

The New York State

Chief's Chronicle



Serving New York's Police Executives Since 1901

December 2020

***RESPONDING TO STRESS IN POLICING:
OFFICER WELLNESS: THE CHIEF'S CHALLENGE
CERTIFIED FIRST RESPONDER COUNSELOR PROGRAM***

***Also in this issue:
COUNSEL'S CORNER: DE-ESCALATION—A COMMONSENSE APPROACH
CHIEF ELECTED TO STATE ASSEMBLY
RADIOLOGICAL SECURITY***



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Do you have an interesting law enforcement story or an article you would like to submit, photographs of member activities or field scenes?
Contact the editor: Mark Spawn at APB@nychiefs.org

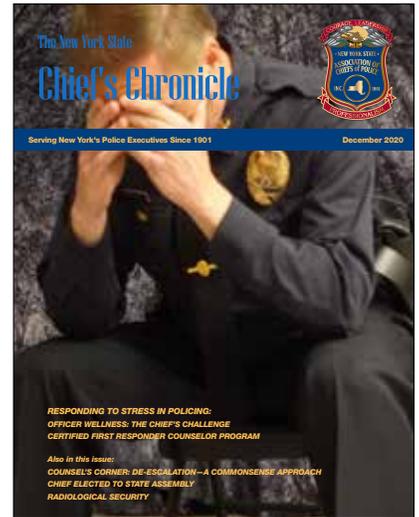
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On the Cover:

In this edition: As we near the end of a tumultuous year, we focus on the wellness of the men and women who are serving our communities. We highlight President Patrick Phelan's *Chief's Wellness Challenge* initiative, a certification program where agencies are recognized for supporting the physical fitness of their employees and affording mental health services. We also discuss a new program which provides cultural competency for mental health therapists about the nuances of working with first responders. The Certified First Responder Counselor program informs therapists about the unique world of police, firefighters, EMS and 911 professionals. By having an understanding of horrific car crashes, burns, child abuse, death, and other stressful scenes, counselors can have a better understanding of what "normal" is for that first responder and serve them better.



Utica Police Build Bridges With Youth Through Video Game Competition

When shootings increased sharply in Utica, New York, police and city administrators met with the community for a Gun Violence Summit to discuss strategies to reduce shootings. Police Chief Mark Williams said, "We really need cooperation from the public when it comes to gun crimes. Getting information can be a challenge. One of the suggestions from the Summit was that we could build trust with our youth through a Police and Community Athletic League (PCAL)." In February of this year, the wheels were in motion to begin a PCAL, and then, COVID slowed the project, but it didn't stop their motivation. Police knew there was a way to go forward while respecting social distancing and safety protocols, but contact sports were unrealistic. Instead, Utica Police challenged youth in grades 6-12 to a 4-week Video Game Competition that occurred every Monday in November at Cornerstone Church, 500 Plant Street Utica. Participants will be randomly assigned to teams with Utica Police Officers and compete to win prizes. The grand prize was an Xbox One Kindle Bundle, which was donated by the Utica Chiefs of Police Union. Additional prizes were donated by local retail stores. Chief Williams said, "We have received a good reaction from both the community and the police officers. When COVID subsides, we look forward to getting into sports and other activities with our youth."

Highlights of the Leadership Summit



**Chief Patrick Phelan
President**

We did it! Despite having to cancel our annual training conference this past summer due to COVID concerns, we had a 'Plan B', a Leadership Summit that we held in partnership with the New York State Sheriff's Association (NYSSA) in Lake George on October 28-29. The pandemic was still a concern, but with precautions and meticulous planning, we were able to safely assemble 100 of New York State's law enforcement leaders to discuss the emerging issues of today. And it was

obvious that our members were anxious for an in-person gathering, too. Attendees were treated to a diverse array of distinguished speakers with presentations on police reform, new legislation, traffic safety during a pandemic, training, policy, and community engagement. We were honored to have a virtual presentation from Chief Steven Casstevens of the International Association of Chiefs of Police (IACP). As you may know, President Casstevens just completed his term as IACP President. He shared the details of his one-on-one meeting with Attorney General William Barr. Casstevens spoke with Barr about The Presidential Commission on Law Enforcement, The Presidents Executive Order on safe policing and safe communities, calls for defunding of the police, and recruitment and retention of qualified police officers. Casstevens full interview with Barr is highlighted in the October 2020 issue of Police Chief Magazine.

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

media engagement. But there were some pitfalls – Gleason and McNerney noted that the Task Force was too large, and that working group leaders needed to keep their group focused on the mission of complying with the Governor's Executive Order.

District Attorney Sandra Doorley (Monroe County) addressed Summit delegates about police reform legislation. Doorley, who also serves as the President of the District Attorneys Association of the State of New York, discussed the impact of the repeal of Section 50-a of the Civil Rights Law which protected the personnel records of police officers. She said that the repeal of Section 50-a means that police personnel records are no longer considered confidential. The discussion included references to FOIL and the Public Officers Law, as well as best practices in responding to requests for police personnel records. Doorley also discussed the duty to disclose impeachment material and the presumption that prosecutors have constructive and actual knowledge, and a duty to learn about every member of the prosecution team including case detectives and law enforcement witnesses, even if no personal or actual knowledge exists. Also discussed was the Eric Garner Anti-Chokehold Act, the Office of Special Investigation, medical attention for persons under arrest, the right to record law enforcement activities, required reporting of the discharge of a weapon, and the Law Enforcement Misconduct Investigative Office.

Since COVID came on the scene, we have seen dramatic changes in the way we conduct traffic enforcement. A special module on traffic was facilitated by Asst. Chief/Ret. Bill Georges with presenters Chief/Ret. Brett Railey and Asst. DMV Commissioner Chuck DeWeese. Chief Georges stressed that traffic safety is public safety, discussing how a comprehensive traffic plan with committed leadership improves the quality of life, reduces crime, and is responsive to the needs of the community. Chief Brett Railey discussed why we need traffic champions today more than ever, and he highlighted the benefits of using a highway safety committee for a coordinated approach. Assistant DMV Comm. DeWeese co-presented on behalf of the Governor's Traffic Safety Committee which provides grants and resources to assist municipalities with a variety of traffic safety services.

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

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

Counsel's Corner



De-escalation: A Commonsense Approach



BY CHIEF MIKE RANALLI, (RET.) GLENVILLE POLICE DEPT.; LEXIPOL PROGRAM MANAGER

"The officer really should have de-escalated the situation."

Such statements are becoming common in accounts of and conversations about use of force incidents. An increased focus on de-escalation is a good thing; experienced police officers know the value of being able to "talk someone down", and countless tragedies have been averted by officers using de-escalation skills.

But the above statement is all too often applied quickly and without an understanding of what de-escalation means and without knowledge of the factors and actions—those of both the subject and the officer—that led up to the use of force. As a career police officer, chief, attorney and police trainer for the last 30 years, it is very clear to me that people will sometimes do what they are going to do no matter what an officer says or does.

It is easy to ask, "Why didn't the officer de-escalate the incident?" But from a training, policy and liability perspective, that may be wrong question. If culpability is to be assigned to someone, the more appropriate question is, "Who escalated the situation and why?"

WHAT IS DE-ESCALATION? DO WE NEED TO DEFINE IT?

