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Chief's Chronicle



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September 2021



Commemorating a Fallen President of the Association

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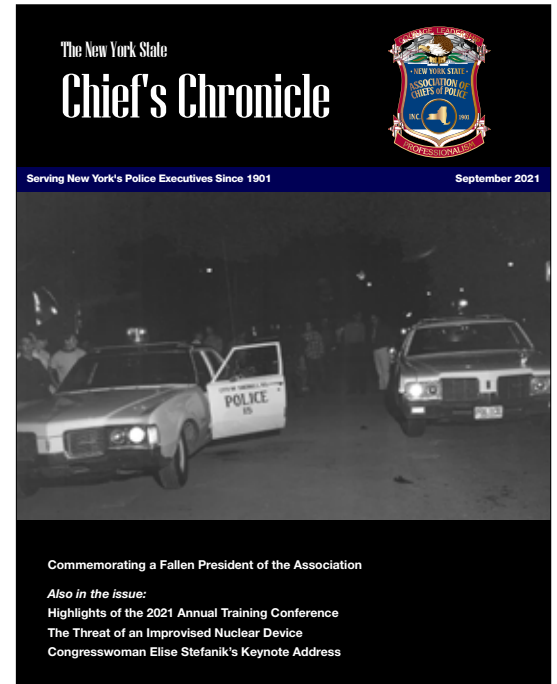
Do you have an interesting law enforcement story or an article you would like to submit, photographs of member activities or field scenes?
Contact the editor: Mark Spawn at APB@nychiefs.org

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On the Cover:

Sherrill, NY Police Chief Thomas P. Reilly had only been serving as President of the New York State Association of Chiefs of Police for less than three months when he and one of his officers, Robert A. Mumford, were gunned down by an armed robbery suspect on September 8, 1969. The harrowing story appears in this issue (page 12) which details the horrific events that began with an armed robbery, the traffic stop which led up to the shooting of two of a town's most beloved police officers, and the kidnapping of a young woman and her two babies so the suspect could make his escape. The only sitting President of our Association to be killed in the line of duty was remembered at the 2021 NYSACOP conference with the Medal of Honor being named in his honor. Fifty three years later, the families of both officers gathered at the NYSACOP conference where their loved ones were remembered by a grateful Association, and one of the first renamed awards was presented to another hero – a courageous Parks Police officer who rescued a man from the brink of Niagara Falls. Details inside.



Criticism of Police: Work With Us, Not Against Us

Criticism of Police is Disproportionate



Chief Timothy Parisi
NYSACOP President

Since last year policing has been under a microscope. And while I don't personally have a problem with anyone making an objective critique of how we do our job, our nation's law enforcement officers have been unfairly characterized as callous, uncaring, and even criminal. The portrayal of bad cops such as Derek Chauvin as being emblematic of police culture is inflammatory and simply untrue. We know those situations are rare, and when they do occur they will receive publicity

– that's fair. But painting all of our profession as being of the same mindset is unfair to everyone. But that has not stopped legislation (some proposed, some enacted) from abounding which would limit our ability to use certain tools, technology and practices to protect our communities; or legislation such as bail reform which has provided overwhelming consideration to criminal defendants in spite of the degree of violence displayed in their crimes. And the arguments to defund the police that were an anthem last year were ludicrous, obviated by the fact that many who sang that song have since disavowed saying those words. And the schools that were forced to defund their School Resource Officer programs have likely shot themselves in the foot, eliminating an invaluable resource to students, teachers and parents by removing an extra layer of security, mentorship, and problem-solving to our most impressionable population.

SO, WHAT'S CHANGED?

For several years many of our law enforcement agencies have received state grants for traffic safety which have built an infrastructure of license plate readers. The benefits of this technology have been remarkable. This type of technology, along with drones, facial recognition and other biometrics, are sought to be eliminated from our tool belt. Do they not understand the ability to detect a stolen car? A wanted felon? An AMBER Alert? A terrorist? Technological advances throughout the history of policing have helped to make us safer. The mentality that would prohibit police use of such technology is terrifying. I pose the question to those who support such bills – what would you do if your loved one was the victim of an assault, kidnapping, sex crime, etc. and you gave police a description of the suspect, only to be told that you cannot use an LPR to look for the car, or facial recognition to locate the assailant? It has been accepted public policy for more than 20 years to leverage LPR technology for law enforcement and public safety. So, what has changed? These are still valid tools

which are used responsibly by police. In the exception where tools are abused, there are penalties. But don't throw the baby out with the bath water.

WHY SOME OF THE CRITICISM IS UNFOUNDED

Talk with any cop who's been on the job for even a short time, and they will tell you that societal problems span all socioeconomic groups, age groups, genders, and ethnicities. But they will also likely tell you that they have a front-row seat to witnessing homeless, mental health issues, addiction, broken and dysfunctional homes, and a lack of educational and employment opportunities, many of the things we find associated with increases in crime. Beyond our traditional mission of law enforcement, many things have been added to our plate: domestic violence became a focus with the Domestic Violence Act of 1994; counterterrorism became integral to policing following the attacks of 9/11; Many would say we were the logical discipline to deal with these issues – the only 24/7/365 arm of government which is readily accessible to the populace with a quick dial of the phone. Police agencies have ramped up their training and response protocols for persons with mental illness, or issues involving the homeless, or using diversion programs for persons with addiction. Many departments and individual officers volunteer their time with after-school programs and in other community organizations. The message to

In order to reduce crime, the people we serve need employment and educational opportunities, they need affordable housing, and the kids in our communities need recreational outlets and alternatives to drugs and gang life.

those elected officials who are quick to judge us: think about the job with which we are tasked: enforcing the laws that you enacted. We will gladly accept any objective criticism leveled at us, but we would ask that you first understand the systemic issues affecting progress in our communities. In order to reduce crime, the people we serve need employment and educational opportunities, they need affordable housing, and the kids in our communities need recreational outlets and alternatives to drugs and gang life. With all that police are asked to handle, don't forget to provide sufficient funding for training so that we can properly handle the work in front of us. We are willing to help and we already are – be sure that you are supporting us, not working against us.



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Lead, Follow, or Get Out of the Way



**Chief/Ret.
Patrick Phelan
Executive Director**

Editorial note: The following article was written about one week prior to the Governor's announcement that he would be resigning.

As we watch yet another scandal unfold in Albany and the details of actions of a tyrant come to light, there are positive takeaways for us all. Yes, sometimes an example of how not to do it is just as valuable as it's alternative. Tyrants are all around us, sometimes at the highest level of federal or state government, or sometimes in local municipalities, school districts, even police departments. Tyrants are very good at seizing and maintaining power. They do this by creating a culture of fear and crushing all opposition. Even crushing any diversity of thought. You are either with the tyrant, or you are against them; varying opinions are not tolerated. Tyrants maintain power very well by smashing any hint of opposition like a bug. But are they leaders? Not by a long shot.

