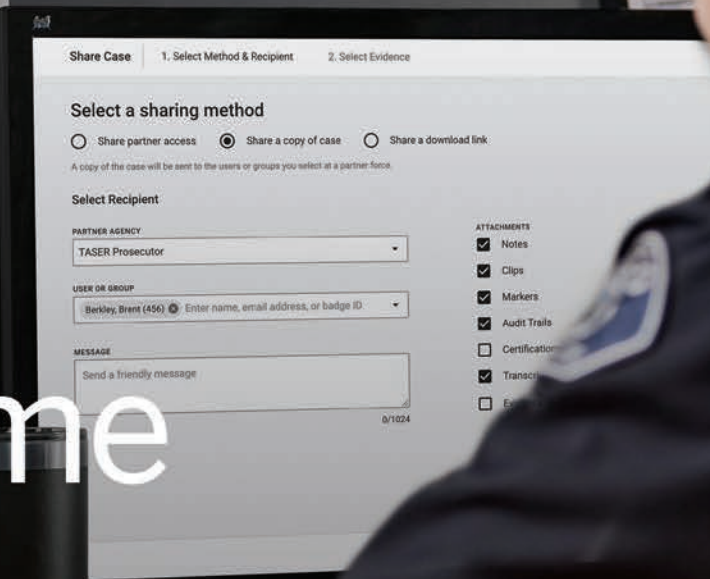
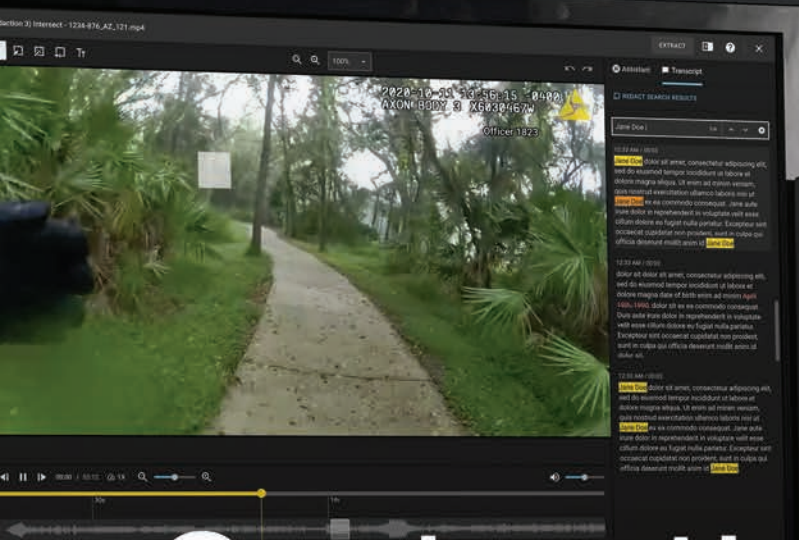
become not just a nuisance, but a real strategic threat.

Public safety professionals must lead the call for change, equipping themselves with the training, tools, and policies necessary to defend against this new frontier in threat management. America's enemies are watching and learning. The question is, are we?

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COUNSEL'S CORNER

Chief/Ret. Michael Ranalli, Esq.
LEXIPOL PROGRAM MANAGER



Constitutional Standards: How Federal Courts Analyze Police Interactions with Vehicles

As law enforcement officers, you operate in dynamic, high-stakes environments where split-second decisions are often the norm. Your interactions with vehicles, particularly during pursuits, are among the most scrutinized aspects of your duty, often leading to litigation if an incident results in injury or death. Understanding how courts analyze these situations, drawing on distinct constitutional frameworks, is crucial for your training, actions, and decision making.

There are generally two different categories of police interactions with vehicles. The first involves pursuits and the second involves officers directing force at a vehicle or an occupant. This latter category may evolve from a pursuit or may occur in isolation when conducting traffic stops or otherwise approaching vehicles. The law is different for each category. This article aims to break down the key legal standards under the U.S. Constitution (I won't address state tort laws) and provide practical insights based on landmark Supreme Court decisions.

Note: This article was developed to be a resource to a Lexipol webinar entitled "[Cops and Cars: Changing the Training Paradigm](#)," which was presented live on Aug. 13, 2025; the recording can be accessed through this link.

Two Paths of Constitutional Analysis: Due Process vs. Fourth Amendment

When a police action involving a vehicle leads to harm, courts primarily apply one of two constitutional standards: the 14th Amendment's guarantee of substantive due process or the Fourth Amendment's protection against unreasonable seizures. The choice between these two frameworks depends critically on whether the officer's actions constitute an intentional "seizure" of the person harmed.



The Fourth Amendment protects against unreasonable searches and seizures. In the 2021 case of *Torres v. Madrid*, the Supreme Court clarified and reinforced how a seizure of a person occurs, especially when physical force is involved: A seizure of a person can take the form of "physical force" or a "show of authority" that "in some way restrains the liberty" of the person.

Officers had a warrant for Torres and were attempting to execute it when she got into her car and drove away. The officer fired 13 rounds at her as she fled, striking her twice. She managed to flee but officers arrested her in a hospital the next day. Torres sued for her injuries, but the District Court and the 10th Circuit

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Court of Appeals granted the officers summary judgment, ruling that since Torres initially escaped, she was not seized and, therefore, her excessive force claim was negated.