What is the definition of de-escalation? Well, in my trusty and ancient American Heritage dictionary (a real book!), it is defined as "to decrease the scope or intensity." Turning some yellowed pages, I then get to escalate: "to increase or intensify." In the world of police training these are not the most helpful definitions. Do we need to further define de-escalation? Or will that only bog us down in examples of tactics and decisions that may help to bring the incident to a successful conclusion?

Lexipol recently completed a revision and update of its Use of Force Policy by adding a new subsection:

ALTERNATIVE TACTICS - DE-ESCALATION

When circumstances reasonably permit, officers should use non-violent strategies and techniques to decrease the intensity of a situation, improve decision-making, improve communication, reduce the need for force, and increase voluntary compliance (e.g., summoning additional resources, formulating a plan, attempting verbal persuasion).

This section needs no accompanying definition of de-escalation as the operant content speaks for itself. It supplements the entire Use of Force Policy (and the policy manual) in reinforcing the concept, "Don't make it worse if you can help it, but if the person forces the issue, respond in an objectively reasonable manner." It also supplements and reinforces other areas of Lexipol policy that address de-escalation, including crisis intervention incidents, emergency admissions, conducted energy devices and civil disputes.

When circumstances reasonably permit, officers should use non-violent strategies and techniques to decrease the intensity of a situation, improve decision-making, improve communication, reduce the need for force, and increase voluntary compliance.

TRAINING OPTIONS

While having de-escalation in policy is important, it must be reinforced by training. Two primary de-escalation-oriented trainings I recommend are Force Science Institute's "Realistic De-Escalation" course and the Police Executive Research Forum's "Integrating Communications, Assessment and Tactics" (ICAT) training, which deals heavily with decision-making, particularly while dealing with people in crisis.

In the era of COVID-19 and related lockdowns, attending in-person training like these two courses is difficult. But de-escalation is too important a topic for agencies to sit back and wait, putting off training until the pandemic has eased. In this article I will share some thoughts and considerations that can inform how law enforcement leaders discuss de-escalation with their officers and deliver instruction on the topic, whether through roll call, online training or even one-on-one conversations.

COMMUNICATION OR DE-ESCALATION? OR BOTH?

Dr. Bill Lewinski of the Force Science Institute distinguishes

between conflict communications and crisis communications. In general, conflict communications are used on criminal suspects, while crisis communications—tactics we associate with de-escalation—are used on noncriminal subjects, including persons in crisis.

As Dr. Lewinski notes, however, it's not that simple. The proper opportunity (when there is limited risk to innocent people or officers) is necessary for de-escalation to be successful. De-escalation is particularly applicable to persons in crisis situations with limited risk. It should be noted a person who is in a severe emotional crisis or state of "excited delirium" may not be able to comprehend or even hear attempts at de-escalation, which is based on a capacity for communication. Therefore, the situation could exceed the limited risk necessary for effective de-escalation.

4 BASIC DE-ESCALATION PRINCIPLES

Using some real-world incidents from the past several months, we can identify four basic de-escalation principles that may be of immediate applicability in your agency. While considering these principles, it is important to candidly assess whether some past training artifacts may have created unnecessary conflict in these incidents.

1. **Ensure your citizen contact procedures are legitimate and based on respect.** A police officer stops a car for an equipment violation—the rear taillight is out. The officer approaches and asks for the operator's paperwork. The operator asks the officer why he was stopped, but the officer refuses to answer, again asking for the paperwork. The situation now escalates, with both parties refusing to budge, and results in the officer forcibly removing the operator from the car.

Who escalated the situation? Is the officer within his or her legal right to demand the paperwork before explaining why the operator was stopped? In many, if not most states, yes. But is refusing to tell the person why they were stopped legitimate—meaning not only legal but the right thing to do? No, the respectful thing to do is to advise someone why they are being contacted and immediately take that issue off the table.

2. **Ensure your officers know their legal limitations prior to engaging the public.** A citizen calls the police to report a person acting "sketchy" because he is walking down the street with a ski mask on in August (this is pre-COVID). An officer sees the young man—5'6" and 140 lbs.—walking down the street carrying a shopping bag and wearing ear buds. The officer stops his car and gets out, immediately shouting, "Hey, stop right there. Stop, stop, stop." The man continues to walk, indicating he has the right to walk on and go home. The officer states he has the right to stop the man because "he is being suspicious." The man replies, "I am an introvert, please respect the boundaries that I am speaking. Leave me alone." Officers physically seize the man, eventually bringing him to the ground in a struggle that results in an officer applying a carotid restraint. As the man is being transported to the hospital, he goes into cardiac arrest; he dies a few days later.

The legal authority of an officer to seize a person for no other reason than there was an "acting suspicious" call and he was wearing a mask is questionable at best. Absent reasonable suspicion of a crime, any seizure of a person is a violation of the Fourth Amendment. Understanding your legal limitation should dictate your interview manner and tactics. If possible, watch the person to see if there is anything suspicious before approaching them. Remember that in the absence of reasonable suspicion, people do not have to stop and speak with officers. While it is hard to watch someone ignore you and walk away, officers need to accept it, deal with it and not take it personally.

3. **Appreciate that to influence a person, you need to understand their perspective and purpose.** This is a concept Dr. Lewinski emphasizes. Understanding someone's perspective requires officers to utilize any available time and opportunity. Continuing with the previous scenario, once you decide to approach, use requests rather than commands to gain the man's cooperation. Greetings and open-ended questions would be better to initiate a conversation than aggressive commands. The man wants to go home. Understanding his desire (his purpose), you can emphasize that you will not stop him from leaving, but explain why you wish to speak with him. Communication is only effective if it is done in a manner as to encourage two-way participation.
4. **Do not presume what makes sense to you makes sense to others.** Following some use of force incidents, we sometimes hear statements from officers such as, "If

The legal authority of an officer to seize a person for no other reason than there was an "acting suspicious" call and he was wearing a mask is questionable at best. Absent reasonable suspicion of a crime, any seizure of a person is a violation of the Fourth Amendment.

he didn't do anything wrong, why did he run?" or "He didn't have a weapon; why didn't he just put his hands up and comply?" Such statements are genuine attempts to understand how a situation went tragically wrong, but they miss the point: What makes sense to you may not make sense to the person you're dealing with.

For example, a mother calls the police because her 13-year-old autistic son is experiencing a mental health crisis. The mother explains this to the officers and further explains the boy fears the police. When asked about weapons, the mother says she thinks he owns a BB gun and a "prop" gun, but stresses it's not a real gun and she does not think the boy is carrying it. The officer advises her they will have to treat it as a real gun. When an officer sees the boy in the back yard, he yells, "STOP, get on the ground!"

Knock it off!" The officer chases the boy and then shoots him multiple times when the boy turns toward the officer.

While the boy running away may not make sense to the officer, it does not need to. Based on the information available to the officer, it should not have been a surprise to him that the boy (who is autistic and fears the police) might run away and not obey commands. If you can try to put yourself in the shoes of the other person, then the use of strategies specific to the perspective of the person in crisis may be more effective than tactics and commands appropriate on a person choosing to resist a criminal arrest.

the complex concept of de-escalation. Essential to all of them is slowing situations down whenever possible. Time can create understanding and additional options to resolve situations.

