

# The New York State Chief's Chronicle



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December 2016

## **LEGISLATIVE AGENDA ISSUE:**

**Parole Reforms Sought**

**Ride Sharing Programs**

**\$207-M Remains a Priority**

**COUNSEL'S CORNER: Raise The Age; Marijuana Legalization**



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Do you have an interesting law enforcement story or research paper,  
photographs of member activities or field scenes?  
Editors: Mark A. Spawn and David Zack

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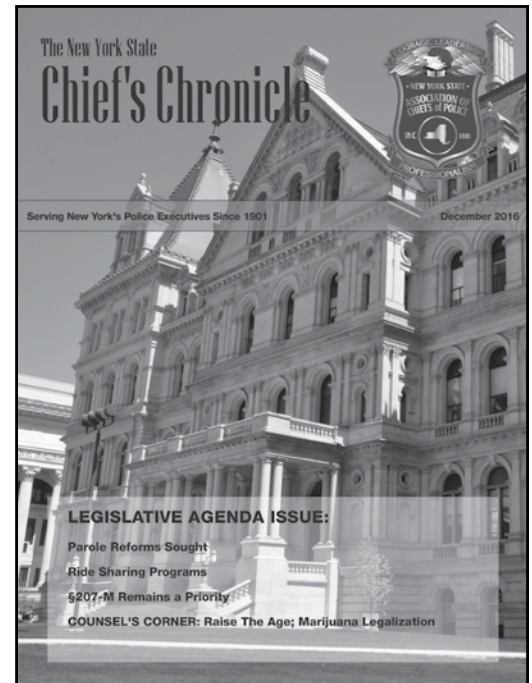
# On the Cover:

Legislative priorities of the New York State Association of Chiefs of Police are outlined in this edition of the Chief's Chronicle. President David Zack discusses the benefits of ride sharing services and how they could contribute to traffic safety. But legislation would need to be passed to enable these services in upstate areas.

Executive Director Margaret Ryan vows that the restoration of §207-M continues to be a priority for the Association. In the absence of legislation, police executive compensation is at risk, and the office of police chief can be subject to undue political influence. She discusses the history of the legislation and how it was repealed in 2011.

Chief/Ret. Michael Ranalli tackles two issues in his Counsel's Corner. First, he reviews the arguments for raising the age of criminal responsibility which would remove 16-17 year olds from the criminal court system and divert them to Family Court. He identifies areas of concern including reduction of sentencing for violent crimes, and booking areas within police facilities. Legalization of marijuana continues to be debated in state government. Ranalli points out that some states have been making legislative decisions based on misguided beliefs while ignoring existing research.

Chief Patrick Phelan (Greece PD) writes about the movement started by Monroe County chiefs to reform the current parole system. Citing examples of parolees who committed violent crimes while on parole, and the overwhelming caseload carried by parole officers, Chief Phelan makes a compelling case for reform. Read more about the issue and the proposal to create new crime classifications for enforcement of parole violations. *Photo: Ritu Manoj Jethani/Shutterstock*



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# President's Report

*NYSACOP Supports Ride Sharing for ALL of New York State*



**PRESIDENT'S REPORT**

**BY CHIEF DAVID ZACK, PRESIDENT**

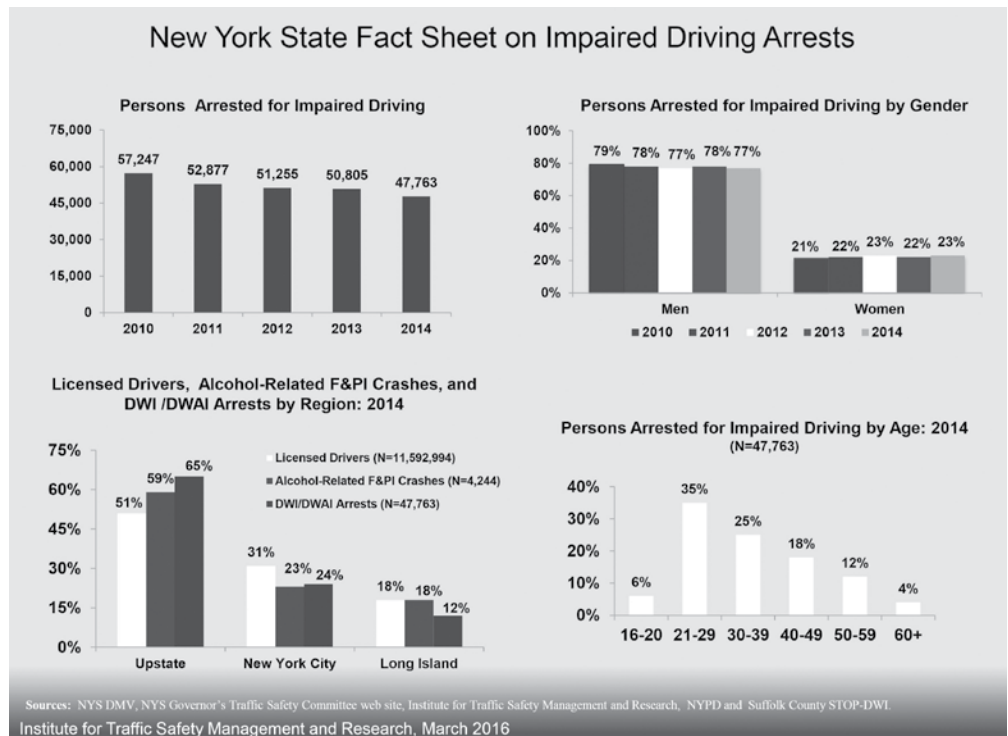
According to data from the National Highway Traffic Safety Administration - 35,092 persons nationwide lost their lives in motor vehicle crashes in 2015, a 7.2% increase from the previous year. The increase was the highest single year percentage increase in nearly 50 years. Alcohol impaired fatalities accounted for 9,943 of those deaths, a 3.2% increase from 2014. (National Highway Traffic Safety Administration, 2016). When traffic fatalities rise, the public looks to law enforcement for solutions. In New York State, finding a solution is critical as the number of fatalities attributed to alcohol rose from 386 in 2014, to 468 in 2015: an increase of just over 22%. This is much higher than the national increase.

Some hope 2015 was an anomaly for the State, as 2014 had an unusually low number of fatalities. According to the Institute for Traffic Safety Management and Research (ITSMR) NYS impaired driving fatalities were as follows:

2010	2011	2012	2013	2014	2015
500	461	469	479	386	468

Aside from the spike in 2015 these numbers reveal a startling truth. Despite all the efforts of the Governor's Traffic Safety Committee, law enforcement, and non-profits such as Mothers Against Drunk Driving, the numbers of fatalities attributed to impaired driving have plateaued. New York State must ask itself: "Can something more be done?"

While reviewing ITSMR data, I was surprised to learn that Upstate New York accounts for 51% of the all licensed drivers



*Institute for Traffic Safety Management and Research, March 2016*

in New York State, yet accounts for 65% of all Driving While Intoxicated/Driving While Ability Impaired arrests, and 59% of all fatal/personal injury crashes. By contrast, New York City, with 31% of all licensed State drivers only accounts for 24% of DWI/DWAI arrests and 24% of all fatal/PI crashes. Why the disparity?

An often cited, but not exclusive answer is that New York City has more options for public transportation such as subways, busses and taxicabs than Upstate areas. New York City has another advantage: apps like Uber and Lyft that provide rides at the touch of a button.

This past June, the City of Buffalo hosted the National Hockey League's annual entry draft. Visitors from around the world descended upon Buffalo only to learn how difficult it is to get

*“Could ridesharing have an impact on reducing impaired driver fatalities in Upstate New York - which has fewer public and private transportation options? Law enforcement officials from across the country, and data-based evidence from other cities where ridesharing exists, all point to yes.”*

around in our city. They were shocked to learn that ridesharing was unavailable, as it is in nearly every state and city in the United States. (WGRZ, 2016)

In 2011, Uber was able to launch in New York City and, in 2014, Lyft followed. Not so for the rest of New York State.

Look no further than Albany dysfunction as to the reason why. Special interest influence, as well as disagreement between Senate Republicans and Assembly Democrats has stalled the passage of legislation (Pressconnects, 2016). Could ridesharing have an impact on reducing impaired driver fatalities in Upstate New York - which has fewer public and private transportation options? Law enforcement officials from across the country, and data-based evidence from other cities where ridesharing exists, all point to yes.