The Supreme Court reversed, ruling that the application of physical force to the body of a person with intent to restrain is a seizure, even if the person does not submit and is not subdued. This means, for instance, that officers seizing a person by shooting them with bullets constitutes a seizure, even if the person temporarily eludes capture and drives away.

For physical force to constitute a seizure, it must be applied with the objective intent to restrain. Accidental force, or force applied for purposes other than apprehension, does not qualify. The inquiry is whether the

officer's conduct objectively manifests this intent. The Court noted that a simple "tap on the shoulder to get one's attention will rarely exhibit such an intent." The subjective motivation of the officer or the subjective perception of the suspect does not control this test.



Finally, a seizure by force, absent submission by the individual, lasts only as long as the application of force. Even brief seizures, as in this case when the seizure was the bullets striking

Torres, are still considered seizures.

The 14th Amendment and Substantive Due Process

The 14th Amendment's due process clause protects individuals from arbitrary governmental action that de-

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Continued from Page 19

prives them of life, liberty, or property. This includes a “substantive” component that bars certain government actions regardless of the fairness of the procedures used. In the context of police pursuits, substantive due process applies when an officer’s actions cause harm, but do not involve an intentional seizure of the individual. This typically occurs when the harm is an accidental outcome of the pursuit, rather than a direct result of means intentionally applied to terminate movement.

For a police pursuit to violate substantive due process the actions of the officers involved must be so outrageous that it “shocks the conscience.” This standard can be taken literally and is a very high bar for liability. The core of due process is to protect against arbitrary governmental actions, but only the most egregious official conduct is considered arbitrary in a due process analysis. The courts recognize high-speed chases involve unpredictable circumstances and require officers to make rapid decisions. Officers face competing obligations: to restore lawful order by apprehending a suspected offender, while also minimizing the exacerbation of disorder and risk to others. Decisions made under pressure during pursuits and in time-compressed situations do not allow the luxury of second chances.

Courts have made it clear that negligently inflicted harm is categorically beneath the threshold of constitutional due process. The Constitution does not impose liability for every harm caused by a state. Behavior that is deliberately intended to injure in a way unjustifiable by any government interest is most likely to reach the conscience-shocking level.

This critical distinction was cemented in *County of Sacramento v. Lewis*. In this case, Deputy James Smith pursued a motorcycle driven by Brian Willard, with Philip Lewis as a passenger. The chase reached speeds of 100 mph in a residential area. When the motorcycle tipped over, Smith’s patrol car skidded into Lewis, causing his death. Lewis’ parents sued, alleging a deprivation of Lewis’ 14th Amendment substantive

due process right to life.

The 9th Circuit Court of Appeals reversed the initial summary judgment for Smith, arguing that “deliberate indifference to, or reckless disregard for, a person’s right to life and personal security” was the correct standard. It found a genuine issue of material fact based on Smith’s apparent disregard for the sheriff’s department’s general order on police pursuits.



The Supreme Court, however, reversed the 9th Circuit. It held the Fourth Amendment’s reasonableness standard did not apply because there was no seizure of Lewis; Smith did not intentionally terminate Lewis’ freedom of movement, but rather accidentally collided with him. The

Court found that for a high-speed chase aimed at apprehending a suspected offender, only a purpose to cause harm unrelated to the legitimate object of arrest will satisfy the shocks-the-conscience test. Since Smith’s actions were an instinctive response to lawless behavior and not driven by an improper or malicious motive, his conduct, even if considered conscious disregard or reckless disregard, did not meet this demanding test.

In summary, for situations causing accidental harm during pursuits, officers are generally protected unless their actions demonstrate an actual intent to harm, separate from the legitimate goal of apprehending a suspect. You may be reading this and thinking that you must do something really, really bad to have liability during a pursuit. I must remind you, however, that the law is not the only consideration. Pursuits are dangerous and innocent lives can be at risk. In any case, once you decide to take some physical action to terminate a pursuit, the standard changes.

The Fourth Amendment and Objective Reasonableness

The Fourth Amendment applies when an officer’s actions constitute a seizure of a person. In the context of vehicle interactions, a seizure occurs when an offi-

Continued on Page 22



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cer intentionally takes some action designed to stop a vehicle. This includes intentionally ramming a vehicle to stop it or shooting a driver to halt their flight. Claims of excessive force during such a seizure are analyzed under the Fourth Amendment’s objective reasonableness standard.

By now, you are certainly familiar with this standard, but here’s a brief recap from *Graham v. Connor*: Objective reasonableness “requires a careful balancing of the nature and quality of the intrusion on the individual’s Fourth Amendment interests against the countervailing governmental interests at stake.” This analysis must be conducted from the perspective “of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight.” Courts acknowledge that officers are “often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation.”

If there are genuine issues of material fact regarding the circumstances confronting the officer (e.g., where the officer was standing, whether they were in a “zone of danger,” the speed and velocity of the vehicle, or whether the officer could have safely moved out of the way), these factual disputes must be determined by a jury, precluding summary judgment on the issue of objective reasonableness. For example, conflicting accounts of whether a vehicle was “bearing down” on the officer or moving slowly/not at all, and whether the officer was substantially off to the side, may directly impact the reasonableness assessment.

