

**INTERSECTIONS:**  
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Committee

What's Happening

**FACTORS IN LEADER  
DEVELOPMENT**

Greg Veitch  
Ret. Police Chief

**GORDON GRAHAM:**  
Doing Anything  
to Make  
Things Better?

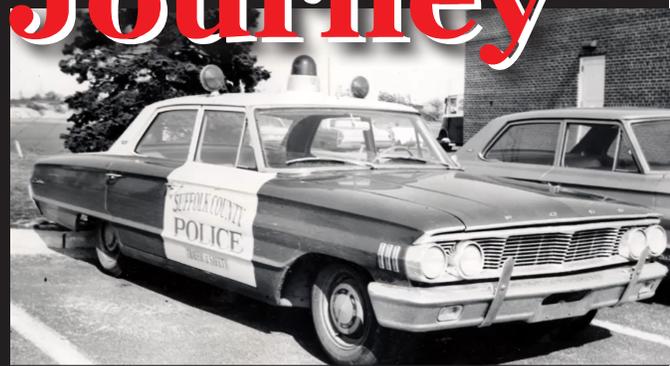
**COUNSEL'S CORNER:**  
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Search and Seizure

**NEW YORK STATE ASSOCIATION OF CHIEFS OF POLICE, INC.**

# THE CHIEF'S CHRONICLE

**MARCH 2024**

## A Full Circle Journey

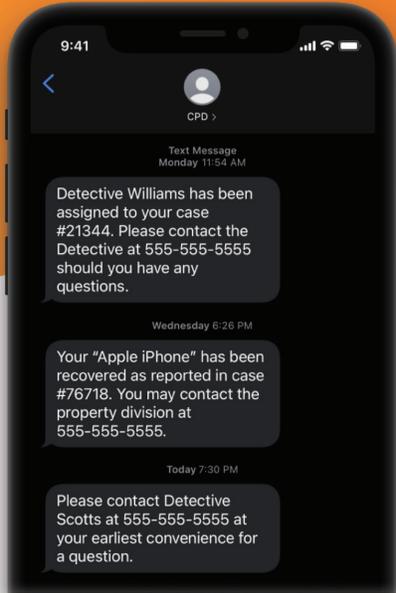


### The History of Law Enforcement Transportation



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*President*  
Chief Shawn Heubusch



## New Year; Business as Usual or Opportunity for Change?

If your agency is anything like mine, the New Year can present opportunities to continue the status quo or be a time to reflect on what the agency has been doing well and what we can improve upon. Not just because we must meet some accreditation standard, but to really make a difference in our communities by addressing needed changes within the organization. Personally, I have never been satisfied with the status quo and continue to look for areas to improve operations and/or performance of the organization. I have found that one key piece to accomplishing this is to include staff members from all layers of the organization in those discussions and allow them to help develop the responses to areas found to be in need of improvement. By empowering the employees through this process, you not only get their buy-in, but you start to identify future leaders inside the organization. This not only demonstrates to your employees that you value their opinions and feedback, but also that you will turn to them when a problem needs a solution. Now, don't get me wrong, there is a time and a place for a top-down approach, however in terms of addressing those items that come up during annual reviews, developing new policies or rolling out new procedures, these are opportunities to lean on those that will be impacted the most by these decisions. We must keep in mind that each decision made has differing effects on each layer of the organization.

### THE IMPORTANCE OF EMPLOYEE INVOLVEMENT:

- **Diverse Perspectives:** Employees at various levels

bring unique insights and experiences to the table. Involving them in decision-making processes ensures a broader range of perspectives, leading to more comprehensive and effective solutions.

- **Increased Ownership:** When employees actively contribute to improvement initiatives, they feel a sense of ownership and pride in their work. This increased engagement often translates to higher motivation levels and improved performance.



- **Enhanced Problem-Solving:** Employees who work on the front lines often have a better understanding of the challenges and opportunities within their respective roles. Their input can be invaluable in identifying and solving problems at the operational level.

- **Boosted Morale and Job Satisfaction:** Feeling heard and valued is a powerful motivator. Involving employees in decision-making processes positively impacts morale and job satisfaction, contributing to a more positive and productive work environment.

Recently, there has been an immense focus on building relationships within our communities, as we all should be. But, we must continue to make the time to build those same relationships within our agencies to assist in developing those future leaders. One way to do that is to collaborate with those within your organization to help improve it. Continual improvement is key to effective leadership.

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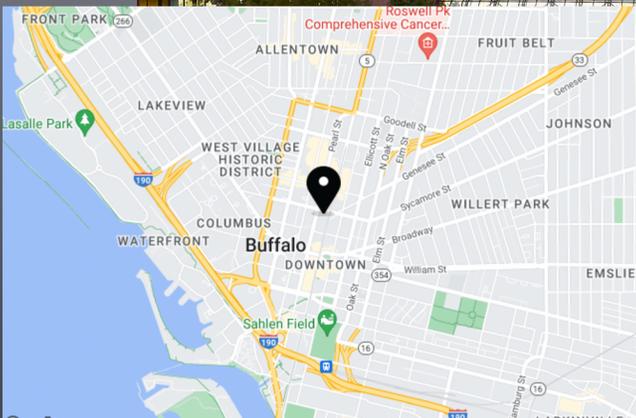
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**JULY 14-17, 2024**  
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## FROM THE EXECUTIVE DIRECTOR

**Chief/Ret. Patrick Phelan**

# Resources Available for Investigating Elder Abuse

While elder abuse has gained a lot of awareness in recent years, these can still be very challenging investigations. What looks like an accidental injury could be evidence of abuse. An unattended natural death could in fact be a murder. If its not what you do every day, it can be challenging for officers to investigate these matters.

The United States Department of Justice operates a website; <http://www.justice.gov/elderjustice>

This website offers access to a number of resources including.

[The National Elder Abuse Hotline](#) the first national hotline to assist older victims and their families in reporting fraud and/or finding local assistance.

The Elder Justice [Neighborhood Map](#) is designed to easily locate state specific resources for older victims.

[The Elder Abuse Prosecutor video series](#) covers many of the critical elements of investigating and prosecuting elder abuse, caregiver neglect, or financial exploitation.

One of the more useful resources is the Elder Abuse Guide for Law Enforcement [EAGLE](#). Are you struggling with an elder abuse investigation? What if you had a checklist to walk you through it? EAGLE provides an elder abuse [Evidence Collection Checklist](#)

that will walk officers through evidence that should be collected while investigating elder abuse. In addition the [First Responder Checklist](#) help officers with questions to ask while investigating elder abuse.

The [Community Resources Tool](#) allows you to enter a zip code and locate local resources to assist with elder abuse cases.

Need Training? EAGLE provides [Roll Call Videos](#) to assist in training your officers to respond to incidents of elder abuse. [EAGLE Tactical Training Module](#) provides power point presentations that can be used in elder abuse training.

EAGLE also provides an [Interactive Map](#) that provides access to state specific laws to be aware of while investigating elder abuse.

The [Law Enforcement Resources](#) section provides information such as tips on interviewing older adults, a bruising identification chart, photography tips, and much more.