While not easily defined, the concept of de-escalation must be ingrained in organizational culture. Cultural change takes time and requires the integration of policy, training and supervision. The reality is there are many incidents where, no matter what the officer does, the other person will dictate what happens. But agencies have an obligation to try to minimize those incidents and where possible, produce outcomes that minimize harm.

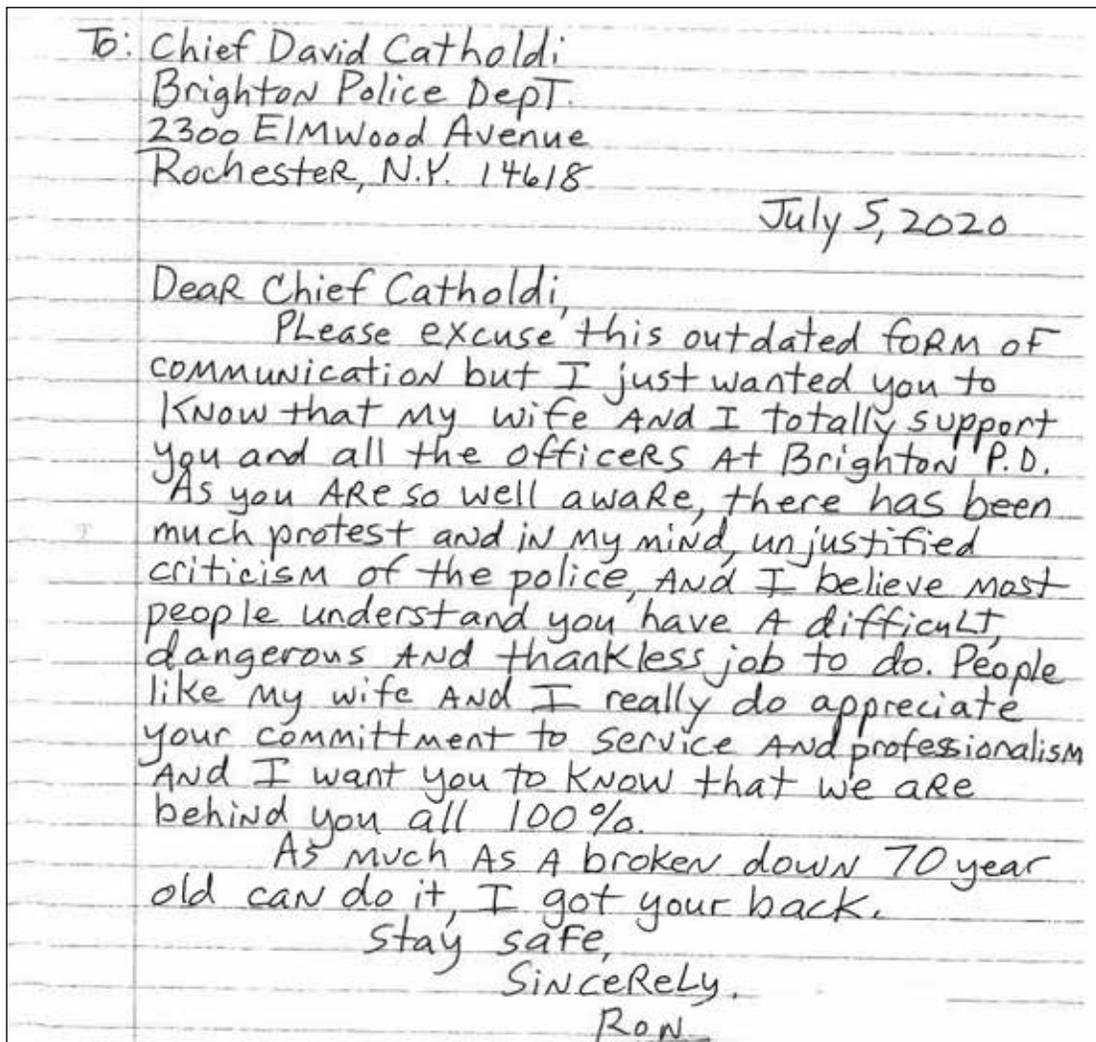
The next time you or someone around you is tempted to ask, "Why didn't the officer use de-escalation tactics?" consider the alternate question, "Who escalated the situation, and why?" Focusing on this question can provide common ground for officers, instructors, administrators and the general public to learn from an incident and prevent future tragedies.

A CULTURAL CHANGE IS REQUIRED

My personal experience and study of tragic incidents reaffirms that these basic principles are a good start in our approach to

Citizen Tells Chief Anti-Police Rhetoric is Unjustified

During the summer when anti-police riots and rhetoric dominated the headlines, many people came out in support of the police. In the Monroe County Town of Brighton, one citizen expressed his appreciation and support of his local police department. Thanks to NYSACOP Member Chief David Catholdi for sharing this heartwarming story.



Is Your Agency Up to the Challenge?

Making Officer Wellness a Priority

The New York State Association of Chiefs of Police is pleased to announce the President's Wellness Challenge, a program for NYSACOP member agencies demonstrating a focus on officer wellness, including the promotion of physical fitness, mental hygiene, healthy nutrition, and safety practices in the workplace. The Challenge is the creation of President Patrick Phelan who has been hyper-focused on the concerns about law enforcement officer suicide. According to the National Consortium on Preventing Law Enforcement Suicide, law enforcement officers are more likely to die by suicide than in the line of duty, and many officer suicides are misreported, or unreported as such. Early this year President Phelan noted, "When you look at the numbers it's hard to ignore. I began to realize this is a real problem in our profession and it's something you cannot ignore that and we have to take some sort of action." Ten months later, parts of our society have demonized police, called for defunding, and proposed a range of legislation which do not serve the needs of public safety. Now more than ever, we need to be sure that our officers are being taken care of, including their emotional health. Phelan urges every police agency in New York State to join his initiative. Simply put, there are two necessary standards for the Challenge: First, that the agency supports the physical fitness of its members; and second, the agency provides mental health services directly, through an Employee Assistance Program (EAP), a contract service, or some other means. That's it. There are several other elements of the Challenge which, if answered "yes", demonstrate that the agency is providing enhanced awareness and services to its members. For instance, identifying a Wellness Coordinator, having access to a Chaplaincy program, peer support program, or Critical Incident Stress Debriefing Team, and the provision of training and information. Does your department have a seat belt policy? Body armor policy? In-service training requirements for officer safety, risk management, or other wellness initiatives? You may have already checked off some of those extra elements of the Challenge!