Scott v. Harris was a landmark case that clarified the application of the Fourth Amendment’s reasonableness standard to high-speed police pursuits involving intentional termination of movement. In this case, Deputy Timothy Scott pursued Victor Harris, who was speeding and engaged in a dangerous high-speed chase for nearly 10 miles, swerving around other cars,

crossing double-yellow lines, and running red lights. After Harris evaded a rolling roadblock and collided with Scott’s cruiser in a parking lot, Scott performed a precision intervention technique (PIT) maneuver, ramming Harris’ vehicle, which caused it to crash and rendered Harris a quadriplegic.

A crucial aspect of *Scott v. Harris* was the existence of a videotape of the chase. The Supreme Court found that the videotape “blatantly contradicted” Harris’ version of events, which downplayed the danger he posed. The video depicted a “Hollywood-style car chase of the most frightening sort,” showing that Harris’ driving

placed police officers and innocent bystanders at great risk. This emphasizes that courts will rely on objective evidence, like video, to determine the facts for summary judgment motions, even if it contradicts the plaintiff’s allegations.

The Court rejected the argument that police should simply cease pursuit, noting the “perverse incentives” such a rule would create for fleeing suspects, enabling them to escape by driving recklessly. It also highlighted the uncertainty of whether a suspect would indeed slow down if the pursuit ended.

The Court held that a police officer’s attempt to terminate a dangerous high-speed car chase that threatens the lives of innocent bystanders does not violate the Fourth Amendment, even when it places the fleeing motorist at risk of serious injury or death. It weighed the high likelihood of serious injury or death to Harris against the “actual and imminent threat” Harris posed to others. The Court found it reasonable for Scott to act, considering that Harris intentionally endangered himself and the public through reckless flight, while those threatened were innocent.

In sum, while Scott was pursuing Harris, any potential harm that may have occurred (e.g., Harris crashing into another vehicle) would have been judged by the 14th Amendment’s shocks-the-conscience stan-

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dard. But once Scott executed the PIT maneuver – an intentional action designed to stop Harris’ vehicle – the Fourth Amendment’s objective reasonableness standard applied.

Plumhoff v. Rickard further reinforced Scott’s reasoning and provided additional clarity, particularly on the duration and extent of force. Donald Rickard led officers on a five-minute, 100-plus-mph high-speed chase, forcing dozens of other vehicles to alter course. The chase briefly halted when Rickard’s car collided with a cruiser, but he immediately attempted to escape again, pushing the accelerator with his bumper against a police car and almost hitting an officer while reversing. Officers responded by firing 15 shots into Rickard’s car over a 10-second span. Rickard eventually crashed and died

along with his passenger.

The Supreme Court reversed the lower courts, concluding the officers’ conduct did not violate the Fourth Amendment. Applying the *Graham v. Connor* and *Scott v. Harris* standards, the Court emphasized that Rickard’s “outrageously reckless driving posed a grave

public safety risk.” The Court found that a reasonable officer would conclude Rickard intended to resume his flight, posing a deadly threat to others.

Crucially, *Plumhoff* addressed the number of shots fired. The Court stated that if officers are justified in firing at a suspect to end a severe threat to public safety,

they need not stop shooting until the threat has ended. Since Rickard continued to attempt flight and managed to drive away even after shots were fired, the officers

Continued on Page 24



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did not fire more shots than necessary to end the public safety risk. But in a different case, under different circumstances, the number of shots fired and when may become an issue.

Key Considerations for Law Enforcement Officers

This article provides an overview of federal constitutional law as it pertains to pursuits and the termination of pursuits. While the cases presented all dealt with pursuits, the same laws would govern the actions of officers when approaching a vehicle to interview a driver or when officers are on a traffic stop and the need to use force arises. You may read these case summaries and believe the law may be forgiving, but remember, every such case will be analyzed based on its own unique facts and circumstances. Conflicting versions of facts can lead a court to determine the case will need to proceed to a jury.

Incidents involving officer interactions with vehicles are also very dangerous for everyone involved – the officers, the occupants of the target vehicle, and innocent bystanders. This is why Lexipol's Use of Force Policy cautions strongly against shooting at vehicles:

Shots fired at or from a moving vehicle are rarely

effective and involve considerations and risks in addition to the justification for the use of deadly force. When feasible, officers and deputies should take reasonable steps

to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants.

Remember that this article was intended to be a supplemental resource to the webinar referenced in the opening paragraphs. Considering both together will provide you with a more complete understanding of all the relevant issues.

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A Tour of the St Regis Mohawk Reservation

By Chief/Ret. Patrick Phelan, Executive Director

In October 2025 1st Vice President Chief Dave Catholdi, 2nd Vice President Chief Steve Rotunno, and Executive Director Chief (Ret.) Patrick Phelan had the opportunity to visit Chief Matthew Rourke, Tribal Police liaison, at the St. Regis Mohawk Indian Territory. Chief Rourke is the Chief of Police for the Saint Regis Mohawk Tribal Police.

