

The New York State Chief's Chronicle



Serving New York's Police Executives Since 1901

December 2019



In This Edition:

Counsel's Corner

Reflections of a New Chief During the First 100 Days

Small to Mid-Size Police Departments Expand Capabilities with HSIN

Total Recall?: A Quasi-Experimental Study of Officer's Recollection in Shoot-Don't Shoot Simulators

FIRSTNET's Dedicated Public Safety Broadband Network is Driving Innovation for Law Enforcement

Raven's Challenge' Bomb Squad Training

The UBER Law Enforcement Response Team

Opinion Article



Love the Service. Appreciate the Convenience. Trust our Names.

We've built a network of outpatient imaging experts to better serve your needs.

All of our locations throughout New York and New Jersey offer state-of-the-art technology, superior customer service and precise radiology reports delivered fast.



Manhattan
Brooklyn
Queens
Bronx
Long Island
Staten Island



NEW YORK
RADIOLOGY
PARTNERS

West Side Radiology Associates, P.C.



PDR

Pinnacle Diagnostic Radiology

MEDICAL ARTS
RADIOLOGY

To find the location nearest you, please visit

www.RadNet.com

contents



In this issue

- 2 ON THE COVER**
- 3 COUNSEL'S CORNER**
By Chief (Ret.) Michael D. Ranalli, Esq.
- 5 REFLECTIONS OF A NEW CHIEF DURING THE FIRST 100 DAYS**
*By Chief Anthony Geraci
Watervliet Police Department*
- 7 MAKING DISCIPLINE STICK IN LAW ENFORCEMENT®**
By Richard R. Johnson, PhD, Matt Dolan, Attorney
- 9 SMALL TO MID-SIZE POLICE DEPARTMENTS EXPAND CAPABILITIES WITH HSIN**
*By Andrew A. Sloan, Director (Acting)
Mission Integration Operations, HSIN, Department of Homeland Security*
- 10 TOTAL RECALL?: A QUASI-EXPERIMENTAL STUDY OF OFFICER'S RECOLLECTION IN SHOOT-DON'T SHOOT SIMULATORS**
*Author: Scott W. Phillips | Co-Author: Dae-Young Kim |
Co-Author: James J. Sobol | S. Marlon Gayadeen*
- 11 FIRSTNET'S DEDICATED PUBLIC SAFETY BROADBANK NETWORK IS DRIVING INNOVATION FOR LAW ENFORCEMENT**
*By David Cook, Senior Public Safety Advisor,
First Responder Network Authority*
- 12 THE CHALLENGES OF A PUBLIC INFORMATION OFFICER**
By Captain Jeffrey Rinaldo, Buffalo Police Department
- 14 RAVEN'S CHALLENGE' BOMB SQUAD TRAINING RETURNS TO NEW YORK STATE**
*By Jim Turley and Meghan Dudley,
NYS Division of Homeland Security and Emergency Services*
- 17 TECHNOLOGY UPDATES
CRIMEWATCH**
*Douglas M. Demangone | Territory Director
Asst. Chief County Detective (Ret).*
- 19 THE UBER LAW ENFORCEMENT RESPONSE TEAM**
*By Wade Stormer - Uber Law Enforcement
Operations Liaison*
- 20 CHIEF'S CORNER - SE PUEDE COMER UN ELEFANTE**
By Chief Stuart Cameron - Suffolk County Police Department
- 22 YONKERS POLICE DETECTIVES AWARDED THE FBI SHIELD OF BRAVERY FOR THEIR ROLES IN DECEMBER 2017 INCIDENT**
- 23 PATCH HISTORY**
2019 BUFFALO LAW ENFORCEMENT FOUNDATION BREAKFAST IN BUFFALO
John Miller - The Deputy Commission of Intelligence & Counterterrorism of the NYPD
- 24 MONROE COUNTY STOP-DWI LAW ENFORCEMENT APPRECIATION AWARDS LUNCHEON**

New York State Association of Chiefs of Police

Staff

Executive Director
MICHAEL GERACI
CHIEF (RET.) SCHENECTADY PD

GTSC Liaison
DOMINICK G. MACHERONE
DEP. CHIEF (RET.) GLENVILLE PD

*Director of Research,
Development, and Training*
CHIEF LARRY EGGERT
LOCKPORT PD (RET.)

*Office Manager/
Membership Coordinator*
VACANT

Board and Officers

President
CHIEF PATRICK PHELAN
GREECE POLICE DEPARTMENT

First Vice President
CHIEF TIMOTHY PARISI
ILION POLICE DEPARTMENT

Second Vice President
CHIEF KEVIN SYLVESTER
OSSINGEN POLICE DEPARTMENT

Third Vice President
CHIEF DANIEL DENZ
WEST SENECA POLICE DEPARTMENT

Immediate Past President
CHIEF JOHN ARESTA
MALVERNE POLICE DEPARTMENT

Past President
CHIEF MICHAEL LEFANCHECK
BALDWINVILLE POLICE DEPARTMENT

Zone 1 Rep.
CHIEF MARTY FLATLEY
SOUTHOLD POLICE DEPARTMENT

Zone 2 Rep.
COMM. KENNETH O. JACKSON
GARDEN CITY POLICE DEPARTMENT

Zone 3 Rep.
ASST. CHIEF SEAN MONTGOMERY
MTA POLICE DEPARTMENT

Zone 4 Rep.
CHIEF GREGORY AUSTIN
RYE BROOK POLICE DEPARTMENT

Zone 5 Rep.
CHIEF JOSEPH SINAGRA
SAUGERTIES POLICE DEPARTMENT

Zone 6 Rep.
DEP. CHIEF MICHAEL WOODS
COLONIE POLICE DEPARTMENT

Zone 7 Rep.
CHIEF THOMAS WINN
CAMILLUS POLICE DEPARTMENT

Zone 8 Rep.
CHIEF F. MICHAEL CATALANO
CORTLAND POLICE DEPARTMENT

Zone 9 Rep.
CHIEF SHAWN HEUBUSCH
BATAVIA POLICE DEPARTMENT

Zone 10 Rep.
CHIEF JAMES MICHEL
LACKAWANNA POLICE DEPARTMENT

Retired Member Rep.
CHIEF (RET.) JOSEPH DEL BIANCO
MAMARONECK POLICE DEPARTMENT

U.S. Attorney's Liaison
CHIEF (RET.) SAMUEL PALMIERE
TONAWANDA POLICE DEPARTMENT

A publication of the
New York State Association of Chiefs of Police, Inc.
24 Century Hill Drive, Suite 002, Latham, New York 12110
Office: 518-355-3371

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: Larry Eggert at leggett@nychiefs.org

Copyright © 2019 • New York State Association of Chiefs of Police, Inc.

All rights reserved. No part of this publication may be reproduced in any form or by any means, electronic, mechanical or otherwise without prior written permission from the publisher.


The New York State Chief's Chronicle magazine is an official communication tool of the New York State Association of Chiefs of Police, Inc. The New York State Association of Chiefs of Police, Inc. does not assume responsibility for statements of fact or opinion made by any contributor. Comments made by individuals may not reflect the official position of the New York State Association of Chiefs of Police, Inc. Acceptance and publication of articles, advertisements, products and services does not indicate endorsement of same by the New York State Association of Chiefs of Police, Inc., and the New York State Association of Chiefs of Police, Inc. assumes no responsibility for their accuracy.

On the Cover:


Pictured is an official police vehicle from the Lockport Police Department parked in the Erie Canal Locks located in downtown Lockport, New York. The Corvette was seized as part of a cooperative criminal investigation between the Lockport Police Department and the federal Drug Enforcement Administration (DEA). The value of a partnership with the DEA is the ability to acquire seized assets such as the pictured vehicle that can be used for various local law enforcement purposes. The Corvette is a fully equipped functional police vehicle and is used for promotional purposes by the department. The lettering on the lower panel "Courtesy of your local drug dealer" is an effective illustration to the public about police enforcement efforts against the use and sale of illegal drugs.

The New York State
Chief's Chronicle

Serving New York's Police Executives Since 1901



December 2019



In This Edition:
 Counsel's Corner
 Reflections of a New Chief During the First 100 Days
 Small to Mid-Size Police Departments Expand Capabilities with HSN
 Total Recall?: A Quasi-Experimental Study of Officer's Recollection in
 Shoot-Don't Shoot Simulators
 FIRSTNET's Dedicated Public Safety Broadband Network is Driving Innovation
 for Law Enforcement
 Raven's Challenge' Bomb Squad Training
 The UBER Law Enforcement Response Team

PERRY

Market Place

Thanks

OUR LOCAL
LAW ENFORCEMENT

585-237-2910



like us on
facebook

121 N. Center Street, Perry, NY 14530
www.PerryMarketPlace.com



HUNT
Since 1911

COMMERCIAL

Hunt Commercial Real Estate
 403 Main Street, Suite 400
 Buffalo, New York 14203
www.huntcommercial.com

STEPHEN N. HUNT
Licensed Associate Real Estate Broker
"Always There For You!"

716-880-1911 Office
716-768-0059 Fax

716-444-0299 Cell
SHunt@huntcommercial.com



Dierna
FUNERAL HOME

Robert Dierna, Jr.
Licensed Funeral Director
(585) 342-6250

2309 Culyer Rd.
Rochester, NY 14609
diernafh@hotmail.com
diernafuneralhome.com

Phone: Local 388-5128
Toll Free: 800-724-8051
Fax: (518) 388-5129
www.cavolisgrinding.com

ALL Cutting Edges
Sharpened, Sold or Rented



CAVOLI'S
GRINDING INC.

...Since 1938...
CUTLERY RENTAL SERVICE
PROFESSIONAL CUTLERY EXPERTLY SHARPENED AND DELIVERED

Slicing Machine Blades
Grinder Knives & Plates
Band Saw Blades

Serving All
Food Service Establishments

Counsel's Corner



Learning from Tragedies: Risk Mitigation Through Root Cause Analysis



BY CHIEF (RET.) MICHAEL RANALLI, ESQ.

Former Minneapolis police officer Mohamed Noor was recently convicted of third-degree murder in the 2017 shooting of Justine Ruszczyk Damond. Officer Noor and his partner, Matthew Harrity, were investigating a 911 complaint by Damond of a possible sexual assault in progress near her home. The officers arrived in the area and drove up an alley with their lights off. By some accounts, Noor had drawn his service weapon out in his lap as they proceeded up the alley.

The officers approached the end of the alley and were in the process of returning to service when they heard a loud bang on the driver's side of the car. Damond then appeared at the driver's window wearing a pink shirt.

Harrity gave a statement to investigators after the incident, but Noor never gave his account until he testified at trial. During Noor's testimony, he indicated he feared for his partner's life because Harrity yelled and was struggling to pull out his weapon. Noor saw the woman raise her right arm and then fired one shot, killing Damond. He further explained he made a split-second decision to stop the threat and save his partner's life. Noor had two years on the job and Harrity had one, but the two had been working together for months.

I had been following this case and was interested in hearing Noor's account of the incident; it reminded me of the incident in New York City in which Akai Gurley was accidentally shot in the dark stairwell of an apartment building. Officers were doing a sweep of the dark stairwell with their guns drawn, which is a common practice. Gurley and his companion came through a doorway and Officer Peter Liang unintentionally discharged his weapon. The bullet ricocheted and struck Gurley, killing him.

Liang was also prosecuted and convicted of manslaughter by a jury, but a judge downgraded the conviction to criminally negligent homicide. Noor was sentenced to 12 ½ years in prison while Liang received probation and 800 hours of community service. Why the stark difference? I believe it may have come down to Noor's own account of the incident. Prior to the trial, it had been my presumption, based upon the information available and my training and study of human performance factors, that Noor was startled by the noise and/or sudden appearance of Damond at the window, leading to an unintentional discharge. This would have been similar to the shooting by Liang.

Upon reading Noor's testimony, however, I immediately thought about my June 2019 Counsel's Corner article about how a use

of force explanation founded upon the Graham factors can be misleading. Noor's testimony implies a reasoned, cognitive decision and perception of a threat as compared to an automatic and reflexive response. Given how he laid out his perceptions and the steps he followed prior to shooting, I am not surprised he was convicted. But I think it's far more likely that what Noor experienced was an automatic, reflexive and heuristic-based response.

DETERMINING THE ROOT CAUSE OF AN INCIDENT

Both incidents were tragedies. Two lives were lost. Two careers are over. An officer who wanted to serve his community is facing more than a decade in jail. The families of everyone involved are changed forever.

Contemporary police administrators and trainers owe it to their officers to learn as much as they can from such tragedies to try to prevent similar occurrences. This article is not intended to be critical of the departments or officers involved in these incidents or to judge them with the benefit of hindsight. After decades in law enforcement, I am confident neither officer came to work that day expecting or wanting to kill or injure another human being. However, it would be equally inappropriate not to study these incidents and learn as much as we can from them. All law enforcement leaders have an obligation to ask if something similar could happen in their jurisdiction.