The NYSACOP website includes links to IACP model policies for Employee Mental Health Services, San Diego PD wellness

program with resources and tips for building your own, an Officer Stress/Suicide Awareness poster sponsored by PERMA and NYSACOP with emergency resources and hotline numbers; an audio podcast series sponsored by PERMA and produced by

Congratulations to the following agencies that have completed the Wellness Challenge:

Auburn Police Department – Chief Shawn Butler
 Brighton Police Department – Chief David Catholdi
 Colonie Police Department – Deputy Chief Michael Woods
 Greece Police Department - Chief Patrick Phelan
 Irondequoit Police Department – Chief Alan Laird
 Lynbrook Police Department – Chief Brian Paladino
 Tonawanda Police Department – Chief James Stauffiger

Add your department to the list – visit nychiefs.org

NYSACOP, the Law Enforcement Officers Safety series produced by NYSACOP and based on the IACP research study of the top ten areas where law enforcement officers are killed; and color illustrations from previous editions of *The Chief's Chronicle* archives by noted artist/firefighter Paul Combes, each focusing on an area of officer safety and risk. Agencies meeting the Challenge requisites will be presented with a Challenge coin by President Phelan, and the agency name will be listed on the NYSACOP Challenge page. NYSACOP members can enroll by logging in to the NYSACOP website and completing the electronic submission. On the following page (page 10) we have included a form that can be used as a worksheet within the agency as you prepare your online submission, or feel free to mail it into our office in lieu of an online submission.



Got An Innovative Program?

Let Us Know...

APB@NYchiefs.org



CHIEF'S WELLNESS CHALLENGE

NEW YORK STATE ASSOCIATION OF CHIEFS OF POLICE



A program for NYSACOP member agencies demonstrating a focus on officer wellness, including the promotion of physical fitness, mental hygiene, healthy nutrition, and safety practices in the workplace. Is your department up to the Challenge? Start here...

MEMBER NAME	
MEMBER AGENCY	
ADDRESS/ZIP	
TELEPHONE	EMAIL

The *Chief's Wellness Challenge* requires a "yes" response to the first two questions (below). If you are in the process of developing wellness programs, please feel free to register so that we can track your progress and inform you of new resources to help you along the way.

The agency supports physical fitness of its members	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> IN PROGRESS
The agency provides mental health services directly, through EAP, other contract service, or other means	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> IN PROGRESS SPECIFY OTHER:
The agency has a wellness program or policy statement containing basic elements promoting physical and mental wellness, and resources to assist members	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> IN PROGRESS
The agency has a Wellness Coordinator named in the organizational chart, responsible for posting and updating of resources and information relating to wellness, safety, physical and mental health, training, programs, and the like	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> IN PROGRESS
Employee Assistance Program contact information is available 24/7 and such information is prominently posted within the agency	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> IN PROGRESS
The agency has (access to) a Chaplaincy program	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> IN PROGRESS
The agency has (access to) a peer support program	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> IN PROGRESS
The agency has (access to) a Critical Incident Stress Debriefing Team	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> IN PROGRESS
Training information, posters are available	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> IN PROGRESS

Safety initiatives in the agency includes:			
Seat belt policy	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> IN PROGRESS
Body armor policy	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> IN PROGRESS
In-service training requirement for officer safety, risk management, wellness initiatives, physical fitness, mental health awareness, etc. SPECIFY:	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> IN PROGRESS

Training by members of this agency includes:			
Officer Wellness during Basic Course for Police Officers (state mandated 2019)	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> IN PROGRESS
Officer Wellness for Police Executives (Summer 2020)	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> IN PROGRESS
T.R.A.U.M.A. training	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> IN PROGRESS
Other in-service training on wellness, sleep, physical fitness, mental health, nutrition, officer safety, risk reduction SPECIFY	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> IN PROGRESS
Law Enforcement Officer Suicide podcast series (NYSACOP)	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> IN PROGRESS
<ul style="list-style-type: none"> ▶ Law Enforcement Suicide: Taking Care of Our Own ▶ Law Enforcement Suicide: The Scope of the Problem ▶ Peer Support and Stigma ▶ Searching for Signs; Police Chief Shares a Story of Tragedy ▶ Risk Management, Data, and Dogs: What Virginia Police Are Doing ▶ Another Tragedy: Discussing Suicide Myths and Police Culture 			
Officer Safety and Risk Management podcast series (NYSACOP)	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> IN PROGRESS
<ul style="list-style-type: none"> ▶ Primary Circumstances of Officer Deaths; Introduction ▶ Ambushes & Surprise Attacks ▶ Body Armor ▶ Police Vehicle Crashes ▶ Motor Vehicle Stops ▶ Arrest Situations ▶ Executing Warrants ▶ Off Duty Arrests ▶ Foot Pursuits ▶ Building Searches ▶ Use of Force 			
Please describe any other programs, policies, partnerships, and procedures implemented by your department to promote officer wellness.	SPECIFY		

SUBMITTED BY (NYSACOP MEMBER)	DATE
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Agencies meeting the criteria for the *Chief's Wellness Challenge* will be highlighted on the NYSACOP website.



CHIEF'S WELLNESS CHALLENGE

NEW YORK STATE ASSOCIATION OF CHIEFS OF POLICE

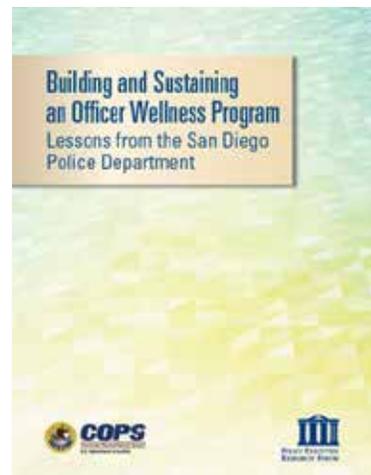
RESOURCES:

IACP MODEL POLICIES: Critical Incident Stress Management; Early Warning System; Employee Mental Health



Officer Stress/Suicide Poster
Resource Poster (can be modified to allow agencies to write in contact info for their own EAP):

A study of San Diego PD's wellness program with several resources and tips for building your own.



RESOURCES TO ASSIST DEPARTMENTS IN PROMOTING PHYSICAL AND MENTAL WELLNESS



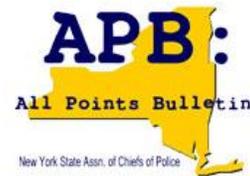
CHIEF'S WELLNESS CHALLENGE

NEW YORK STATE ASSOCIATION OF CHIEFS OF POLICE

NYSACOP "APB" AUDIO PODCASTS:

Law Enforcement Officer Suicide series:

- ◀ Law Enforcement Suicide: Taking Care of Our Own
- ◀ Law Enforcement Suicide: The Scope of the Problem
- ◀ Peer Support and Stigma
- ◀ Searching for Signs; Police Chief Shares a Story of Tragedy
- ◀ Risk Management, Data, and Dogs: What Virginia Police Are Doing
- ◀ Another Tragedy: Discussing Suicide Myths and Police Culture



Law Enforcement Officer Safety series:

- ◀ Primary Circumstances of Officer Deaths; Introduction
- ◀ Ambushes & Surprise Attacks
- ◀ Body Armor
- ◀ Police Vehicle Crashes
- ◀ Motor Vehicle Stops
- ◀ Arrest Situations
- ◀ Executing Warrants
- ◀ Off Duty Arrests
- ◀ Foot Pursuits
- ◀ Building Searches
- ◀ Use of Force

RESOURCES TO ASSIST DEPARTMENTS IN PROMOTING PHYSICAL AND MENTAL WELLNESS

Counselors for First Responders

Getting the Right Person for the Job

BY CHIEF/RET. MARK A. SPAWN

The stresses faced by first responders are unlike those of the general public. Police officers, firefighters and EMTs routinely deal with high-tension calls, violence, crashes, burns, and other grotesque scenes; 911 Telecommunicators handle desperate calls without the benefit of a visual perspective, hearing screams, gunshots, and silence, all while trying to identify a location and



Traumatic incidents such as fatal car crashes, burns, and the witnessing of suffering can weigh upon a first responder. A responder can be affected by a single incident, or an accumulation of incidents.