Travis County (TX) Sheriff Greg Hamilton acknowledged that incidents of drunken driving dropped 16% in 2014 and 23% in 2015 after ridesharing companies began operations (Fox 7, 2015). Bexar County (TX) law enforcement officials have also expressed optimism that ridesharing may have played a role in a significant reduction in felony drunken driving charges in 2016 (Bradshaw, 2016).

Research also supports the effectiveness of ridesharing. A study focusing on Seattle (WA), showed DUI arrests decreased by over 10% (Uber Newsroom, 2014). Another showed that drunk driving deaths occur 3.5% - 5.6% less often in cities

with ridesharing (Greenwood & Wattal, 2015). Additionally, a report published conjointly by Mothers Against Drunk Driving and Uber demonstrated that people make significantly more responsible decisions when they can access alternative transportation- namely ridesharing programs. (Mothers Against Drunk Driving, 2015)

Uber alone is expected to be in 500 cities worldwide by the end of 2016 (Nicoll & Armstrong, 2016). Ridesharing is more than just popular. It may significantly improve public safety in New York State. Therefore, the New York State Association of Chiefs of Police strongly urge that the Governor and Legislative leaders pass a bill that would allow ridesharing throughout New York State in the next legislative session.

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# Executive Director's Report

*Restoration of §207-m Remains the Top Priority of NYSACOP*



EXECUTIVE  
DIRECTOR'S  
REPORT

BY MARGARET E. RYAN

A review of 1976 salary data for city, town and village police departments shows the difference of less than \$500 between the average salary of a Police Chief and the average salary of the next subordinate police officers. "The situation is aggravated in cases where the chief is exempted from overtime pay, shift differentials and other forms of compensation to which police officer members of negotiating units are entitled" wrote then New York State Association of Chiefs of Police Executive Director Joseph S. Dominelli in his July 11, 1977 letter to the governor to support Senate Bill 3414<sup>1</sup>. Senate Bill 3414 was submitted by Senate District 40 Senator Schermerhorn and Senate District 14 Senator Gazzara titled "An Act to amend the general municipal law, in relation to salary adjustments for certain police officials."<sup>2</sup> The purpose of the bill was to avert a continuing trend of salary compression for heads of police departments not in negotiating units. After the bill passed in the Senate 46-13, the New York State Legislature delivered the approved bill to Governor Hugh Carey who signed the Laws of 1977, Chapter 827 known as Section 207-m of the General Municipal Law. This new law provides that whenever the base salary of the permanent full-time officer of a negotiating unit is increased, the salary of the permanent full-time head of the police department shall be increased by at least the same dollar amount of the base salary increase received by such next subordinate police officer<sup>3</sup>.

The New York State Legislature amended General Municipal Law Section 207-m on August 2, 1999. The 1999 amendment provided that the permanent full-time head of a police department would also receive increases in other compensation in the event that the highest ranking subordinate member of a bargaining unit's "other compensation" is increased.

Chapter 97 of the Laws of 2011 enacted major components of legislation relating to real property tax levies, rent regulation, exemption from local taxation and mandate relief.<sup>4</sup> The 74-page document, which included one sentence on page 53 that repealed General Municipal Law Section 207-m, was introduced to members of the New York State Legislature, voted on and signed by the Governor within a three-hour time period. The repeal took effect immediately and police chiefs no longer had any statutory protection of even basic compensation.

Prior to General Municipal Law Section 207-m, approximately 75% of police chiefs in New York State were members of a collective negotiating unit. Although less than 10% were represented in 2011 when the law was repealed, law enforcement leaders today are again discussing this need. Many would agree police chiefs

and subordinates under their command cannot belong to the same negotiating unit. There needs to be a separation of law enforcement leaders and subordinate rank bargaining units. Even though the majority of Police Chiefs in New York State for years have not been the highest paid members in their agency, General Municipal Law Section 207-m kept them reasonably close. When the salary differential between junior and senior employees is smaller than it should be, compression occurs. When salary compression is left unadjusted, junior employees' salaries become greater than senior employees' salaries. The result is called salary inversion. The protections previously afforded in General Municipal Law Section 207-m acknowledged the exceptional requirements, background, experience and responsibility of law enforcement executives to make good faith decisions absent political influences. And to no

*"The repeal of the law has not resulted in real financial savings. Even the New York Conference of Mayors, which for years wanted to over-turn the law, admits that the repeal of 207-m along with the other items contained in the mandate relief legislation will have little impact on the dire financial circumstances facing many localities."*

surprise for anyone who has been a police chief, it will subject current and future chiefs to unwanted political pressure and interference as they manage their departments and provide the essential services that police departments are in business to deliver.

The repeal of the law has not resulted in real financial savings. Even the New York Conference of Mayors, which for years wanted to over-turn the law, admits that the repeal of 207-m along with the other items contained in the mandate relief legislation will have little impact on the dire financial circumstances facing many localities. The repeal of this law may cause an array of unintended

consequences that could set back professional policing many years to a time when there was far less concern for progressive community policing and a much greater problem with police misconduct and biased law enforcement. Salary differential and benefits assumed under General Municipal Law Section 207-m avoided the excessive bureaucracy of an additional negotiating unit and helped to ensure ethical and unbiased decision making. General Municipal Law Section 207-m recognized that most police chiefs also take on additional responsibilities without compensation for overtime or holidays. Absent the salary differential and commensurate benefits under the law, the most qualified candidates might be discouraged from taking on this important leadership role. General Municipal

Law Section 207-m was truly a good government law that deserves reinstating. General Municipal Law Section 207-m was good public policy and a good government law. Local government negotiating with local collective bargaining units.

<sup>1</sup> NYSACOP Executive Director Memorandum in Support letter to Honorable Hugh L. Carey, July 11, 1977

<sup>2</sup> New York State Library Bill Jacket, Laws of 1977 / Chapter 827

<sup>3</sup> New York State General Municipal Law Section 207-m (1)

<sup>4</sup> New York State Library, University of the State of New York New York State Education Department website

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# Counsel's Corner



## *NYSACOP Legislative Agenda Discussion: Juvenile Justice and Marijuana*



**BY CHIEF/RET. MICHAEL RANALLI, ESQ.**

**A**s this edition of the *Chief's Chronicle* is dedicated to explaining the NYSACOP legislative agenda, I will use my column to discuss our positions on certain topics that may be raised during the upcoming legislative session. I will focus on two potential issues: raising the age of criminal responsibility and legalization of marijuana.

### **Raise the Age**

On January 19th, 2015, the Governor released the Final Report of the Governor's Commission on Youth, Public Safety and Justice (January 2015 Report). In addition to reviewing our current juvenile justice system, this report contained recommendations for juvenile justice reform in New York State. On January 21, 2015 the Governor released his budget proposal, and the executive budget bills included many of the comprehensive reforms called for in the report. At the time, the Board of Governors of NYSACOP cited our opposition to the manner and speed in which such comprehensive reforms were being proposed. That proposal failed to gain traction and no action was taken on it. In this past legislative session, there was still discussion of the issue, but no comprehensive proposals were submitted. We are anticipating this issue reemerging in the upcoming session and it would appear likely that it would again be founded upon the January 2015 report and proposals.

Our association and its members are committed to improving our criminal justice system in any way possible, whether for juveniles or adults. Further, we do not challenge the purported value of the diversion and intervention programs cited and recommended within the report. We all have a vested interest in developing and supporting processes that will help to keep our youth out of the criminal justice system. All major law enforcement organizations, however, also need to be at the table during the creation of such proposals, not reacting to them after they are released. Our concerns remain the same as they were in 2015 about any proposals to raise the age of criminal responsibility, and I will summarize some of them.

*Any proposed changes to the juvenile justice system must compensate for the fiscal and operational impact on police departments and must consider officer safety.* Including persons who are 16 and 17 years old as juveniles will significantly impact the way such persons are arrested and processed. The January 2015 report and its recommendations appear to have been written to meet the criteria necessary to obtain and administer federal

grants under the Juvenile Justice and Delinquency Prevention Act (JJDP), specifically, 42 U.S.C. §5633. This statute contains numerous restrictions and prohibits juveniles from being comingled in adult detention areas. This is in addition to the similar state law restrictions we face under Family Court Act §304.1 & §305.2 and Criminal Procedure Law §510.15. We would, therefore, be prohibited from using our existing secure adult booking areas for 16 and 17-year old's.