Multi – Disciplinary Teams have proven to be a game changer in the investigation of elder abuse. A multi-disciplinary team utilizes the resources of members of multiple disciplines such as law enforcement, prosecutors, social worker, and medical professionals to engage in case review of elder abuse cases. The shared expertise of these professionals allows for a more effective and thorough investigation of elder abuse cas-



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es. If you do not have a multi-disciplinary team in your region you should consider starting one, a minimal investment of time and resources could save a lot of embarrassment should an elder abuse case be improperly investigated. [The Multi Disciplinary Team](#) technical assistance section of <https://www.justice.gov/elderjustice> offers a variety of resources for multi-disciplinary teams (MDT) such as MDT toolkit, MDT webinars, MDT peer support, and MDT network locator map.

The DOJ is working to make law enforcement aware of all of the elder abuse resources available to them. As part of this effort DOJ recently held the National Elder Abuse Law Enforcement Summit in Washington, D.C. All of the PowerPoints from this event are available at <https://www.justice.gov/elderjustice/summit>

clude the New York State Coalition on Elder Abuse at <https://www.nyselderabuse.org/> which provides a variety of state specific resources for elder abuse investigations.



The [NW3C National White Collar Crime Center](#) provides a wide variety of resources for investigating financial crime including financial fraud against seniors.

The Federal Trade Commission at <https://www.ftc.gov/> provides resources for identity theft and scams such as telephone and email scams against seniors, including a report-

ing tool at <https://reportfraud.ftc.gov/#/assistant>

Please avail yourself of these resources to help in the fight against elder abuse.

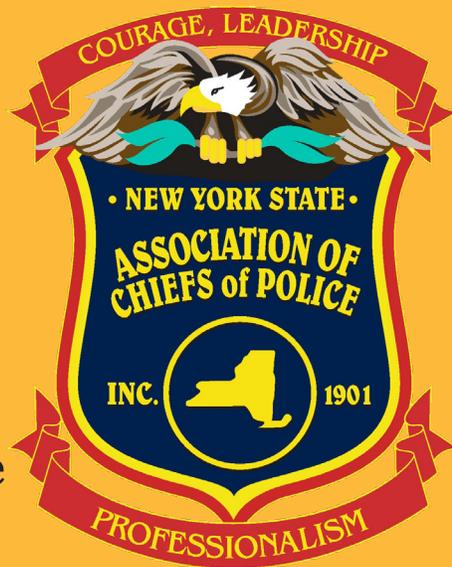
Other resources for elder abuse investigation in-

## ***RETIRING SOON?***

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# CHIEF'S CORNER

Cover Story

## The History of Law Enforcement Transportation



One constant that has existed since the inception of law enforcement in America is the continuous need for law enforcement officers to possess a reliable means of transportation. Officers have always been required to move from one place to another in order to perform their jobs effectively, but the method that they have utilized to do so has continued to evolve. Early in the history of policing, officers pat-

rolled on foot or utilized horses to get around since there were no other options available to them. Eventually horse drawn wagons were introduced. Wagons allowed officers to carry some basic equipment and they also enabled a safer and more effective means to transport prisoners. Bicycle patrols were also used on a limited basis around the turn of the century.

cycles began to replace horses. It is interesting to note that many of the earliest forms of transportation are still being used by law enforcement on a limited basis. Many departments continue to assign officers to foot or bicycle patrol to allow them to be in a better position to interact with the public. A few departments also still maintain mounted units. Officers on horseback have a commanding view and horses have proven to be a very useful tool for crowd control situations, however horses are now often driven to the locations where they will be deployed in trailers and no longer used as a primary means of transportation.

In 1932 the Ford Motor Company produced a car powered by a flathead V8, this car became the first low cost, mass produced, V8 powered car in America. This vehicle became popular with police departments, creating brand loyalty that positioned Ford well to supply police vehicles for decades to come. In the 1940s American car manufacturers began to produce purpose-built police package cars, which were uniquely equipped for use in law enforcement. These cars featured severe duty parts and often larger engines to increase performance. To-



Records indicate that the first mechanically propelled police car was an electric wagon used by the Akron Police Department in Akron, Ohio in 1899. Reportedly it could reach speeds of 16 mph and travel 30 miles before needing to be recharged, hopefully when this occurred there was a Tesla Supercharger nearby. In the early 1900s, mechanically driven wagons began to replace horse drawn ones in larger cities and motor-

cycles began to replace horses. It is interesting to note that many of the earliest forms of transportation are still being used by law enforcement on a limited basis. Many departments continue to assign officers to foot or bicycle patrol to allow them to be in a better position to interact with the public. A few departments also still maintain mounted units. Officers on horseback have a commanding view and horses have proven to be a very useful tool for crowd control situations, however horses are now often driven to the locations where they will be deployed in trailers and no longer used as a primary means of transportation.

day's police package vehicles have numerous special options, including high performance engines, heavy duty suspensions, heavy duty cooling system, high output alternators, heavy duty or multiple batteries, larger brakes, performance tires and calibrated speedometers.



After World War II ended and soldiers returned from combat the auto industry began to thrive in America as production switched from military equipment back to domestic vehicles and a strong demand for cars developed. During the 1950s law enforcement agencies were buying large cars equipped with V8 engines and four-barrel carburetors. These vehicles had heavy duty brakes and suspensions and larger tires to support high speed driving and the overall demands of law en-



forcement duty. Automatic transmissions also became more popular during the 1950s with power steering and brakes added to the mix in the 1960s.

The trend that began in the 1950s continued through the 1960s and 1970s with police pursuit vehicles being equipped with some of the largest and most powerful engines available to allow them to catch up to other high-performance vehicles and muscle cars. The 1970s saw the introduction of air conditioning, and disc brakes into police cars. Front disc brakes substantially improved braking perfor-



mance and made the brakes more reliable in wet weather conditions as compared to drum style brakes. Air conditioning was a welcome addition as many police uniforms were very warm and some departments required officers to always wear their hats, even while operating the police car. One department de-

scribed their strategy for keeping cool on very hot days in the pre-air conditioning era as "440", four windows down and 40 miles per hour to generate a constant air flow through the car.

In the 1980s power windows and power locks became much more common in police vehicles. Any police officer who had a



motorist looking to speak with them on the passenger side of the vehicle likely appreciated the convenience of power windows. In the late 1980s and early 1990s driver side air bags and fuel injection began to become common in police cars. Air bags increased officer safety for frontal collisions and fuel injection made cars much more reliable to operate. Anti-lock brakes also became more widely available during the later part of this period, as did four-wheel disk brakes. Anti-lock brakes were especially useful on police cars given the fact that they were on the road 24 X 7 in all types of weather conditions. Finally, the ability to reliably stop these large powerful cars was catching up to the ability to make them go.