The reservation, located in Franklin County, covers 21 square miles and has a population of over 3,000 residents. The geography at the reservation creates some interesting issues for Chief Rourke and his department. The St. Regis Mohawk Reservation is adjacent to the Akwesasne Mohawk Reserve which is located in Canada. The Mohawk consider the entire community to be one unit and are able to travel freely across the international border which is unmarked and unmanned. However, there is a separate police department on the Canadian side of the territory that enforces Canadian law while Chief Rourke and his department enforce U.S. and New York State Law. The two departments do not have jurisdiction on the opposite side of the border. As a result, traffic stops often turn into car chases and a literal race to the border.

The proximity to the U.S.A. / Canada border also results in drug smuggling, human trafficking, and ille-



Phelan, Chief Rourke, Chief Catholdi, and Chief Rotunno at monument marking border of New York, Ontario, and Quebec.

gal border crossing issues. The territory sits on the St. Lawrence River, a short water crossing to other parts of Canada, parts of which freeze in the winter making the crossing possible on foot. The St. Regis Mohawk tribal police regularly intercept illegal border crossers and in fact made a significant drug smuggling apprehension on the day of our visit.

On his family's property Chief Rourke showed a monument marking the spot where the State of New York meets the provinces of Ontario and Quebec.

Touring the St Regis Mohawk Reservation gave us a new appreciation for the challenges facing our colleagues in the Saint Regis Mohawk Tribal Police services and international border policing.



The view from the Rourke Family Dock on the St Lawrence opposite Canada.

The Compelling Case for Long-Term

By Barry P. Mitchell Jr.

Founder & Managing Director, Next Level Private LLC

Investing in stocks for the long run is not just a financial strategy but a journey through the intricate landscape of economics, psychology, and personal growth that often helps investors move toward financial independence. Understanding the historical performance of the financial markets reveals a compelling case for stocks as part of a long-term financial plan.

The Compelling Case for Long-Term

Stocks have historically been one of the best performing asset classes over the long term. This out-performance has not been achieved without volatility, anxiety, aggravation and sometimes a wild ride. The S&P 500, a benchmark of the 500 largest public companies in the United States, offers a clear lens through which we can observe this performance. Since 1950, the S&P 500 has delivered an average annual return of 11.36% (with dividends reinvested). This growth, while sometimes inconsistent, underscores the potential of a diversified equity portfolio to build wealth, over time.

One of the key reasons for this growth is the increase in earnings and dividends, of the companies within the index. The exponential earnings and dividend growth reflects the underlying expansion of the economy, technological advancements, human ingenuity, and increased productivity.

Volatility and Recovery

Although I make the case for long-term stock ownership as a crucial element in creating wealth over time,

it is important to address that the ups and downs of the market are an important part of the stock market landscape. In fact, since 1926 the S&P 500 has experienced over 300 5% corrections, or drawdowns, over 100 10% corrections and a 20% correction, on average every four years, also known as bear markets. Yet, every single time the S&P 500 has experienced one of these drawdowns it has gone back to a new all-time high. Yes, Every Single Time. So this poses the all-important question:

“Why do so many people lose money in the market?”

Well, there are many reasons for this that will be



addressed in a future musing of mine, but for now let's look at the psychological perils of investing.

The Psychological Barrier

Daniel Kahneman won the Nobel Peace Prize in Economics in 2002 for his study on Behavioral Finance: the psychology of money.

So many great investors have said that a key to in-

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vestment success is the ability to manage your emotions and biases. The field of behavioral finance provides valuable insights into the psychological barriers that hinder many investors from achieving optimal or even average returns. Emotional pitfalls such as fear and greed often lead to irrational and bad financial decisions. In its simplest form, during market booms investors may become overly optimistic, buying stocks into the hype at inflated prices. Conversely, during downturns fear can paralyze investors, driving them to sell at precisely the wrong time. Successful investing is not just about financial acumen but also about emotional discipline.

Investing in stocks for the long-term often leads to enhanced wealth and is a primary building block in the road to financial independence. The steady growth of earnings and dividends underscores the resilience and growth potential in equities. However, the journey is fraught with psychological challenges and emotion-

al pitfalls that can derail investors. Understanding and managing these behavioral factors are crucial for achieving long-term investment success.

You must have a plan, stay disciplined and learn to manage your emotions to avoid distressed selling, while resisting the urge to chase short-term performance. Talk to an investment professional who is a fiduciary and who is vested in your future financial success. And yes, stocks can be frustrating and even terrifying at times but with a long-term levelheaded plan you can accelerate your journey towards financial independence.

Disclosure: Next Level Private LLC is a registered investment advisor. This commentary is for informational and educational purposes only. Next Level Private renders investment advice on a personalized basis, only after gaining a full understanding of a client's, goals and financial situation. Please contact us with any questions you may have.