Most police departments in New York State are small, under 20 officers, and have limited building facilities with which to work. Currently, 16 and 17-year old's may be temporarily placed within secure booking areas for processing while awaiting arraignment. This is also the area where agencies would typically keep their expensive Livescan equipment. Unless police facilities were built specifically as police



*Photo: pond5/perhapzz*

departments, many such secure areas had to be retrofitted into existing structures. Many smaller agencies, however, because of the lower frequency of juvenile arrests and/or space restrictions, have not constructed such secure areas for juveniles. In 2014 there were 11,103 arrests of 16 and 17-year old's outside of New York City. Of those arrests, 3,114 were for felonies and 1,387 were violent felonies. If the age is raised, future arrests will need to be processed in the existing inadequate juvenile booking areas. Agencies that cannot afford or have the ability to make similar secure juvenile holding areas systems will have to compromise the safety of their officers to comply with the law. Such a situation will place our officers at risk and any reform proposals must take into consideration the safety, operational and fiscal challenges it will cause.

*Any proposed changes to the juvenile justice system must take into consideration the safety of communities throughout New York State.* The 2015 legislation would have dramatically reduced the sentencing ranges for 16 and 17-year-old violent offenders. Drug and property crimes are one thing, but violent crimes are another. For example, the current sentencing range for a murder conviction has a minimum sentence of 15 years and a

*Our current Local Criminal Court system already deals with 16 and 17-year-old offenders. Diversion programs can be just as successful if initiated in our local criminal courts as compared to a yet to be created and funded Youth Term of the Family Court. Enhancement of the Youthful Offender status would provide far less impact than creating an entirely new system, and allow for phase in of the intervention programs.*

maximum of 25 years to life. Under the proposed 2015 legislation, the minimum sentence would have been reduced to 10 years and the maximum to 15 years to life. For those convicted of a class "B" violent felony, such as Rape in the 1st Degree, the minimum sentence would have been reduced from 5 years to 1 year, and the maximum sentence reduced from 25 years to 7 years. We will carefully examine any future proposals for any changes to sentencing for violent felonies. We believe that reductions in sentencing for violent offenders will return them to our communities far sooner than they perhaps should. We would have no opposition to housing such offenders in facilities designed for younger offenders, as placing them in with older offenders can make the situation even worse.

The current Youthful Offender status and procedure already provides a solid framework for the initial implementation of the diversion and intervention strategies. As the law currently exists, 16 and 17-year-old offenders are eligible, with certain exceptions, to be classified as a Youthful Offender (Criminal Procedure Law §720.10, §720.15, and §720.20). Our current Local Criminal Court system already deals with 16 and 17-year-old offenders. Diversion programs can be just as successful if initiated in our local criminal courts as compared to a yet to be created and funded Youth Term of the Family Court. Enhancement of the Youthful Offender status would provide far less impact than creating an entirely new system, and allow for phase in of the intervention programs.

### **Legalization of Marijuana**

While we do not know whether there will be attempts in this legislative session to build upon our current medical marijuana<sup>1</sup> laws, the issue continues to have national attention. Recreational marijuana is legal in the states of Colorado, Washington, Oregon, Alaska and the District of Columbia while Arizona, California, Maine, Massachusetts and Nevada all have pending recreational

legislation. Additionally, 23 states have some form of medical marijuana and Canada may soon legalize marijuana.<sup>2</sup> What is disturbing about this trend is the lack of established research on the effects of driving under the influence of marijuana. Also missing is the lack of conclusive research on the long-term effects of marijuana use on adults and juveniles. I recently attended a class at the San Diego IACP conference entitled "Higher Roads Ahead – What Police Administrators Need to Know to Combat Drugged Driving". Presenters included law enforcement representatives from Colorado and Washington state explaining their experience, as well as a presentation on the state of roadside oral fluid testing. This class, along with all the previous research I have done on this topic, just reaffirmed my belief that states are rushing to make irresponsible decisions that are based on misguided beliefs while ignoring what research is available. These decisions are putting lives at risk by placing more impaired drivers on the roadway. While this topic could fill this magazine, I will focus on some of the more relevant points that our Board of Governors will focus on.

- We are still trying to fully understand the extent of alcohol impairment, let alone that of marijuana and the vast number of other drugs, legal or illegal, that may be taken along with alcohol or marijuana. Studies have shown that marijuana, contrary to the position taken by some advocates for legalization, does impact driving capabilities. Alcohol affects people in a common way and units of alcohol can be effectively used as a frame of reference for quantifying driving risks. It is not currently possible to do the same with marijuana, making it difficult to advise drivers of the risks of consumption of any amount of marijuana.<sup>3</sup>
- Any officer who worked in the 1980's can remember the environment at the time regarding drinking and driving. Arrests were commonplace during DWI sweeps and during crash investigations. A cultural change then

*What is disturbing about this trend is the lack of established research on the effects of driving under the influence of marijuana. Also missing is the lack of conclusive research on the long-term effects of marijuana use on adults and juveniles.*

occurred, assisted by groups like Mothers Against Drunk Driving (MADD) and Students Against Drunk Driving (SADD), and a consistent message against drinking and driving was being delivered. Drinking and driving became socially unacceptable. We are at the same state now with marijuana that we were then with alcohol. ►

Society is generally indifferent to marijuana and there is a common belief that marijuana does not impair driving since the effects are not as obvious as those of alcohol. This indifference is dangerous and will predictably result in persons who may not drink and drive, choose to drive after smoking or ingesting marijuana.

- The strength of marijuana not quantifiable or controlled, and we have no clear guidance on how much is too much. Per the Washington State Traffic Safety Commission, the potency of THC in marijuana has increased from 3% in 1973 to 20% - 30% in 2014, while the potency used in most government studies is 3%-6%. Edibles create even further risks due to the way the products are sold and the delay in absorption from ingesting as compared to smoking marijuana. We are used to large portions of food and drink, while only a small piece of edible marijuana candy may possess more than enough THC to cause impairment. People will eat a piece, wait, not feel anything, and then eat more than they should without realizing the risks they are taking. This is what is contributing to overdoses in adults and children with access to the “candy” in Colorado and Washington.<sup>4</sup>
- In Washington State, the number of daytime THC positive drivers increased from 7.8% prior to legalization, to 18.9% one year later.<sup>5</sup> In Colorado, the percent of marijuana-related traffic deaths increased from 10.10% in 2009 when marijuana was commercialized, to 14.76% in 2013 when it was legalized, to 21.02% in 2015. The average number of marijuana-related hospitalizations increased from 4,070 in 2006-2008, to 9,856 in 2013-2014. This is just a snapshot of the data from Colorado and Washington, but cumulatively should provide legislators with some sense of caution in rushing to follow the states putting their residents at risk.<sup>6</sup>
- From a law enforcement operational perspective, there are additional challenges facing states with legalized marijuana. Alcohol affects people in a common way and the Standardized Field Sobriety Tests are based on large bodies of research. Drug impairment is far more difficult to detect during a traffic stop and roadside oral fluid testing solutions are still being evaluated. Drug-sniffing canines also now create operational challenges as they may need to be retrained or retired.

While this has been a superficial overview of a complex topic, the NYSACOP Board of Governors believes that when it comes to public safety, it should not be up to the opponents of marijuana legalization to have to prove one way or another that marijuana impairs driving abilities. Instead the industry lobbyists and legislators pushing for any broadening of marijuana laws should

have the burden of overcoming all the data coming out of states that have legalized marijuana and establish that it can be done safely, without placing other drivers at risk. The internet is full of the data coming out of those states and our legislators should pay attention to it.



*Pond: pond5yellowj*

<sup>1</sup>While the NY Penal Law spells it “marihuana”, I will use the spelling commonly used by the rest of the country and all of the literature and studies on the topic.

<sup>2</sup>*Higher Roads Ahead: What Police Administrators Need to Know to Combat Drugged Driving*, IACP San Diego Conference presentation on October 18, 2016.

<sup>3</sup>Lembeck, Natalie and Flegal, Ronald. “Expanding the Science on Marijuana and Drug Testing”, *Highway to Justice* Fall 2016, published by the American Bar Association with support from the National Highway Traffic Safety Administration.