Police package vehicles must be upfitted prior to being placed into service. This process converts the basic OEM car into a full-fledged police unit. During the upfitting process decals, emergency lights, sirens, radios and prisoner cages may be added to the car, among many other items depending upon the department and the specific role

that the car will serve within the department. Upfitting options have also undergone a substantial evolution as



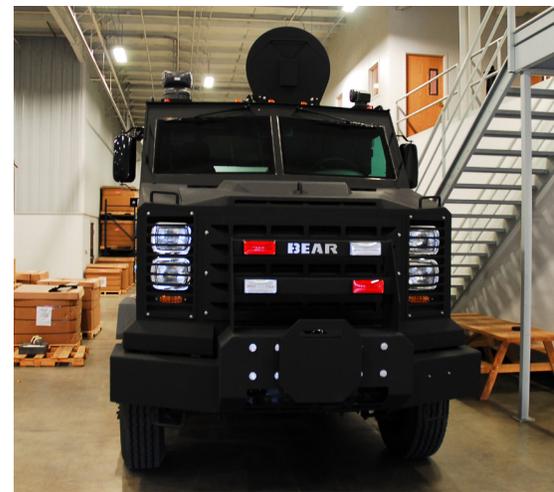
patrol cars have matured. Early patrol cars had limited emergency lighting which consisted of incandescent lights that flashed or turned mechanically using a motor. Early sirens were electro-mechanical and used a motor to blow air through a slotted disk or rotor, thereby creating sound. Needless to say, early emergency lights and sirens drew a substantial amount of power, and when combined with the other electrical accessories that were added to the cars, explained the need for high output alternators and heavy-duty batteries. Incandescent emergency lighting equipment was initially replaced with strobe lighting, negating the need for motors to turn the lights, and has now mainly switched to LED powered lights. LED powered emergency lights draw much less electrical power and they are incredibly versatile and powerfully bright. Their small size allows them to be added all around the car, enhancing 360-degree visibility when the car is operating in emergency mode.

Among the other upfitting equipment options that can be installed into police cars are push bumpers, computers, printers, barcode scanners, gun racks, ballistic glass, consoles, prisoner seats, and storage boxes. Rather than being a simple switch, like in the past, state-of-the-art emergency lighting controllers are now complex computer-controlled devices that can be tied



into the OBI port of the car and programmed to initiate a wide variety of lighting outputs. For example, putting the car into park can change the light pattern and automatically turn off the siren, something that will make the end of vehicle pursuits much quieter going forward. Lighting controllers can now communicate among patrol cars at the same scene and coordinate all of their lighting patterns to be more effective and less chaotic looking to passing motorists. They can also communicate with the infotainment systems in modern cars warning them that they are approaching a stopped emergency vehicle. Some aftermarket manufacturers offer low frequency sound producing sirens that increase sound pressure in other cars to better alert motorists to an approaching emergency vehicle, much akin to a high-powered car stereo with deep bass tones that vibrates other motorists. When properly equipped, patrol cars can even cycle traffic lights in their favor when responding in emergency mode.

Patrol cars can also be equipped with electronics that allow officers to remove the keys while keeping the patrol car running to power all the electrical accessories without concern that the car could be stolen. Many patrol cars are upfitted to allow the vehicle to drive with lights off, including a brake light disable switch. New products are continually being developed to increase the safety and utility of police vehicles. State-of-the-art patrol cars now may feature voice controls, so officers can focus on driving while commanding the car to function merely by speaking. Some patrol cars allow officers to voice dictate their reporters in lieu of typing them. Additionally, patrol cars now have GPS or Automatic Vehicle Locating systems that



can also be used for collision avoidance with other emergency vehicles and geofencing to allow pre-recorded public address messages to be played only in predesignated areas. Patrol cars also often have dash cameras to record relevant events and mobile license plate readers that can alert officers about stolen or wanted vehicles in their immediate vicinity. Cars can also receive alerts from fixed license plate readers for similar alerts nearby to where they are patrolling, again by using GPS geofencing.

As portrayed in the popular Adam-12 series some departments used station wagons for supervisor cars so that they could carry extra equipment for a variety of



age, thereby enhancing law enforcement's ability to protect the public and perform their jobs in a safer manner.

While not precisely a vehicle per se, many departments are now making use of drones which can often replace the need to launch a helicopter for certain applications. Some very progressive departments are using drones as first responders, flying drones to the scene of serious incidents to provide intelligence before ground-based units can arrive. Drones will no doubt play a more significant role for law enforcement agencies going forward, as will artificial intelligence, which may automate some of the functions within the patrol car and act as a second set of eyes while on patrol.

Police motorcycles have not been stagnant either and they have undergone substantial safety improvements over the years, including stronger, more rigid frames; disk brakes; anti-lock braking systems; combined brake activation, wherein a single input activates both front and rear brakes; traction and stability control systems; adaptive headlights and even wearable airbag vests available on some models.

Police departments have even had their own unique police package high performance two-door pursuit cars, including a police package Ford Mustang and a Chevrolet Camaro. The Ford Mustang Special Service Package vehicle was introduced in 1982. It could reach speeds of 160 miles per hour, with almost 15,000 units being sold before the platform was discontinued in 1993. The Chevrolet Camaro B4C package was launched in 1991 and continued in production until 2002. The Camaro was essentially a more luxurious version of a vehicle that was built for street racing.

Many departments are now exploring the transition to electric patrol cars, with many fully electric police cars already on the road. Surprisingly, many of these electric patrol cars are incredibly fast, however there are some significant obstacles to overcome for electric cars to fully replace internal combustion powered patrol cars. Perhaps the most challenging issue is how to recharge cars that are often used twenty-four hours per day, seven days per week. Many of the departments



special circumstances. Police departments have also utilized a variety of other specialized vehicles from mobile command posts, armored vehicles to helicopters and boats. Many of the early versions of these specialized vehicles were improvised, for example former cash transit vans or civilianized military vehicles were used as armored SWAT vehicles. One fairly common former military vehicle utilized was the Cadillac Gage Ranger, called the Peacekeeper by the U.S. Air Force. This was an up-armored 1970s or 1980s vintage Dodge pickup truck that had been built to protect air force and navy installations. As the military decommissioned these vehicles, they were sold to police departments for use as SWAT vehicles. Now these types of special use vehicles are purpose built for law enforcement use

that were early adopters of electric patrol cars needed to work with third party vendors to transition their “civilian” cars for police work, however car manufacturers do have plans to manufacture a variety of purpose-built police package electric cars and SUVs. There is even an all-electric motorcycle. Several states have committed to transitioning to fully electric car sales, so police departments will have to make this transition in the not-too distant future.



producing propulsion is the same, very little else is similar. It is hard to imagine that the Akron police officers who used this first police car could have ever envisioned how technologically advanced cars would become, but one thing is certain, these advancements will only continue going forward and decades from now law enforcement may be using technology far afield from what we have today. Patrol cars will likely be autonomously driven and police

As electric patrol cars again hit the roads in America, one could argue that police transportation has come full circle, harkening back to 1899 when the Akron Police Department began using the very first mechanically propelled police vehicle. While the energy source

officers may well have virtual artificial intelligence powered partners riding with them to make them more effective and to help keep them safe. The one thing that will remain constant though, is as long as there are law enforcement officers, there will be a need for effective transportation for them to get from place to place.