Photo: M. Spawn

send the right help. Dealing with this stress requires good support systems and coping skills. But a single traumatic incident, or an accumulation of incidents, can be taxing. Many first responders have supportive families, friends, and colleagues, but not all responders use those outlets. Professional mental health services can help every responder no matter how well they seem to be managing the stress of the job. When a first responder decides to reach out for help, getting a therapist with an understanding of emergency services is critical. Amy Morgan, a Mental Health Professional and Founder of the Certified First Responder Counselor course compared the difference between average citizens and first responders saying,

“If we (civilians) experience a trauma we tell everybody about it, it becomes part of our life story. But for first responders, that’s just a day on the job.” Morgan emphasizes that doesn’t mean that responders are immune to stress, saying “It’s still trauma and they are still human beings.”

Years ago when Amy Morgan started bringing a classroom presentation to police officers about post traumatic stress disorder (PTSD), she learned about the types of stressors that officers were dealing with. “I started hearing stories about murder scenes, Internet crimes against children, and other horror stories. I was alarmed that there was such a huge need.” But when it came to referring cops to counseling, she discovered there was a void in culturally-competent counseling for first responders. “Officers told me that when they did go to counselling, their therapists didn’t understand them, or that they would be referred out because the therapist was traumatized.” Morgan said that for some cops, that would be their first, and last, attempt at counseling. She said, “They’re going to say, ‘I didn’t want to go in the first place, this didn’t work, or, I don’t want to traumatize anybody else, these people don’t get me.’” That was what propelled Morgan to develop the Certified First Responder Counselor program. Now in its second iteration, the 50 hour course provides currently-licensed therapists with information

“When I read the BlueHelp.org statistics that 228 police officers died by suicide in 2019, and that was higher than all line of duty deaths combined, that’s what made me take the course. I wanted to help.”

**Teresa McMahan, Licensed Mental Health Therapist;
Certified First Responder Counselor**

about the work of first responders, what their “usual” or “normal” is, the types of hostility, violence, and suffering they encounter on a daily basis, along with the needs for confidentiality and trust. These were useful tools for Teresa McMahan, a mental health counselor in New York State who took the CFRC course and is now certified. “We need to educate ourselves as much as possible on what it’s like to be a first responder. If we don’t take the time to learn their culture and vocabulary, we could do harm. We don’t want to interrupt them and ask unnecessary questions if they are trusting us and sharing”, said McMahan. Her interest in becoming one of the first New York State CFRC therapists was motivated by a troubling statistic. “When I read the BlueHelp.org statistics that 228 police officers died by suicide in 2019, and that was higher than all line of duty deaths combined, that’s what made me take the course. I wanted to help”, said McMahan.



A therapist who is unfamiliar with the situations encountered by a front line worker might misunderstand the way a responder describes their troubling encounters. They might interpret dark humor, minimization of seriousness, or emotional numbness as a sign of weakness when it may actually be a coping mechanism. By developing an understanding of the kind of scenarios experienced by first responders - shootings, disfiguring crashes and fires, child pornography, human trafficking, child and senior abuse, and other types of suffering, trauma, and death – therapists can be better armed to understand their world and assist them. Morgan added, “First responders have the warrior mentality and hero mentality where they’re strong and supposed to take care of everyone else. So it’s hard for them to get help, and when they do, they need

someone that understands them, not someone who’s going to ask the wrong questions.”

When a first responder is seeking help from a CFRC-certified therapist, they can visit firstrespondercounselor.com and search for a counselor in their state from the menu bar (upper right corner). Amy Morgan’s Academy Hour (AcademyHour.com) website offers a 40 hour Certified First Responder Associate course, ideal for public safety agencies with a chaplaincy program or critical incident stress debriefing team; and supporters and family members of first responders can take a 20 hour course called Certified First Responder Associate. Details about those training programs can be found at firstrespondercounselor.com

Local Businessman Supports His Police Department

For several years the Massena, New York police fleet was detailed by a local business. But budget cutbacks meant that police could no longer afford this service. Todd and Brandie Brown, proprietors of Final Touch Detailing knew they had to do something. So now, they are providing their services for free. Todd said, “The officers work long hours, and they spend a lot of time in their cars. When you get into a dirty or dusty car, it’s not the best way to start your day.” Todd said that it is not just about comfort, but also safety.” He focuses on ensuring that cars are disinfected, making for a better breathing environment, and that windows are completely transparent for better visibility.” Massena Police Chief Jason Olson agrees, “When you step into that freshly detailed police car it makes a world of difference.”

Todd Brown has a reputation for outstanding work, with special attention to removing dirt and dust from every crevice, and ensuring that window glass is crystal clear. “He is the mad scientist of auto detailing”, said Chief Olson who is grateful for the generous offer from the Brown’s. Now, there is a regular schedule for monthly detailing of the police fleet. Olson said it is a tremendous morale booster, adding, “My officers are working 12 hours shifts, so they spend 8-10 hours in the car. It’s their office.”

Todd Brown said, “It’s a true honor for us to detail the police cars”, adding, “The police have to deal with so many bad things, it’s nice to give them a better experience when it comes



From left: Brandy and Todd Brown, Tim German of Final Touch Detailing working on a Massena police cruiser.

Photo: Massena PD

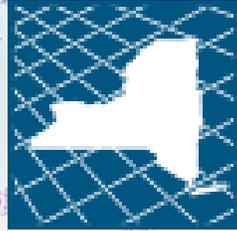
to their vehicles.” At a time when it has been risky for people to express support for police, Chief Olson said that he was so pleased to see the outpouring of public support for the Brown’s.



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**Best Wishes for a Healthy and
Safe Holiday Season from
the New York State Association
of Chiefs of Police**

2020 Holiday Season National Enforcement Mobilization

According to the National Highway Traffic Safety Administration, the holiday season is known for being merry and bright, but it is also known for being the deadliest season when it comes to impaired driving. Every holiday season, lives are lost due to impaired drivers. NHTSA's paid media campaign runs from December 16 through New Year's Day with the mobilization period beginning two days after the start of the ad campaign, and continuing through New Year's Day.

Several high quality resources are available for free from NHTSA at [TrafficSafetyMarketing.gov](https://www.traffic-safety-marketing.gov) to support your initiatives: Planning tools, research, infographics, fact sheets, news releases, op-eds, variable message board signage, images (such as the snow globe image shown below), logos, posters, radio PSAs, sample social media releases, TV ads, and web videos.

The New York State Association of Chiefs of Police urges all of its members to combine their efforts with others in their county, state, and throughout the nation. A coordinated campaign will ensure improved messaging to the public to help keep our streets safer and our holidays happier.



Source: NHTSA; NYSACOP

TECHNOLOGY UPDATE

Uniform Technology to Offer Anti-Viral Protection

5.11 Tactical is fast-tracking their innovative antiviral uniform technology to meet the demands of first responders amid the COVID-19 pandemic.

Chris Skahill, Director of Professional Marketing for 5.11 said, "The antiviral technology will be available in 5.11 products which will retain their fit, form and function along with the durability as our traditional products."