Leaders know that you cannot lead in a culture of fear. In a culture of fear people will only do enough to stay out of trouble. They will not go the extra yard for fear of being perceived as a threat. They will not offer new ideas or ways to improve the organization because they are afraid the tyrant will see them as opposition or competition. Tyrants don't want new ideas because they feel they are the only people capable of any new ideas.

It's easy to say 'I'm not that guy'. But here's another thing that tyrants do—they surround themselves with "yes men." Yes men are also abundant. They agree with everything the tyrant says and does. The yes man concurs with the tyrant that all his ideas are brilliant and that anyone who disagrees should be dealt with immediately. Tyrants love yes men, leaders do not. But sometimes the yes man sneaks up on you. That nice guy that always seems to be around. You never really thought of it, but if you did, has he ever disagreed? Offered a contrasting opinion or idea? If the answer is no, he may be a yes man and you never noticed.

Leaders in a paramilitary organization must walk the fine line of maintaining order and discipline and fostering an atmosphere of trust. We must create an environment where people both do what they're told when necessary but also feel comfortable providing constructive feedback. As a leader one of the most valuable assets you can have is someone that is willing to tell you when you're wrong. Someone who will play devil's advocate and offer constructive criticism. Hopefully you have several 'someones'. The tyrant doesn't ever think he's wrong. He doesn't think it is possible.

The recently released report by Attorney General James on the investigation into allegations of sexual harassment by Governor

Andrew M. Cuomo reads, "The common thread among all of these individuals was a proven, personal loyalty to the Governor. Their inclusion in the deliberations and the significant role they had in decision making reflect how loyalty and personal ties were



Gov. Cuomo responds to the Attorney General's allegations against him. Governor's website.

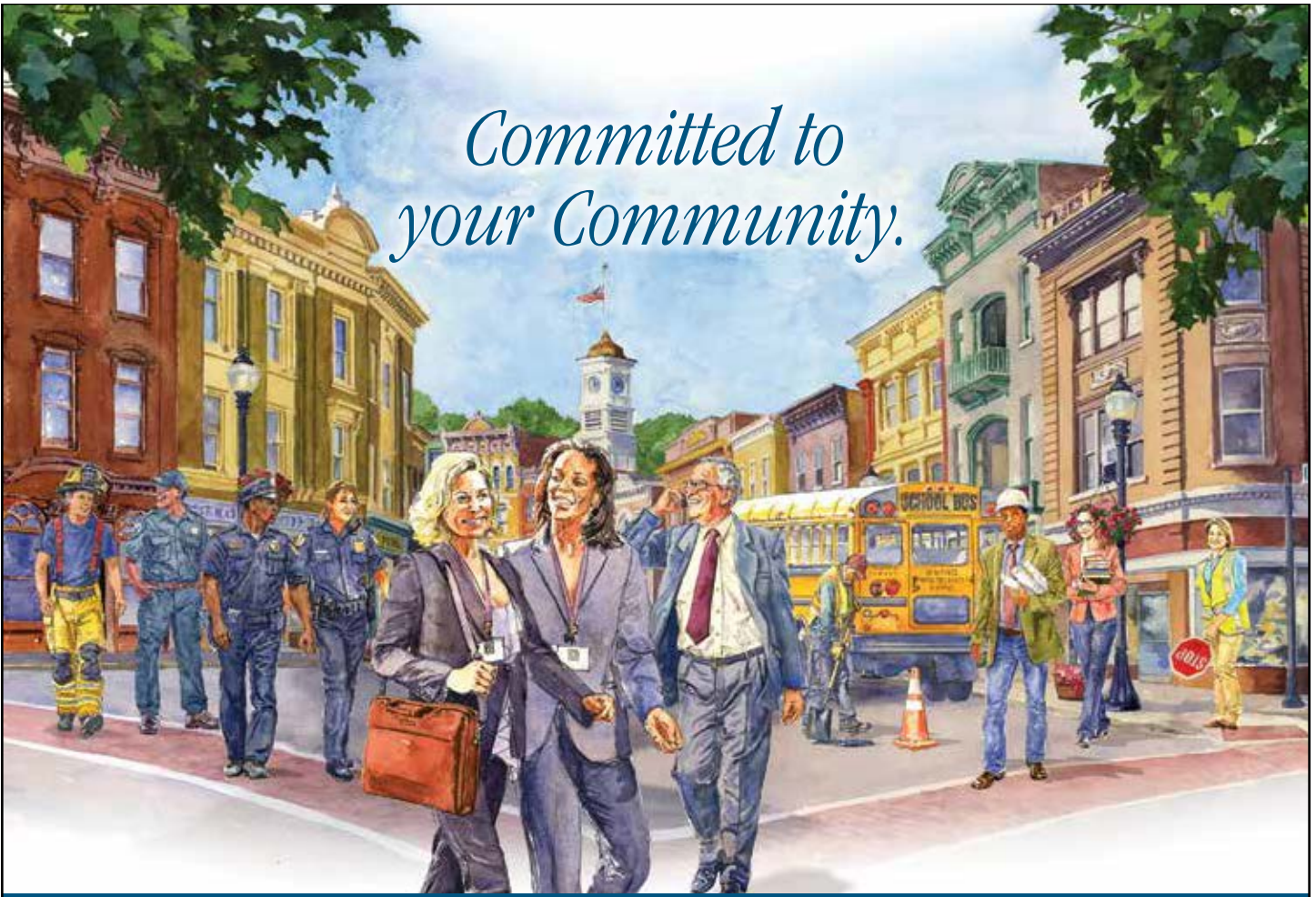
valued as much, if not more, than any official function or role in State government. And because they did not have any formal position within the Executive Chamber, they could not reasonably have been relied upon to protect its interests as an institution or the interest of its current and former employees (including some who were complainants or witnesses), especially if those interests did not align with the Governor's personal interests. A result of this dynamic is that State employees who are not part of this inner circle of loyalists would rightfully believe—and did believe—that any complaint or allegation about the Governor would be handled by people whose overriding interest is in protecting the Governor, over the interests of any potential complainant, any witness with relevant information that might be damaging to the Governor, or any supervisor whose obligation it was to report allegations of misconduct by the Governor."

Another common thread with tyrants; they value "loyalty." But loyalty to what? Loyalty to the tyrant of course, not loyalty to duty, to the organization, or to the community they serve. Tyrants confuse "loyalty" with blind allegiance to the tyrant. Real loyalty should be to the community we serve and to the duty we have sworn to discharge. The tyrant has forgotten, or probably never really understood, that we are servants of the people.

The tyrant is the opposite of a leader. The tyrant only cares about himself, a leader puts others first. The tyrant demands "loyalty", the leader demands diversity of thought and critical thinking. Tyrants create a culture of fear, leaders create a culture of mutual respect.

Tyrants do provide a valuable service, they show us the worst examples of leadership.

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Duty to Intercede and the Five Pillars of Organizational Risk Management

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



Chief/Ret.
Michael Ranalli, Esq.