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# COUNSEL'S CORNER

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



## Search and Seizure: Navigating the Legal and Cultural Complexities

**T**he laws governing search and seizure in New York are long established. In recent years, however, I have fielded an increased number of search and seizure law questions, primarily related to traffic stops. Digging deeper, I discovered a common source of the misunderstanding. In every instance, the questions arose after officers had attended some form of interdiction training presented by the same private police training group.<sup>1</sup>

As explained to me, the training encouraged aggressive tactics, was heavily reliant on federal case law and was not state-specific. This led officers to believe that certain actions are legal when they are not. The New York Court of Appeals interprets the law of street encounters under the New York Constitution much differently than the Supreme Court of the United States and other federal courts.

Officers have an individual responsibility to know the laws in their state, and they should know state law can vary dramatically from federal law. But instructors also bear responsibility to keep reinforcing that state law can vary. Further, effective search and seizure law training must emphasize the complexity of the law – it is, after all, probably the most complicated issue officers will encounter. It is easy to stand in front of police officers and talk tough, telling them what they want to

hear. But such training simplifies a complex subject, spreading misunderstanding that can lead to unconstitutional actions. Put simply, it serves no one – the officer, the trainer or the community.

I typically start all my legal classes by telling the officers I am there to tell them what I believe they need to hear, based upon my training, education and experience, not what I think they want to hear.

Over the course of my career, I have attended countless training courses. From this experience I've identified two areas of concern about training that encourages aggressive tactics – the legal implications and the organizational culture implications. This is not to say that I do not want officers to be aggressive. I want them to go out and do their jobs and dig things up. Our communities deserve active yet balanced police officers.

But to be effective, they must understand the legal complexities. So, let us start with a brief discussion of the law.<sup>2</sup>

### THE COMPLEXITIES OF CASE LAW

One area of confusion around search and seizure law stems from the case of *Kansas v Glover*<sup>3</sup>, decided by the Supreme Court of the United State in 2020. An



officer ran a vehicle registration check and, while the registration itself was fine, the registered owner had a revoked driver's license. The officer did not have any reason to know whether the driver was Glover, the registered owner. He pulled the car over; Glover was the operator and the officer arrested him. Glover challenged the stop, claiming the officer did not have reasonable suspicion to stop him.

For those of you who like to read case law, you should understand that the identification of the specific issue of law can be the most important part of the decision. When determining cases, courts first identify the legal issue and then apply that standard to the facts of the case.

The legal issue in Glover was whether the officer was justified in initiating an investigative traffic stop without knowing whether the current operator was the revoked owner.

The standard applied is that, under prior SCOTUS rulings, officers may conduct a brief investigative stop when they have a particularized and objective basis for suspecting a person of criminal activity. While a "hunch" cannot suffice, required reasonable suspicion is not as demanding as probable cause. Further, such a reasonable suspicion inquiry may fall short of 51% since to be reasonable is not to be perfect.<sup>4</sup> The majority also went on to hold that inferences to support reasonable suspicion do not have to be based solely on police training and experience; they can be based on conclusions ordinary people would make.

So, we know the basic facts, the issue presented by the case, and the law that will be applied to bring it to a resolution. Eight justices ruled the officer had reasonable suspicion, based upon the observation of the vehicle being operated and the knowledge that the owner was revoked created a commonsense inference that Glover was probably driver of the vehicle. Key to their holding was that the record was devoid of any information that would negate that inference. While this commonsense inference was enough for the majority, they went on to review the revocation process under Kansas

law, finding that it reinforces the inference that individuals with a revoked license will keep driving since revoked persons have already shown a disregard for the law. Two of the eight justices filed a concurring opinion, relying heavily on the fact that Glover was revoked rather than suspended. A final justice dissented, finding the stop to be unreasonable.

There is another important takeaway from this decision. The court emphasized the narrow scope of their ruling. Here, the court allowed the stop based upon the lack of any information known to the officer to rebut



the inference that Glover was driving. Additional facts, like the officer noticing prior to the stop that the driver does not match available information about the registered owner, would change the reasonable suspicion equation. The dissent pointed out that the state must provide the inference that the subject being stopped is violating a law. Determining reasonable suspicion based on a lack of evidence (lack of information to rebut the inference Glover was driving) flips the burden of proof; hence, the dissent.

So, regardless of what jurisdiction you are in, this decision is very limited, and officers should be wary of reading too much into it.

Now we come to the area of confusion I have encountered among officers in New York. Will the Glover case provide the legal basis for an officer's stop of a vehicle whose owner is suspended or wanted on a warrant? My answer: only if you have objective articulable basis to believe the owner is the person driving the car

at the time.

Let's break that down. As noted above, we must look for the standard or law that applies under the rulings of the New York Court of Appeals (NYCOA). In *People v Hinshaw*,<sup>5</sup> a trooper ran a vehicle registration and received a notification of an impoundment, but the hit clearly stated no further action should be taken based solely upon the response. The trooper stopped the car anyway and ended up arresting Hinshaw for possession of marijuana and possession of a weapon.

The court set forth the requirements of what is needed under New York constitutional law: probable cause<sup>6</sup> to believe the driver of a vehicle has committed a traffic infraction or reasonable suspicion to believe the driver or occupants have committed, are committing or are about to commit a crime. Note that the New York standard specifically requires probable cause for

traffic infractions, while the federal standard does not differentiate and only requires reasonable suspicion of a violation of law. This is a significant difference. The dissent in *Hinshaw* pointed out the federal standard and cited *Glover*, but this was outright dismissed by the majority, indicating the federal standard has not prevailed in state courts.

The essential elements of a probable cause determination consist of it being more likely than not that an offense was committed and that a specific person committed it. My guess is that the NYCOA would follow the dissent in *Glover*, requiring the officer to articulate some objective basis that the owner was operating the vehicle.

Many of you who have read this far are probably now thinking, "This is complicated! How are our officers supposed to know what to do?" The answer, at

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least in part, can be found by the concept of legitimacy.

## Organizational Culture and “Drift”

Legitimacy requires that actions and decisions of officers not only be legal, but also that they are the right thing to do. What is “right” needs to be heavily influenced by the chief or sheriff and set forth in clear organizational values. Are your people balancing the risk to everyone involved in an incident and acting in accordance with proper goals and objectives? The law is complicated, but a clear understanding of what is expected of officers can help them navigate a complex world. Is the sheer number of arrests and community contacts most important, or do you value quality over quantity? Do your people know what your values are?

Whenever possible, agencies need to develop their own subject matter experts in a variety of topics, with search and seizure law being one of them. This means you need to send the proper people to such training, people you can trust to keep learning after the training is over. Smaller agencies can rely on other agencies to share such trainers. Key to this, however, is vetting the training. This may not be possible until after the fact, but my suggestion would be to have your officers submit a summary in writing of what they learned and how they will apply it to their duties. Better yet, when possible, have someone from your command staff attend the training. Any good instructor will welcome that. I am always happy to see chiefs and other ranking members in my legal issues classes.

Earlier in this article I indicated the misunderstandings I encountered were stemming from one training group. But this group is not unique in encouraging officers to push the legal envelope in certain situations, and to ignore supervisors who try to stop them. Such

blanket statements are wrong in so many ways. There are many times where supervisors need to be supervisors and if officers are not happy about it, that is too bad. Someday those officers may realize the sergeant probably did them a favor.