Learning organizations are those that can perform true self-reflection of their policies and practices and modify them as necessary. Group think is the cancer of this process and those involved must be openminded and be willing to candidly share their opinions.

When a tragedy occurs, it is easy to blame the individual officers and take no further action. But this ignores the process followed that led to the tragic result. To be a true learning organization, administrators must be willing to ask these questions: Did we in some way contribute to this result? Could another officer in a similar situation have done the same thing? The answer to these questions can come from an analysis based on the five pillars of risk identified by Lexipol co-founder Gordon Graham: People, Policy, Training, Supervision and Discipline. If one or more of these pillars contributed to the result, then it is not just an individual failure. It is also an organizational failure.

A police agency can have excellent written policy content, but if the agency does not "live" that content, then it is worthless. Training should reflect and reinforce policy and provide realistic and practical training. Supervision should do the same while

officers are doing their jobs. Discipline should be used for those who will not comply with policy and procedure, while recognizing the adage, "Train 'don't know' and punish 'don't care.'" The goal of all five pillars is to prepare officers as much as they possibly can for situations they may predictably encounter. Training should, whenever possible, be evidence-based and include an assessment and balancing of the risks involved.

APPLICATION TO THE SHOOTINGS

Using these incidents as an example of root cause analysis, a first point of focus would be on the appropriateness of officers having their weapons drawn in such situations. (For the purposes of this article I will assume Officer Noor did have his gun out and in his lap while driving up the alley.) I learned a long time ago that having your weapon out in a situation that does not warrant it can be more of a liability than an asset. In a time-compressed situation, you now have limited your options. Attempting to holster your weapon and then transition to another tool can take valuable time and expose you to additional risk.

In addition to the issue related to drawing a weapon, it needs to be determined whether the officers (and officers in general) inappropriately and inadvertently placed their finger on the trigger. A recent study of 171 unintentional discharges found that a "startle response"—a sudden sight, sound or contact that caused an officer to pull a trigger if his/her finger was in the trigger guard—was an established factor in six of the cases.¹ These occurred under higher risk situations, but numerous other unintentional discharges occurred under low-stress situations, including when officers were clearing a call. Unintentional discharges are a known risk and occur even with professionals who receive significant firearms training.

I have identified two possible risks so far—having a firearm out when it is not appropriate and unintentional discharges. The next step is to balance those risks against the reason's officers feel it is necessary to take them. Noor testified that he feared they would be ambushed. The question that must be asked is whether it is a good idea to drive down a narrow alley while contained within the vehicle if you fear you could be ambushed while doing so. Are there alternatives, such as parking the car, getting out and listening and observing from a position of cover? Officers could at least be trained to assess the location of such calls and consider alternative approaches prior to simply doing the same thing every time.

Similarly, vertical patrols of New York City buildings take place all the time. They have a purpose because of the crime that can occur within them. But if a stairwell is dark, is moving up the stairwell the only option available? If lights appear to be intentionally damaged, could the protocol be changed to bring more officers in with lights before proceeding? Are announcements and warnings possible prior to moving up in an exposed manner? Would the installation of cameras in the stairwells help reduce the inherent risk to officers involved in such patrols, along with improving the quality of life for the residents? It would certainly be less expensive than the \$4 million civil settlement in the case.

In both situations the real question comes down to this: If someone wants to ambush you in your car or a stairwell, will having your firearm out really prevent that from happening? Action is almost always faster than reaction. A person with felonious intent has an advantage that may only be overcome by an officer being unpredictable or unwilling to place him or herself in that vulnerable situation.

POLICY AND TRAINING

Policy and training need to be consistent and, whenever possible, evidence-based. New York City policy gives officers the discretion as to when to draw their weapons. This is a good policy. But in their training, they are informally told to have their weapons out when doing vertical patrols. It is also my understanding that officers in Minneapolis are informally trained to have their weapons out when checking alleyways.

Training and supervision must be consistent with policy and reinforce it. What is the basis for this training? If these are widespread practices, then how many times did they save officers? How many incidents occurred when an officer did not have their weapon out and was killed or injured as a direct result of that? And in those cases, would the officers having their weapons out have prevented it from happening? Around the time of the Liang trial, two New York City officers were shot and injured while conducting a vertical patrol. Did those officers have their weapons out and, if so, why did it not prevent them from being shot (if that is what their training implies)? Perhaps their training should focus more on the assessment of each individually encountered situation and determining if there are risk-reducing alternatives.

Another important training component is stress-based training, which can help officers learn to manage the startle response. During such training cycles trainers should be focused on the trainee's finger placement on their weapon.

This article was not intended to be a comprehensive overview of these two incidents in the absence of all the facts surrounding them. My intention is to demonstrate the analysis all administrators should follow in the wake of tragic incidents, asking themselves whether the incident could happen in their own agencies. Trainers should be challenged to show the "officer safety" components of their training to be both legal and truly safe. Asking the questions is the key. The "best" outcome of such questions is that you determine your practices are sound. The "worst" is that you change the way you do business and continue to improve as a learning organization.

(Endnotes)

¹<https://www.forcescience.org/2017/08/update-on-force-science-research-about-unintentional-discharges/> (last accessed on 10/29/19) the full study can be purchased at <https://www.sciencedirect.com/science/article/abs/pii/S0003687017302715>



M Matthews Auto
More. Every Day. Every Way.

Kathy Breno
Marketing Director
kbreno@matthewsauto.com

Matthews Auto Group
PO Box 1130 • Vestal, NY 13851-1130
t: 607.798.8000 • f: 607.584.0489 • c: 607.348.5503

Reflections of a New Chief During the First 100 Days

BY CHIEF ANTHONY GERACI
WATERVLIET POLICE DEPARTMENT

DAY 1

July 25th, 2019 was the proudest day of my professional life. It was the day I was surrounded by my entire family, friends, citizens, area law enforcement representatives, dignitaries and future co-workers as I was sworn in as the City of Watervliet Chief of Police. At that moment I simply assumed a positional leadership role as I accepted the oath of office. I knew it was going to take much more to gain the trust and confidence of the twenty-five officer department I was eager to lead. I was the first chief in the city's history to be appointed from outside the agency and quickly saw opportunities for organizational change; operationally, administratively and culturally. In order to accomplish any of these changes I needed to move towards permissive leadership and gain support from the membership. First and foremost, I needed to listen, listen, and listen some more. I firmly believe in Procedural Justice, both internally and externally, and as such the defined guiding principles serve as a foundation of my administration:

- Voice (listen)
- Neutrality (be fair and impartial)
- Respect (quality of treatment, process is more important than the outcome)
- Trustworthiness (be fair and transparent)

VISION:

My overall vision is to create a learning organization that is continually expanding its capacity to create our future. Achieving and sustaining this requires communicating openly, sharing information, and developing a culture in which team members share the responsibility for team performance and growth. I am fortunate that the size of our agency affords every member to be involved in a myriad of tasks and projects aside from their normal duties and responsibilities. We are in the process of building capacity, both on an individual basis, as well as an organization. This has reenergized members, tremendously increased morale and developed a team mentality as we continue to enhance our agency.

WHERE DO YOU BEGIN?

With so many demands serving as a new chief, there was a need to prioritize. Narrowing my focus on an initial list of action items proved to be beneficial and served as my direction for the first few weeks:

- Conducted a staff meeting with every supervisor on day one, learning about the needs, concerns and wants of the personnel. I took this opportunity to clearly articulate my vision and early expectations. (I have continued this practice on a consistent basis ensuring information sharing is taking place).
- Met with PBA Union leadership.
- Signed letter of intent with New York State Division of Criminal Justice Services to become accredited.
- Entered a no-cost agreement with the National Police Foundation to facilitate two internal surveys: Officer Safety & Wellness and Officers Perception of the Agency. Received 100% participation.
- Joined the board of directors for Arsenal City Kids, a community-youth organization.

- Met with the School Superintendent and school administrators on a frequent basis.
- Walked the beat with patrol officers in our public housing, business district and our downtown areas.
- Met with chief executive officers and senior leadership from local, state and federal law enforcement agencies to initiate collaborative partnerships.
- Sought and gained support from political leadership and kept them informed of our significant activities.

Collaborative Partnerships are Key

With limited human, financial and technical resources I knew that collaborative partnerships were critically needed. As such, I signed Memorandums of Agreements with the Albany County Sheriff's Office, New York State Police, Federal Bureau of Investigation, Drug Enforcement Agency, and the Watervliet City School District. In addition to formal agreements that provided us a tremendous amount of resources, some of our partners were gracious enough to provide funding for much needed equipment. The Albany County District Attorney purchased camera equipment to outfit our booking, interview and interrogation rooms and the Albany County Sheriff's Office purchased new mobile data terminals for five of our patrol vehicles, in addition to 'stop the bleed kits' for each one of our schools. These partnerships proved to be extremely beneficial to increase public safety, assist with criminal investigations and develop a preparedness and trauma-informed collaboration with the school community.

Biggest Challenges:

- ❖ **Fiscal-** It will come as no surprise that our most significant challenge was financial constraints. When I assumed command of the agency there was \$22.50 in our training budget, however, I could not let that prevent us from receiving much needed training. We sought, and successfully attained, other sources of funding through state and federal seizure funds, reimbursable funds, as well as free trainings offered regionally through DCJS, NYS DSHES and the FBI. We increased training exponentially, sending 80% of department members to over 600 hours' worth of trainings over the course of twelve weeks.
- ❖ **Community Policing-** During personal encounters with the community, many citizens said they didn't know our officers. My job was and continues to be to create as many non-law enforcement, non-adversarial contextual situations as possible. These prove to build healthy positive relationships and ultimately attain trust and legitimacy within our community. We have participated in over three dozen community events and officers are deployed on foot and bicycle more frequently that further bridges the gap.
- ❖ **Social Media-** Our agency had zero social media presence, adding to the fact that our community didn't have an additional medium to get to know our officers nor were they aware of all the positive engagements we were involved with throughout the city. From a public safety standpoint, having no social media extremely



*Watervliet Police
Department*

Chief Geraci



*Football dinner in
Watervliet*



*Chief Geraci attending a Restorative Justice
meeting in Watervliet.*



limited our ability to quickly communicate to the community in time of crisis, as well as the inability to relay general information on a consistent basis. We now have Facebook and Twitter for both the agency and the Office of the Chief. We've received a tremendous amount of positive feedback from the community regarding our social media and it has proved to be the quickest method in gaining public confidence.

❖ **Media Relations**-Understanding the important value of sound media relations but having no formal media training we quickly learned through trial and error. As a result of a couple of high-profile incidents and a few community events we participated in live television interviews, print interviews, media interviews and a press conference over the course of a few weeks. We are building capacity and developing a robust Public Information Officer program with the assistance of subject matter experts.

❖ **Evidence-Based Policing**- A lack of evidence-based policing existed, as a result we are culturally shifting to deploying resources in the appropriate manner based on data-driven approaches to crime and traffic-safety.

I mention these challenges fully realizing that they are not unique to me or my agency, but rather to begin a state-wide discussion regarding the possibility of developing and implementing a DCJS mandatory new chief's orientation/training program. A new chief's curriculum could include, but not be limited to contemporary policing issues, managing organizational change, strategic planning, fiscal management, executive leadership and promising policing practices. Additionally, consideration of a structured mentoring program that would pair experienced and newly appointed chiefs for the purpose of enhancing personal and professional development would further advance our profession. It is imperative that as leaders of New York State law enforcement agencies, we provide a comprehensive networked training system to ensure incoming chief's, no matter their previous rank, will be as successful as possible.

We all benefit from deposits locally, but withdrawals (in addition

to those that occasionally occur in our own jurisdictions) frequently come from across the state and nation. I believe that this suggested executive level professional development training would help to mitigate those withdrawals, limit risks and liabilities and serve as the foundation towards attaining trust and legitimacy within our communities.

Moving Forward

As we look to transform the City of Watervliet Police Department, we are developing new mission, vision and common purpose statements, core values and achievable goals for a three-year strategic plan. We are facilitating a community survey through the National Police Foundation and utilizing both the internal and external survey results to serve as the basis for that plan. These collective efforts will ensure that we remain focused in our daily activities and that our action plans are meeting our objectives and leading us to our goals.

With a clear vision and direction, officers and supervisors have been empowered and as a result are having a profound positive impact on our agency and the community we serve.

About the author

Chief Geraci is a twenty-year veteran of New York State law enforcement, with combined service from both NYPD and the City of Albany Police Department. He holds a BS from John Jay College of Criminal Justice and MPA from Marist College. He also served as an adjunct faculty member for Columbia-Greene Community College and SUNY Albany School of Criminal Justice.

(Endnotes)

¹My overall vision is to create a learning organization that is continually expanding its capacity to create our future. Achieving and sustaining this requires communicating openly, sharing information, and developing a culture in which team members share the responsibility for team performance and growth.