<sup>4</sup>*Id.*, *Higher Roads Ahead*.

<sup>5</sup>*Id.*

<sup>6</sup>*The Legalization of Marijuana in Colorado: The Impact, Rocky Mountain High Intensity Drug Trafficking Area*, Volume 4, September 2016: <http://www.rmhidta.org/html/2016%20FINAL%20Legalization%20of%20Marijuana%20in%20Colorado%20The%20Impact.pdf> (last accessed on 10/30/2016)

# NYSACOP Asks for Parole Reform

BY: CHIEF PATRICK PHELAN, NYSACOP THIRD VICE PRESIDENT

**O**n August 23rd, 2014 Michael Caruthers was released from Watertown Correctional Facility on Parole after serving two years of a 2½ -5 year sentence on a robbery conviction. Caruthers had been out of prison for a few hours, he was walking on Liberty Pole Way in Rochester, NY at 7:40 AM when he observed a teenage girl walking down the same street. Caruthers attacked and raped the girl in broad daylight. He then dragged her to an abandoned building and continued the sexual assault. Caruthers was arrested later that day. He was out of jail less than 24 hours.

On April 25th, 2015 David Aligood walked into the Gates Pub, a small bar in the Town of Gates, NY. David Aligood opened fire with a handgun in the crowded bar, killing one person and injuring six. Aligood was on parole at the time of the shooting.

*“Parole officers are understaffed and overworked. It is the system that is broken.”*

In July of 2015 a suspect committed seven knifepoint robberies in a matter of days. The suspect was identified as Shaun Zimmer. On July 9th, 2015 Gates Police Lt. Jon Ballard and Officer Patrick Ellison located Zimmer sitting in a car in an alley. Zimmer exited the car quickly and stabbed Officer Ellison with a knife. Ellison drew his service pistol and shot Zimmer six times. Zimmer, who survived the shooting, was on parole. Zimmer had been released on parole just a few months earlier.

On August 20th, 2015 a youth basketball game was hosted by the Stop the Violence coalition at the Boys and Girls Club on Genesee Street in Rochester, NY. At about 11:20 PM the game came to an end and about 100 spectators and participants peacefully filed out of the exits. Then shots rang out as a car drove by and a passenger in the vehicle fired an AK-47 into the crowd. Three young men were killed and four were injured. A vicious attack on a peaceful community event. The fact that it was committed outside the Boys and Girls Club, a place of refuge in a challenged community, only added insult to injury. Johnny Blackshell was later arrested and convicted as being the trigger man in the shooting. Two other defendants were also arrested. Blackshell was on parole at the time of the shooting.

Local police chiefs had enough. At a press conference led by Gates Police Chief Jim Vanbrederode and Brockport Police Chief Dan Varrenti the Monroe County Chiefs of Police Association called for parole reform. “We have violent offenders that are routinely being release from our state prisons that are not being monitored effectively whether it be through GPS devices or by routine checks by parole officers”, Varrenti said. The Chiefs Association made it clear that this was not a criticism of

parole officers. Parole officers are understaffed and overworked. It is the system that is broken. There are not sufficient numbers of parole officers to supervise the amount of parolees and the parole officers that do exist do not have sufficient resources. The result is that parolees are not supervised. In New York, parole has turned into the honor system.

In response to the press conference the New York State Department of Corrections and Supervision dispatched high ranking officials to meet with the Monroe County Chiefs. At this meeting we learned that things were far worse than we thought. The Rochester parole office supervises parolees in Monroe County and all of the surrounding counties. There are 35 parole officers in this office who supervise 1800 parolees, over 50 parolees per officer. There are only 25 parolees who wear GPS bracelets. The office doesn’t even have enough cars for their officers to go out and check on parolees. As suspected, this is not a problem with parole officers, it is a broken system.

The Monroe County Chiefs called on Governor Cuomo to properly fund the parole system and increase the number of parole officers so that parole could properly supervise parolees. Nothing more, nothing less. The response from the Governor

*“The Rochester parole office supervises parolees in Monroe County and all of the surrounding counties. There are 35 parole officers in this office who supervise 1800 parolees, over 50 parolees per officer. There are only 25 parolees who wear GPS bracelets. The office doesn’t even have enough cars for their officers to go out and check on parolees. As suspected, this is not a problem with parole officers, it is a broken system.”*



Chief Patrick Phelan

was that he had not seen any legislation, but if he did he would consider it. The Chiefs then got to work. Working with Assemblyman Pete Lawrence - R, the Monroe County Chiefs Association developed simple common sense legislation. The legislation suggests amending the penal law to make violation of parole a crime. This would give police officers the ability to take parolees into custody for violating the conditions of their parole. This legislation will give actual consequences to parole violations and help create a system where the parolee has some motivation to follow his conditions of parole. Right now parolees have no fear of being caught violating parole because the system is overwhelmed. Further, parolees have no fear of being violated if they do not follow the conditions of their parole because the decision to violate a parolee is completely subjective and parole officers are often too busy to prosecute a parole violation. The violation of the penal law offense would be prosecuted by the local district attorney's office in a criminal court, not by an overburdened parole officer in a hearing as is the current system. Providing police officers with the ability to make an arrest for a violation of parole just makes sense. At another press conference in January 2016 the Monroe County Chief's Association presented the propose legislation. The legislation calls for the following changes:

**1. Section 270 of the Penal Law is amended by adding a new section (270.40) to read as follows:**

**Section 270.40. Violation of Parole in the third degree**

A person is guilty of Violation of Parole in the third degree when having been released from confinement in a correctional institution, under the jurisdiction of the state department of corrections and community supervision, and placed on parole, he or she violates a condition of their parole.

Violation of Parole in the third degree is a class A misdemeanor.

**2. Section 270 of the Penal Law is amended by adding a new section (270.45) to read as follows:**

**Section 270.45. Violation of Parole in the second degree**

A person is guilty of Violation of Parole in the second degree when having been release from confinement in a correctional institution, under the jurisdiction of the state department of corrections and community supervision, and placed on parole, he or she commits a misdemeanor.

Violation of Parole in the second degree is a class E felony.

**3. Section 270 of the Penal Law is amended by adding a new section (270.50) to read as follows:**

**Section 270.50. Violation of Parole in the first degree**

A person is guilty of Violation of Parole in the first degree when having been released from confinement in a correctional institution, under the jurisdiction of the state department of corrections and community supervision and placed on parole, he or she commits a felony.

Violation of Parole in the first degree shall be one class higher than the felony committed.

The legislation also calls for a database to be created that

*“...the Monroe County Chiefs Association developed simple common sense legislation... amending the penal law to make violation of parole a crime. This would give police officers the ability to take parolees into custody for violating the conditions of their parole.”*

provides the names, addresses, photograph, etc., of all parolees, and their respective conditions of parole, to law enforcement, when any DCJS Portal is queried.

Enacting this legislation will provide parole officers with



pond5/bialasiewicz

63,000 extra sets of helping hands to assist them in performing their difficult job. We do not wish to replace parole officers, quite the opposite. In addition to this legislation we call on Governor Cuomo to properly fund the parole system, hire more parole officers to supervise parolees, and provide resources to parole officers to help them do their jobs. If NYDOCS and local police work together we can supervise parolees more effectively and prevent violent crimes committed by parolees. At the October 2016 meeting, the New York State Association of Chiefs of Police Board of Governors voted to support this legislation. This legislation will be part of the NYSACOP legislative agenda for the coming year.

# Ever Used Chains on Your Tires?

*Inventor was from Baldwinsville*

By: Mark A. Spawn with Jim Weed

If you have been in law enforcement for more than 10 or 20 years, you may have had the experience of using tires chains on your rear-wheel drive police cruiser. For those who work in the lake effect snow belt, the torrential winter storms coming off of Lake Erie and Lake Ontario can make street travel almost impossible – unless you had a set of chains on your drive wheels! Much to my surprise, I recently learned that this taken-for-granted invention was actually born in Central New York by Col. Harry D. Weed.