What you are looking for from training is content aligned with your established organizational values. Remember the five pillars of organizational risk management: People, Policy, Training, Supervision and Discipline. Training and supervision are critical elements that must support the other pillars. You may even learn new ways to look at current practices and modify your values appropriately. But, if the message of the training is to push the legal envelope all the time, be aggressive and search as many people and cars as possible, does that match the organizational values set forth by your administration? If so, do you reinforce it with quality assurance checks and emphasize quality over quantity?

There is a subtle but significant difference between an officer who goes out and, in good faith, uses their knowledge of the law to try their best to do things right and those who use their knowledge of the law to make things right. With the former, officers are doing the best they can in a complex world, and sometimes they are wrong. These are officers who use their knowledge of the law to guide their actions before and during community contacts. The latter officers, however, wield their knowledge of the law to make the circumstances fit what they believe is legally required. This “after the fact” application of the law can be inappropriate; fortunately, most officers do not engage in such behavior.

In a previous article<sup>7</sup> I discussed the concept of “drift” – a slow but incremental change in how things are accomplished. We know what the original rules were at some point, but for a variety of reasons, actual



practices can drift to become the new norm. Because of the lack of obvious negative consequences, the practice continues, and upper management may not even be aware of it. Over time, the original rule is forgotten or intentionally ignored. Or to put it very simply: It is all good, until it isn't.

“Drift” is not necessarily always bad, as it can point out practices that are improving the effectiveness of the agency and support organizational values. But a misunderstanding of case law that is brought back and shared with other officers can lead to negative drift. To avoid negative drift, supervisors need to review and question how and why officers are doing things. And frontline officers need to be taught to critically evaluate what they hear and read so they are not basing their actions on flawed logic.

### STRIKING A BALANCE

Our communities need officers who want to engage and do more than just answer calls for service, officers who are willing to make stops and arrests that are legitimate and based on articulable and specific facts. If something is not there, then it isn't. In no court of law, regardless of jurisdiction, will an officer be able to testify they did something because someone vaguely “could have” or “could be.” That is not the world we work in. Learning to do things legitimately may be more difficult, but it is the only way we can hope to uphold the law, earn the trust of our communities and ultimately stay safer on the job.

<sup>1</sup> That company has recently been the source of controversy. See <https://data.nj.gov/stories/s/NJ-Comptroller-Police-Training-Report/qr2h-vn6y/> last accessed on 2/14/24. Feedback I received from officers who attended a NY law specific course from the same company, as compared to generic interdiction-based courses, taught by a NY police attorney were on-point and helpful. <sup>2</sup> A complete analysis of the case law is beyond the scope of this article. Readers should not interpret the content of this article as legal advice. Instead, it strictly for illustrative and training purposes. <sup>3</sup> 140 S.Ct. 1183 (2020) <sup>4</sup> Id., at 1188 <sup>5</sup> 35 N.Y.3d 427 (2020) <sup>6</sup> It should be noted that the Criminal Procedure Law of New York section 70.10 uses “reasonable cause” instead of probable cause. <sup>7</sup> <https://www.lexipol.com/resources/blog/ai-in-law-enforcement-old-and-new-challenges/>

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## Traffic Safety Committee

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

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

### See What's Happening in Traffic Safety

Greetings to all and best wishes for a happy, healthy and safe 2024! Let me start by saying it has been a while since I have written an article for Intersections as we have been honored to have some guest authors share their expertise and experiences in the last three issues. My sincere thanks to Lindsay Tomidy and Jean Triest from the Monroe Co.

Department of Public Safety for their articles on the importance of traffic safety and related messaging and child passenger safety and also Master Police Officer (Ret.) Dimitrios Mastoras, Arlington Co., Virginia PD for his article on reducing impaired driving and how his company Safe Night works with jurisdictions

across the country on that issue. I hope that you were able to read their articles and remember that past issues of the Chief's Chronicle are available on the NYSACOP website. We are always looking for guest authors so if you have an article you would like to share, please contact me.

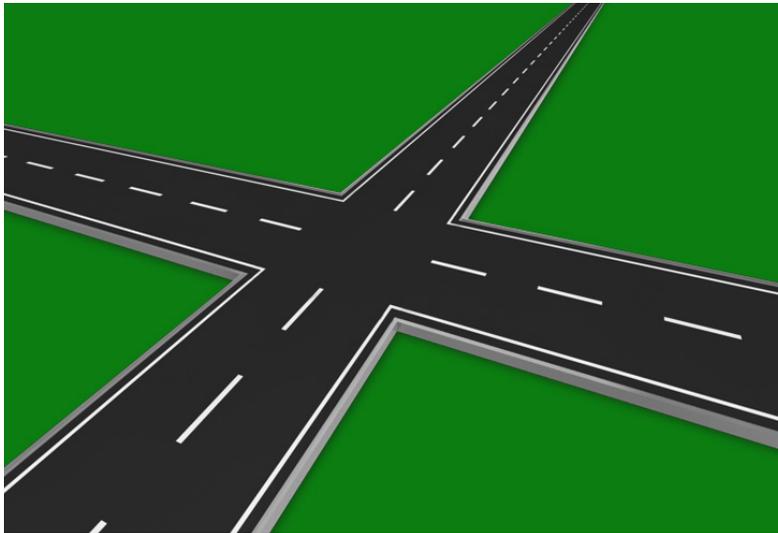
The NYSACOP Traffic Safety Team and Traffic Safety Committee (TSC) remain busy both serving our members and promoting traffic safety engagement throughout the State. The team, working in concert with the TSC, possesses a wealth of knowledge and works tirelessly to provide information, resources and assistance to all our members, their agencies and allied

organizations. If you would like assistance re: your agency's traffic safety matters please don't hesitate to contact NYSACOP Traffic Safety Services Coordinator Dan Denz at [ddenz@nychiefs.org](mailto:ddenz@nychiefs.org).

On the NYSACOP Traffic Safety Committee (TSC) front, I am pleased to announce that Chief William

Worden, Port Jervis PD and Commissioner Kenneth Jackson, Garden City PD have been appointed as our newest members of the TSC. Both Chief Worden and Commissioner Jackson have extensive experience in traffic safety issues and are a great addition to the committee. FYI, minutes from TSC meetings are posted on the NYSACOP website under the Traffic Section.

The team is continuously involved in training efforts. Our Traffic Safety Executive Leadership seminars are ongoing and we recently conducted sessions at the DCJS Public Safety Symposium and Corning PD. Additionally, we have another session scheduled with Lake Placid PD and also will be doing one at the New York State Association of Chiefs of Police, Police Executive Training, being held the week of March 18th at the Niagara Falls Air Force Base, Niagara County. The team also serves on the planning committee for the Empire State Law Enforcement Traffic Safety (ESLETS) Conference which this year will be held on



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April 24th and 25th at the Sagamore Resort on Lake George, Bolton Landing, N.Y. Conference registration is open, we hope that you will be able to attend the conference! One other upcoming event that you should know about is the MADD – NHTSA Region 2 Impaired Driving Summit being held on March 13th at Middlesex College, Edison, New Jersey. Registration is currently open for this as well.