²www.policefoundation.org Its' mission is to advance policing through innovation and science.

Making Discipline Stick in Law Enforcement[©]

RICHARD R. JOHNSON, PhD

MATT DOLAN, ATTORNEY



It appears that almost half of the time a law enforcement agency seeks to apply significant corrective action in response to an employee's acts of misconduct, this discipline is not upheld by an arbitrator. Many in government and media have suggested that grievance arbitrators' handling of law enforcement officer discipline cases tends to be biased in favor of the employees and against management. Chiefs often claim that arbitrators are to blame for bad cops on the streets in a decision-making process that is unpredictable and random. This has led some law enforcement leaders to claim that little can be done to rid their agency of "bad apples" when outside arbitrators are given the final say.

Research on grievance arbitration cases involving law enforcement officers, however, does not reveal that arbitrators are generally without a rational basis. In fact, the same management pitfalls are cited consistently in arbitrators' decisions to reduce or wholly overturn discipline. Dolan Consulting Group (DCG) analyzed a nationwide sample of 377 cases of serious law enforcement officer

In the overwhelming majority of cases, arbitrators cited specific investigative, procedural and consistency failures by management that led to the decision to overturn or reduce discipline.

discipline (demotions, suspensions, and terminations) that went to arbitration review between January 1, 2006 and December 31, 2015. In these law enforcement-specific cases, the arbitrator sided with the employer and upheld the discipline 55% of the time. However, in 45% of the cases, the arbitrator did reduce or completely overturned the employee's discipline. In the overwhelming majority of cases, arbitrators cited specific investigative, procedural and consistency failures by management that led to the decision to overturn or reduce discipline.

The inability of police chiefs to effectively discipline officers clearly hampers leadership's ability to hold employees accountable for reckless, negligent, or criminal behavior. This situation makes it difficult for law enforcement agencies to rid themselves of "bad apples," lowering agency-wide morale, damaging the legitimacy of the police in the eyes of the public, and increasing legal liability for the department. It is extremely important, therefore, that law enforcement agency leaders learn what errors have led to discipline reversals in the past, so they can avoid those errors in the future.

WHY IS DISCIPLINE REDUCED OR OVERTURNED

In analyzing its sample of 377 law enforcement employee discipline arbitration cases, DCG identified the five most common

These are cases where two employees who shared similar past performance histories committed similar acts of misconduct

reasons given by arbitrators to justify their decisions to reverse or reduce discipline issued to law enforcement officers.

#1 – Disproportionate Punishment

The most common reason cited for overruling the employer's discipline was that punishment was distributed unfairly. These are cases where two employees who shared similar past performance histories committed similar acts of misconduct, yet one employee was punished far more severely than the other. Employees must be treated evenly when being given punishments and the only aggravating or mitigating circumstance that can justify different punishment outcomes for the same type of behavior is a record of prior misconduct. Arbitrators overturned punishments if it appeared the severity of the punishment depended on anything else, including the employee's rank, years of experience, personal friendships, race, sex, or even attitude and lack of remorse. Only the seriousness of the offense and the employee's prior record of misconduct should matter.

Arbitrators also reduced or overturned discipline if the punishment was far more severe than the seriousness of the act of misconduct would warrant. In other words, if the case involved a minor act of misconduct that was given a severe punishment rather than a minor punishment, or retraining in the spirit of progressive discipline, it was likely to be overturned by the arbitrator. Some of these discipline decisions may have been, in fact, "last straw" offenses for an employee who had been exhibiting problem behavior for some time. If this prior past misconduct had not been documented and addressed, however, courts and arbitrators are unwilling to take these past problems into consideration.

#2 – Insufficient Evidence

The second most common justification for overturning employer discipline involved insufficient proof of misconduct. While civil courts often utilize the "preponderance of the evidence" standard of proof in civil lawsuits, arbitrators generally use the higher standard of proof of "clear and convincing." The clear and convincing standard means that the information presented is substantially more probable to be true than not true. This standard of proof is a higher degree

no matter how serious the employee's act of misconduct, and no matter how much evidence there is against the employee, if the employer violates these rights, the discipline is likely to be overturned, just as a criminal can walk free if his or her due process rights are violated in the criminal context.

of proof than the "preponderance of the evidence, and it also the standard of proof utilized by arbitrators".¹ If the law enforcement agency only utilizes the lower preponderance of the evidence standard of proof when gathering evidence and determining whether an employee committed a particular act of misconduct, the employer risks having the discipline overturned by an outside arbitrator. ►

#3 – Due Process Violations

The third most common reason arbitrators overturn a law enforcement agency's discipline is that the employer violated the employee's due process rights when investigating the employee misconduct, determining guilt, or assigning punishment. Public employees are afforded certain due process rights by the U.S. Supreme Court, and by statutes and legal precedents within each state. These rights generally include a complete and impartial investigation, notice of the charges against the employee, an opportunity to challenge the charges with rebuttal evidence, and a determination of guilt by an unbiased hearing officer. Even murderers and terrorists are afforded their due process rights by the criminal justice system when they are investigated, arrested, and prosecuted. Therefore, no matter how serious the employee's act of misconduct, and no matter how much evidence there is against the employee, if the employer violates these rights, the discipline is likely to be overturned, just as a criminal can walk free if his or her due process rights are violated in the criminal context.

#4 – Procedural Errors

Procedural errors, such as failing to follow written policies or the agency's collective bargaining agreement, came next in frequency as a justification to overturn an employer's discipline. If a law enforcement agency fails to follow any of its own written procedures for handling employee discipline, it risks having its discipline overturned. The same is true for violations of its collective bargaining agreement with its employee's union, as this "agreement" is actually a legally binding contract. Violations of a legal contract will bring legal repercussions for the party that violates the contract. If there is a time limit for filing misconduct charges, for example, then this time limit must be met. If the contract permits employees to have a union representative present during questioning, then a union representative must be contacted and be present.

#5 – Other Mitigating Circumstances

To a much lesser extent, a collection of other mitigating circumstances was mentioned by arbitrators as additional

The most common of these was the employee's past record of good performance.

justifications that helped sway them to overturn an employer's discipline. The most common of these was the employee's past record of good performance. When issuing punishments, arbitrators expected employers to show leniency toward employees with

Therefore, if past misconduct was not documented, it was irrelevant to the arbitrators' decision. As a popular saying goes, *if it's not in writing, it didn't happen.*

lengthy employment histories of outstanding past performance. Therefore, if past misconduct was not documented, it was irrelevant to the arbitrators' decision. As a popular saying goes, *if it's not in writing, it didn't happen.*

Arbitrators usually expected employers to demonstrate some form of harm that resulted from the employee's misconduct in order to justify the punishment. Arbitrators usually have never been police officers and they do not understand your job. Employers often need to explain what repercussions specific acts of misconduct may have

on the community or the department.

Finally, arbitrators tended to review the circumstances surrounding the misconduct by what was objectively reasonable from the perspective of the employee at the time, rather than the reality of facts that were determined later. This was the standard set by the U.S. Supreme Court in *Graham v. Connor*. It requires asking the question, "Based on what the officer knew, heard, smelled, and saw at the time, were the officer's actions reasonable?" Arbitrators expect employers to employ this standard.

MAKING DISCIPLINE STICK

DCG staff have taken the findings from this research study of 377 law enforcement employee discipline cases and developed an evidence-based course to educate law enforcement leaders about these five reasons and provide strategies to ensure discipline is delivered in a fair manner that will stand up to external review. Called *Making Discipline Stick in Law Enforcement*®, this course is designed to assist supervisors, human resources professionals, city attorneys, agency executives, and union leaders in law enforcement by increasing their knowledge about the most frequent causes of discipline reversals.



¹*Calderon v. Thompson*, 523 U.S. 538 (1998); *Cruzan v. Director, Missouri Department of Health*, 497 U.S. 261 (1990).



77 Halstead St., Suite 5 • Rochester, NY 14610

Todd R. Dappen Jr.
PRESIDENT

585.261.6245

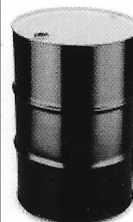
toddjr@acceleratedmailing.com

Like us

www.acceleratedmailing.com

Mailpiece Design • Digital Printing
Mailing & Lettership • Data Services
Hand Assembly • Ink Jet Addressing

Capitol Container Corp.



Greg Colburn

President

Greg@capitolcontainer.com



240 Church Street Suite #2
Albany, NY 12202

Ph: (518) 449-0797 Fax: (518) 449-2951
www.capitolcontainer.com

Small to Mid-Size Police Departments Expand Capabilities With HSIN

BY ANDREW A. SLOAN, DIRECTOR (ACTING)

MISSION INTEGRATION OPERATIONS, HSIN, DEPARTMENT OF HOMELAND SECURITY

When the September 11 terrorist attacks occurred in 2001, police and firefighter communication networks were not compatible. Commercial cell networks were overloaded, and mobile phones were virtually useless. Additional details emerged in the 9/11 Commission Report. “Commanders had difficulty communicating with their units,” and, “At more senior levels, communication was poor. Senior military and FAA leaders had no effective communication with each other.”

The Homeland Security Information Network (HSIN) was developed by the Department of Homeland Security to solve these problems and is now used for seamless interagency communication. It’s an internet-based system so it operates even when cell towers aren’t functional, and it has been used as a substitute for 911 systems when they become overloaded.

Over one thousand Communities of Interest (COIs) use HSIN to meet specific requirements, and many of these COIs are being used by police departments to expand their capabilities. In the State of New York there are hundreds of small to mid-size police departments that share a common situation: they simply lack the funding that larger departments have in areas such as combatting the opioid epidemic, dealing with gang-related crimes and keeping schools safe.

By joining a current COI or establishing a new one, police departments can significantly expand their capabilities while operating within their current budgets. For example, the New Jersey Drug Monitoring Initiative (DMI) is a COI that has members across numerous states. Members include law enforcement officers, intelligence analysts and forensic crime specialists, all of whom can access the resources of a multi-jurisdictional, multi-state drug-incident information sharing environment.

By leveraging data from multiple sectors, the DMI provides valuable insight into factors outside of traditional law enforcement consideration. For example, toxicology reports and criminal forensic lab data are analyzed to help identify the presence, prevalence and trends of different drugs causing the biggest impacts across a geographic region. Because the DMI combines data from multiple sources, it provides a “360-degree view” of the current drug environment.

Accessing the DMI on HSIN allows police officers to better understand trends, anomalies, implications and threats associated with illicit drug activity that have an impact on their jurisdiction and statewide. Members of the DMI community also get greater situational awareness and insight into national drug trends that allow them to better understand their state and their local drug environments.

COMBATTING CRIMINAL GANGS

Gangs are often involved in criminal activities such as trafficking in drugs and firearms, robbery and human trafficking. According to the FBI, more than 30,000 violent street gangs, motorcycle gangs and prison gangs are active in the U.S. When the State of Georgia

examined the problem, a 2018 survey estimated more than 71,000 criminal street gang members and associates, and nearly 1,600 gangs or gang subsets were operating in the state. Of the 159 counties in Georgia, 157 had documented gang activity and 155 reported gang activity in the local school system.



HSIN conducting an operation.



While some larger police departments in the Atlanta metro area had resources such as gang task forces or intelligence databases, most law enforcement agencies in Georgia did not have the funds to effectively combat these issues. To help address the statewide problem, the Georgia Gang Intelligence Community on HSIN is now facilitating investigations, making prosecutions more effective, helping to protect officers and maximizing the effectiveness of limited resources. The HSIN COI allows officials across the state to readily collaborate on various gang issues and develop criminal investigations.

For example, investigators log into the community on HSIN after conducting search warrants to post items of interest, “pocket litter”

HSIN, continued on Page 16

Total Recall?: A Quasi-experimental Study of Officer's Recollection In Shoot – Don't Shoot Simulators

AUTHOR: PROFESSOR SCOTT W. PHILLIPS

CO-AUTHORS: ASST. PROFESSOR/DEPARTMENT CHAIR JAMES J. SOBOL

ASST. PROFESSOR DAE-YOUNG KIM | ASST. PROFESSOR S. MARLON GAYADEEN

Photos courtesy of Jeffrey Belschwinder

Police officers are expected to receive training to improve their decision-making and work activity. Unfortunately, there may be problems with training effectiveness when officers handle unclear or stressful events. For example, training an officer to be observant during their routine patrols or investigations takes place where standard brain activity allows normal memory recall of facts. During a stressful event, however, the human brain shifts to a “flashbulb” mode, remembering only fragments of an event. Understanding this issue in the policing world is essential, and researchers have worked with police agencies to study officers and their recall of traumatic incidents. The need for research is particularly pressing for officer-involved shootings. There is a public assumption that these incidents allow for a calm and deliberate police response and that an officer should never make a mistake in their decision or recall of their behavior.