Over the last year the concept of the duty to intercede (also known as duty to intervene) has acquired greater prominence among law enforcement leaders, the media and advocacy groups. Although the duty to intercede has been legally required for decades, in many law enforcement agencies it has been misunderstood and, in some cases, completely ignored, without even a glancing reference in policy. It is, however, of critical importance for leaders and members to

embrace and build this doctrine into their organizational culture.

Gordon Graham, the co-founder of Lexipol and a public safety risk management expert, has long identified five pillars of organizational risk management: People, Policy, Training, Supervision and Discipline. Whenever there is a bad result or tragedy, a leader needs to look introspectively at these pillars to determine the root cause—not just the proximate cause—of an



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incident. As Gordon notes, identifying root causes is critical for preventing future tragedies because it identifies problems “lying in wait” and the steps needed to properly prepare officers to do their jobs and prevent future tragedies.

The duty to intercede is often viewed in isolation as merely a legal requirement that obliges one officer to prevent or report another officer’s use of excessive force. Failure to adhere to this duty can lead to civil liability for the agency and the officer, in addition to possible criminal charges. But leaders should embrace the legal requirement more expansively and integrate it with the five pillars root cause analysis. In other words, what created the need for intervention? And if an officer failed to intercede when they should have, why didn’t they act?

To view the duty as something to be used only in the moment—

when an officer is actively using what appears to be excessive force—is to ignore the root cause of why or how the officer ended up in that position. Was the organizational culture lacking to prevent or stop the behavior? Did supervisors fail to recognize and identify those officers who were potential problems “lying in

“A police officer is under a duty to intercede and prevent fellow officers from subjecting a citizen to excessive force and may be held liable for his failure to do so if he observes the use of force and has sufficient time to act to prevent it.”

Figueroa v. Mazza, U.S. Court of Appeals 2nd Circuit

wait?” Did the agency’s training program and disciplinary system fail to prepare officers and correct those who need correction?

Law enforcement leaders must adopt a more holistic approach to the duty to intercede. After a brief explanation of the law, this article uses two recent events to further explore the full potential of embracing and expanding the underlying concept of duty to intercede in your organizational culture.

THE LEGAL REQUIREMENT

In *Figueroa v. Mazza*, the U.S. Court of Appeals for the 2nd Circuit stated the duty to intercede: “A police officer is under a duty to intercede and prevent fellow officers from subjecting a citizen to excessive force and may be held liable for his failure to do so if he observes the use of force and has sufficient time to act to prevent it.”¹ In this and rulings from other Circuits, consistent elements of the duty include that the intervening officer must know the force was excessive, he/she must have a realistic opportunity (time) to stop or prevent any harm from occurring, and the failure to act must cause a person to be harmed.²

Lexipol has embraced the duty to intercede in policy since the company was started. Consistent with law, the Lexipol use of force policy requires any officer to intercede when observing another member using force that is clearly beyond that which is objectively reasonable under the circumstances, when in a position to do so. If they cannot act for whatever reason, they must report the force.

The legal duty to intercede creates a foundation, but from an organizational culture perspective, the duty must be far more expansive. This is not to suggest that agencies create a higher legal standard. Instead, the purpose is to use the underlying concepts and reasons for the duty to intercede as a management tool to help mitigate risk to the public and your members.

PROBLEMS LYING IN PLAIN SIGHT?

Two separate and recent events from Colorado and Florida demonstrate how organizations need systems in place to prepare officers to intervene and to identify possible problem officers well before they use excessive force on a person. ►

In Colorado, two officers responded to a trespass complaint and located three male suspects on the property. After initial interviews, the officers determined the men were all wanted on outstanding warrants. When the officers attempted to take the men in custody, two fled while the third remained. Body camera footage from both officers provides a disturbing depiction of one officer's actions. The officer placed his gun against the man's head and threatened to shoot him. He also pistol-whipped the man multiple times, causing lacerations and large bruises to appear on the man's head and face. The whole time the officer was screaming repetitive commands. The other officer did not appear to be actively participating but also did not appear to attempt to intervene.

Both officers were criminally charged—the backup officer for failing to intervene—and the primary officer then resigned. But did the backup officer have enough information available to her to require her to intervene? While the video footage is not a complete depiction of the incident, there are some obvious factors that could lead a reasonable police officer to believe the force being used by the first officer was clearly beyond that which is objectively reasonable.

First, the primary officer yelling repetitive commands is indicative of an officer who is making decisions based on emotions and adrenaline, rather than reason. While the man was verbally protesting the arrest, his resistance was passive. The officer reacting to passive resistance in such a heightened state of anger and emotional arousal is disturbing. No officer is, nor should ever be, trained to put their gun directly against a person's head and threaten to shoot them, let alone pistol-whip them. In addition, the officer—with his gun still out and pointing at the man—places his hand around the man's neck, apparently choking him for a prolonged period.

Based on all this, the second officer could have reasonably perceived the force being used was completely contrary to training and proper tactics and was excessive, which should have led her to at least attempt to intervene.

It is easy for leaders to blame the two officers for their individual actions, or inactions, and impose discipline and criminal charges on

“Contemporary leaders must look long and hard at their agency culture and all aspects of operations...”

them. But is that enough? Contemporary leaders must look long and hard at their agency culture and all aspects of operations, including the Five Pillars. The goal of such organizational introspection is to determine whether there is an underlying organizational problem. In this case, were warning signs about the primary officer ignored by supervisors? In other words, is there someone in their agency that said or *could* say, “It was just a matter of time before that guy did something like this?” If so, this is an organizational failure in the supervision and discipline pillars.

As to the backup officer's actions, was the duty to intervene policy adequate? Was it sufficiently trained on and reinforced? Did the organization's culture support her ability to intervene, or would she be in fear of retribution from other officers? My hope is these questions are all being asked right now—but not just in the agency these officers worked for. All police leaders should be asking these questions about their own people and culture. What if one of our officers “lost it?” Would another officer step in? Do we have “that guy” in our agency? Without determining the root cause of both issues—the primary officer's violent and excessive response and the backup officer's failure to act—it may happen again.

In Florida, former deputy Zachary Webster was recently

convicted and sentenced to over 12 years in jail for planting evidence on numerous persons during traffic stops. From 2016 to 2018, Webster made hundreds of drug-related arrests from stops for routine violations. A prosecutor became suspicious because body-worn camera footage from some of the stops was inconsistent with the paperwork Webster filed. A review of some of the video showed drugs in Webster's hand before he even started the search; then the drugs would magically appear somewhere in a vehicle. The prosecutor alerted the sheriff's office, who in turn notified the Florida Department of Law Enforcement, which conducted the investigation. A search of Webster's vehicle revealed a substantial quantity of controlled substances, similar to those he “found” in the vehicles. Webster was arrested and prosecuted; over 120 of his arrests were thrown out, with many more under additional review.

This behavior is disgusting and an egregious violation of the officer's duty and the public trust. Innocent people were arrested and had their lives turned upside down. At first glance, this doesn't seem like a duty to intercede issue; Webster acted alone when planting the drug evidence. However, it is a clear example of how the duty should be viewed more expansively: Could or should the agency have been able to identify this behavior and intervene preventively?