**Col. Harry D. Weed**  
*(Photo: Courtesy of James Weed)*

Jim Weed, the great grandson of Harry D. Weed, grew up in Rochester, New York and now lives in Georgia where he works for the Centers for Disease Control and Prevention. According to James, his great grandfather was born in 1872 in Forestport, New York (Oneida County). Jim said that his great-grandfather formed the American Chain and Cable Company with Jim's other great-grandfather, Walter Benjamin Lashar of Bridgeport, Connecticut. Harry conceived the idea after getting his car stuck in the mud and snow, when he used grapevines wrapped around the drive tires to get traction.

According to Colonel Weed's obituary (November 1961) he is also credited with inventing a bomb release mechanism that was used in WWI, and perfecting the synchronized firing of machine guns through airplane propeller blades. (Beach Daily, Palm Beach, FL, newspaper article, November

1961, Florida)

The records of the U.S. Patent Office contain the application by Harry D. Weed, then of Canastota, New York in Madison County. In the original patent application, Harry, then of Canastota, New York in Madison County stated, "This invention relates to improvements in treads for pneumatic tires, and is particularly applicable for use on the traction-wheels of automobiles to prevent the tire from slipping on slippery pavements." Weed went on to describe his idea, saying, "The object of my present invention is to provide a flexible and collapsible grip or tread composed entirely of chains linked together and applied to the sides and periphery of the tire and held in place solely by the inflation of the tire, and which is reversible so that either side may be applied to the periphery of the tire, thus affording a double wearing surface." (U.S. Patent Office)

Today's police vehicles have evolved to include front-wheel and all-wheel drive, making winter driving easier than "the old days". But there will always be a time and place for tire chains – and we have Col. Weed to thank for that.

Jim has donated many of his great-grandfather's documents, including Harry's 1890 diploma from the Baldwinsville Academy, the U.S. Patent Certificate, and a set of the original Weed tire chains to the Shacksboro Schoolhouse Museum at 46 Canton Street in Baldwinsville and the Canal Museum in Canastota. Harry Weed is buried at Riverview Cemetery in Baldwinsville.



**Advertisement for Weed's  
Tire Chains**  
*(Photo: Courtesy of James Weed)*

# Mark Spawn Moving On

*Served as Director of Research, Development and Training*



**Mark A. Spawn**

It has been a pleasure to have worked with law enforcement officers and executives throughout New York State during my tenure at the Association. Since 2008, my position as the Director of Research, Development and Training has afforded me an opportunity to interact with police officers and agencies on a variety of topics. Early on I participated with the New York State Office of Sex Offender Management on a statewide training program which reached police, probation, parole, and prosecutors in every part of the state.

One of my first projects in 2008 was to develop a program to recognize police agencies using proactive policies to monitor sex offenders in their communities, including registration compliance, address verification, community notification and enforcement. Under this program we certified more than 40 agencies across the state in the Best Practices Certification Program. The management of sex offenders has been a passion of mine, and I have enjoyed working with New York State law enforcement, the IACP, and Fox Valley Technical College on related projects.

Social media platforms were rapidly evolving in 2008 at the same time when the fiscal crisis was causing local government to downsize and re-evaluate priorities. At that time I began recording the *APB: All Points Bulletin* podcasts. They started as an audio series but soon evolved to include video productions.

The feedback from my colleagues about the podcast series was overwhelming, and I am grateful that they continue to fill a need for continued information and education.

The podcasts include more than 100 productions on topics ranging from sex offender management, disability awareness, syringe programs, analytics in policing, distracted driving, victim notification, and ignition interlock devices. In recent years I began producing *The Legacy Project*, a series of interviews with noted law enforcement officials with an important message – leadership, survival, professionalism. Interviews include Chief John Grebert (Colonie PD/Ret.), Chief Dave Zack (Cheektowaga PD), Steve Heider (Colonie PD/Ret.), Harvey Kushner (Terrorism Expert), Superintendent Jody Weis (Chicago PD/Ret.), Commander Tim Hardiman (NYPD/Ret.), Tpr. Juanita Salas-Jackson (NYSP), and Chief Michael Biasotti (New Windsor PD/Ret.). Two of the most educational, inspirational, and dynamic productions have been interviews with Chief Gerald Pickering (Webster PD/Ret.) about *The Webster Tragedy*, and interviews with Det. John Barnett, Asst. Chief Steve Conner, Asst. Chief Tom Odessa, and Capt. Kevin Kiernan (MTA PD) in *Surviving an Ambush*, the story of the attack on Det. Barnett while working a uniform detail in Jamaica/Queens. In addition to those videos, there is an Officer Safety and Risk Management series, developed around the IACP study which identified the top areas where law enforcement officers are most often injured or killed. The audio podcasts in that series include

specific titles on ambushes and surprise attacks, body armor, police vehicle crashes, motor vehicle stops, arrest situations, executing warrants, off duty arrests, foot pursuits, building searches, and use of force. Podcasts like these have allowed for training on demand, and at the convenience of the listener, something desperately needed by our men and women on the front lines. The IACP report was also the inspiration to create the series of editorial cartoons which have appeared in the *Chief's Chronicle*. The cartoons are just another form of media to stress the importance of officer safety in these high risk areas. The cartoon in this edition is an example of how these illustrations are carefully developed to ensure that the proper message is being portrayed – use care in searching, move from dark to lighted areas, and be aware that you do not become silhouetted as you conduct your search.<sup>1</sup>

The NYSACOP annual training conference has changed significantly, bringing in well regarded, high profile speakers on relevant topics in law enforcement. Attendance and interest has continually increased. Post-conference critiques which used to ask for more recreational time now demand more academic subjects and noted speakers. The diversity of topics and the dynamic discussions which occur at the conferences are inspiring and represent the critical thinking by today's police leaders on all aspects of our jobs.

It has also been rewarding to produce the Law Enforcement Handbook each year, and it's sister electronic version, *The Pocket Enforcer*<sup>2</sup>, both of which include various New York State statutes along with resources, checklists, and guidance on a variety of other issues. My goal in developing these publications as well as the podcast series was to produce the kind of resource that I would have wanted to have myself – whether in the patrol car, as a detective at a crime scene, or as a chief. But most rewarding to me has been the monthly newsletter, *Chiefly Speaking*, and the quarterly magazine, *The Chief's Chronicle*. *Chiefly Speaking* emerged from the days of a monthly text email message without color, images, features, or columns. *Chiefly Speaking* was the next generation of the former *Police Chief Executive Newspaper*, a transformation from the traditional newsprint-paper to a magazine style production. Our publications are read not only by our law enforcement members, but also by other criminal justice organizations, federal partners, state legislature, DCJS, NYCOM, District Attorneys, IACP,

*My goal in developing these was to produce the kind of resource that I would have wanted to have myself – whether in the patrol car, as a detective at a crime scene, or as a chief.*

and BJA. These publications allow us to share our opinions and positions on a variety of emerging concerns in public safety as well as news and information for New York State police leaders.

There have been several agency collaborations that I have enjoyed during my tenure— DCJS, Office of Sex Offender Management, Sheriff’s Association, NYSP, IACP, DOCCS, DOH, and many more. I have also had the fortune of working with Nick Macherone, and other partners at DMV, Governor’s Traffic Safety Committee and NHTSA on various traffic safety initiatives. The development and production of resources on distracted driving, sobriety checkpoints, Leandra’s Law, ignition interlock devices, DDACTS, police crash reports, and the rollout of the secure driver licenses provided police with relevant materials to help them do

their job.

I will be pursuing other opportunities now in the law enforcement and public health areas. I invite you to reach out to me at mark@spawngroup.com and follow me @TheSpawnGroup.

<sup>1</sup>Officer Safety and Risk Management, Avoiding and Mitigating Officer Deaths, Assaults, and Injuries; National Law Enforcement Policy Center, International Association of Chiefs of Police; pp. 23-24; January 2012

<sup>2</sup>Looseleaf Law Publications

# Remembering Officer Rick Sowa

## *Atlanta PD Officer Had Roots in Central New York*

BY: CHIEF MARK A. SPAWN (Fulton PD/Retired)

Prior to 1997, I did not know Officer John Richard (Rick) Sowa’s mother, stepfather, sister and some of their extended family who lived in Fulton, New York, where I served as the Chief of Police. Nor did I know Officer Sowa who, at one time, lived and attended school in Fulton. But because of the circumstances in Atlanta, Georgia on October 12, 1997, I came to know Rick’s family.