Police administrators often develop policies without knowing if these assumptions are truly accurate. Some plans are based on management assumptions about officer capability. For example,



Colonie PD Troy PD Tactical Team

efforts to improve an officer's recall after a real-life stressful event, such as an officer-involved shooting incident, included debriefing after a waiting period. Arguments for a waiting period include the belief that it provides the officer an opportunity to “de-stress” from the event. The rest period is thought to allow an officer the chance for “memory consolidation” – solidifying the memory of an event – and better recall of a shooting incident. Others suggest that officers should immediately document the activities of a stressful incident because the facts are “fresh” in the officer's mind.

Recent studies have explored these assumptions to help police administrators improve the training provided to officers and contribute to evidence-based policy development. Criminal justice professors from Buffalo State College completed one such research project. They worked in cooperation with the Orchard Park Police Department and volunteer officers from different police agencies located in Erie and Niagara Counties.

TOTAL RECALL?, continued on Page 15



FirstNet's Dedicated Public Safety Broadband Network is Driving Innovation for Law Enforcement



FirstNet Communications Hardware

BY DAVID COOK, SENIOR PUBLIC SAFETY ADVISOR, FIRST RESPONDER NETWORK AUTHORITY

The last decade has brought about rapid advances in technology that have changed our daily lives. The first smartphones hit the streets in 2007, and today nearly every American has at least one in their pocket.

Police chiefs nationwide have also steadily increased their departments' use of mobile broadband technology over the last



ten years to help capture and share information and coordinate responses during both routine and emergency situations. But with the rise of consumer's use of data via smartphones, commercial networks have become heavily congested and law enforcement often must compete for a connection. This might be why your

phone has four bars and you still cannot make a call; your local cell site might be at capacity.

This is one reason why public safety officials called for their own dedicated nationwide public safety broadband network. In 2012, Congress heard the call and passed legislation creating the First Responder Network Authority (FirstNet Authority) and charged the agency with ensuring the delivery of the nationwide public safety broadband network, known as FirstNet. At the heart of the FirstNet effort is the need for a reliable communications platform for public safety to make use of mobile devices and apps that support them in the field. With a reliable broadband network, law enforcement officers can take advantage of new technologies to help protect communities and keep themselves safe even when commercial cellular networks become congested.

As technology use increases, large and small law enforcement agencies across New York require the mission critical broadband network to easily support interoperable communications and to stay connected across distances, jurisdictions, and public safety disciplines. This is particularly important in New York, where police agencies face a unique operational landscape. Many times, officers need to communicate with agencies across five other neighboring States. In the future, international cross-border communications might also be aided by public safety broadband as Canada is working to deploy its own network for first responders with the same broadband frequencies used in the United States.

FIRSTNET DESIGNED FOR PUBLIC SAFETY USE

Today, FirstNet is available nationwide with more than 9,800 public safety agencies using nearly 900,000 connections. FirstNet is being used to support first responders from law enforcement, fire, EMS, emergency managers, as well as those entities that support emergency response like schools and hospitals. The network has played a vital role in keeping law enforcement connected during critical events and emergencies, including both manmade and natural:

- Severe weather events like flooding where infrastructure may be damaged,
- School shootings campus lockdowns that instantly reach network capacity,
- New York State Fair in Syracuse which strains law enforcement communications in crowd situations,
- Orange County International Airshow that involves difficult terrain and crowds, and
- Rural search and rescue missions that happen where coverage is sparse.

The FirstNet Authority's mission is to ensure the building, deployment and operation of the network. In 2017, AT&T won the contract award through a Federal procurement process to build and operate the FirstNet network. Through this public-private partnership, AT&T is providing priority and preemption for first responders and building out FirstNet's high quality Band 14 spectrum specifically reserved for public safety. With Band 14 connecting first responders in over 650 U.S. markets and growing, FirstNet is expanding reliable coverage and capacity throughout New York state and nationwide.

Additionally, to further improve the FirstNet experience, AT&T offers priority and preemption to first responders over its existing network to cover all 50 states, 5 U.S. territories and the District of Columbia, including rural communities and tribal lands. This means that today, FirstNet subscribers have prioritized, interoperable communications nationwide – even when they step outside of their jurisdiction. For example, when Troy Police Chief Brian Owens takes his FirstNet device with him to a meeting in the State of Washington, or Washington DC, or any other U.S. state or territory, he will have the same priority as if he was in his office in downtown Troy, NY.

FIRSTNET'S UNIQUE CAPABILITIES BENEFIT USERS IN NEW YORK

In New York, coverage requirements are top of mind for public safety agencies. Part of AT&T's contract with the FirstNet Authority is to build out the network in rural areas simultaneously with metro areas. The FirstNet Authority and AT&T are working closely with

FIRSTNET, continued on Page 18

The Challenges of a Public Information Officer

BY CAPTAIN JEFFREY RINALDO, BUFFALO POLICE DEPARTMENT

All photos courtesy of Andrew Nostrant, Buffalo PD Crime Scene Unit

The most challenging day of my 21-year career as a Buffalo Police Officer came on the afternoon of Friday, October 13, 2017. It wasn't a shooting or other grievous crime that you would normally expect a police officer to describe. Rather, that was the day the Buffalo Police Department suffered the tragic loss of Lt. Craig Lehner, one of our Underwater Rescue Divers during a training dive, and I was the Public Information Officer (PIO) for what turned out to be 5 days of searching for his body.



**Captain
Jeffrey Rinaldo**

I joined the Buffalo Police Department in July 1998. As a young patrol officer, I never had any aspirations of becoming a spokesperson for my agency. In fact, it was the furthest thing from my mind! During my career with Buffalo PD I was promoted through the ranks, first as a Detective and later to Lieutenant. It was at this point I was selected to lead a new Special Projects unit in the department. At the time, we were beginning to seriously explore the use of technology in various applications within the department and someone was needed to research and implement these new technology-related applications. I didn't realize that this research assignment would also include becoming department PIO and all the responsibility

I have received to perform this role. Most people are shocked to learn the answer: ALMOST NONE!. Aside from a Bachelors degree in Sociology and 8 hours of training on general PIO topics, I have received no other formal training for the job. With the many challenges faced by law enforcement today, I can personally attest to the value and necessity of having PIO training before accepting the job. With the many challenges facing law enforcement today, it is vital that any message from a police department be presented in the proper perspective, correct tone, and containing the necessary information to place the department in the best light possible. During my time as PIO I have learned a great deal from my on-the-job experiences and would like to share the lessons learned "from the ground up"! I believe these tips will be effective regardless of your agency size or level of criminal activity.

1) HONESTY IS THE ONLY POLICY

I have never lied to the media. But understand, every word you say in front of a camera or in an interview is recorded and memorialized for all time. It is a good idea to keep notes on times, dates, reporters and topics along with what you said. I almost always have someone accompany me to interviews and they tape record them. This allows me to keep a record of my comments, so when I am misquoted or



Captain Rinaldo addressing the media.

this new assignment entailed. Prior to being appointed to this role, the Department did not have a PIO. Instead, there was a civilian representative who worked directly for the Mayor who was tasked with this responsibility.

I began the role of speaking to the media slowly in partnership with the civilian representative. However, I was eventually assigned the sole responsibility for handling all media communications for the department. Fast forward to today. In addition to other duties, I currently speak with the media on average three to four times a day, 7 days a week – both in-person and on the telephone. Topics of general media interest include various criminal arrests, reviews of unsolved crimes, and explaining significant internal disciplinary matters. However, there have been more serious issues such as presenting information to the media on five (5) in-custody deaths that have occurred since I became PIO and the loss of one of our own Officers who disappeared during a training dive in the Niagara River. The five (5) day search for our Officer riveted the attention of the media (and our community) and required almost constant contact with the media during both the search and the subsequent funeral.

I am often asked what specific formal education or training

they use a selective sound bite, I can counter it. This also tends to keep the reporters honest. More than once, I have been asked in an interview about my position on a topic that I had previously spoken

2) FEED THE BEAST

Whether we like it or not, the media has a job to do. The old saying, feed the beast or it will feed on you is so true. Make sure you are routinely giving them something. Highlight good arrests, community policing features, safety tips, crime prevention, etc. The more you interact with the media, the better your relationship will be.

3) HAVE A STRONG CRITICAL INCIDENT POLICY

After our first two in custody deaths in 2017, the department realized the need for a critical incident policy. I was tasked with writing a policy which included specific guidelines for public disclosure (aka media releases) of information. We have timelines for when we will first speak publically about an incident (within 2 hours) and then for subsequent follow-up interviews. This puts everyone on the same page in terms of when they can expect an

update. Without this or if you choose not to talk, the media will find someone, a neighbor, witness, or worse to give commentary and form opinions about what THEY think happened.

4) AVOID SURPRISE INTERVIEWS

I always speak to a reporter ahead of the actual interview to make sure I understand the nature and scope of the questions that will be asked. It is important to make sure the reporter gets enough information to have a good story and that you are not caught in a position to be unable to comment.

5) NEVER SAY "NO COMMENT"

No comment to a reporter is a green light to frame a topic however they wish. Reporters want an interview where you comment "on the record." An interview full of "no comment," statements is not well accepted and makes your agency look less than transparent. There may be specific questions asked that you are unable to answer at that given moment. Use phrases like, "at this time, that detail is still under investigation," "we are investigating whether or not that played a role," "I do not have that information right now but will get back to you later with it," and so on. That is why the pre-interview meeting is so important. It helps you avoid those situations where you just cannot release any details. In the same context as "no comment," do not rush to the camera until you are as certain as possible what you are about to release is accurate. Sometimes that can take a considerable amount of time, especially in a large agency. In those situations where you are uncertain of facts, give the media the 500 foot view. Also, when getting into details, make sure you can confirm with the source, i.e. "the officer on scene described exactly what happened."

6) BE WARY OF "OFF THE RECORD" CONVERSATIONS

Sometimes it is helpful to frame a situation that you are describing to the media. This gives the reporter some context, especially when they have pre-conceived notions regarding how something went down. However, keep in mind that a reporter may use your information to locate your source to confirm what was said during the interview.

7) BE PART OF THE ADMINISTRATIVE DECISION-MAKING PROCESS

In my current role with the Buffalo Police Department, I am a civil service Captain but also the Chief of Staff. This means that I

am part of the executive staff and thereby involved in most decision-making processes. This gives me a unique perspective when dealing with the media. I am not being told what to say with no knowledge of the situation; I am one of the people involved in making those decision. This allows me to speak from a position of knowledge on how, what, when and why we are doing something. I have spoken to numerous PIO's from the U.S. and Canada and found that some are not part of the executive staff of their agencies. They are instead located away from the decision-makers and only told what to say and when. In my opinion, being isolated from the people making the decisions is a recipe for disaster. Reporters are like sharks, if they smell blood in the water, they will attack. You must be able to speak from a position of authority and understanding on the information being presented. If not, the follow up questions from reporters can make you look foolish.



Captain Rinaldo conducting Press Conference with Erie County DA Flynn (l) and US Attorney JP Kennedy.

8) DEPARTMENTAL BUY-IN

This is very important in order to effectively carry out your responsibilities. Most officers, detectives and supervisors are skeptical of the media and rightfully so. When dealing with investigations, almost all detectives want nothing released. However, in many cases this is just not an option. Work with your officers and detectives to determine what exactly can be and what absolutely cannot be said. They will appreciate having some input and will help you accomplish the buy-in necessary to represent your agency in the most professional manner possible.

Honestly, I am not sure that any of the information in this article could have prepared me for those days in October of 2017. However, I learned a great deal from that tragic situation. After an exhaustive 5 days of non-stop media coverage of this event, it ended solemnly in front of a cemetery with just the Mayor and me discussing with the media the events of that week. However, the most valuable takeaway for me was that as a PIO you are not just representing your department. Rather you are representing your fellow officers, the leadership of your municipality, and most importantly that your community is looking to you to be informed and reassured that their safety and security are in good hands.

About the Author

Captain Rinaldo is a 21 year veteran of the Buffalo Police Department with experience in patrol, investigations, and planning. He can be contacted at 716-851-4329 or through email at jrinaldo@bpdny.org.

BUFFALO POLICE DEPARTMENT CRIME SCENE PHOTOS 2019

All Photos courtesy of Andrew Nostrant, Buffalo PD Crime Scene Unit



Raven's Challenge' Bomb Squad Training Returns to New York State

BY JIM TURLEY AND MEGHAN DUDLEY
NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

In April, New York State hosted the world's largest training exercise for bomb squads and military explosive ordnance disposal teams – the Raven's Challenge. The annual exercise trains bomb technicians on how to counter the threat of improvised explosive devices to keep the public safe. The State Preparedness Training Center (SPTC) in Oriskany was one of four locations in the country selected to host this training and it featured bomb squads from around the northeast, Canada and Europe.

The United States' Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Center for Explosives Training and Research held the 2019 Raven's Challenge exercise at four regional locations around the country - Colorado, Florida, Indiana and New York - to maximize participation from bomb technicians.