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Bill Georges, A/Chief (ret.) Albany PD

*Chair, NYSACOP Traffic Safety Committee
NYSACOP Traffic Safety Outreach Liaison*

Traffic Safety is Public Safety

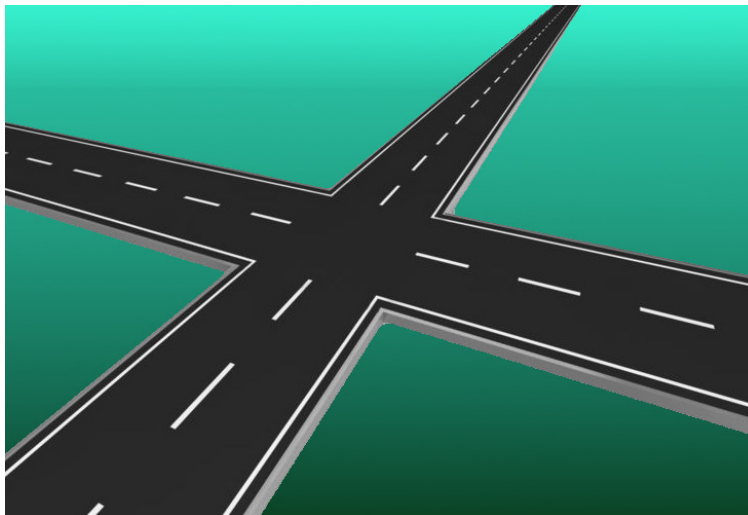
Happy holidays from the NYSACOP Traffic Safety Team! We continue to serve our members and promote traffic safety engagement throughout the State. The team working in concert with the NYSACOP Traffic Safety Committee (TSC), the Governors Traffic Safety Committee (GTSC) and other traffic safety organizations work to provide information, resources and assistance to all our members, their agencies and allied organizations. If you would like assistance/information regarding your agency's traffic safety matters, please do not hesitate to contact NYSACOP Traffic Safety Services Coordinator, Dan Denz at ddenz@nychiefs.org.

We continuously work to promote traffic safety training courses. These are routinely announced in NYSACOP bulletins, sent to our Traffic Safety Points of Contact and posted on our website so please be on the lookout for them. Also, as part of our continuing efforts to promote traffic safety, we offer our Traffic Safety Executive Leadership seminars and Agency Traffic Safety Services Reviews. If your region/agency is interested in having us present either, or both, of these trainings, please contact us and we will work with you to secure a date and location.

We are always pleased to get information about traffic safety initiatives that agencies have conducted in their regions. If your department is conducting a

holiday traffic safety initiative, we would love to hear about it so we can highlight your department's efforts and commitment to traffic safety. Please send us information and any photos that you have.

As the holiday season is upon us, we all know that traffic offenses, especially impaired driving, increase and your work is critical in keeping our roadways safe.



Thank you to our members and Traffic Safety Points of Contact for assisting us with our mission. We all know that core components of traffic safety are enforcement, education and public information so please keep up the good work to ensure our roadways and communities are safe for everyone.

As always, we welcome your comments, inquiries, suggestions and involvement. For further information, or if you would like our assistance, please contact NYSACOP Traffic Safety Services Coordinator Dan Denz at ddenz@nychiefs.org.

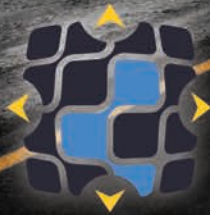
Happy holidays to you and your families and best wishes for a happy, healthy, safe and prosperous New Year!

Bill Georges, A/Chief (ret.) Albany PD

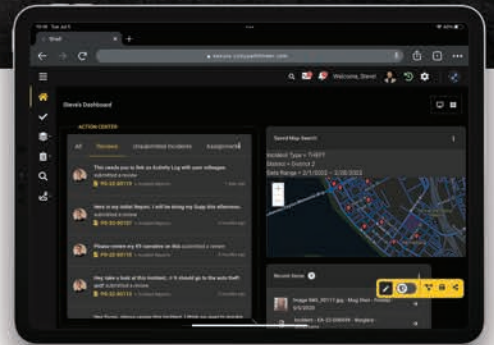
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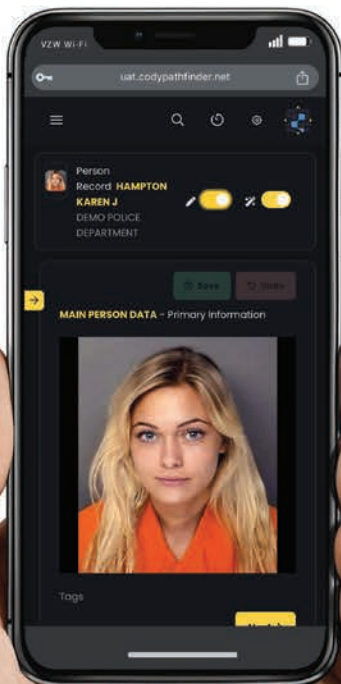
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Crime Reduction: Schenectady Police Unveil Game-Changing Patrolfinder Results

By, Rick D'Errico, Director of Public Relations, Transfinder Corporation

Street-level crime is down significantly in Schenectady as officers implement the groundbreaking software tool Patrolfinder to improve patrol coverage.

The Schenectady Police Department (SPD), Schenectady, NY and software firm Transfinder Corporation unveiled these results during their presentation at the Division of Criminal Justice Services Public Safety Symposium in September.

During SPD's presentation, Chief Eric Clifford and several officers noted that the patented solution Patrolfinder is already transforming how officers serve the community. The presentation, led by Chief Clifford and Transfinder CEO Antonio Civitella, showcased the nine-year journey of innovation, collaboration and data-driven policing.

It's showing results, said SPD Analyst Director Matthew Douglas, who provided the presentation's grand finale with data illustrating Patrolfinder's impact.