While the process and technology are proprietary, Skahill explained, "virus cannot live on this new material which is still wash-and-wear, something that we pride ourselves on." He added that the product had been under development prior to COVID, saying, "Our research has been expedited making this a priority of 5.11." This future uniform technology requires regulatory and certification processes, however, 5.11 expects that the new uniform line will be available in the near future.

Former Police Chief is Next Assemblyman for 122nd District

NYSACOP Member Leads a Life of Service



**Assemblyman-Elect
Joseph Angelino,
Chief of Police/Ret.**

The experiences of being a police chief can be an excellent foundation for serving in elected office. Such is the case for former Police Chief Joe Angelino (Norwich PD) who was just elected as the Assemblyman for the 122nd District. When incumbent Assemblyman Clifford Crouch decided last year that he would not seek re-election, he approached Chief Angelino to see if he was interested in running for the seat, telling the Chief that he would be a good fit for the Assembly. Angelino

told *The Chief's Chronicle*, "I had never run for political office, but this was something I wanted to do. When bail reform started, I didn't like it. That made me want to run even more."

In early 2020 and with the support of Assemblyman Crouch, Angelino planned his campaign for the 2020 election. But then, the COVID pandemic struck. Angelino's campaign plan of meeting the people, attending parades and community picnics had to change. So his campaign, largely self-funded, involved sending letters by mail to introduce himself to the people in the 122nd District, a large geographic area. Angelino said, "The 122nd covers 3 counties and part of a fourth— the district is bigger than Rhode Island and about half the size of Connecticut." Despite the pandemic, Angelino got out and met with voters while maintaining safety; all of this while working as a part-time police officer in Sherburne, New York, the same jurisdiction where he started as a rookie deputy sheriff in 1979.

When asked about the biggest challenges facing New Yorkers, Assemblyman-Elect Angelino said, "COVID is biggest concern, but we are going to conquer it, were going to handle it. It's on everybody's mind, but its crushing the economy." He cited the recent announcement that a half-century old business in Norwich would be closing. The family owned three-story department store could no longer hang on, another victim of 2020. Angelino talked about the out-migration of residents and businesses from New York State saying, "People have moved away from New York State because of taxes and the business climate. Business regulations are unfriendly, workers compensation costs are high, there's the Scaffold Law, and a recent blow was the Farm Laborers Fair

Labor Practices Act, requiring family farms to essentially allow unionization of farm workers, and no longer recognizing brothers, sisters, aunts or uncles as "family" when operating a family farm. "We need reasons for people to stay here, and beyond that, we need to attract people", said Angelino.

Returning to the discussion about bail reform, Angelino commented, "When bail reform started it was rammed down our throats, without consultation with law enforcement or prosecutors. If we had been invited to the table, we could have offered meaningful and objective insight. I didn't like it when someone would get arrested on a bench warrant for shoplifting for stealing food items, and now he's going to jail because of a bench warrant. What some legislators don't understand is that cops have a heart and are sympathetic to things like that. People don't always need to go to jail. But it (bail reform) went too far; there were cases like the man arrested for bank robbery 3 times in a week. He kept getting an appearance ticket and let go without arraignment. And there were repeated assaults against the Hasidic Jewish community in New York City by the same woman who got arrested, received a ticket, and was back out to assault again.

When bail reform started it was rammed down our throats, without consultation with law enforcement or prosecutors. If we had been invited to the table, we could have offered meaningful and objective insight.

People were outraged, it went against the morals of everything we were brought up with."

Joe Angelino has worn many hats throughout his lifetime – deputy sheriff, police officer, U.S. Marine, Tank Commander (Desert Storm), Fire Chief, Police Chief, Sergeant/Major (USMC Reserves), and in a matter of weeks he will add Assemblyman to that list. He is also proud to be a member of the New York State Association of Chiefs of Police. "I read all of the news and information coming from NYSACOP, I listen to the podcasts, it has been a great resource to me."

[Ed. Our interview with Angelino was momentarily interrupted a couple of times as he once answered a phone call ringing in to the Sherburne PD, and another pause when he heard radio traffic for a backup car which turned out to be in another jurisdiction.]



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Chief's Corner

BY CHIEF STUART CAMERON - SUFFOLK COUNTY PD



The Office of Radiological Security

Henri Becquerel's discovery of radioactivity in the late 1800's would set the stage for continued research that would ultimately lead to the numerous useful applications for radioactive materials that currently exist in our modern world. Without the use of radioactivity many of the medical and industrial procedures crucial to our modern society would not exist today. Radioactive materials, however, can also be very dangerous for health and safety if not properly handled; accordingly, the radioactive sources used in our society must be used appropriately and kept secure. Certain radioactive materials can be utilized as part of a weapon thereby causing injuries and spreading contamination that can be very costly to remove.

Radioactivity can be generated through the use of electrically operated machines, such as those used for medical or dental x-ray procedures. Other medical and industrial processes currently utilize quantities of radioactive isotopes for processes such as blood irradiation, non-destructive testing and food sterilization, among others. It is these radioactive sources that could be targeted by malefactors in an effort to cause harm and spread fear.

Radioactive materials have fallen out of regulatory compliance in the past, such as in December 2013 when a truck containing a large amount of radioactive Cobalt 60 was stolen in central Mexico, near Mexico City. At the time, this event received widespread media attention due to the potential threat posed by this material.

If the COVID-19 pandemic has taught us nothing else, it does highlight how severe, damaging and long lasting the effects of low probability, high consequence events can be on our society. Prior to this year many may have believed that pandemics were archaic happenings from times when medical knowledge was rudimentary and that they simply could not cause widespread harm in our modern society as they have done in the past. This type of dismissive view is often universally applied to many low probability, high consequence events; however, it is very clear, now more than ever, that some degree of preparation can prove invaluable.

Many police chiefs would likely admit that they would have valued some additional knowledge about emerging infectious diseases back in January of this year. This knowledge could potentially have been leveraged to stock up on personal protective equipment and to take other prompt actions to better prevent illness among their workforces. A little knowledge and understanding can go a long way when it comes to prevention and as the saying goes, an ounce of prevention is worth a pound of cure. Further reducing the risks associated with low risk, but high consequence events can certainly be time well spent.

The radioactive isotope that was stolen in Mexico in December of 2013, Cobalt 60, is one of numerous man-made radioactive materials that serve an important function in modern society. Unfortunately,



some of these materials can also be used for nefarious purposes; therefore, keeping them secure is of paramount concern. Certain radioactive materials can be used to create a radioactive dispersal device or RDD, more commonly referred to as a dirty bomb. A dirty bomb differs completely from an atomic bomb or nuclear weapon. There is often overlap and confusion between these terms for the

"Many of the substances used in medical procedures have very short half-lives measured in hours or days, so that once they are introduced into the human body they will harmlessly and rapidly fade away, thereby minimizing any long term exposure... On the other hand, some commonly used industrial radioactive materials have half-lives measured in years or even decades. If these materials were dispersed across an area, very costly remediation efforts would need to be undertaken."

average person largely due to a general misunderstanding of the concepts involved and misleading media coverage. Radioactive material, like Cobalt 60, can never be used to build a nuclear weapon, which creates a massive release of energy when atoms of certain highly specialized and rare materials undergo nuclear fission. Special nuclear materials that can be used in an atomic bomb are tightly controlled under the highest security. Radio-isotopes, like Cobalt 60, could be used to contaminate large areas and expose the public to increased amounts of radiation. They can also create a vast and very costly clean up challenge if widely dispersed, coupled with the creation of widespread public fear and even panic. Unlike special nuclear materials, these materials are often not stored with security as a paramount concern.