The importance of technology in today's law enforcement.

the bomb technicians based on the latest threat information, and there is no better place in the nation to hold such an exercise than the world-class New York State Preparedness Training Center,” said **Patrick A. Murphy, Acting Commissioner of the New York State Division of Homeland Security and Emergency Services.** “I would like to thank our federal partners and the exercise instructors for sharing their knowledge and best practices on how to combat the threat of improvised explosive devices by those seeking to do harm.”

The Raven's Challenge began in 2004 as an ATF-led training exercise for both military explosive ordnance disposal team and public safety bomb squads in Seattle. Over the years, the exercise has matured into what is now the largest training exercise in the world for explosive ordnance disposal teams and bomb squads. The Raven's Challenge is funded by the U.S. Army and coordinated by the ATF and partner agencies including the U.S. Army, United States Department of Homeland Security, Federal Bureau of Investigation, and state and local law enforcement agencies throughout the country.

“The long-standing partnership between the State of New York and the ATF led Raven's Challenge program reunited for the third time in five years and produced fantastic results,” said **John Simpson, program manager, Raven's Challenge Interoperability Exercise, ATF.** “The exercise at the State Preparedness Training Center, the second venue of the year, was completely full and was a barometer for the demand for this type of advanced training among bomb technicians.”

The Raven's Challenge also marked the first of a series of major training events at the SPTC in 2019. In mid-May, DHSES will host the third annual “Tactical Week” in Oriskany. Eight premier tactical teams from across the state (all accredited by the NYS Division of Criminal Justice Services) will complete in hands-on training scenarios that leverage the entire SPTC grounds. In June, DHSES will conduct the inaugural “Canine Week” at the SPTC. This innovative event will bring together nearly 50 explosive detection canine teams from across New York and surrounding states to test their skills in advanced scenarios driven by the current threat environment. DHSES will also host a new “Drone Skills Day” in mid-August to allow public safety unmanned aircraft system (UAS) pilots to further hone their skills using this emerging technology.

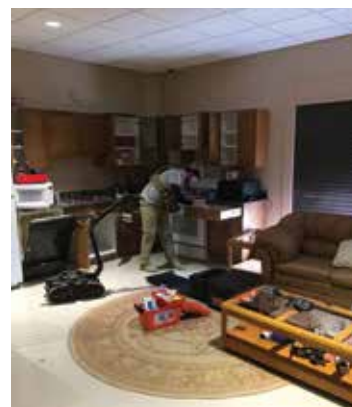


Preparing for a bomb disposal exercise.



ABOUT THE STATE PREPAREDNESS TRAINING CENTER

Operated by the New York State Division of Homeland Security and Emergency Services (DHSES), the State Preparedness Training Center's vast array of training venues give bomb squad and canine teams



an opportunity to train in realistic environments. Located on 1,100 acres, the SPTC's training venues include a 45,000-square foot simulated city, a residential housing complex, collapsed building rubble pile, woodland structures, train cars and other settings. Now in its 13th year, the Center annually trains thousands of New York's first responders including law enforcement, emergency medical services and technical rescue personnel.

The SPTC's goal is to provide cutting-edge, contemporary and configurable training to New York State's first responders. This high-end training prepares these responders to safely, effectively and efficiently handle today's threats.

About the Authors

Meghan Dudley is an Intelligence Analyst with DHSES and oversees Training Administration at the State Preparedness Training Center (SPTC). James Turley serves as the Law Enforcement Coordinator for the DHSES Office of Counter Terrorism. He is a 27-year veteran of the Albany Police Department, where he retired as Chief in 2005.

Police officers were exposed to a high-definition video shoot / don't shoot simulator. These video simulators are intended to mimic the stress of a street-level encounter in a manner that is not found in classroom scenarios. When the police officer entered the simulator, pre-written "dispatch" information was read to the officer to simulate information that might have been provided by a dispatcher. The video simulation depicted a male walking in a residential area. The suspect in the video was somewhat irritated by the officer's presence. He shifts his weight and briefly places his hands in his pockets as he challenges the officer's presence. After 25 seconds, there were three possible suspect behaviors to end the encounter. First, the suspect pulls a wallet from his back pocket to show his ID. Second, the suspect pulls a knife from his rear waistband and attacks the officer. Third, the suspect pulls a gun from his back waistband and shoots at the officer. The scenario lasted just under 30 seconds and were randomly assigned to each officer using a random number generator.

After officers completed the simulation exercise, a non-random



Troy PD Crime Scene

The findings of the research in Orchard Park opens various questions that should be important for police administrators. First, the results from Orchard Park are in line with similar studies from other cities; that is, a rest period for officers did not improve their overall recall of events experienced during a stressful event. Second, there are questions about what it means to "rest" before interviewing an officer. An officer may be able to "come down" from an excited state in just a few hours, while others may need some sleep. Further, is it reasonable to expect an officer to sleep well after experiencing a stressful incident? Other research indicated that police officers could develop false memories afterward handling a critical event, and a period of sleep could preserve those false recollections. Thus, "sleeping on it" may not be helpful for police officer recall.

Police administrators should recognize that an officer's recall of stressful events may not respond to training. An officer can routinely "practice" their observational training during their day-to-day activities, such as traffic stops or criminal investigations. It is nearly impossible for the officers to exercise their observational skills for events that rarely occur.

It is also vital for police administrators to recognize the issue of police officer recall within the context of body-worn cameras. There is an argument that police officers should wear a body camera to record the objective truth of the events that take place during a police officer – citizen interaction. The findings of the Orchard Park research questioning an officer's recall accuracy suggests a potential problem when considered in combination with BWC evidence. It is reasonable to anticipate that an officer's memory of a stressful event may not match the objective reality of a body camera recording. For example, the officers in the Orchard Park study (as well as other research) occasionally described the suspect as wearing a hat or having a beard, when neither was true. An officer's credibility is questioned if they report details of an incident that are not supported by body camera video evidence. Further, if an officer previews a video as part of the report-writing process, the officer may focus only on the information in the video. Research indicates that officers can then accidentally forget other aspects of an incident that was not recorded on the video but essential to the event. Police administrators who develop agency policy and training must consider the results from research. The evidence from these studies demonstrates the multidimensional relationships of the different issues they address.

About the authors

This team of authors are Professors at Buffalo State College in the Criminal Justice Department.



selection of officers was immediately interviewed after they left the simulator. These "experimental officers," as well as the group of "control officers" who were not immediately interviewed, were then interviewed three days later. The group of officers interviewed immediately after completing the video simulation, compared to the officers who were not interviewed immediately, were expected to recall better the event facts during a follow-up interview three days later. The research was also interested in the officers' recall of both threat and non-threat indicators included in the simulation. Threat indicators included the movement of the suspect's hands, the suspect being agitated, the weapon details, and the number of shots fired by the officer (if they fired their weapon when threatened with deadly force). Non-threat details were the suspect's shirt color and cut-off sleeves, pants color, height, weight, age, and hair color.

The research found only a small improvement in overall recall accuracy for the officers interviewed immediately after their time in the simulator when compared to the officers whose interview was delayed for three days. In other words, the officers' memories may not be improved simply because of the three-day rest period. Still, the research found significant variation in the ability of officers to recall specific types of information contained in the simulation. For example, those officers immediately interviewed after the simulation had better recall of threat details, such as the suspect's hand movement or the weapon details. There was no difference between the officers concerning their recall of non-threat details, such as the suspect's shirt or pant color. This finding may exist because non-threat information is not usually recognized as essential to an officer's survival. Thus, it is easily forgotten and not transferred into long-term memory.

information containing gang member names and phone numbers, and other gang paraphernalia found during their searches—all of which can help other investigators link suspects and cases or identify gang subsets.



Douglas, Arizona Station Locating Hidden Illegal Drug Shipment

Historically, there was no effective way to index information that may or may not have been relevant and wasn't deemed important enough to broadcast via existing law enforcement channels. Instead, agencies would file such information within their own systems, and this valuable gang tradecraft intelligence was unavailable to other organizations for further use.

The HSIN COI allows investigators from departments throughout Georgia to contribute to a larger team effort, which has had an immediate and long-lasting impact on addressing the gang crisis. Since the launch of the community on HSIN, an increasing number of agencies are sharing information not just relevant to their own cases but including intelligence that may be of interest to other agencies.

In Houston, the city's police department uses HSIN to securely share sensitive gang and violent crime information with investigators and other public safety officials. Prior to the establishment of the HSIN community, the Houston Police Department (HPD) had no central location to store and share daily crime reports from the different divisions within the department. HSIN is now the central location for investigators to locate and share these reports.

The HPD robberies division also uses the HSIN community to place videos and descriptions of significant robbery incidents, which allows officials to access the videos in a timely manner for investigative purposes. Over time, as public safety partners become more familiar with HSIN's capabilities, they see its value to a variety of missions and apply its resources accordingly.

KEEPING SCHOOLS SAFE

States across the country are evaluating resources they can use to help keep schools safe. West Virginia and Georgia have already implemented robust school safety COIs on HSIN and other states are actively evaluating what HSIN has to offer. In the event of an emergency such as an active shooter incident or a fire, local first responders can access the school's vulnerability assessments and detailed floor plans, including utility access points and current photos of the facility.

West Virginia was an early adopter in the use of HSIN for school safety and officials launched their School Safety COI on HSIN in 2014, which was the result of collaborative work among the West Virginia State Police, school officials and the state's fusion center.



HSIN Fusion Center

State and major urban area fusion centers serve as primary focal points within the state and local environment for sharing information among themselves and with federal partners.

Georgia's School Safety COI was launched in 2018 and provides a solution for sharing sensitive information across the state's jurisdictional boundaries, which include 159 counties and 539 cities. Georgia's school safety coordinators play a pivotal role in keeping the flow of information circulating. They conduct school safety site reviews and assessments, offer training on topics such as active shooter incidents and foster relationships within their local communities.

INTEGRATING DRONES INTO OPERATIONS

Because the cost of deploying unmanned aircraft systems (UAS), or drones, is small compared to using a helicopter for the same type of operation, law enforcement and other government officials are increasingly using the small aircraft. Public sector organizations at all levels of government and private sector partners involved in UAS and remote sensing (RS) technology are encouraged to join the HSIN UAS&RS community to expand knowledge sharing and facilitate interagency collaboration.

Public safety officials use HSIN to stream video captured by UAS to a command center, where partners can use the improved situational awareness to more effectively track information, allocate resources and mitigate risks. The UAS&RS community on HSIN has areas dedicated to best practices, system hardware, system software, lessons learned and requests for information.

Information on the site is also categorized by UAS and RS systems and includes more than ten mission areas such as Critical Infrastructure, Crowd Management, Disaster Operations and Search-and-Rescue. Members of the community benefit from continuing education classes, certification courses, procedural guidance and information related to policy and legislation.

COLLABORATING IN REAL-TIME WITH HSIN CONNECT

HSIN Connect, which is available to all HSIN members, is a secure web-conferencing tool that allows you to host a meeting, share content in real time or set up a web-based command center to maintain situational awareness from any location. Like all HSIN resources, members can access and use the tools free-of-charge.

In active shooter situations, for example, police departments use HSIN Connect to share vetted information from law enforcement sources. To help maintain security during planned events, public safety partners use HSIN Connect to share live video streams from mobile phones. The ability to record video also helps officers

capture evidence for potential criminal charges and facilitates after-action analysis and reports.

In the area of disaster preparedness and response, predefined HSIN Connect layouts allow agencies to quickly collaborate and coordinate responses across jurisdictional boundaries. Frontline responders use HSIN Connect to prioritize needs, deconflict multiple reports and reduce duplication of effort.

GETTING ACCESS TO HSIN

State and local public safety officials make up approximately 40 percent of HSIN users, and by joining HSIN, law enforcement officers derive more benefits than simply accessing information. Police departments gain capabilities to more easily share information that directly impacts mission success, including sharing raw data as it develops to support incident response and investigative operations.

To join HSIN, send an email to HSIN@hq.dhs.gov and include your first and last name, email address and reason for access. After your need for access has been verified, you will be asked to complete your registration with an identity proofing process.

About the author

Andrew Sloan is the Acting Director for Mission Integration Operations at the Homeland Security Information Network and has worked with HSIN for ten years. In his capacity as Acting MIO Director, Andrew oversees the requirements, communications, and training teams. He also oversees the work of HSIN Mission Advocates who work with mission partners to understand their needs, find communication gaps, and apply HSIN's tools to solve each mission's unique challenges.

Prior to his current work, Andrew served as the Mission Outreach Manager for Field Operations, coordinating the work of Mission Advocates supporting State, Local, Tribal, and Territorial missions outside of the Washington DC metro area. Andrew also served as the Lead Mission Advocate and a Field Mission Advocate in his time with HSIN.