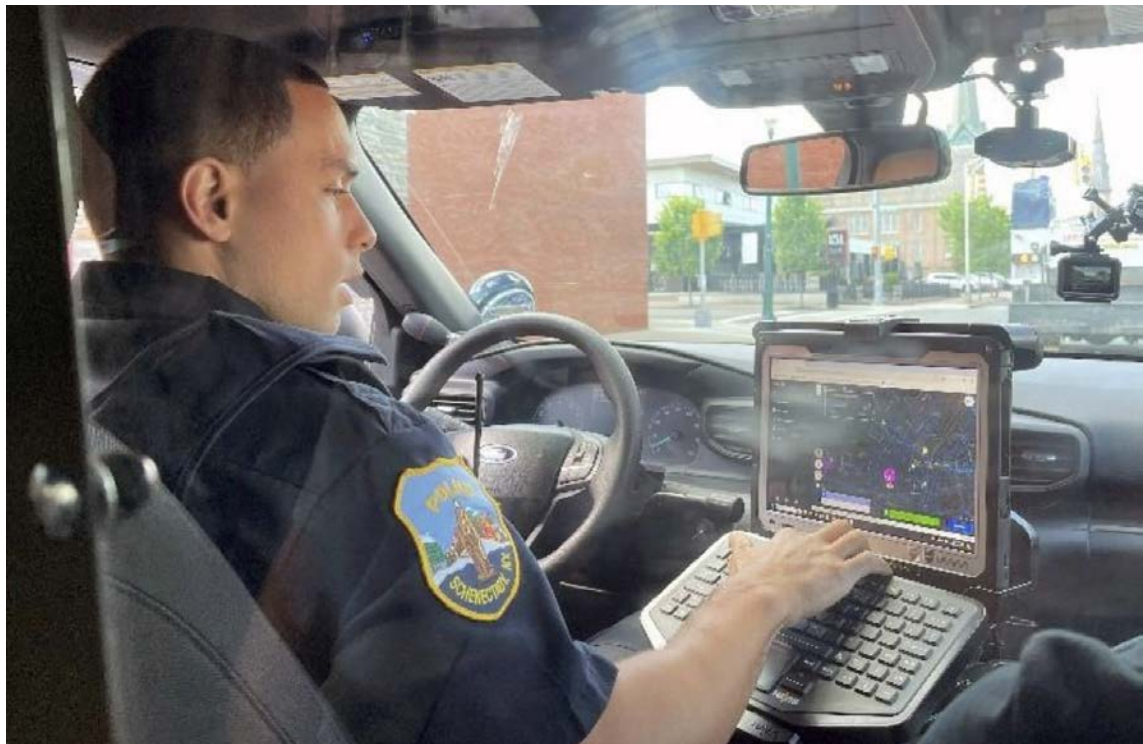
Compared to a five-year average, Schenectady has seen:

- 46% reduction in motor vehicle thefts
- 25% decline in traffic crashes

- 16% decrease in robberies
- 12% fewer confirmed shots fired
- 8% drop in burglaries

Police Visibility

Chief Clifford opened the session by reflecting on days in 2016 when he was in the running to become chief, when he was seeking community



feedback which revealed a troubling gap in police visibility for non-emergency issues.

“We were really good at responding to hot calls,” Clifford said. “Matter of fact, if it’s a Priority 1 hot call, you’re going to get 100 cops there.

Continued on Page 34



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The Patrolfinder Effect Resulting in Street-Level Crime Reduction

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Vehicle Crashes Down 25%

Robbery Down 16%

Confirmed Shots Fired Down 12%

Burglary Down 8%




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Crime Reduction:

Continued from Page 32

But for quality-of-life issues, it might sit there for a while. You might get into an auto accident with no injuries and you might sit there for an hour.”

Chief Clifford felt the residents deserved better.

At the same time, he felt the department was facing a “perfect storm,” with rising call volumes driven by mental health crises, opioid-related incidents and absentee landlords, Clifford sought a solution that would help officers better manage their time and coverage. On top of that, cell phone use increased so it was easier to call or text the police department.



He turned to tech entrepreneur Antonio Civitella, whose company Transfinder had already revolutionized school bus logistics across New York state as well as North America. Civitella knew GIS, mapping and logistics. Clifford wanted to know if Civitella’s company could build something to improve police patrols?

That was the beginning of what became Patrolfinder.

Civitella, whose software powers transportation systems nationwide, embraced the challenge of entering a new market.

“Remember your dad saying, ‘Stick at what

Continued on Page 35



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Crime Reduction:

Continued from Page 34

you're good at?" Civitella joked. But when Chief Clifford came to him, he saw an opportunity to make an impact in his backyard.

"If you're going to be successful, you'd better be successful in your backyard because you're going to see those individuals at your convenience stores," Civitella said.

Tracking Where Police Were Not Going

Patrolfinder's patented core innovation lies in its ability to visualize patrol coverage in real time. Officers can see which areas have been recently patrolled and which have been neglected, allowing them to adjust routes and ensure equitable service across neighborhoods.

"That really was our big aha moment," he said, when he realized the need to track not just where officers were going—but where they weren't. That insight changed everything.