A significant concern here is that the agency did not discover the problem. Instead, the behavior was only discovered because a prosecutor took the time to review the cases. A new officer making hundreds of drug arrests over two years apparently raised no flags with no internal reviews or safeguards in place to prevent or stop such actions. The questions leaders of this agency need to ask include, why did it take a prosecutor to identify this troubling pattern? Why didn't first-line supervisors realize the potential of a new officer making hundreds of arrests in a short time under similar circumstances—and intervene? Were other deputies concerned about his behavior and, if so, was it the organizational culture that prevented them from coming forward? Were any audits of the body camera footage reviewed by supervisors?

Prosecuting Webster is the right thing to do, but we must go further. Is it possible your organization could allow another Webster to occur without internal procedural modifications? Is it possible your agency *has* a Webster?

STRATEGIES FOR INTEGRATION OF THE DUTY TO INTERCEDE WITH THE FIVE PILLARS

Developing and implementing a more expansive version of the duty to intercede and integrating a root cause analysis will take effort and time. Policing is complex and there is no way to prevent all possible failures. There are, however, some basic actions agencies can consider adopting:

- **Establish and clearly communicate organizational values to agency members and reinforce them through training, supervision and discipline.** The duty to intercede must be one of those clearly established values and members must feel empowered to act when necessary and without fear of retribution. Discipline of both officers and supervisors must occur if anyone becomes an impediment to this goal. Training scenarios should reinforce this concept.
- **Train officers on the realities of human performance in high-stress events.** Police officers can be thrown into high-stress incidents at a moment's notice. Under the right circumstances, excessive amounts of adrenaline can cause an officer to overreact and fail to cognitively process the situation. When this happens another officer must recognize it, “tap out” the officer as safely as possible and take over. Officers must understand that this is done to help them and

prevent them from making a mistake that will change their life forever. Officers should view each other as redundant systems, ready to step in and help each other when needed.

- **Conduct thorough background investigations.** To the best of your ability, make sure you know what you are getting when hiring. Polygraphs and psychological exams can help, but nothing fully replaces in-person interviews of prior employers, neighbors, friends, etc. With lateral transfers, don't hire someone else's problem. Find out why they left their last law enforcement position and thoroughly vet them. The officer in the Colorado incident had been previously arrested years ago for pointing a gun at someone. But the department did not do the background check, as that fell to their civil service.
- **Develop a supervisory process to review search and arrest paperwork.** Without a supervisory review of such paperwork, officers will never properly learn their jobs. Feedback is essential. Repetitive probable cause explanations over the course of multiple arrests could be a warning sign that should not be ignored. Supervisors need to know their people are working within constitutional standards.
- ^a **Utilize an early warning system.** Such systems can, through statistical analysis, help you identify changes in an officer's performance, which could be an indicator of a problem developing. Lexipol has a Performance History Audit policy designed for this role.

- **Establish an audit system of body-worn camera footage.** It is critical for all agencies with some form of cameras to conduct periodic audits of the video. Audits not only identify potential problems but can also result in many valuable training videos to be shared with your other members.

Every law enforcement officer must uphold the duty to intercede. But as law enforcement leaders, we are selling our members and our communities short if that is where our embrace of the duty ends. It is equally critical that we instill the duty to intercede as a core organizational value, not in a punitive or reactionary way, but in a way that acknowledges the limits of human performance under stress and encourages—indeed, requires—officers to watch out for one another and act to prevent violations of constitutional rights.

(Endnotes)

¹*Figueroa v. Mazza*, 825 F.3d 89, 106 (2nd Cir. 2016)

²It is not the purpose of this article to provide a comprehensive legal analysis of the duty to intercede as different jurisdictions may have different required elements. Only general principles are presented here. Some states have codified the duty into their respective penal codes.

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The Chief Thomas P. Reilly Memorial Medal of Honor Association Galvanizes the Legacy of One of Its Own; Recognizes Two Esteemed Officers

BY CHIEF/RET. MARK A. SPAWN

Award Named in Honor of Fallen NYSACOP President

The Association's prestigious Medal of Honor is awarded to police officers who have exhibited courage, valor and sacrifice in their duties to protect those whom we serve. This year, the



Chief Thomas P. Reilly
Sherrill PD
NYSACOP President 1969

New York State Association of Chiefs of Police (NYSACOP) formally named the award, *The Chief Thomas P. Reilly Memorial Medal of Honor* in recognition of former President Thomas P. Reilly. Reilly, then-President of NYSACOP, and one of his officers, Patrolman Robert A. Mumford, were shot on September 8, 1969 during a traffic stop of an armed robbery suspect in Sherrill, New York. Tragically, Patrolmen Mumford died within hours of being shot. After shooting the two officers, the suspect drove through country roads until stopping at a remote home where he knocked on

the door which was answered by a female. After ascertaining that there were no other adults at the home, the suspect forced his way inside, tore the telephone from the wall, and demanded her car. He then kidnapped the woman and her two babies, taking flight to Syracuse using back roads. Once in Syracuse, the suspect freed the

"If I'm going to identify this man... I can't have any pain medication."

Chief Reilly's daughter, MaryAnne Reilly Gardner, remembering her father's words in the hospital after being shot

terrified woman and her children as he fled into the city. Though mortally wounded, Chief Reilly remained conscious at the hospital, providing information and a license plate number of the suspect vehicle. At the hospital, Chief Reilly refused pain medication. Chief Reilly's daughter, MaryAnne Reilly Gardner vividly remembers the hospital bed conversation she had with her father a few days before he died while awaiting the capture of the shooter when he told her, "If I'm going to identify this man – if they bring this man in here, I can't have any pain medication." With the information provided by Chief Reilly and the kidnapping victim, the suspect was apprehended the following day in Syracuse. Chief Reilly died four days later. The shooter was convicted and sentenced to death. His death sentence was overturned in 1973 and he was resentenced



The scene of the shooting of Patrolman Mumford and Chief Reilly in the City of Sherrill, NY on September 8, 1969. NYSP Photo

to 50 years to life. The murdered/kidnapper died in state prison in 2007. Chief Reilly is the only sitting President in the history of this Association to have been killed in the line of duty. In his honor, the Medal of Honor will bear his name in recognition of the ethics, leadership, and service he provided not only to the jurisdiction he served, but to all whom he represented throughout the State of New York. Chief Reilly's daughter, Maryanne Gardner, and extended family are grateful that Chief Reilly is still remembered more than a half century after his death.



Patrolman Robert A. Mumford
Sherrill PD

First Recipient of The Chief Thomas P. Reilly Memorial Medal of Honor

The first recognition of the newly renamed award was presented posthumously to Patrolman Robert A. Mumford whose actions led to the detection of a violent felon who brought a devastating night of terror to Central New York.