Andrew was drawn to support the information sharing mission of HSIN from his work as an intelligence analyst for the New Mexico Fusion Center as well as the New Mexico State Police, and from his work in operations support at the FBI's Albuquerque Field Office. Andrew holds a bachelor's degree in Management Information Systems from the University of New Mexico.

TECHNOLOGY UPDATES

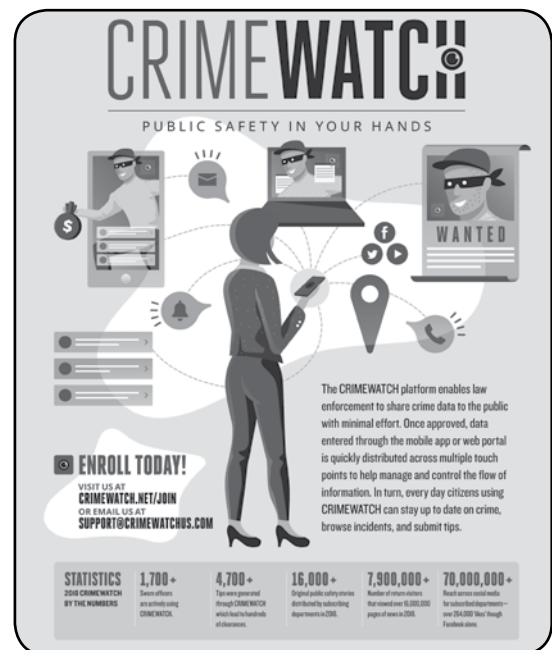
CRIMEWATCH

CRIMEWATCH® is law enforcement's turnkey solution for all online public engagement. The *President's Task Force on 21st Century Policing* and most recently the Major Cities Chiefs Association in their *Violent Crime Reduction Operations Guide* related that community engagement and the sharing of public safety news and information is essential in building trust and establishing a relationship with the community that prevents and solves crime.

Many departments are still operating under the "That's how we always did it" mentality, but times have drastically changed over the course of the past 20 years. Having the ability to solve crime, deter criminal activity, send out timely information to the public, and provide the best possible police service to the public is essential to success in today's digital age.

It may seem that if your department has a website and shares periodically on social media, there is nothing to gain by joining the CRIMEWATCH Network; this is not the case. Social media can be a great tool but deploying without a strategy can cause concerns and liability issues for your agency. CRIMEWATCH was specifically designed for law enforcement and the controlled sharing and takedown of public safety content from the internet. This means that all the information that you share is compiled in a way to maximize effectiveness across the web and social media. Likewise, the outdated communications practices of sharing only when it is important or that your department just doesn't have anything interesting to share is totally disproven by the efficacy of the technology platform. CRIMEWATCH simplifies your ability to source knowledge from your community. In fact, agencies report that minor crimes that many believe never get solved, often are. The sharing of those successes with the victims reinforces your agency's commitment and that their concerns are taken seriously.

CRIMEWATCH Technologies entered into a partnership with the Pennsylvania Chiefs of Police Association in 2016, after much consideration and several years of evaluation and feedback from CRIMEWATCH agencies. Our technology is having a profound effect on public safety in Pennsylvania. Law enforcement has successfully established a communication network that provides valuable information to citizens without the reliance of local media outlets.



With the CRIMEWATCH platform, you simply need to share your "day to day" operations good, bad or indifferent to engage the public and have an impact. Making sure that information you share has a purpose and is optimized for your investigators. Last year in Pennsylvania alone, CRIMEWATCH agencies had over 8 million visitors, over 70 million views/interactions on social media and received thousands of tips! CRIMEWATCH is the #1 source of public safety news and information in Pennsylvania and is looking forward to having an impact in the Empire State.

Douglas M. Demangone | Territory Director
Asst. Chief County Detective (retired)
CRIMEWATCH TECHNOLOGIES, INC
Office: 717.230.1845 x405 | Cell: 717.577.8307
www.crimewatchtech.com

References:

¹President's Task Force on 21st Century Policing. 2015. Final Report of the President's Task Force on 21st Century Policing. Washington, DC: Office of Community Oriented Policing Services., retrieved November 13, 2018 from <https://ric-zai-inc.com/Publications/cops-p311-pub.pdf>.

²Major Cities Chiefs Association and the Bureau of Justice Assistance. 2018. Violent Crime Reduction Operations Guide. Retrieved November 13, 2018 from <https://www.bja.gov/Publications/violent-crime-reduction-operations-guide.pdf>

the New York Division of Homeland Security and Emergency Services Office of Interoperable and Emergency Communications (OIEC). Regular meetings and updates occur to monitor the progress of the FirstNet buildout, which includes adding Band 14 equipment to existing cell sites or building new cell sites where public safety identified a need for improved coverage based on calls for service. New towers do not occur over night though – FirstNet cell sites must go through the same state and local processes for new construction which may include obtaining lease agreements, completing local zoning processes, or compliance with environmental protection regulations. FirstNet is just over one and half years into a 5 year build plan and progress is being made.

In a further step to improve user experience, FirstNet users have access to FirstNet's dedicated deployable assets at no extra cost to bolster coverage and/or capacity during natural disasters or large planned events. Depending on the need, these assets can be in the form of a satellite connected cell-site on a light truck (SatCOLT), or a cell mounted on a trailer or truck called a cell on wheels (COW), or now, a cell attached to a tethered drone (Flying COW).

As the network grows and expands, FirstNet subscribers can expect a vastly different experience when communicating over the network. FirstNet is delivering the network the public safety asked for to help them with every day operations and in emergencies by providing a dedicated public safety core—physically separate, highly secure infrastructure that helps ensure public safety communications and data are not compromised by riding a core filled with commercial traffic and unsecure connections. And, FirstNet's mission is to ensure users can communicate seamlessly and securely utilizing a collection of applications that are identified in the FirstNet App Catalog. These public safety apps will be either "listed" or "certified" depending on the level of security review the app developer goes through. If you have a favorite law enforcement application, we want to know about it.

Additionally, FirstNet subscribers also have access to a growing marketplace of public safety devices to support their mission such as a ruggedized smartphone that can mimic a portable radio, or in-the-pocket push-to-talk accessories to enable undercover units. And over all of this, the FirstNet Authority is providing contract oversight and validation to ensure AT&T is delivering the network public safety as asked for.

FIRSTNET IN ACTION

During emergencies, often New York's law enforcement officials must communicate with public safety in other parts of the state. FirstNet serves as a dedicated "fast lane" for subscribers to stay connected to their colleagues, even during times of heavy congestion. With FirstNet, subscribers can share data-rich information, such as

Serving 9.5 square miles, the Troy Police Department is a full service, NYS accredited law enforcement agency with 131 sworn officers

text, images or video, over a secure, reliable network. The more information officials have, the better their situational awareness.

FirstNet makes it possible for law enforcement agencies to reliably connect and take advantage of new technologies designed to help augment their day-to-day operations – including mobile access to records and databases; mapping tools for tracking the location of vehicles and personnel; connecting dash-cams or body-cams to the cloud for data management or connecting into video cameras and

communications networks for school safety.

For Troy Police Chief Owens, a recent FirstNet demonstration illustrated the network's ability to offer a differentiated emergency communications experience in the city's densely populated urban setting. Serving 9.5 square miles, the Troy Police Department is a full service, NYS accredited law enforcement agency with 131 sworn officers. The agency is responsible for the safety and security of 50,000 full-time residents and another 20,000 students that attend the city's three local colleges. Part of the tri-city area, it is also critically important for Troy's police department to stay in close communication with neighboring Saratoga and Albany counties to share information or respond to cross jurisdictional crimes.

During the FirstNet demonstration, Troy's police department operated FirstNet-issued devices for officers to test the network's data and voice capabilities at different times of the day. Instead of competing with the public on commercial wireless networks, the officers experienced FirstNet's priority and preemption service without signal delay or disruption.

"Congestion on wireless networks has a negative impact on our operation," said Chief Owens. "With a system like FirstNet that builds in priority and preemption, this allows us to communicate without being disrupted if the system is overloaded by other users."

After his team experienced FirstNet firsthand, the demonstration convinced Chief Owens to contact FirstNet-AT&T to subscribe to the network. Soon, the City of Troy Police Department will join other law enforcement subscribers nationwide that are connected to FirstNet to enhance communication during times of crisis and in support of community events.

ENGAGE WITH THE FIRST RESPONDER NETWORK AUTHORITY

As FirstNet continues to help law enforcement agencies across the nation, we want to hear from you on how the network can make the biggest impact in your community. The input we receive from law enforcement will be used to improve and enhance the network. Public safety fought for this network, and FirstNet has been built to meet your coverage and capacity needs and to modernize emergency communications.

About the author

David Cook is a former Director of Public Safety in Rensselaer County and was the founder of the NYS 911 Coordinators' Association. He is the FirstNet Senior Public Safety Advisor for New York, New Jersey, and Pennsylvania.

You can reach him at: David.Cook@firstnet.gov. Learn more about the FirstNet Authority's engagement opportunities at Firstnet.gov and find information on FirstNet products and solutions at FirstNet.com

David A. Cook
Sr. Public Safety Advisor
First Responder Network Authority
Mobile: 202-768-1727



FirstNet deployable communications vehicle



The UBER Law Enforcement Response Team

BY WADE STORMER - UBER LAW ENFORCEMENT OPERATIONS LIAISON



We want Uber to be the operating system for your everyday life. With an average of 18 million trips a day and growing, Uber is one of the most widely used transportation companies in the world. Every time someone opens the Uber app, they are putting their trust in Uber—to not only get them from place to place, but to help keep them and

their loved ones safe. That trust is important to Uber, which is why safety is a top priority. While critical incidents and criminal activity involving Uber are a fractional percentage of overall trip volume, the billions of trips executed a year allow this comparable lightning strike to happen enough, that law enforcement needs to understand the tools and support that Uber can provide to their investigations and major incidents. In addition to investigative support, Uber can also assist with municipal operations during special events (sports, concerts, festivals, etc.), nightlife districts, and other venues where a better solution for traffic management may be available.

Almost five years ago, Uber recognized there was a communications gap between our business and public safety officials, so we created a team of former law enforcement liaisons to augment our Law Enforcement Response Team (LERT) with a mission to engage and partner with law enforcement. With the addition of these liaisons to LERT, partnership, engagement, and response became the soul mission of our Law Enforcement Operations Team. Each liaison is regionally based - currently, there are four liaisons that cover the United States and 19 total worldwide. All liaisons are formal law enforcement officers from their respective country or region. The team is comprised of a diverse set of investigative experience with team members from several agencies around the globe to include - Fairfax County Police Department, Federal Bureau of Investigation, United States Marshals Service, United States Secret Service, London Metropolitan Police Service, Mexican Federal Police, Naval Criminal Investigative Service, South African Police Service, Tokyo Metropolitan Police Department, and so on.

The Law Enforcement Operations liaison who covers New York and the northeast part of the US is Wade Stormer. Wade's security and investigative background are comprised of his time in the United States Marine Corps where he served as an infantryman and later as a civilian Special Agent for the Air Force Office of Special Investigations (OSI). In OSI, after three years in the major crimes section, he spent the next nine years focused primarily on counterintelligence and terrorism investigations and operations at home and abroad. His service included multiple tours to Afghanistan and Iraq.

Uber's Law Enforcement Operations Team is dedicated to providing law enforcement training and education that will prepare them for the changing transportation landscape in their cities and jurisdictions. These presentations impart insight into how Uber can assist law enforcement officers in their investigations, which in some situations may not have any direct connection to Uber. Discussions take place covering what Uber is, it's full line of products (e.g.

UberEats, Freight, JUMP bikes and scooters, etc), the data each trip generates, how investigators can lawfully obtain that data, how that data can be useful in a criminal investigation, and trends Uber has observed globally. The objective is that the law enforcement officers in attendance will be able to serve legal process, execute an emergency request, or make an inquiry through Uber's law enforcement portal (lert.uber.com). They will also be able to discuss various modus operandi that criminal elements might try to use in concert with an Uber trip or fraud schemes that target riders, drivers, and/or third parties. Lastly, attendees will be able to identify the types of data to include in their inquiries and legal process that will be most relevant to support their investigations.

While Uber is committed to engaging, partnering, and responding to law enforcement, we take our customers' privacy seriously and understand that law enforcement wants to ensure that the data they obtain is done so in accordance with all applicable laws, thus ensuring the data Uber provides can be utilized in trial proceedings with its acquisition never being called into question. While Uber requires valid legal process for data, we understand there are situations where data is needed in emergency and/or exigent circumstances. In these situations, law enforcement can create an emergency request in the law enforcement portal (lert.uber.com). The portal is available 24 hours a day, seven days a week, 365 days a year. If the request is an emergency or the situation exigent, LERT will respond immediately via the portal to work with the officer or investigator to provide them with the information they need as quickly as possible. For more information about Uber's Privacy Policy, please visit <https://privacy.uber.com/policy>.