*...the man grabbed his AR-15 assault rifle, and went after the officers who attempted to retreat to safety. But the officers stood no chance – the defendant fired 15 times using armor-piercing ammunition...*

In 1994, Rick had moved to Atlanta, Georgia to become a police officer. A few years later when he and his partner, Officer Patricia Cocciolone responded to the call of a disturbance between a man and woman, they were unaware of the evil that awaited them. According to court reports<sup>1</sup>, the man and his girlfriend were drinking at a bar prior to the incident. After leaving the bar, there was an altercation between them which was observed by a passerby who called police. Officers Sowa and Cocciolone arrived to see the girlfriend sitting on a curb while the man was attempting to pull her to her feet. The defendant walked away as the officers went to assist the apparently intoxicated girlfriend. The officers took the

girlfriend to the man’s apartment where they believed she also lived. As they escorted her to the apartment, the man could be heard inside, cussing at the officers. As the girlfriend made her way inside the apartment, the man tried to close the door, but Officer Sowa held the door open to ensure the girlfriend’s welfare. In the next seconds, the man grabbed his AR-15 assault rifle, and went after the officers who attempted to retreat to safety. But the officers stood no chance – the defendant fired 15 times using armor-piercing ammunition, striking Rick five times in the back, buttocks and chest, and striking Patricia three times in the arm, head and buttocks.<sup>2</sup> Rick was killed instantly, and Patricia suffered extremely serious wounds. Those few seconds forever changed the lives of the officers’ family, friends, and colleagues, as well as the



*Officer John Richard Sowa*

*... We know the inherent dangers of our profession – and we choose to do it anyway. There is risk – but there is also reward.*

residents and others in and beyond Atlanta. The officers tried to take cover, but had no time to react, evidenced by the fact that neither officer had an opportunity to draw their firearms.<sup>2</sup>

The distance between Fulton, New York and Atlanta, Georgia  
**REMEMBERING RICK SOWA, continued on Page 16**

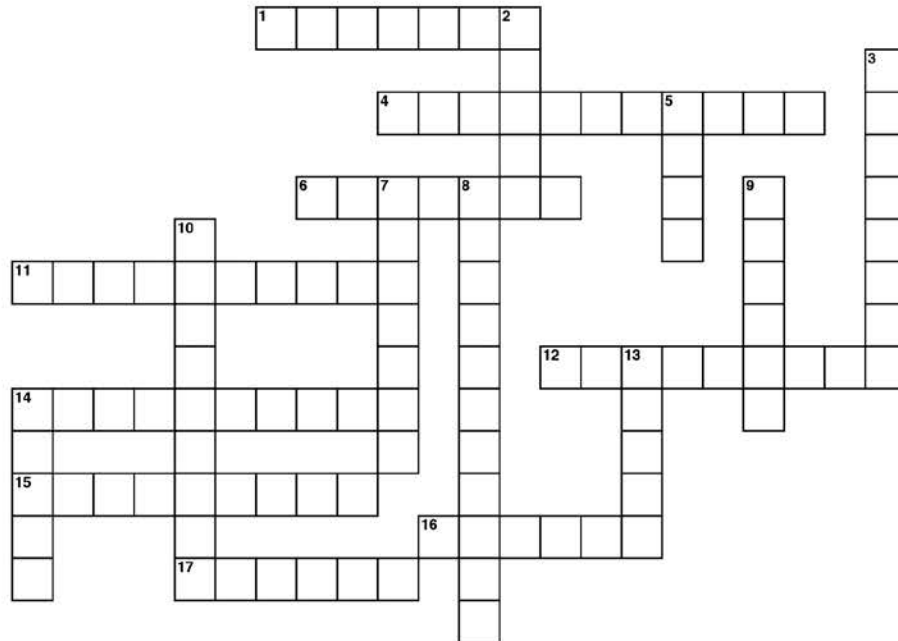


# Law Enforcement Fatalities & Injuries

\*Law Enforcement Officers Killed/Assaulted, 2014 U.S. Dept. of Justice; Oct. 2015 ; \*\*Crime in the United States, 2015 U.S. Dept. of Justice; Fall 2016

## ACROSS

- 1 In 2014, 48,315 officers were \_\_\_\_\_ of line-of-duty assaults.\*
- 4 According to statistics collected by the FBI, 96 law \_\_\_\_\_ officers were killed in line-of-duty incidents in 2014.\*
- 6 Of the 25 officers who were killed in automobile accidents for which seatbelt usage was reported, 15 were \_\_\_\_\_ seatbelts at the times of the accidents.\*
- 11 Of the 45 officers accidentally killed, 28 died as a result of \_\_\_\_\_ accidents, 6 were struck by vehicles, 6 officers died in motorcycle accidents, 2 were accidentally shot, 1 drowned, and 2 officers died in other types of duty-related accidents.\*
- 12 Of the 96 law enforcement officers killed in line-of-duty incidents in 2014, 51 died as a result of felonious acts, and 45 officers died in \_\_\_\_\_.\*
- 14 Forty-five law enforcement officers were killed accidentally while \_\_\_\_\_ their duties in 2014.\*
- 15 Of the 51 officers feloniously killed in 2014, 11 were killed while answering disturbance calls, 9 were conducting traffic pursuits/stops, 7 were ambushed, 7 were investigating suspicious persons or circumstances, 5 were conducting investigative activities (such as surveillances, searches, or interviews), 4 were killed in arrest situations, 4 were involved in tactical situations, and 3 were handling persons with mental \_\_\_\_\_. One officer was killed in an unprovoked attack.\*



- 16 Of the officers assaulted in 2014, assailants used personal weapons (hands, fists, feet, etc.) in 79.9 percent of the incidents, firearms in 4.0 percent of the incidents, and \_\_\_\_\_ or other cutting instruments in 2.0 percent of the incidents.\*
- 17 The average age of the officers who were feloniously killed in 2014 was 39 years. The victim officers had \_\_\_\_\_ in law enforcement for an average of 13 years at the time of the fatal incidents. All 51 of the officers were male. Forty-seven of the officers were white, 2 were black, and 2 were Asian/Pacific Islander.\*

## DOWN

- 2 \_\_\_\_\_ officers accounted for 69.6 percent of all law enforcement personnel in the United States in 2015.\*\*
- 3 Each year, law enforcement agencies across the United States report to the UCR

Program the total number of sworn law enforcement \_\_\_\_\_ and civilians in their agencies as of October 31.\*\*

- 5 The average age of the officers who were accidentally killed was 39 years; the average number of years the victim officers had served in law enforcement was 10. Of the 45 officers accidentally killed, 42 were \_\_\_\_\_, and 3 were female. Forty-three of the officers were white, and 2 were Asian/Pacific Islander.\*
- 7 In 2015, the highest rate of officers to individuals among the city population groups was an \_\_\_\_\_ of 3.7 officers per 1,000 inhabitants in cities with less than 10,000 residents.\*\*
- 8 County agencies reported an average of 2.7 officers per 1,000 \_\_\_\_\_.\*\*
- 9 Offenders used firearms to kill 46 of the 51 victim officers. Of these 46 officers, 33 were slain with handguns, 10 with \_\_\_\_\_, and 3

with shotguns. Four officers were killed with vehicles used as weapons, and 1 was killed with personal weapons such as hands, fists, or feet.\*

- 10 Nationwide in 2015, the rate of sworn officers was 2.3 per 1,000 inhabitants. The rate of full-time law enforcement \_\_\_\_\_ (civilian and sworn) per 1,000 inhabitants was 3.3. \*\*
- 13 In 2014, of the 48,315 officers assaulted while performing their duties, 28.3 percent were injured. The largest percentage of victim officers (30.8 percent) were assaulted while responding to disturbance \_\_\_\_\_.\*
- 14 Law enforcement agencies identified 59 alleged assailants in connection with the felonious line-of-duty deaths. Fifty of the assailants had \_\_\_\_\_ criminal arrests, and 11 of the offenders were under judicial supervision at the time of the felonious incidents.\*

**WORD BANK:** Accidents, automobile, average, calls, employees, enforcement, illnesses, inhabitants, knives, male, officers, performing, prior, rifles, served, sworn, victims, wearing.