We work with both GTSC and DCJS to provide ongoing training in traffic safety related areas including, but not limited to, impaired driving, crash investigation, commercial vehicle enforcement, motorcycle safety and enforcement and courtroom testimony. We also sponsor Below 100 training courses so please contact us if you're interested in hosting one. Training courses are

routinely announced in NYSACOP bulletins and also on the website so please be on the lookout for them. Drug Recognition Expert (DRE) training is being offered continuously as impaired driving, especially drug

impaired driving, is on the rise, and thus more DREs are needed. One important point regarding DRE training is that proficiency in Standardized Field Sobriety Testing (SFST) is mandatory so both ARIDE and SFST training are important. FYI, several ARIDE training courses are currently being announced.



In addition to training, we constantly monitor traffic safety issues and are currently working on the issue of oral fluids testing. If your agency is currently using this technology, or has in the past, please let us know as we are interested in your experiences.

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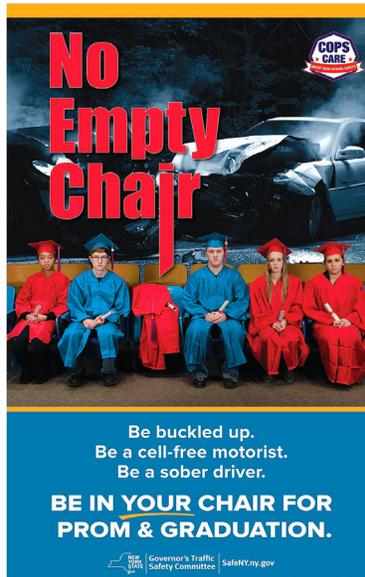
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Thank you to all who conducted initiatives during the Holiday Season Impaired Driving National Enforcement Mobilization and also during Super Bowl weekend. As the data clearly shows, impaired driving enforcement should always be a priority. As St. Patrick's Day is quickly approaching, that is another period to plan for enhanced engagement/enforcement. Also the "No Empty Chair" campaign is scheduled for the week of April 22nd. Contact us if you need additional information.

Before I close, let me thank all of our Traffic Safety Points of Contact (POC) for their efforts in assisting us with our work, we appreciate you! I am pleased to report that we recently added a POC from the Saint Regis Mohawk Tribal Police and are excited to have them on board. If your agency does not have a POC and would like to designate one, please



contact us.

As always, we welcome your comments, suggestions and involvement and also would very much like to hear about what your agency is doing to promote traffic safety so please let us know so we can showcase your efforts. For further information or if you would like our assistance, please contact NYSACOP Traffic Safety Services Coordinator Dan Denz, NYSACOP Traffic Safety Outreach Liaison Mike Geraci and/or me at [Traffic@nychiefs.org](mailto:Traffic@nychiefs.org).

Remember, traffic safety is public safety! Thank you for all you do and

stay safe!

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*Bill Georges, A/Chief (ret.) Albany PD  
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# Factors in Leader Development

By Greg Veitch

Retired Chief of Police from Saratoga Springs, NY



## Anyway: The Paradoxical Commandments

In 1968, when Dr. Kent Keith was a sophomore in college, he wrote “The Paradoxical Commandments of Leadership.” Over the years, Dr. Keith’s Paradoxical Commandments of Leadership have been taught extensively in leadership development programs throughout the country.

In the late 1990’s Dr. Keith read a poem called “Anyway” at the back of a biography about Mother Teresa that contained many of the same sayings (although rephrased) as his Paradoxical Commandments and realized that the essential truths of his commandments and Mother Teresa’s “Anyway” touched on the essential elements of leadership and life.

The Paradoxical Commandments highlight one of the more difficult aspects of leadership, which is that leaders cannot give up on doing the right things, even when they face difficult challenges and people. To do the right thing at the right time for the right reason is what leadership is all about. It is not always easy, but as Dr. Keith says, “Making the world a better place can’t depend on applause.”

For police leaders, from sergeants to chiefs, the world is a crazy, messed up, disappointing, frustrating, and dangerous place. We have laws and policies that help steer us in the right direction, but perhaps we all need something a little bit more.

Knowing the Paradoxical Commandments and striving to live them out might provide us with some guidance and encouragement to not give up on this noble cause that we all joined with good intentions, only to be faced with the reality of police work. Let’s take a look

at some of the Paradoxical Commandments now.

The first of the Paradoxical Commandments is, “People are illogical, unreasonable, and self-centered: Love them anyway.” In Mother Teresa’s poem this commandment is written as, “People are often unreasonable, illogical, and self-centered: Forgive them anyway.”

How many times, as a leader, have you tried to get something accomplished or implement a program that would benefit the officers, the department and the community, only to be met with a multitude of obstacles? A what’s-in-it-for-me attitude or even a temper-tantrum? Have you ever encountered an excuse or objection that makes no earthly sense to you?

When leaders engage with subordinates who seem to be irrational or who raise preposterous objections to logical, reasonable requests, it can be tempting to get angry, to become frustrated, and to try to “fight back”. We might adopt an authoritarian leadership style to overcome what we see as irrational and selfish responses to our efforts, which can lead to all sorts of negative outcomes. But...

We say that this profession is a brotherhood. When a new officer comes on board we frequently say things like, “welcome to the family.” The police stick together and will come to the aid of a brother officer at a moment’s notice. As police leaders, we absolutely want the best for our people, and we put a ton of time and effort into doing what we believe is in the best interest for our officers, our departments, and our communities. And too often, those efforts are unappreciated,





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Yet as Dr. Keith says, “It doesn’t matter what the world does in response. Personal meaning comes from giving the world your best, no matter what.” We need to remember that and act accordingly.

Those are just three of the Paradoxical Commandments. Dr. Keith gives us others, such as, “The biggest men and women

with the biggest ideas can be torn down by the smallest men and women with the smallest minds: Think big anyway.” And “If you do good, people will accuse you of selfish, ulterior motives: Do good Anyway.”

**“The good you do today, will often be forgotten, Do good anyway.”**

*— Mother Teresa*

Whether you are familiar with the Paradoxical Commandments already or this is the first time you are coming across them, you would do well to pick up Dr. Keith’s book, *Anyway: The Paradoxical Commandments. Finding Meaning in a Crazy World.*

Read it for the first time or read it again for a leadership booster shot. It is not a big book, but it is packed with wisdom and encouragement on leadership and life. It is a book that should be on every leader’s reading list.

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ridiculed, or outright rejected.

People are, in fact, illogical. They are, in fact, unreasonable. They are, in fact, self-centered. But so are you and I. And since that is the case, shouldn't leaders recognize that even when subordinates behave selfishly and unreasonably, they still deserve our love and forgiveness just because they are human beings. Human beings that we are responsible for.

The next time you are dealing with a difficult person or situation, whether at work or at home, try to remember and apply the Paradoxical Commandment, "People are illogical, unreasonable and self-centered. Love them anyway."

Another of the Paradoxical Commandments is, "The good you do today will be forgotten tomorrow: Do good anyway."