The software integrates GPS data, CAD (Computer-Aided Dispatch), and real-time analytics to create a dynamic map interface accessible from patrol cars and mobile devices. Officers can view hotspots, pending calls, and community-reported concerns, all layered onto a familiar map interface.

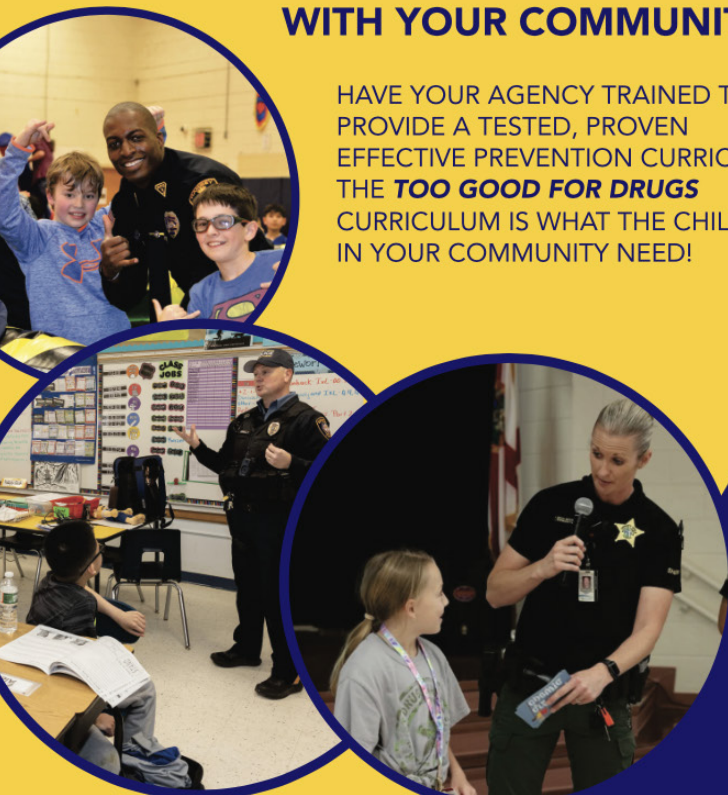
Lt. Michael McLaughlin, who oversees SPD's technology operations, emphasized the tool's impact on communication and officer morale.

Click here to read the rest of the story: [Crime Reduction: Schenectady Police Unveil Game-Changing Patrolfinder Results - Patrolfinder: Real-Time Intelligence for Safer, Smarter Policing](#)

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Everyone Is a Recruiter

By Gordon Graham



Gordon Graham here and hello again! Before I get into the focus on this iteration of my “ramblings,” I must thank many of you for the laughs you gave me with your comments following my last article. Purposefully I was not specific about the medical condition that was causing me grief, but some of your guesses as to what was going on in my body were very, very funny – all inaccurate as heck, but nonetheless they reminded me of some of the humorous comments made in my early days on the job. Thanks for that.

Speaking of “early days” – let me ask you a question: What caused you to choose a career in police work? Some of you are “legacy” hires – your mom or dad or sibling was in the business, and you thought that would be a good path for you. Perhaps it was a teacher or someone else in the world of education that pushed you in the direction of police work. Or perhaps you were fascinated by the TV show *CHiPs* but you did not want to move out west.

Denver, Colorado, was the site of the most recent IACP gathering – and I was fortunate to represent Lexipol there. (Have you seen our new booth? It is really cool!) I also had three opportunities to talk to the attendees during my visit to the Mile-High City. And not to bore you, but I lost big time a few years ago when Mrs. G and I were watching *Jeopardy!* and the final question was, “Which state has the highest elevation capitol?” Of course I “bet the farm” on Colorado – duh, we have been hearing about their “mile-high city” forever – and I was shocked to learn that I was wrong. The highest city is in New Mexico (Santa Fe) at 7,000 feet, the second is in Wyoming at 6,000 feet, and Denver comes in at a mere 5,280 feet. *Who wudda ever think?*

But again, I am digressing.

Prior to the IACP “big event” I wondered if there would still be presentations on recruitment, because for the last half-decade or so all we hear about is “the lack of quality applicants” and “no one wants to come into this profession” and “there just are not enough good people out there” and “if you want to increase the size of the applicant pool you have to lower standards” and all the excuses about the difficulty of recruiting great women and men into a career in police work.

As a result of this shortage there have been a lot of speakers at IACP who have proposed different ideas on recruitment – but many agencies are still having great difficulty recruiting good people. For the last couple of years, LAPD has been authorized to hire a lot of cops, but they are not able to fill their academy classes. And the same is true with LASD; they are having the same problems regarding recruitment. I have heard anecdotal stories: “We are authorized to hire 100 cops a month and we are only getting 10 applicants,” and “We are so shorthanded,” and “There is nothing that can be done thanks to George Floyd and Black Lives Matter and George Soros and the constant attack on police in the media and all the hate and all the vitriol and all the assaults on and murders of cops.”

There has to be a better way!