Solution on page 19

afforded Rick's mother, stepfather and sister some privacy from the events and aftermath, but it also created isolation. The Fulton, New York Police Department "adopted" Rick's family, and honored him with a memorial service, and other honors. I have remained in contact with Rick's mother through 19 years of trials, appeals and other proceedings. The anguish of Rick's family has been palpable – there has been no closure – and I doubt that there can ever be

*He was doing a good deed when he got killed – escorting a drunk girl home... five minutes before the end of his shift.*

closure from the scars of such an unprovoked, terroristic, violent attack on two Honorable Keepers of the Peace.

Rick epitomized the persona of a police officer. When I spoke with his mother, she told me that becoming a police officer was a lifelong dream for Rick. He applied to the Connecticut and Rhode Island State Police, and Atlanta. But when he received the call from the Atlanta Police Department around December 1994, he immediately went there, believing that he could make a difference.

Police officer safety is a foremost consideration in all law enforcement operations. We train to be cautious in our approaches to potentially violent encounters, and to be vigilant in the routine operations which can result in officers being injured or killed. In all of this, we seek to manage the factors that we can. But certain behaviors are beyond our control. We know the inherent dangers of our profession – and we choose to do it anyway. There is risk – but there is also reward.

By all accounts, Rick was a caring and compassionate police officer. I recently asked Officer Sowa's mother, Christine Roth, what she thought Rick would be doing today if he were still here with us. She said, "I think he would have become an FBI agent. He had a friend who he went through the police academy with who went on to the FBI. I am sure that's what Rick wanted to do." She told me that at Rick's funeral, a woman came up to her to share a story. Christine said "The woman told me about how Rick came to her home because her young daughter was fearful of ghosts in the house." She continued, "Rick took the time to console her." There were also the ladies from a local doughnut shop that Rick frequented while on patrol who remembered Officer Sowa. Christine chuckled as she told the story because of the police-and-doughnut stereotype, but she fondly remembered how they spoke about her son, telling her that "...he was a very nice young man." Rick's mother also recalled that her daughter, Kim participated in

a ride-along with Atlanta PD after the funeral and toured Rick's district. Some of the kids in the area recognized the police car and recalled to Atlanta PD Officer Byne and Kim about how Rick used to stop by and shoot a few hoops with them during his patrol. Rick's mother told me that Rick was always doing good deeds. She said, "He was doing a good deed when he got killed – escorting a drunk girl home... five minutes before the end of his shift." These are just a few of the stories of which we are aware.

For almost two decades now there have been trials, hearings, proceeding, motions and appeals. With every holiday and birthday, the families of Officers Sowa and Cocciolone are reminded of their grievous losses. The families have had to deal with the dramatic and graphic details of a brutal crime, and the ridiculous insinuations by the defendant that his actions were in self-defense, provoked<sup>3</sup>, or that he was otherwise not responsible for what happened. According to one neighbor in the apartment complex when the shooting erupted, she testified that she heard a young man's voice say, "Please don't shoot me."<sup>4</sup> But within seconds, Rick was dead and Patricia seriously injured.

I would like to thank the Attorney General's Office, particularly Cindy Ormerod, the Victim Information Coordinator in the Capital Litigation Section. For several years now she has kept me informed with regular correspondence about motions, hearings, and appeals. In my files I have 18 letters from her providing status updates, which has allowed me to help the family in understanding the process from the state court to the federal courts, and ultimately the U.S. Supreme Court. When I received a call from Cindy on October 5th to let me know that the Court refused to grant a review of the defendant's final appeal, and that an execution date had been set by the state, I was surprised. After 19 years, it was almost over. The date of execution had been set for October 19, 2016. A clemency hearing was scheduled for October 18. I submitted a statement to the Board, detailing much of the information that I have written here: recounting the tragic incident and the loss of Rick, and the maiming of Patricia, the anguish of the families, and the cowardice of the killer. The defendant, whose name I refuse to write here, was denied clemency, and there were no stays of execution. Two last minute appeals on the evening of the execution were also denied. Rick's killer was executed by lethal injection on October 19 at 11:47 PM at the Georgia Diagnostic and Classification Prison in Jackson, Georgia.

<sup>1</sup> Petition for Writ of Habeas Corpus, Butts County Superior Court, Georgia. Lawler v. Hilton Hall. Case no. 2004-V-30. December 2, 2008.

<sup>2</sup> Lawler v. Warden; U.S. Court of Appeals 11th Circuit, Case no. 14-12389; 631 Fed. Appx. 905; December 10, 2015.

<sup>3</sup> Lawler v. Warden; U.S. Court of Appeals 11th Circuit, Case no. 14-12389; 631 Fed. Appx. 905; December 10, 2015; p. 8

<sup>4</sup> Lawler v. The State; Supreme Court of Georgia; 276 Ga. 229; 576 S.E. 2d 841; January 27, 2003; p. 4



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# Policing Legend Retires

## *Police Commissioner Bratton's Retirement Letter to Mayor de Blasio*

Dear Mayor de Blasio,

I submit this letter in anticipation of my retirement, which becomes effective at midnight on Sunday, September 18, 2016.

Serving as police commissioner during your administration has been one of the great honors of my life, and as I tender this resignation I also tender my thanks. In leading six different police departments across the country in the past 35 years, I have never been better resourced or more fully supported by any mayor. From equipment, to training, to technology, to policy, to the first substantive headcount expansion in more than a decade, you have stood by the NYPD and made much of what we have accomplished possible.

Thanks are also due to the people of New York and the cops of the NYPD. Working together in partnership in our neighborhood-based policing initiatives, they are forging the way forward in crime fighting and collaboration. Public safety is a shared responsibility, but police will always carry the larger burden. It is impossible to quantify the many acts of bravery, kindness, and concern that our officers perform each day, but I am deeply grateful for their acts and for the privilege of working beside them for the past 33 months.

Those months have not been free from tragedy. We lost six officers in the line of duty and one overseas during my tenure, a steep and painful cost. We faced crisis and challenge, most notably the great unrest during the winter of 2014/2015. Our officers' restrained management of those protests showed the nation what a professional police department can do.

Our core reform is the Neighborhood Policing Plan, a fundamental redesign of the way our precincts and police service areas conduct patrol. Under this plan, the precincts have been re-sectored to reflect neighborhood boundaries, and each sector is patrolled by a team of officers, who work that sector exclusively. We have established a new position, neighborhood coordination officer (NCO), to work closely with the residents and businesses, with two NCOs permanently assigned to each sector.

By October 2016, the Neighborhood Policing Plan will be in place in more than half of the patrol precincts and all of the Housing PSAs. By dedicating more resources to communities and responding to their needs, we are bringing the cops and the citizens of New York City closer together, with substantial benefits for both crime fighting and quality of life. None of this would have been possible without your decision to add nearly 1,300 officers to our department.

In the first two years of your term, index crime decreased 5.7 percent and has gone down 2.5 percent so far this year. Your years in office have seen the lowest murder total since 1957 and the fewest robberies, burglaries, and auto thefts since the mid-1960s.

Even as crime continues to drop, arrests, criminal summonses, and Terry stops are all down as well, and by very considerable margins. Precision policing has achieved results that exceed anything obtained by over-reliance on street stops and indiscriminate enforcement. It fulfilled the vision you and I shared: that we could maintain safety in our city with far fewer interventions on the street.

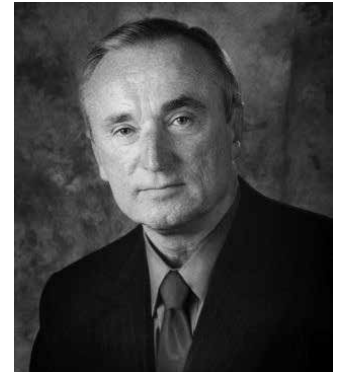
Officer safety is paramount, and we are giving our cops the most up-to-date tools: lighter and more protective vests, stronger pepper spray in better canisters, upgraded escape hoods, smaller and brighter flashlights, trauma kits to carry on their belts, and enhanced ballistic protection in our vehicles.

Today's NYPD is undergoing a transformative technological change. As of March 2016, every officer has been given a smartphone and more than 2,000 vehicles have been equipped with tablets. We are also developing new software and building a high-speed data network to connect all of our facilities. No police department in America is doing so much in terms of qualitative and quantitative technology upgrades.