This may be my favorite one. It is true, the good you do today will be forgotten tomorrow! But that does not mean that there is no value in simply doing good when you can, where you can and for whom you can.

How many times in your life and career have you done good for someone, only for that good to go unrecognized or unappreciated?

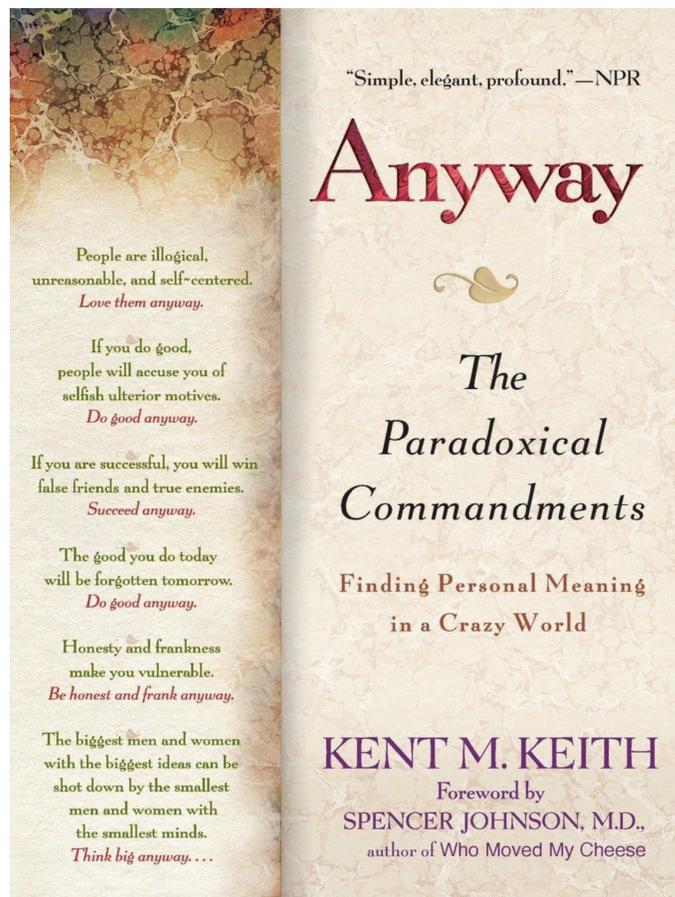
It can be hard to do good for no apparent reason or personal benefit. Leaders often ask themselves, why am I banging my head against a wall doing good if nobody knows or cares, and I don't seem to be getting anywhere or accomplishing anything?

Leaders lead by example, of course. And what better example of leadership is there than doing good for others for no other reason than just doing something good for someone else.

You may not be required to, there may not be a rule or policy that says you must do good. In fact, much of the good you do today will be credited to those who come after you. When you lay the foundation, future success is often attributed to your successor (I'm talking to you here chief). The credit is not what is important. The good that you do is.

It matters how you lead and how you live. When doing good for its own sake becomes part of how you live, part of who you are, you will inevitably become a better leader. From big efforts to the smallest acts of kindness, do good anyway.

By the way, when you do good simply to do good, even if nobody else knows or remembers, you will know and you will remember.



Leaders often give their best to their people, organization, and community. Sometimes we feel that we suffer for it, and that brings us to a third Paradoxical Commandment to consider, "Give the world the best you have and you'll get kicked in the teeth: Give the world the best you have anyway."

There is no telling what the result of will be giving your best. You may get accolades, recognition and rewards. Or, you might get jealousy. Rivalry. Conflict. Resistance. Antagonism.

Leaders who have been around for a while know this feeling well. This is true of leadership, and it is true of life. Life will kick you in the teeth and giving your best is no guarantee that things will go well for you, that you will not suffer, or you will not be left alone to fight the good fight by yourself. Leadership and life are simply not that way.

# Is Anyone Doing Anything to Make Things Better?

By Gordan Graham



**G**ordan Graham here and thanks for taking the time to read my ramblings about managing risk. When Madame Editor sent me a request for this article, I prepared by rereading my earlier submissions, each of them dealing with tragedies and the value of learning lessons from these events to prevent their recurrence. For this writing, I will use a different approach.

As we settle into 2024, I am looking back on my last 47 years of talking in front of groups of law enforcement officers. As you may know my speaking career started in 1977 after an LAPD shooting involving Sergeant Kirk Barz. The fellow he killed was naked and acting crazy on the streets of Rampart Division in the early morning hours of August 4. As the sergeant approached, the subject violently attacked him and began beating the sergeant with his baton. Following the incident, the regular “the police are evil” crowd questioned whether Sgt. Barz needed to use deadly force. But several days later the “coroner to the stars” – Dr. Thomas Noguchi – opined that PCP was present in the subject’s system and this drug had caused his extremely violent behavior and “superhuman strength.”

So here we are in 2024 and everyone reading this is intimately familiar with PCP. But in 1977 it was a different story. “What’s PCP?” “I’ve never heard of PCP.” “Why does it cause such violent behavior?” PCP was pretty much unknown to the law enforcement community back then.

Those of you who have read my work or been to my live programs know that I had just finished graduate school earlier that year and was off to law school in

September. My graduate work at the Institute of Safety and Systems Management focused on “identifying problems and finding solutions.” So back then, I was thinking, “PCP is going to be a problem for cops. What is the solution?”

I wanted to learn more. With that mindset I wrote down the names of all the “talking head experts” on PCP (all PhDs and MDs) and looked them up in the phone book and visited their offices while I was on duty.

Typically I’d be greeted by a receptionist: “Can I help you, officer?” I politely told them, “I don’t have an appointment, but I saw her/him (pointing to the picture on the wall behind the reception area) on TV last night and I would like to talk to her/him about PCP.” Everyone of these experts found the

time to talk to me. I took notes furiously and I thanked them profusely.

I compiled all these notes into a little booklet the size of a ticket book – hard stock paper, eight pages long – and I entitled it “PCP – An Officer’s Guide to Recognition, Arrest and Prosecution.” I made 40 copies of it and I gave a copy to all the cops on the shift I was working (B shift – 1345-2230 HRS) and I encouraged them to read it. Somehow my captain got a copy and he directed me to train all the officers in Central Los Angeles. And that spread to the division commander asking me to address all the officers in Southern Division (Los Angeles County), which led to me narrating a videotape prepared by the AV people up at headquarters. And all of that led to me being invited to other law enforcement agencies to train them on PCP, which led to me establishing Graham Research Consultants in 1978.

My “menu” of classes increased as I learned var-

**“Can I help you, officer?”**



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ious things in law school, including report writing, courtroom testimony, civil liability, scene management and close call reporting. Ultimately, I was lecturing on 25 different topics, all with the focus of, “What can we do up front to prevent problems from occurring?”

This was the theme I presented when I was hired by Rio Hondo Police Academy in 1978, and then California State University Long Beach, and then Chapman University and California Specialized Training Institute and Los Angeles Police Department and Los Angeles Sheriff’s Office, and then San Diego Sheriff’s Department and NYPD and FDNY and Chicago Police Department and District of Columbia Police, the FBI Academy at Quantico and the DEA Academy on the same campus. It led to me presenting at the big national shows – IACP, NSA, Major County Sheriff’s and Major County Chiefs – as well as to thousands of smaller agencies around our great nation.