With safety as a core principle, Uber is continuously working to raise the bar and looking at new ways to help make the platform safe for all users. Uber continues to innovate and include new safety features into the user experience whether it be a rider, driver, ordering UberEats, riding an electric JUMP bike or scooter, etc. For example, phone number anonymization helps riders and drivers keep their contact information safe. Additionally, Uber created a partnership with RapidSOS to include an in-app 911 call feature. In select cities where the Public Safety Answering Point is partnered with RapidSOS, when a rider or driver calls 911 through the Uber app it not only digitally provides the vehicle's GPS location but also information so law enforcement can identify the vehicle. Check Your Ride prompts appear multiple times in the app as a reminder for riders to make sure they are entering the correct vehicle, which is the first step to ensuring a safe trip. These are just a few of the many safety features Uber invested in to make the Uber experience safer for everyone. For more information and an in depth look at our safety products please go to <https://www.uber.com/us/en/safety/>.

And while many law enforcement officers, analysts, and prosecutors have now utilized Uber's law enforcement portal (lert.uber.com) and have had success in retrieving data that has been helpful in their investigations, we have taken their feedback and are in the process of building a newer version of the portal that will streamline the process of submitting requests and institute automation that will reduce overall wait times for data production, thus providing the information to investigators quicker. ►



Uber's Law Enforcement Operations Team urges investigators to sign up for our law enforcement portal (lert.uber.com) as soon as possible utilizing their department email address. This will ensure that investigators have access to the portal immediately when needed. Also, Uber encourages law enforcement agencies/departments to reach out to Wade to schedule training at wade@uber.com. Both the portal and training are free services Uber provides. Due to limited resources, law enforcement can increase the possibility of scheduling training if they are able to host a session or multiple sessions where there are 75

or more law enforcement officers and/or investigators, analysts, or prosecutors in attendance, so Uber can disseminate the information more widely.

At Uber, we appreciate the work that law enforcement and other public safety officials engage in every day. We also value our partnership with the NYS Association of Chiefs of Police and the support they have shown for ridesharing. We are a technology company that physically operates in communities all over the world. It is a priority for Uber to build a strong relationship with law enforcement. We want to be part of the safety solution and strive to be the rideshare company that law enforcement prefers to work with and utilize as users. Thank you for your service and sacrifice and stay safe!

Chief's Corner

Se Puede Comer un Elefante

BY CHIEF STUART CAMERON - SUFFOLK COUNTY POLICE DEPARTMENT

The Spanish phrase above, you can eat an elephant, references the old adage, How do you eat an elephant? One bite at a time. Law enforcement executives often face issues that seem insurmountable when initially presented; however most know that the way to solve these types of problems is to roll up ones sleeves and dig in, issues are unlikely to solve themselves and much can be accomplished with a sustained effort over time.

I have been a member of the Suffolk County Police Department for thirty-four years and I have been the Chief of Department for over three years now. During my thirty-four year career I have seen the county change, becoming much more diverse over time. The county now has a very sizable Latino population, many of whom have limited English proficiency. In an effort to better serve this growing population the department has adapted in kind and taken an aggressive stance on language assistance assisted by the Department of Justice through an ongoing settlement agreement.

The last two entrance exams that were administered for prospective police candidates have included a separate list for Spanish speaking individuals. Ten percent of each recruit class that we have hired from these two exams has been from this Spanish speaking police officer candidate list. The department has been employing the services of a telephonic translation service called Language Line for many years, but more recently dual handset phones were placed in all of the department's public facilities and cell phones were added to sector cars that cover areas with a high percentage of limited English proficient residents to facilitate greater access to this translation service.

Additionally the department has begun to test and certify two categories of officers who speak a foreign language, bilingual officers and department authorized interpreters. Bilingual officers, once certified, are authorized to handle assignments involving a complainant with limited English proficiency themselves without the use of the telephonic translation services. Department authorized interpreters can translate for others seeking to speak with someone of limited English proficiency. Calls for service that come into the department from those with a limited English proficiency are specially categorized to indicate that the call involved a complainant with limited English proficiency. Once these calls are completed, officers must record how the language barrier was overcome on a language assistance tracking form. Options include, for example, the use of Language Line services or a department authorized interpreter.

When I speak to new recruits and ask them why they opted for a career in law enforcement the most common answer that I receive in return is that they want to help people. Clearly you cannot help

people that you are unable to communicate with, so the department's efforts at language assistance are very well placed. I too chose a law enforcement career because I wanted to help people. As you move up in rank opportunities to directly assist people tend to diminish in frequency. That wonderful sense of satisfaction that you got by directly assisting someone; whether it was helping to change a tire for a stranded motorist or doing CPR on someone in dire need of help are no longer a daily part of the job. However; as you ascend into each succeeding rank your overall ability to impact the success that your subordinates can achieve while assisting the public increases.

As our department has made efforts to better communicate with those whose primary language was Spanish I felt a personal desire to help in a meaningful way, after all I am their chief of police also, and I should adapt personally as our department has done. A sizeable percentage of the county residents that I serve communicate primarily in Spanish. Some have come to Suffolk County from countries where law enforcement is feared and not easily approachable. Residents may also be affected by heated national debates regarding immigration. If this were another group in our county I may have been able to assist by speaking with them and reassuring them that our officers are here to help them. Clearly I could have easily done this same thing for the Spanish speaking Latino community by bringing a department authorized interpreter with me, but I felt as the chief I should attempt to do more.

I considered learning Spanish, however I had never studied the language and learning a new language later in life with a tremendously busy schedule seemed completely implausible and overwhelming. Then the elephant phrase came to mind. Certainly I could make an effort to learn one bite at a time. Perhaps some progress could be made. Clearly the modern options available to learn a language are vastly superior to what I had available when I had studied German back in high school.

While mulling this endeavor over I came upon a language learning cell phone app that was entirely free to use, provided you viewed some advertisements. Placing this app on my phone was essentially my first bite of the elephant. Since I always have my phone with me and individual lessons can be completed in just minutes why not start the process. In all honesty it was tremendously difficult at first, however two lessons per day was all that was necessary to maintain a streak on the app, so my competitive nature helped me to overcome some initial frustrations. Ultimately difficult lessons would click and that would provide a strong wind to propel me forward. After just a few weeks of solely using the phone app it became apparent

that progress would be slow without some additional learning opportunities. As a result I purchased a more traditional course that included material in numerous formats including both MP3 and MP4. I found the MP3 lessons to be very useful as I now study Spanish while driving in lieu of listening to the radio. Even busy people can reallocate time for things that matter.

An initial milestone that I set for myself would be to learn a sufficient amount of the language to be able to give a brief speech to a group in Spanish. As I learned the language various elements of what I would like to say formed in my mind. I still had great difficulty understanding someone speaking in Spanish, so I added doses of Spanish television programming to my learning agenda, often watching movies in Spanish that I had seen before and for which I had a grasp of the dialog. As I made progress the desire to learn increased proportionally and I found myself devoting more time to learning and making solid progress.

After studying for about eight months I had developed a solid speech and I was eager to test out my skills. One thing I knew for certain, I didn't want to read the speech and I didn't want to utilize any notes. Anyone could read a speech; I wanted to have a conversation. That had always been the objective. The venue that I choose for my first foray into Spanish public speaking was a Catholic parish in one of our predominantly Latino communities that hosted a Spanish mass every Sunday. Hundreds of people attend this mass every Sunday. As the date of the mass approached I worked to hone

my pronunciations verifying them with Spanish speaking members of the department. The mass itself was beautiful and by a total coincidence I had selected a mass that one of the bishops attended. At the end of the mass the priest introduced me and I began speaking employing eight months of hard work and preparation. As I spoke the congregation applauded when I thought they might and laughed when I had intended them to laugh. The look in their faces and their positive reaction brought back that feeling of great satisfaction that I would receive as a young police officer when I was able to assist someone in need.

My visit to the church was covered in our local newspaper and I received a lot of positive feedback after the event. Hopefully my efforts will help the members of our department to see how important directly communicating with people can be and reassure our Spanish speaking residents that our department is truly here to assist them. Studying a new language as an adult with a busy schedule has also given me a unique perspective of just how difficult it is for people in similar circumstances to learn English. Fortunately twenty-first century policing is more humane and compassionate and we are able to better accommodate the diverse communities that we serve now. I continue to study the language and plan to hire a tutor at some point when my self-directed study efforts have run their course. Never lose sight of the fact that determination and a strong desire to help people can allow you to overcome obstacles that may initially seem insurmountable.



All Photos by James Carbone
FROM THE MASS AT ST. ANNE'S IN BRENTWOOD ON JANUARY 20TH, 2019



Yonkers Police Detectives awarded the FBI Shield of Bravery for their roles in December 2017 incident

Yonkers, NY – The Annual FBI Honorary Medals Ceremony was held July 11th, 2019 at 10 am at the FBI Headquarters Bonaparte Auditorium in Washington DC. These awards recognize exceptional acts by both FBI and other law enforcement personnel working with the FBI, across the country and around the world. The awards were presented to the recipients by FBI Director Christopher Wray. The



Yonkers Police Department is proud to announce that Detective Timothy Cooper and Detective Thomas Braig have been awarded the FBI Shield of Bravery for their respective roles in a December 2017 incident.

The FBI Shield of Bravery is presented for brave and courageous acts occurring in the line of duty or within the scope of FBI employment which may extend to major assistance to a task force or undercover operation, grave situations, or crisis confrontations associated

with the highest priority cases of the FBI.

The FBI Shield of Bravery is one of the top honors that can be bestowed upon a member of the law enforcement community.

On December 15th, 2017, a multi-jurisdictional task force that included members from the Yonkers Police Department, the FBI Safe Streets Task Force, and the Tarrytown Police Department were conducting an investigation in the area of Aqueduct and Delano Avenues in Yonkers. The investigation was in relation to a pattern of armed bank robberies that were occurring in the lower Westchester area. While conducting surveillance, Officers at scene encountered

a suspect who rammed their vehicles with his vehicle and subsequently endangered the lives of all those in the area. The suspect refused to comply with Officers commands and brandished a firearm at which time Detectives Cooper, Braig and an FBI agent discharged their firearms. The suspect was transported to a local hospital where he succumbed to his injuries. The investigation revealed that the suspect, who was identified as Erick Campbell, was responsible for numerous bank robberies in the lower Westchester area where a firearm was displayed. Campbell was a predicate felon, on lifetime parole with previous criminal convictions for Manslaughter, Armed Robbery, and Felony Assault on a Police Officer.

Police Commissioner Gardner stated, "I am extremely proud of Detectives Cooper and Braig for being awarded this tremendous honor. Their heroic acts and display of bravery were in the best traditions of our noble profession and serve as an example for law enforcement officers across the nation. This award is a testament to the high level of character that both of these Detectives possess and to the high caliber of Officer that we have here in the YPD."

"Congratulations to Detectives Cooper and Braig for being honored with this most distinguished award that recognizes their courageous and exceptional work," said Yonkers Mayor Mike Spano. "These men are exemplary of the caliber of our Yonkers Police Department and we are incredibly proud of them and the entire force for their continued commitment to the safety and well-being of our residents."



2019 GTSC Chair Award

"Congratulations Town of New Windsor Police Department – Recipient of the 2019 GTSC Chair Award": We wish to recognize and extend our congratulations to Chief Robert Doss and to Sergeant William Ruger of the Town of New Windsor Police Department in Orange County upon receiving the prestigious Governor's Traffic Safety Committee's Chair Award for 2019. The Chair Award recognizes individuals and organizations for programs that are innovative, superior, and highly successful in promoting traffic safety. DMV Commissioner and Chair of the Governor's Traffic Safety Committee, Mark J.F. Schroeder presented the award to the Town of New Windsor Police Department October 23rd at this year's Annual Fall Highway Safety Symposium in Albany, NY.

L-R: GTSC Assistant Commissioner Chuck DeWeese; Chief Robert Doss; Sergeant William Ruger; DMV Commissioner and Chair of the Governor's Traffic Safety Committee Mark J.F. Schroeder; Orange County Department of Emergency Services Deputy Commissioner Craig Cherry; GTSC Program Representative James Knapp; NYSACOP/GTSC Law Enforcement Liaison Dominick Macherone)



Chair Award Photo:

Sergeant William Ruger (l) and DMV Commissioner and Chair of the Governor's Traffic Safety Committee Mark J.F. Schroeder.

Patch History

During the early 1920's, police were appointed by the Town Council, and were known as "Specials". Prior to this, police were primarily elected by constables throughout Irondequoit. Specials could then be sworn in as Deputy Sheriffs by the Monroe County Sheriff. In 1922, six Irondequoit Special Officers and the Town Council elected a Captain of Police to be the head of the department. This title later changed to Chief of Police. Following in 1924, the special officers underwent a re-organization period, and became known as the Irondequoit Police Department.