Training has also been transformed. Previously, our newest, least experienced cops often were not as well-guided as they ought to have been. Under our new training model, recruits in the Academy receive a field-training component, and then, after graduation, they spend six months as rookie cops with dedicated field-training officers, or FTOs. These FTOs help new cops develop the fundamental skills that are essential to modern policing. Three days of in-service training for veteran officers covers ethics, de-escalation, tactics, and the nobility of policing. Given annually, these three days update our officers' skills and keeps them abreast of the changing world of law enforcement.

For the first time in the history of the NYPD, we are modernizing our facilities throughout the Department—our headquarters, training facilities, precincts, and other buildings. The Precinct Enhancement Program is reducing clutter, fixing broken equipment, and thoroughly cleaning each patrol precinct, housing police-service area, and transit district facility.

We have reorganized our investigative units, which were previously divided between the Detective Bureau and the Organized Crime Control Bureau, into the new Unified Investigations model. All of these units now report to the Chief of Detectives, which allows for more thorough, more focused,



**William Bratton**  
Photo: NYPD

and better-coordinated investigations by our detectives. We have launched a variety of new units within the NYPD, rearranged existing functions, and developed entirely new capabilities, as noted below:

- **Strategic Response Group:** A consolidation of eight patrol borough task forces into a unified command, this unit is better staffed, equipped, and trained than its predecessors, allowing for more efficient mobilizations, disorder control, and targeted crime suppression.
- **Critical Response Command:** A dedicated unit for site protection and counterterror response, the CRC has over 500 dedicated officers, all with specialized counterterrorism and active-shooter training.
- **Force Investigation Division:** The new division handles all aspects of officer-involved shootings and other critical use-of-force cases.
- **Grand Larceny Division:** The new division conducts pattern investigations of grand larcenies, as has long been done with burglary and robbery patterns. Grand larcenies now account for 40 percent of major crimes in the city, and 70 percent in Manhattan South.
- **Gun Violence Suppression Division:** This division assigns dedicated staff to investigate and enhance all gun arrests through successful prosecutions, to counter gun trafficking, and to conduct long-term investigations of violent gangs and crews.
- **Risk Management Bureau:** The new bureau works closely

with our oversight entities to evaluate compliance and misconduct, and to improve training.

- **Strategic Communications:** This new office puts our editorial, graphics, video, social media, and internal and external marketing capabilities under one roof to coordinate and amplify our message of positive change in the Department.
- **Animal Cruelty Investigation Squad:** This new sub-unit of the Detective Bureau's Special Victims Squad coordinates, investigates, and assists with complaints of animal cruelty.
- **Police Action Litigation Section:** This section of the Legal Bureau, strengthens our defense against frivolous lawsuits and provides our cops with better information on cases that involve them.

You have left all of these initiatives in the best possible hands by appointing Jim O'Neill as my successor. I am confident that you will have as productive a collaboration with Jim as you have had with me.

Thank you again for the extraordinary privilege and opportunity to serve you and the citizens of New York and, for the second time, to serve proudly alongside the greatest cops on Earth. The men and women of the NYPD are truly New York's Finest.

All the best,

William J. Bratton

*New York Police Department; Sept. 16, 2016*

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**Fight Crime: Invest in Kids Celebrates 20 Years!**



*Capitol Hill Visit*  
From left: Major General (Ret.) Mike Hall, Chief Frank Fowler (Syracuse PD), and longtime FCIK Board member Janice Grieshaber Geddes.

It has been two decades since Sandy Newman founded Fight Crime, hoping to convince policymakers that early childhood experiences are good predictors of future crime. He succeeded in many ways. Today, policymakers are much better versed in the connection between prevention and positive life outcomes. But there's more work to do!

That's why members traveled to Washington, D.C. recently and met with legislators, as well as with Senate and Congressional staff. They carried the message that maternal, infant, and early childhood home visiting, high-quality early learning, and nutrition programs must be supported across the country. We deeply appreciate their time and commitment!

**Advocacy Work**

You should have received a packet of information detailing child abuse and neglect statistics in your county, as well as percent of unmet need by home visiting programs. A huge thank you to those members who have already taken that information and shared it with their local legislator(s). We are providing talking points to anyone who is interested in advocating for increased funding this year. Please contact Abbi Griffin Jordan at [agriffin@fightcrime.org](mailto:agriffin@fightcrime.org) for how to help!

**Re-branding**

If you see something from us that reads "Council for a Strong America", don't be alarmed! That is our umbrella organization. Fight Crime: Invest in Kids continues to be active and our mission has not changed.

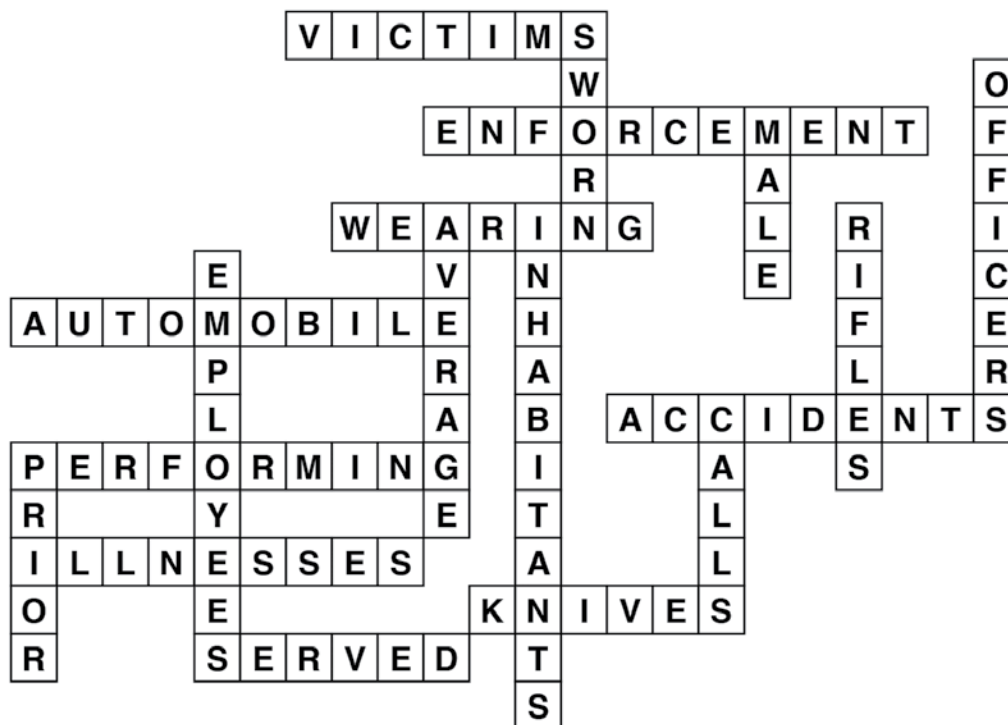


*Jenn O'Connor*  
State Director

**PUZZLE ON PAGE 15**

**Law Enforcement Fatalities & Injuries**

\*Law Enforcement Officers Killed/Assaulted, 2014 U.S. Dept. of Justice; Oct. 2015 ; \*\*Crime in the United States, 2015 U.S. Dept. of Justice; Fall 2016



# Law Enforcement Fatalities on the Rise

## Statement from IACP President Donald W. De Lucca on Recent Line of Duty Deaths

**A**LEXANDRIA, VA - November 15, 2016 - The month of November has been filled with tragedy for the law enforcement community in the United States. This past Sunday, we experienced yet another line of duty death, bringing this month's count to ten fatalities. Nine of those ten officer fatalities were caused by gunfire. These deaths continue a horrific trend in 2016. Line of duty deaths in the U.S. have increased by eight percent this year compared to 2015. Additionally, gunfire related deaths are up by an astonishing 70 percent.

This level of violence against the police is simply unacceptable. Sadly, the police are facing an increasing amount of danger, and more horrifying is the fact that much of this danger appears to be acts of violence that target them solely for the profession they chose and the uniform they wear.

Law enforcement officers are the foundation of our society. They have dedicated their lives to keeping their communities safe and protecting the innocent. The loss of even a single officer is a tragedy that makes us all less safe. As we remember and honor these officers and grieve with their families, friends and colleagues, we also continue to pray and hope for the safety of our fellow officers. It is our hope that communities, lawmakers, and others will unite in an effort to support the law enforcement profession during this difficult time and work with us to end this culture of violence.

Source: IACP

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# Happy Holidays

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