The Tragic Events of September 8, 1969

Having received a radio call of an armed robbery at gunpoint, Patrolman Mumford positioned himself to observe traffic coming from the direction of the robbery. Minutes later, he spotted the car and stopped the driver. A dispatcher also summoned Chief Reilly to respond to the scene to assist his officer. The suspect employed a ruse in an attempt to confuse the officers, and when he saw an opportunity, retrieved his gun and shot both officers. Patrolman Mumford's daughter-in-law, Joanne Mumford, and granddaughter Debbie Kemp, are among Bob's family members who vividly remember the fateful day in 1969. A public park in Sherrill was dedicated in the honor of Chief Reilly and Officer

Mumford, the site of many events in the community where they once served.

Man Rescued by Police Officer from Niagara River Rapids

Just before noon on November 7, 2019, a despondent man entered the Niagara River, the water temperature a chilling 51 degrees. The first reports indicated that the man was clinging to a log in the middle of the river. Two rescue attempts by firefighters were unsuccessful resulting in the firefighters and victim floating closer to the turbulent falls. Donning ice water rescue suits, Major Clyde Doty and Captain Christopher Rola were downstream.



Firefighters make the first attempt to rescue a man in the rapids of the Niagara River. Photo: NYS Parks Police



Major Clyde W. Doty
New York State
Parks Police

Doty positioned himself as a ‘Plan B’ in the event that the subject eluded the firefighters. A large crowd had gathered along the shoreline, and when Doty heard the collective gasp from those people, he knew something was wrong - the man had broken free from the firefighters. Doty calculated his position, placing himself in the river to intercept the man. As the subject was being swept toward the falls, Doty grabbed him, struggling to maintain his footing



Major Clyde Doty prepares to intercept the man who floated past firefighters. Photo: NYS Parks Police

while ensuring that the victim’s head was above water. A firefighter went to assist both the victim and Doty, but the first attempt was unsuccessful with the firefighter unable to reach them. On a second try, the firefighter made his way to the pair, providing an additional tether. An exhausting 45 minutes had transpired from the time rescue operations began until the time that Doty grabbed the man. When asked if there was any alternatives if he did not intercept the man, Doty flatly said, “If he got by me, he was gone.” Because of Doty’s spontaneous yet deliberate planning, and his courageous actions to go into the rapids just 75 feet from the brink of the falls, the rescue was successful. The Niagara Falls Fire Chief was quoted in published reports commending the actions of Major Doty and firefighters, describing the event as “...at times, an improbable rescue.”

NYSACOP Officials Laud Major Doty, Chief Reilly, and Officer Mumford



The first Chief Thomas P. Reilly Memorial Medal of Honor was presented to the family of Officer Robert A. Mumford at the annual conference banquet in Glens Falls, NY on July 28, 2021. From left; NYSACOP Executive Director Patrick Phelan, President Timothy Parisi, Chief/Ret. Mark Spawn, Joanne Mumford (daughter-in-law), and Judy Mumford (granddaughter). NYSACOP Photo

NYSACOP President Timothy Parisi (Chief, Ilion PD) said, Police officers routinely put themselves in harm’s way to protect others, to preserve life, protect from injury, and to bring violent criminals to justice. Our award recipients exemplify the honor, courage, dignity and sacrifice of so many others that have come before us, and of those who serve today. The actions of Major Doty, Officer Mumford, and Chief Reilly should be revered, not only by the men and women of law enforcement, but by the public at large.

Executive Director Patrick Phelan lauded the bravery of Major Doty saying, “There are very few people with the training and skill to effect a rescue such as he did in the turbulent rapids just above Niagara Falls. But even with proper equipment and training, there is an unmitigated risk in rescues such as this, and the courageous actions by Major Doty exemplify the true definition of uncommon valor.” Phelan continued, “The sacrifices by Officer Mumford and Chief Reilly have not been forgotten, and it is with the greatest of dignity and respect that we honor

July 23, 1969 7:30 PM: Chief Thomas P. Reilly (Sherrill PD) was presented to the membership at the NYSACOP Installation Banquet as the new President of the Association. Buffalo Mayor Frank A. Sedita presented Reilly with a gold bison, the symbolic statue of the City of Buffalo.

July 23, 1969: Chief Thomas P. Reilly in his Presidential address to NYSACOP delegates: "I am humbled that men of straight stature and wise minds have stood me here before them. I hope I can measure up to that."

July 23, 1969: Chief Thomas P. Reilly's longtime friend, Chief George Murphy (Oneida PD; NYSACOP Executive Secretary) spoke on behalf of Chief Reilly at the NYSACOP conference. Murphy previously served as NYSACOP President and would go on to become IACP President in 1972.

July 24, 1969: NYSACOP President Thomas P. Reilly officiated over proceedings on the last day of the conference, including a discussion on CPR, the NYSACOP scholarship program, and a litany of legislative items. Reilly adjourned the conference at 12:00 Noon.

September 8, 1969: Officer Robert Mumford and Chief Thomas Reilly were shot by an armed robbery suspect during a traffic stop in Sherrill, New York. Officer Mumford died on September 9, 1969; Chief Reilly died on September 13, 1969.

them." Phelan commented about the naming of the Association's Medal of Honor in the name of Chief Reilly, saying, "It is our obligation to preserve the memory of one of our former Presidents by ensuring that future awards will carry his name."

Reaction by the Family

Attending the presentation during the annual banquet in Glens Falls, MaryAnne Reilly Gardner said, "I am so pleased to be with you tonight. I am here to represent my father, former Chief of Police Thomas P. Reilly of Sherrill, New York. He would be very proud that his peers would see fit to commemorate the events of September 8, 1969 in such a way. In truth, the honor of this evening falls on two men equally. Both stood and faced a desperate killer. Both died. Thomas P. Reilly would want Robert Mumford to be the first recipient of this award. If he were here tonight, and I believe in a sense he is, he would be humbled. At the same time, he would be pleased by the recognition of the efforts put forth to protect, and serve his beloved community of Sherrill, New York. I thank each one of you for choosing to remember my father, Chief Reilly, in this perfect manner. I especially would like to thank former Chief of Police Fran Broski and former Chief of Police Mark Spawn for all of their efforts to make sure that this happened." Chief Broski, NYSACOP Life Member and former President of Central New York Association of Chiefs of Police, served as a Deputy with the Oneida County Sheriff's Office in 1969, and was one of the first responding officers to the scene of the shooting of Mumford and Reilly, both who were friends to Broski. Joanne Mumford, speaking for the Mumford family, expressed her gratitude for the recognition and the reception of all of the modern day police leaders who expressed their reverence at the banquet to the memory of her father-in-law Officer Robert Mumford, and Chief Reilly.