Numerous radioactive materials are used daily for a wide variety of purposes from medical treatments to various industrial processes. Certain attributes of these materials can make specific isotopes more conducive to being used in a radioactive dispersal device and therefore of greater security concern. One of these attributes is something referred to as half-life. The half-life of any given radioactive substance is the amount of time that it takes for a given quantity of the material to decay so that the dose rate is reduced by half, sort of like a 100 watt light bulb dimming down to 50 watts. Many of the substances used in medical procedures have very short half-lives measured in hours or days, so that once they are introduced into the human body they will harmlessly and rapidly fade away, thereby minimizing any long term exposure. These types of materials do not pose a great threat for use in a dispersal device since any contamination caused by their release would quickly go away on its own without the necessity for a costly clean up. On the other hand, some commonly used industrial radioactive materials have half-lives measured in years or even decades. If these materials were dispersed across an area, very costly remediation efforts would need to be undertaken. Until those cleanup actions were completed, those areas would likely be off limits to the general public. This type of denial of access could have grave consequences if critical infrastructure is affected by the contamination.

Another characteristic that could make a material more likely to be incorporated into a dispersal device is the strength of the radiation emitted by a given amount of the material. Unlike a common x-ray machine that contains no radioactive material, some industrial devices contain highly radioactive materials. The radioactivity is necessary to make these devices function as intended; for example, food irradiators must deliver a sufficient dose of radiation to kill off harmful bacteria during the food sterilization process without unduly slowing down the production line. This requires a significant amount of radiation exposure. Very small physical volumes of some radioactive materials emit dangerous and life-threatening amounts of radiation. These types of sources are usually stored inside very dense, heavy metal containers or housings to contain radiation exposure.

Radioactive materials can also take many physical forms. Radioisotopes can be metals, salts, liquids or gases. Since the goal in constructing a dispersal device is to widely spread contamination, substances that will easily spread over a wide area and then be difficult to remove once deposited are attractive ingredients for those looking to construct these devices. Some radioactive materials will bond with concrete and asphalt, which could require the removal of sidewalks, streets and building facades to properly remediate contamination. Some estimates have put the cost of cleaning up from an effective RDD in the billions-of-dollars range.

Therefore, the ideal radioisotope for use in a dirty bomb would have a long half-life, emit large amounts of harmful radiation, spread easily across a wide area and then be difficult to remove once released. A handful of radioactive materials match most or all of these criteria. Many of these materials are used in cities and towns across New York State, often without the awareness of the law enforcement agency that covers the jurisdiction where they are located.

The first step to enhance security is awareness, simply knowing which materials pose the highest risk and whether any of these isotopes are stored or utilized in a department's area of responsibility is a key factor in prevention. Once this has been accomplished, standard crime prevention protocols can be used to increase security, such as contacting the business or organization that possesses the material and offering to do a security survey. Ideally it would be very beneficial if the department could harden these locations, install alarms and train jointly with their staff members on how to respond

should someone attempt to steal this material; however, it's quite clear that these efforts could be very technical and costly. The good news is that there is a federal office that can easily help to make all of this happen.

The Office of Radiological Security (ORS) is an office within the federal Department of Energy, National Nuclear Security Administration. The mission of this office is to work with government, law enforcement and businesses across the globe to protect radioactive sources used for medical, research or commercial purposes. This can include increasing security at no cost, removing and disposing of unused materials and promoting alternative technologies that don't require radioactive materials.

First, the Office of Radiological Security can work with organizations and businesses to evaluate their existing security and provide protection upgrades, guidance, and training to enhance security of high activity radioactive sources, often at no cost to the business or organization. These upgrades can include physically hardening the room containing the material, its access doors, and the devices that contain the radioactive sources. Additionally, alarms can be added, including those with direct monitoring at local law enforcement agencies. ORS can also supply alarm response training, where representatives from the business utilizing the radioactive source can train jointly with local law enforcement on various scenarios that simulate an attempt to steal the source material.

Second, ORS can assist with the removal of radioactive sources that are no longer in use. This removal process can often be costly and unused sources are often poorly secured, so removing them can eliminate the threat that they pose to public health and safety.

Finally, ORS is working to reduce the reliance on high-activity radioactive sources by promoting and developing alternative technologies. Often, processes that had required the presence of radioactive source materials can now be accomplished utilizing electrically generated x-rays. Transitioning away from the use of radioactive materials is a long-term and permanent risk reduction strategy. Alternative technologies continue to be developed to eliminate the need for potentially dangerous radioactive source materials. One such program is the Cesium Irradiator Replacement Project. Cesium-137 is a commonly used radioactive material that possesses many of the ideal characteristics for use in a dirty bomb; therefore, its security is critical. Cesium is frequently used in blood and research irradiators, which can be found in hospitals, medical facilities and universities. Thanks to the maturation of technology, viable alternatives to cesium irradiators are now available. These alternatives are comparable or in some cases even more effective than Cesium for both research and blood irradiation. The Office of Radiological Security can offer substantial financial assistance to businesses and organizations looking to adopt these alternative technologies. Cesium irradiators have already been successfully replaced in many facilities throughout the U.S. Numerous facilities within New York City are working to replace their Cesium irradiators to substantially reduce the threat of a dirty bomb attack in the city. However, until all facilities have properly secured, removed or replaced their radioactive materials, the threat will persist.

The Office of Radiological Security has already secured over 930 buildings containing radioactive materials in the United States and has provided equipment and training to thousands of law enforcement personnel, but much work remains to be done. There are still a significant number of sites and first responders in heavily populated areas within the United States that have yet to volunteer for ORS security enhancements and training. The first step in securing this material is simple, reach out to the Office of Radiological Security to determine if your community has one of these sources and then provide that ounce of prevention. To learn more about these program contact ORS at ORSinfo@nnsa.doe.gov.

Grave Robbery: An Historic Story from one of Our Member Agencies

Albany Police Chief James L. Hyatt, Member of the New York State Association of Chiefs of Police, Investigates a Disturbing Case in 1913

Reported in *The Columbian Republican of Hudson, New York*; September 5, 1913.

BY: CHIEF/RET. MARK A. SPAWN

According to the September 5, 1913 edition of *The Columbian Republican*, a newspaper based in Hudson, New York, “The mystery surrounding the desecrating of the grave of Mrs. Pauline Blum in St. Paul’s Lutheran Church on the Western Turnpike yesterday morning, and the perplexing circumstances as to whether the body had been replaced after the discovery of an open grave was cleared up last night when Dr. George E. Gorham telephoned Chief (James L.) Hyatt that the deed had been committed by an irresponsible youth, John Stephens, 20 years old, son of Thomas C. Stephens of 517 Madison Avenue, who confessed the whole affair, and who, the physician stated was a sufferer from mental disorder.”