In 1972 I was headed toward my final year at San Francisco State College, and I honestly thought my career would be in ice cream. I had worked for Earl Swensen, founder of the eponymous Swensen’s Ice Cream stores, through high school and college and I thought

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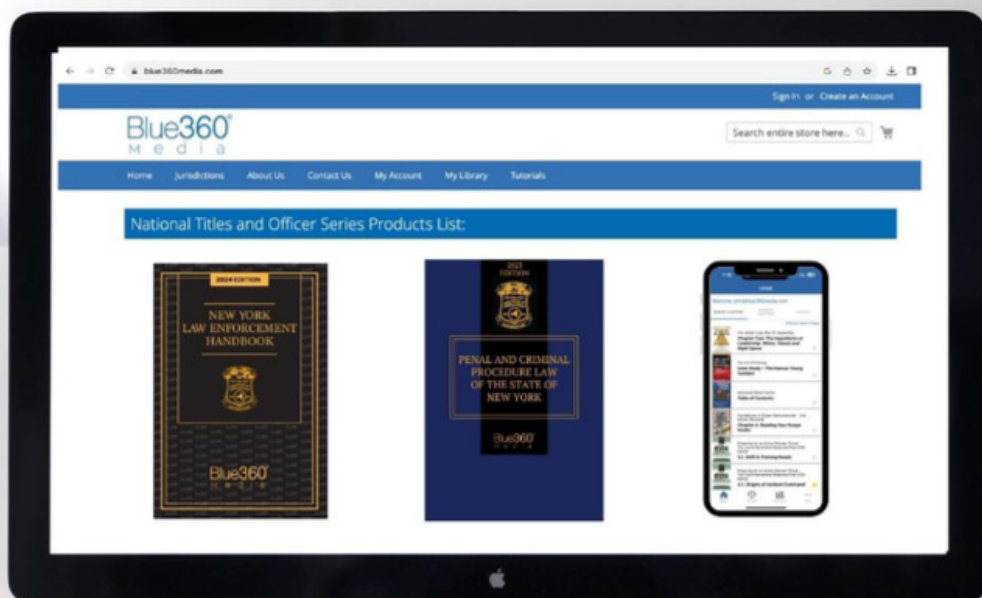
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that would be my path – an ice cream magnate. What I was unaware of was that five years earlier, the newly elected governor of California, Ronald Reagan, had said something in his inaugural address that would change my life forever. I was only 17 years old – still in high school – when he gave that speech, but it impacted my life in a positive manner.

In his inaugural address, Reagan said something along the lines of, “Over the last 10 years we have tripled the size of the California Highway System. There are three times as many paved roadways today as there were just 10 years ago, yet the size of the California Highway Patrol has remained at 2,500 officers. My goal over the next four years is to double the size of the CHP to 5,000 officers.” Rumor has it that he did not tell the CHP about his idea to double to the size of the State Patrol – and apparently the leaders at the time were very concerned about this statement.



“We are barely keeping up with attrition – how can we possibly double the size of the CHP in four years?”

Governor Reagan’s attitude was more positive than the leaders at the CHP. In fact, he even provided a solution: “Well, if everyone of your current 2,500 officers finds one great man over the next four years – wouldn’t that do it?” If you are a math major, you have already figured this out. In 1972, I met a CHP officer (through a series of very interesting circumstances) and he talked me into joining the CHP. Some 50 odd years later, that same thinking still works for the CHP. While other agencies are struggling to hire, the State Patrol currently has three classes of cadets at the academy. It’s at max capacity – 160 young women and men in that rigorous six-month training program in Sacramento.

Mind you, LAPD and LASD pay significantly more than the CHP does, and both of those agencies

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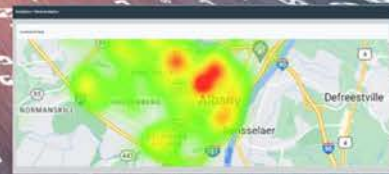


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have local academies where trainees get to go home every night, as opposed to the “live-in academy” the CHP mandates.

So what does this have to do with you? If everyone currently employed by your department made it their goal to find one good woman or one good man during their career, that would help you keep up with attrition. If everyone currently employed by your department found one good woman or man every *year*, you would have a deep applicant pool. If everyone currently employed by your department found one good woman or man every *month*, you would have an applicant pool 12 times larger. I know I did that quickly – the benefits of a Catholic school education!

And if everyone in currently employed by your department found one good woman or man *every day*, you would have that wide, broad, deep applicant pool where you could pick and choose among the best of the best and get a workforce from your community. Please don’t tell me, “There is nothing that can be done.” It is up to you and each of you to make everyone in your department a recruiter. Your people meet great people every day. Give them the tools, the business cards with QR codes embedded. Give them a “sales pitch” they

can use to recruit the next generation of great people who will allow your department to maximize safety and service in your community.

Sadly, my word count has already exceeded the limits set by Madame Editor, but please know I could tell you a thousand stories about how this thinking works. Some of you have been doing this long before you read this article – thank you. Please, let’s each spread the word: “Everyone must be a recruiter!” And everyone can be.



Gordon Graham is a 33-year veteran of law enforcement and is the co-founder of [Lexipol](#), where he serves on the current board of directors. A practicing attorney, Graham focuses on managing risk in public safety operations and has presented a commonsense approach to risk

management to hundreds of thousands of public safety professionals around the world. He holds a master’s degree in Safety and Systems Management from University of Southern California and a Juris Doctorate from Western State University.

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