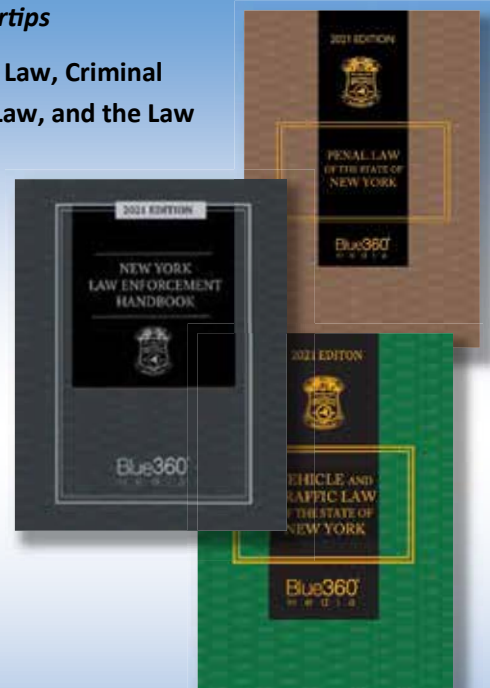
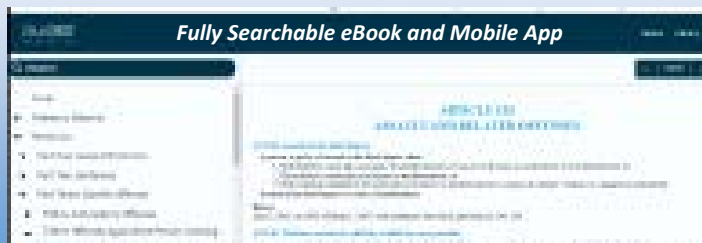


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The Consequences of an Improvised Nuclear Device

Everyday life during the COVID-19 pandemic has been a surreal experience for a lot of people. Many people may have felt as if they were playing a part in a Hollywood blockbuster, such as *Outbreak* or *Contagion*, during the last year. However, unlike the theatrical version of a widespread disease outbreak there weren't truckloads of military personnel at the ready to immediately respond to address this situation, cordoning off isolation areas and setting up field hospitals virtually overnight, while usurping the authority of local law enforcement. Although

"the initial response is critical and it is often the most important time period to minimize casualties and to prevent harm"

this type of response to a disaster scenario makes for good cinema it doesn't reflect reality. The federal government can mount a significant and meaningful deployment of resources to a catastrophe within our country, however it does take time to spin up the resources necessary to do so and while this is occurring state and local assets will largely be responsible for the initial actions at a wide variety of situations worthy of the script for a disaster movie. In so many other situations the initial response is critical and it is often the most important time period to minimize casualties and to prevent harm.

The COVID-19 pandemic has also highlighted for many that very serious events that can dramatically impact our country and the world can in fact happen in real life and not just on the screen. So called high consequence, low probability situations are far from impossible and while no one can ever be fully prepared to deal with the consequences of a wide-reaching disaster, some knowledge and advanced planning can make a substantial difference and enhance the response capability for agency executives willing to take the time to be prepared and to learn.

Many low probability but, high consequence events have inspired screenwriters and have thereby produced some nail biting, edge of the seat cinematic experiences. Extreme climate change, earthquakes, pandemics, tidal waves, cyber-attacks, and nuclear attacks have all been the basis for summer blockbusters, but as we've just learned, it's one thing to watch the movie and an entirely different thing to live through the situation in reality. For those charged with ensuring public safety and health, these events will produce unprecedented challenges and opportunities to

make a meaningful difference, but this will be all predicated upon knowing what to do and how to do it.

In an effort to better prepare our nation for a response to these catastrophic type scenarios, the Federal Emergency Management Agency has produced several National Planning Scenarios. Among these scenarios is the use of a low yield nuclear device in an American city. Clearly a majority of people may believe this to be very much of a hopeless situation with very little that could be done by local law enforcement and any other public safety responders. The consequences of this type of event are so challenging that few local or state governments have conducted any specific training or developed any detailed response plans regarding this issue.

A common sentiment is that either the response to this type of an event is completely the responsibility of the federal government, or that planning would be futile and mostly ineffective at a local level. While this type of event would clearly result in a massive, if not unprecedented, federal response, there are actions that state

"the most critical time period with respect to saving lives and preventing further casualties after an attack of this nature are the minutes and hours immediately following the event"

and local officials can and should undertake to prepare themselves. Many of these actions have the potential to save thousands of lives. In fact, the most critical time period with respect to saving lives and preventing further casualties after an attack of this nature are the minutes and hours immediately following the event. During this initial time period, the federal government would be unlikely to mount a fully effective response, so state and local officials must be prepared to effectively act to fill this gap.

Detailed federal guidance has laid out a valid, uniform recommended federal strategy for the response to a nuclear detonation. This document was first published in January 2009 and then revised in June 2010. This guidance document, titled *Planning Guidance for Response to a Nuclear Detonation*, clearly explains what the aftermath of an improvised nuclear detonation may look like and it provides a logical way to understand the consequences, to assist in building a proper response strategy.

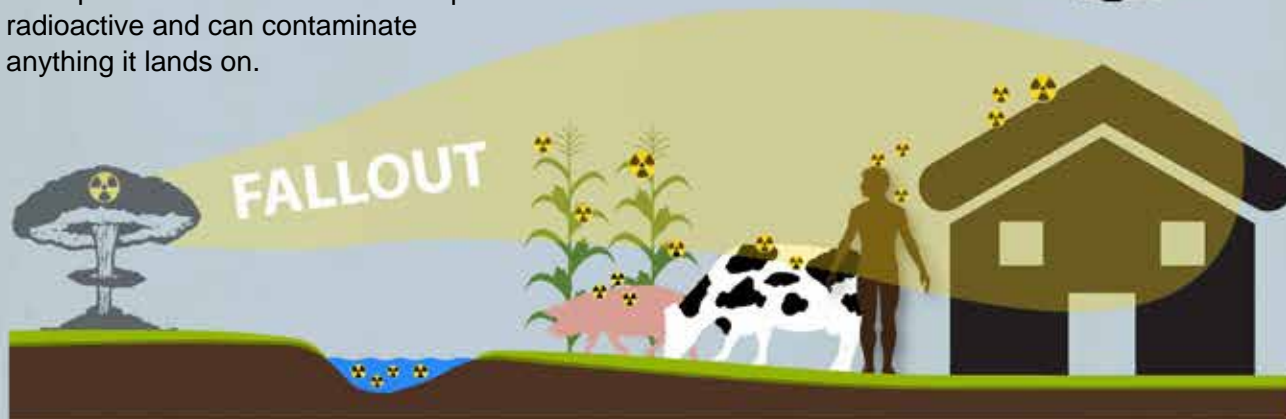
The response to an improvised nuclear attack by a terrorist group is very different than the response to a widespread state sponsored nuclear missile attack. Among the many differences, is the expected yield (size) of the device and the fact that the

IMPROVISED NUCLEAR DEVICE

An Improvised Nuclear Device (IND) is a type of nuclear weapon. When an IND explodes, it gives off four types of energy: a blast wave, intense light, heat, and radiation. The bomb dropped on Hiroshima, Japan, at the end of World War II is an example of an IND.