In 1946, the Town Council adopted the policy of purchasing the police uniforms, as an alternative to the police having to purchase them themselves. The "forest green" became the recognized color for the Irondequoit Police Department, and the pattern for the



uniforms were taken from the New York State Police. Officers of the Irondequoit Police Department are now navy blue with the patch on both shoulders.

The Irondequoit Police Department is the second largest town police force in Monroe County, New York. The officers of the Department protect and preserve the rights of the citizens and property owners of the town. The Department provides these services through Road Patrol, Community Engagement Unit, and Investigative Services, all with the support of civilian staff. The officers of the Department provide proactive enforcement of all the laws of New York State, the Town of Irondequoit, Monroe County, and the United States. The Irondequoit Police Department is accredited by the New York State Department of Criminal Justice Services, Office of Public Safety.



This is an image of the newly designed City of Auburn Police Department shoulder patch. It was the idea of Deputy Chief Roger Anthony, with assistance and input from members of the Department. The new patch incorporates

part of the old patch, that being the City of Auburn Seal with the Latin phrase "Pax et Labor" or Peace and Work, as well as our new department motto, "Expect Excellence" and a patriotic symbol being the flag. We feel the patch encompasses a new refreshed symbol of a progressive department.

2019 Buffalo Law Enforcement Foundation Breakfast in Buffalo



FEATURING JOHN MILLER-THE DEPUTY COMMISSIONER OF INTELLIGENCE & COUNTERTERRORISM OF THE NYPD
Photos courtesy of Sarah Brady

He is the former Associate Deputy Director of National Intelligence for Analytic Transformation and Technology. Prior to that, he was an Assistant Director of Public Affairs for the Federal Bureau of Investigation (FBI), where he was the bureau's national spokesman. Miller is also a former ABC News reporter and anchorman, perhaps best

known for conducting a May 1998 interview with Osama bin Laden in Afghanistan.



Commissioner Diina with local law enforcement leaders.

NYS Court Sergeant Peter Robinson singing national anthem.



Buffalo Police Commissioner (Ret.) Rocco Diina and U.S. Attorney J.P. Kennedy presenting award to former U.S. Attorney William Hochul.





Come January 1, 2020, the criminal Justice System in New York, as we know it today, will undergo a seismic change that will dangerously risk the security of our communities. Bail Reform legislation now places unfair, and unfunded mandates upon our local governments. The recently legislated and passed “Bail Reform” was irresponsible and done so in secrecy and without participation from criminal justice professionals who have been entrusted

with protecting our communities, those responsible for the prosecution of criminals, and those responsible for the monitoring of probationers and parolees. Even more egregious, is the fact that this version of Bail Reform clearly demonstrates a lack of compassion and concern for the safety and security of those victimized by crime.

We all we must agree that there are some disparities in the current system that required revising. Regrettably, the Bail Reform legislation taking effect in January was passed without any public hearings nor public discussion. The Police and District Attorneys across our State were denied the right to engage in meaningful dialogue as to how the proposed legislation, now law, would affect their ability in protecting and ensuring the safety of our communities. As a result, we now we have laws taking effect that are harmful and seriously undermine the safety of our communities, giving little or no protection to victims.

This legislated version of “Bail Reform” places unfunded mandates upon law enforcement, local probation departments and the district attorney’s office. All of this happening at a time when funding to local public defender offices across the State is being significantly increased. Come January, there will no longer be a bail system in New York State as we know it today. The majority of crimes committed, including Burglary of your home in the 2nd Degree and Robbery in the 2nd Degree (aided by another), will now require that the police release those criminals on appearance tickets. There will be no arraignment, no bail set, no order of protection. These criminals will be released back onto our streets. Judges are no longer able to impose bail on misdemeanors and most felony offenses. Bail or the detention of a criminal may now only be imposed when a criminal commits a “designated crime”. Drug dealers are not on the list, they must be released after arrest. In the event you are the victim of a crime, the criminal now has a right to seek permission from the courts to revisit the crime scene, even if the crime was for rape in your own home.

In addition to issuing an appearance ticket, notifying the criminal as to the date, time and location they are to appear for court, the police are now required to inform criminals that they have a right to be further notified of their pending court date, via text message, e-mail, or by phone. Our Courts are now responsible for taking on this additional burden of reminding criminals a second time of their court date and time to appear. Should the criminal fail to appear for their court date, they will have forty-eight hours to contact the court and reschedule their appearance. Judges will no longer be permitted to issue a Bench Warrant for the criminal’s failure to appear.

In addition to the atrocity created by this bail reform legislation, additional legislative changes have been passed addressing “Discovery Rules.” Everything the District Attorney has in their possession relative to the criminal’s prosecution must now be turned over to the criminal and their attorney, within fourteen days of arraignment. This is a daunting task for our district attorneys across the State, considering the daily volume of cases they are preparing for trial, let alone the number of different law enforcement agencies they work with, that are constantly filing new criminal cases with their office. Grand Jury testimony, once considered a sealed record, must now be turned over to the criminal and their attorney, revealing testimony by civilian witnesses. Individuals whom for the most part only cooperated with authorities knowing that their testimony was confidential, will now be reluctant to do so in fear of retaliation for their cooperation. This will further hinder the ability of prosecutors in obtaining crucial evidence necessary for effective prosecutions.

We must ask ourselves if this is what “bail Reform” was intended to achieve; more rights for criminals and less rights and protections for honest citizens and victims of crime ?

Joseph A. Sinagra
Police Officer 32 years.
President Mid-Hudson Chief’s of Police

Police Chief Joseph A. Sinagra assumed leadership of the Saugerties Police Department on April 27, 2012 and has over 30 years of overall law enforcement experience. He holds a Bachelor’s Degree in Criminal Justice, and a Master’s Degree in Public Administration from Marist College in Poughkeepsie, N.Y. Chief Sinagra is a 2008 graduate of the FBI National Academy Session 233rd, an Accreditation Assessor for NYS Department of Criminal Justice Services, President of the Mid-Hudson Association of Chiefs of Police, and the Zone 5 representative to the Board of Governors with the New York State Association of Chiefs of Police.

Monroe County STOP-DWI Law Enforcement Appreciation Awards Luncheon



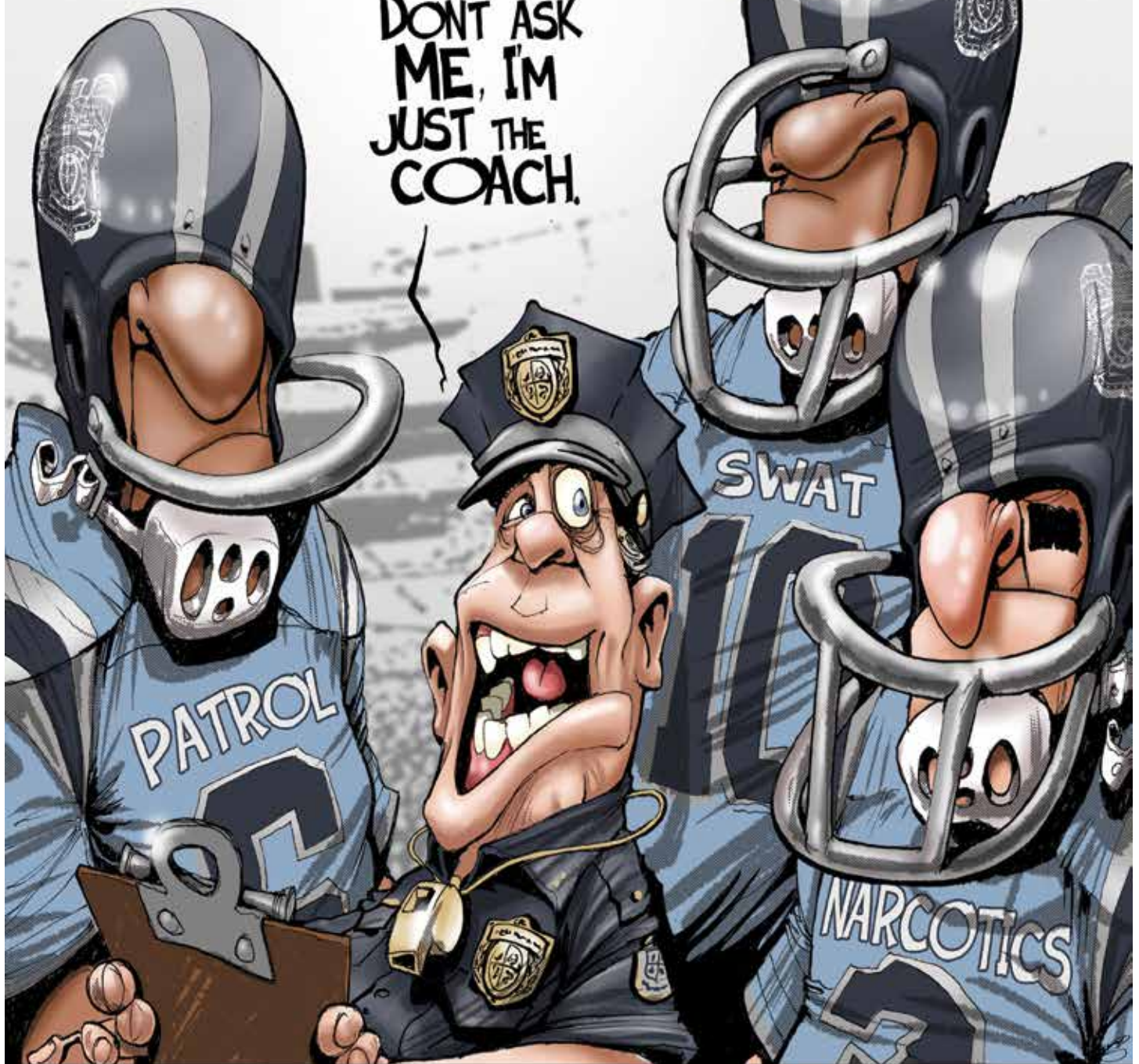
Monroe County STOP-DWI Program annually hosts a Law Enforcement Appreciation Luncheon as an opportunity to recognize local agencies and officers for the work they perform every day. Awards for agencies are chosen by the size and efforts. Individual award recipients are chosen by their agency as leaders for their commitment to stopping impaired driving. An agency can submit no more than five officers or ten percent of their agency size. All Officers submitted for an award will receive a “Certificate of Appreciation” from the County Executive. Criteria for “Top Cop” is based on the overall efforts to making Monroe County roadways safer through education, arrests and training. An

officer among awardees is randomly selected to attend the New York State Highway Safety Symposium. The “Top Cop” award recipient will attend the National Lifesavers Conference. STOP-DWI funds the officer attendance at these events.

The appreciation lunch is meant to let the officers know we appreciate their work. It is also held to keep officers focused on this crime that devastates so many local families each year. In 2019, one hundred ten people attended the luncheon and training. The STOP-DWI appreciation luncheon is a forum to recognize and motivate officers and agencies to continue their efforts to help eradicate impaired driving. *Respectfully submitted by Peggy Duffy*

**GAME PLAN?
MAKE A DECISION?!**

**DON'T ASK
ME, I'M
JUST THE
COACH.**



GET IN THE GAME AND LEAD!

NEW YORK STATE ASSOCIATION
OF CHIEFS OF POLICE, INC.
24 Century Hill Drive, Suite 002
Latham, New York 12110



Michael L. Rossi
Business Manager/Financial
Secretary/Treasurer
Roofers, Waterproofers Union Local 241
890 Third Street
Albany, NY 12206
Phone: (518) 489-7646
Fax: (518) 489-7647
Cell: (518) 362-6811

County Waste & Recycling



*Proudly supporting
the communities we
live in and serve.*

County-Waste.com

VORTEX COMPANY SUMMARY

Vortex Optics is a family and veteran owned company that has taken the sport optics industry by storm in a very short time. Its humble beginnings trace back to its proprietors Dan and Margie Hamilton endeavoring to open a Wild Birds Unlimited franchise store in the sleepy suburban community of Middleton Wisconsin. The combination of the Hamilton's passion for serving their customers and the vibrant birding community in Southern Wisconsin quickly made the store a very successful business. Not satisfied with the selection of products they could offer their customers strictly as a Wild Birds Unlimited store, the decision was made to rebrand as a independent retailer focusing on optics which became Eagle Optics. Eagle Optics quickly became a very successful vendor of a full line of several brands of observation equipment and accessories at a time when internet sales were starting to bloom. Eagle Optics even began independently branding its own successful line of optics. With an entrepreneurial instinct and keen business sense, the family had the foresight to see that the momentum of the real business opportunity was behind their own brand of optics... and Vortex Optics was born. Almost 20 years later, the VIP Warranty is the most often imitated (but never duplicated) customer service package in the industry. Unlimited and transferable, Vortex's Very Important Promise to its customers is that when they buy a Vortex product, they will receive no less than a lifetime of service from it.