Chief James L. Hyatt, Albany Police Department; Secretary-Treasurer New York State Assn. of Chiefs of Police, 1914

for long and faithful service, and in 1901 was advanced to the rank of Lieutenant –Colonel. Hyatt was appointed as Albany’s Chief of Police on November 22, 1901. (New York State Assn. of Chiefs of Police; Profile of Chief James L. Hyatt, 1914, p.27)

The news story continued, “As soon as the police had learned the details of young Stephen’s act he was taken into custody at his

“Last night a servant at the Stephens home had occasion to go into the cellar and was horrified to see a casket standing in a corner...”

home and removed to pavilion F by Detective Gregory and will be examined as to his sanity, and in all probability committed to an institution. Some 12 years ago the young man met with an accident which affected his mind and he spent some time at a private sanitarium at Canandaigua from which he was discharged as cured. Later, however, he was taken to Pavilion F where he remained until about a year ago. He has been in the employ of his father who conducts a wholesale fruit establishment on Broadway, and it was thought that he was improving.” According to various reports on mental illness in the 1920’s, the reference in the story to “Pavilion F” is likely the Department for Mental Diseases of the Albany Hospital.

The 1913 *Columbian Republican* newspaper story continued, “Last night, a servant at the Stephens home had occasion to go into the cellar and was horrified to see a casket standing in a corner. She immediately notified the family of her discovery and fearing the worst, Dr. Gorham was summoned as was Mr. Stephens and his son. When questioned, the young man told the whole story. He was unconcerned and appeared to think that he had done nothing out of the ordinary.”



The story continued, “Dr. Gorham gave the details to Chief Hyatt which were to the effect that while Stephens was riding his bicycle Sunday on the Western Turnpike he passed the cemetery at the time of Mrs. Blum’s funeral. The young man’s mania has been economy and he thought it wasteful to put the broadcloth casket with silver trimmings down into the earth to go to decay. He evolved a plan to remove the casket, and Tuesday night took a hand cart from his father’s barn and with a spade trudged out the turnpike. It was about midnight and he passed Mounted Policeman Moseley on the way. Moseley, thinking him to be a farmhand, warned him to keep to the road with his cart. When he arrived at the grave young Stephens said he dug down to the roughbox and cleared the top of sand and then unscrewed the cover, which he put on his cart. He then lifted the casket and, forcing that

“He then placed the casket on his shoulder, lifted it over the fence to the roadway, and covering it over with the roughbox cover started back to his home, arriving unobserved.”

cover, removed the body of Mrs. Blum and after severing the finger bearing her wedding ring and taking a brooch which she wore, he pushed the body back into the roughbox, crumpling it up in the top corner and pushing into the grave a sufficient amount of sand to cover it well. He thought it a shame that jewelry should be buried. He then placed the casket on his shoulder, lifted it over the fence to the roadway, and covering it over with the roughbox cover started back to his home, arriving unobserved. Both the police and undertaker Hery (sic) Plantz marvel how Stephens was able to raise the casket up in the grave and remove Mrs. Blum’s body. In fact, they consider it almost an impossibility. However, the young man insisted that he was alone. This afternoon the casket was retaken to the cemetery and after laying Mrs. Blum out again, Undertaker Plantz re-buried the body beside that of her husband.”

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Rogue Dirt Bikes and ATVs

Aggressive Enforcement Without the Chase

By Chief/Ret. Mark A. Spawn

Photographs courtesy of Schenectady PD

When neighbors complained about reckless dirt bikes and all-terrain vehicles speeding and performing stunts on residential streets, Schenectady Police went to work. Officer Mark Weekes said this activity was one of the biggest traffic complaints they were receiving earlier this year. “It was a quality of life issue, a nuisance. And very unsafe”, said Weekes. The offenders were brazen, sometimes riding without helmets or face coverings, and even gassing up during their rides. Weekes checked the city camera system and found several photographs of the offenders (see insets). “This happened about the same time as COVID, so we weren’t doing a lot of face-to-face traffic enforcement and I wanted to be doing something for traffic safety. Using the



images from our city cameras, I went to the gas station where they got gas and got the information for the debit card transaction, then we subpoenaed the bank records and identified the owner.” Then, said Weekes, they got a search warrant to seize the bikes/ATVs, and that’s just what they did. “When you open up their garage door and find the same ATV, that’s pretty effective”, said Officer Weekes adding, “The one guy just purchased the ATV the year before and spent another \$10,000 upgrading it.”

The first wave of enforcement netted four dirt bikes/ATVs being seized, and a total of 86 traffic tickets issued. In subsequent enforcement, an additional 6 dirt bikes/ATVs were seized with an average of 20 tickets per rider.

The effort to investigate, track, and enforce these offenses was no easy task, but Weekes said it was important. “Detectives are busy handling felonies, and Patrol doesn’t usually handle search warrants, but I got a template for a search warrant application and started from there”, said Weekes. He also noted that in order to prepare a search warrant it requires



[Facebook page of Schenectady PD](#)

The Schenectady Police Department is committed to the mission to promote a safe environment for city residents. All-Terrain (ATV) vehicles are illegal to operate on public streets and cause a hazardous environment for all. This behavior will not be tolerated. Officers will continue enforcement of reckless operators, arrest, and seize vehicles through the process of investigation.

The Schenectady Police Department Traffic Division is looking for the public’s assistance in the identification of the drivers and/or the locations of the ATV’s pictured. If you have any information please call the S.P.D. TIPS line at 518.788.6566 @ Schenectady Police Department

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that a crime (misdemeanor or felony) be committed. “Because we have a no-pursuit policy, as soon as we try to pull over one of these bikes and they take off, we stop, but then it becomes unlawful fleeing of a police officer, a misdemeanor.” He also noted that the riders frequently commit reckless driving, also a misdemeanor. “If they would have just stopped, they would have been issued some tickets for minor traffic offenses, but as soon as they flee, it becomes a crime.”

While some of the rogue riders were identified through investigating their gas station transactions, others were identified from social media.

Not only did SPD receive tips from the community in identifying the riders, sometimes police officers recognized the riders from prior contacts. “Then, it was just a matter of going to the Facebook pages of these guys and seeing what they were posting. There were many times when you see the same face and ATV because they post pictures and videos of their stunts”, said Officer Weekes.

When asked about the community reaction, Weekes said, “At first, the neighborhoods where these riders were causing trouble didn’t see us doing anything, it was all behind the scenes with investigation, social media, subpoenas and search warrants. So when we announced the arrests and impounds of these dirt bikes and ATV’s, the community loved it.” SPD’s first announcement about the arrests and impounds on their Facebook page netted 227 comments and was shared 218 times.

Nearby Albany city police are also experiencing the same problem with ATVs. Published reports note that Albany PD is considering using drones to track illegal ATV’s, and they are offering cash rewards for tips leading to the arrest and conviction of rogue riders.

Weekes noted that some of the dirt bikes they encounter are stolen and difficult to track. But he wants to pursue those investigations with bait bikes and GPS tracking. As for the investigation strategy and perseverance of Officer Weekes and his colleagues in apprehending rogue riders, it has not gone unnoticed. In addition to accolades from the community and praise from the City Council, Schenectady Police were recognized with a New York State Governor’s Traffic Safety Committee Chair award.