When an IND explodes, a large fireball is created. Everything inside of this fireball vaporizes and is carried upward. This creates a mushroom-shaped cloud. The material in the cloud cools into dust-like particles and drops back to the earth as **fallout**. Fallout can be carried by the wind and can end up miles from the site of the explosion. Fallout is radioactive and can contaminate anything it lands on.



What are the main dangers of an Improvised Nuclear Device?

An IND would cause great destruction, death, and injury and have a wide area of impact. People close to the blast site could experience:

- Injury or death (from the blast wave)
- Moderate to severe burns (from heat and fires)
- Blindness (from the intense light)
- Radiation sickness, also known as acute radiation syndrome or ARS (caused by the radiation released)

People farther away from the blast, but in the path of fallout, could experience health effects from:

- Fallout on the outside of the body or clothes (external contamination) or on the inside of the body (internal contamination)
- Radiation sickness
- Contaminated food and water sources

What should I do to protect myself?



U.S. Department of Health and Human Services
Centers for Disease Control and Prevention

<http://emergency.cdc.gov/radiation>

detonation would occur at ground level as opposed to an above ground detonation. These factors would minimize the overall effect of an improvised nuclear attack compared to a cold war type of event; however, the casualties it would produce would still be magnitudes higher than any previous single event in the history of the United States. Additionally, the ground level detonation would significantly increase the amount of radioactive fallout when compared to a similar size event occurring at altitude.

Training decision makers and responders in the response to this scenario is critical, since many of the proper response strategies are counterintuitive. The application of conventional procedures and tactics could be detrimental to the safety and health of the public and of first responders.

The federal planning guidance is based upon the assumption that terrorists will most likely utilize a low yield nuclear device in an approximate range of ten Kilotons or 10 KT. This is consistent with the aforementioned Federal Emergency Management Agency's National Planning Scenario. The Kiloton measure is a comparison between the explosive release resulting from a nuclear device as compared to that of conventional explosives, therefore a 10 Kiloton device would be the equivalent of an explosion involving 10,000 tons of TNT.

FEMA estimates that a detonation of this magnitude would result in hundreds of thousands of casualties and thousands of square miles of radioactive contamination at varying levels. One of the overarching concepts in the planning guidance document is the need to identify three distinct damage zones; the Severe Damage Zone, the Moderate Damage Zone and the Light Damage Zone. Modeling can provide general guidance as to the geographic dimensions of these zones, but no actual nuclear testing has ever been conducted in modern cities constructed of concrete and steel structures. Additionally, only a few previous tests were conducted at ground level, so this guidance is, at best, an approximation. The damage zones would be identified after an event by a visual inspection of the overall damage caused to the infrastructure. Most structures within the Severe Damage Zone will be completely destroyed. Assuming a 10 KT detonation, this damage zone is estimated to extend out in all directions from the initial blast area for about a half a mile.

Conditions in the Moderate Damage Zone would be less severe and would involve significant building damage, overturned cars and rubble obstructing the roadways. This zone is estimated to begin at the outer perimeter of the Severe Damage Zone and extend out about another half mile to where the Light Damage Zone begins. The Light Damage Zone would be categorized by damage consisting mainly of broken windows. It would extend from the outer perimeter of the Moderate Damage Zone, beginning about one mile from the detonation out to approximately three miles away. While people would be injured in the Light Damage Zone, it is felt that many will be ambulatory and would be able to assist each other to a significant degree.

The initial or prompt effects caused by the tremendous release of energy from the nuclear detonation are manifested by blast overpressure, shockwave, extreme heat, bright light and very high radiation levels. The harm caused by these prompt effects will be reduced as the distance from the explosion is increased. Complex injuries involving trauma, burns and radiation exposure will result in an extremely high mortality rate for people located within the Severe Damage Zone, and it is expected that most people caught in this area will be killed. The heat released near the detonation site is hotter than on the surface of the sun, reaching tens of millions of degrees. The light flash produced is many times brighter than the noontime sun, exposure to which can result in permanent or temporary blindness for people up to miles away. Even the

temporary blindness caused by this light flash during daylight hours will result in wide-spread automobile accidents and other non-blast related casualties across a wide area. There will also be a release of a strong electromagnetic pulse or EMP which has the potential to damage electronics in the immediate area of the blast

"Without advance local level training and preplanning many lives could be lost that otherwise may have been spared."

and hamper the ability to communicate. The effect of the EMP during a ground level detonation is expected to be much less severe than it would be during a high level above ground detonation.

The extreme heat generated by the detonation will vaporize materials surrounding the detonation site. These materials will combine with highly radioactive particles created during the nuclear detonation and will be carried high up into the atmosphere in the resulting mushroom cloud. These materials will travel into the upper atmosphere cool and eventually fall back to earth resulting in radioactive fallout particles similar in size to grains of salt or sand. These particles are extremely dangerous as they will emit very high levels of damaging Gamma radiation until they decay away. The area within which they are deposited is called the Dangerous Fallout Zone. Ground level winds are not an accurate predictor of the winds in the upper atmosphere, which can vary substantially in direction and speed from those on the ground. Modeling done in American cities using actual weather conditions at different times of the year reveals varying patterns and directions of travel for fallout. The Dangerous Fallout Zone is not mutually exclusive to any one damage zone, and it will generally overlap the three damage zones to some degree and often extend beyond the Light Damage Zone. Fallout particles will begin to descend within about fifteen minutes of the detonation and it is virtually impossible to predict where they will be deposited in advance. This fallout is highly radioactive and even relatively short term exposure to these particles when they are initially deposited can result in a lethal dosage of radiation.

The good news is that the radioactivity in these particles will decay away very rapidly and the exposure rates will fall dramatically over a relatively short period of time. Therefore, minimizing exposure to fallout particles until assessments can be made is critical to survival. Rapidly locating adequate shelter and remaining sheltered until conditions have been found to be acceptable to evacuate the area is key to surviving. Depending upon wind speed and direction the Dangerous Fallout Zone can extend for miles and extend well beyond the Light Damage Zone into otherwise unaffected areas.

Developing response plans and educating responders and the public about the aftermath of a nuclear detonation is critical to saving lives. The immediate casualties caused by an improvised nuclear detonation would dwarf any previous single event in American history, so although this event is unlikely to occur it is worthy of some attention. Little can be done to save the lives of those caught near the detonation, however proper response and preplanning can potentially save thousands of lives in the immediate aftermath. It is anticipated that rescue efforts focused on the Moderate Damage Zone outside the Dangerous Fallout zone could yield the maximum possible life saving results, while protecting responders from life threatening injuries and reducing long term health effects. This tactic is similar to the rescue efforts of Urban Search and Rescue teams that responded to Japan in the aftermath of the recent tsunami. These rescuers focused their efforts outside

of the most radioactive contamination zone from the Fukushima Daiichi Nuclear Power Plant, and were still effective in rescuing people without unduly harming themselves. Similarly, after a nuclear detonation, areas of the Moderate Damage Zone outside the highly radioactive Dangerous Fallout Zone could be safely entered and constructive rescue efforts could begin in a timely fashion. These rescue efforts could be extended into the Dangerous Fallout Zone as radioactivity levels decrease to acceptable levels.