Since that humble start in 1977, I have visited all 50 states and all the provinces in Canada and have lectured to cops from over 50 different countries, all while accumulating millions and millions of air miles, thousands of hotel room keys and more challenge coins and coffee cups than you could possibly imagine.

Why am I boring you with this? I always wonder if my work is worth the effort. Is anyone listening? And more importantly, is anyone doing anything to make things better? To get the answer to that question, I encourage program attendees to either call me or drop me an email (I learn a lot from these queries and comments, including some from you good people in New York law enforcement). And many thousands have done that over the past four decades.

Oddly enough I see the same comments repeated over and over – even from cops around the world. The most common statements are:

1. “While I agree with what you say, I am only

one person in a big organization – and one person cannot make a difference.”

2. “Spending money up front to address an uncertainty in the future is a foreign concept in law enforcement operations.”

3. “I loved the TV show CHiPs!”

OK, I made the last one up, but the first two are still being asked today. With this in mind, I am asking you to do me a favor – and I will make it very simple for you. With respect to the first comment about the ability of one person to make a difference, please get yourself a cup of tea or a cup of coffee or the drink of your choice and plan on spending 15 minutes as you read these two articles:

Law Enforcement Legend Charles ‘Sid’ Heal Has Died

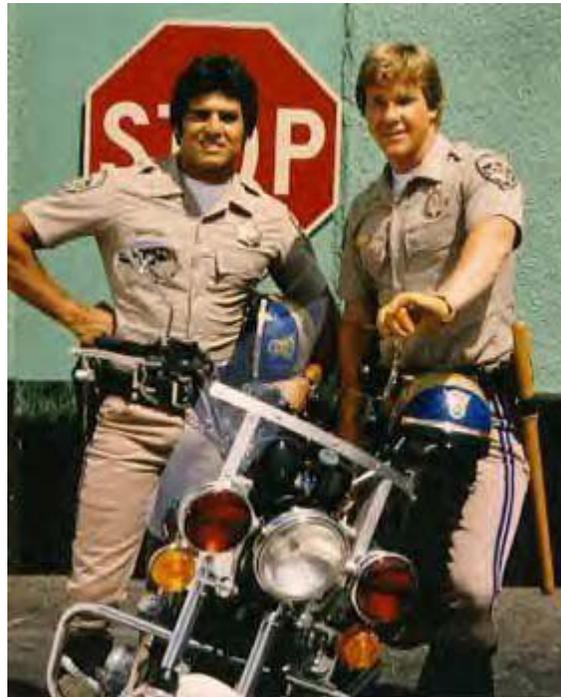
Rick Rescorla: American Hero of Vietnam and 9/11

I will address the second comment in my next article but I will give you a “teaser” up front: Small amounts of time and money can save you a lot of grief – and billions of dollars downstream.

Until our next visit, I wish you great success in all you are doing. When you click on either of the above links, recognize that just like you, Sid and Richard were each “just one person” – and they made one heck of a difference.

---

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.



# March is Women's History Month



## WOMAN IN LAW ENFORCEMENT

**1845:** Flora Foster was appointed as one of two women matrons at the New York City Prison (the Tombs) and served in that capacity for thirty-six years until her death in 1882.

**1890:** Marie Owens was one of the first known appointed policewomen in Chicago, Illinois.

**1908:** Lola Baldwin was the first sworn female police officer, hired by Portland, Oregon.

**1916:** Constance Kopp was officially hired as New Jersey's first female deputy sheriff, after serving as jail matron and capturing an escaped fugitive at a Brooklyn subway stop in late 1915.



**Flora Foster**



**Georgia Ann Robinson**

**1916:** Georgia Ann Robinson was appointed to the LAPD, making her America's first known African-American policewoman.

**1920:** Myrtle Siler was elected sheriff in Pittsboro, NC.

**1946:** Josephine Serrano joined the LAPD, becoming the first known Latina policewoman.

**1972:** Tanya Padgett, Martha Parks, and Tommie Stewart were sworn in as full police officers in Ann Arbor, MI, one of the first cities in the country to take this step after changes in employment law in 1972 made it illegal for police departments to discriminate on the basis of gender.

**1985:** Penny Harrington became the first female police chief of major city, in Portland, OR

**2004:** Heather Fong became first the first Asian-American woman to serve as police chief of a major city, in San Francisco, CA.

In 2021, 60.3 percent of full-time civilian law enforcement employees in the United States were female. Only 13.3 percent of full-time law enforcement officers were female, while 86.7 percent of law enforcement officers were male.



**Chief Penny Harrington**

NYPD's First Female Partners on Patrol <https://www.youtube.com/watch?v=Qyy0PicyAeg>

### DO YOU KNOW ABOUT THE 30X30 INITIATIVE?

It's the goal to have 30% Representation of Women in Law Enforcement by 2030.

# News Around NY

<https://www.facebook.com/groups/nysacop>



New York State Association of  
Chiefs of Police



**NYSACOP**



Colonie Police Department

1d · 🌐



Come see us at the Albany Capital Center on Tuesday, March 12 from 5-9pm for a recruitment seminar, specifically for women thinking of a career in law enforcement. There will be a panel discussion and keynote speaker from 5pm-6:30pm with an opportunity to speak with us and other agencies after. Scan the QR code below to register and we hope to see you there!



## RECRUITING WOMEN INTO LAW ENFORCEMENT

Event hosted by  
FBI Albany  
in collaboration with  
Federal, State, and  
local partners

🕒 Tuesday,  
March 12th, 2024

📅 5 p.m. to 9 p.m.  
Panel Discussion & Keynote  
5 p.m. to 6:30 p.m.

📍 Albany Capital Center  
55 Eagle Street  
Albany, NY 12207

Register Here! 

Questions?  
AlbanyRSVP@fbi.gov



Quogue Village Police Department is at Quogue Village Beach.

February 22 at 1:58 PM · Quogue, NY · 🌐



Not every seal you see on the beach is stranded-in fact, most are just resting.

As semiaquatic animals, seals don't spend all of their time in the ocean, and will come ashore regularly to take breaks or wait out storms. Moms will also temporarily leave their pups on the beach while they go hunting in the ocean. If the animal is lifting its head and tail regularly or moving around comfortably, it's most likely just resting and does not need our assistance.

It may be tempt... See more



Buffalo Police Department is in Buffalo, NY.

4d · 🌐



Today, Lieutenant Baker, the Commander of the K9 Unit, joined @citycreaturesbuffalo at @news4buffalo to discuss the 3rd Biennial Blue Line for Buffalo Charity Hockey Game. The Buffalo Police Department will be competing against the Buffalo Fire Department.



Port Chester Police Department

1d · 🌐



This week PCPD took advantage of the winter break at Park Ave School, to train and refamiliarize our members.

Members were able to trained in different types of scenarios,as well as incident command.

We trained with both PC and Rye Brook SRO working together and getting acquainted as well.

This type of training is an invaluable experience and we thank the Port Chester School District for allowing us the use of the building.