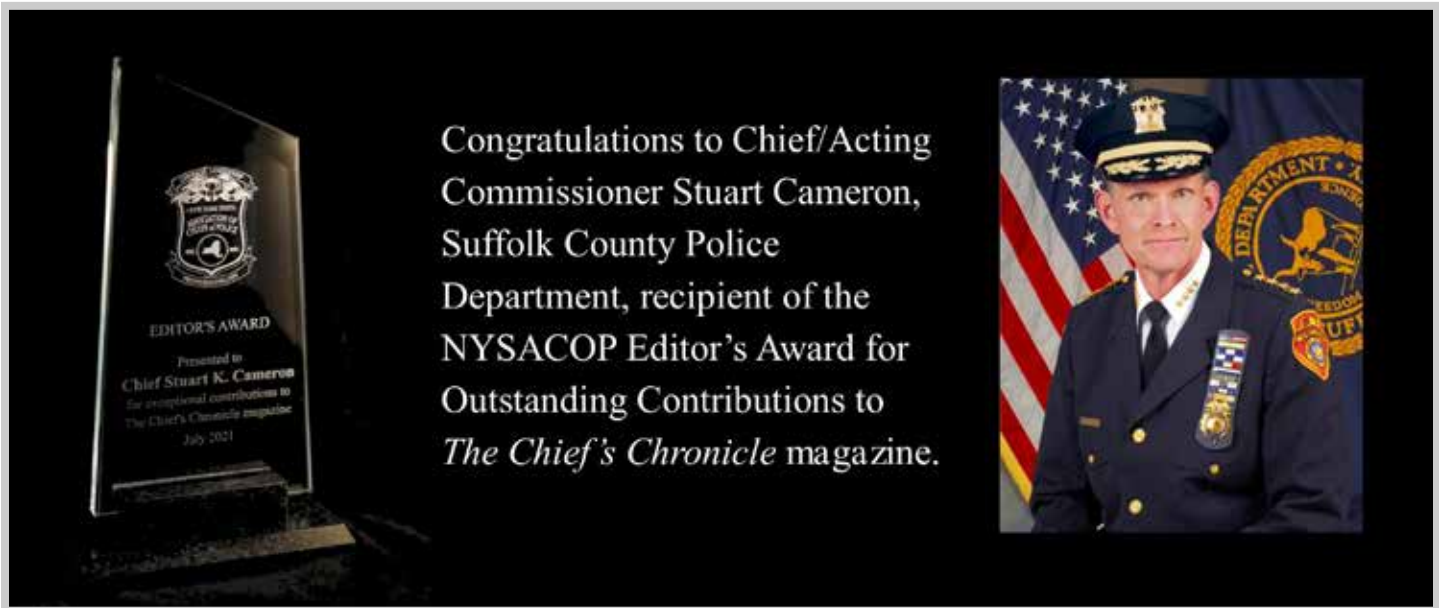
A public education plan and pre-scripted information messages, developed well in advance of an attack, could be used to help protect the public from unseen dangers caused by exposure to radioactive fallout. Since it will take time to identify, map, and communicate the areas affected by dangerous levels of fallout, survivors must know how and where to seek adequate temporary shelter. The best shielding is generally available in the core of well-constructed buildings or below ground, similar to cold war era fallout shelters. These locations can help prevent lethal exposure to radiation until conditions improve. Responders should quickly analyze and assess conditions in order to determine where they will be able to work safely, or whether they should remain in shelter themselves to avoid highly radioactive conditions and fallout. Since radiation cannot be detected without proper instrumentation, adequate equipment should be obtained in advance of an event. This equipment should be readily accessible across and around a city so that a rapid assessment can be made regarding the radiation levels resulting from fallout deposits. The equipment required for this purpose must be able to detect and display high levels of radioactivity. Without advance governmental education or suggested protocols, the most likely reaction from the public in the aftermath of a nuclear event would be to flee the immediate area. For those caught in the Dangerous Fallout Zone this will likely be

a very poor and potentially lethal decision.

While the probability of a nuclear detonation occurring in an American city is fortunately much lower than another type of terrorist attack, the potential dire and unique consequences from this type of incident make advance planning critical to a comprehensive all hazards preparation strategy. At a minimum, key leaders should read the federal planning guidance and become familiar with the material presented so that proper response tactics could be applied immediately. In order to be truly prepared, an Improvised Nuclear Detonation Response Plan should be drafted; training should be undertaken for critical first responders and key leaders, and a public education campaign should be initiated to inform the public and those responsible for large populations.

Should an event of this nature occur, immediate actions must be taken at the state and local level to save lives until federal assets can respond to the affected areas. Clearly, federal assistance will be immediately mobilized. Until that assistance arrives, the affected state and locality must be ready to take appropriate response actions. Without advance local level training and preplanning many lives could be lost that otherwise may have been spared.

Investing the time to obtain a basic familiarity with the concepts of the damage zones and the immediate life threatening risk posed by radioactive fallout would be very beneficial to someone tasked with overseeing a portion of the initial response to what would likely be the greatest catastrophe in American history, should it ever occur. Many of these concepts were public knowledge during the cold war when fallout shelters stocked with radiation detection equipment were commonplace. Unfortunately, the risk associated with nuclear weapons didn't end with the fall of the Soviet Union and the end of the cold war. This information is still valuable and relevant today.



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AGENCY SPOTLIGHT :

Kent Police Department

If you work in New York City but want to live outside the metro area, the Town of Kent in Putnam County is a great place to land. Kent Police Chief Kevin Owens said that his town is the farthest north you can realistically live while working in New York City. Owens said that many of his residents are police officers and firefighters in the city.

The mission of the Kent Police Department is to “work in partnership with the citizens of the Town of Kent toward providing a safe environment and enhancing the quality of life consistent with the values of our community.” Kent police services include a Detective Unit, Crash Investigation Unit, two police canines, a Police Cadet and DARE program, and they are members of the county’s Emergency response Team.

Among their community programs is a diversion program called, “Hope Not Handcuffs” where persons with addiction are assisted in locating programs to help them with drug abuse. “Communities that Care” is another program consisting of citizens and professionals who meet monthly to discuss problems in the community. The *Chronicle* asked Chief Owens if these programs helped them in meeting the Reimagining Policing mandates. Owens said, “I honestly think it did. We’ve been doing community policing for so long that we do have a lot of partners. When the town established the committee to reimagine policing, we were blessed. The people already knew us. Maybe they didn’t know everything we did, but they had a better understanding about what we were trying to do.” Owens added that the community representatives were serious about their work, and brought energetic conversation to the table. “The people who volunteered from our community were all willing to work together to achieve a goal. Our supervisor did a good job in putting the whole thing together, and everybody was willing to listen, on both sides. We took a look at ourselves from other people’s point of view to see what they think of us. It wasn’t a bad experience.”



Kent PD Shoulder Patch depicting emblems representing the history of the township.

Asked about some of the challenges facing police today, Chief Owens said that morale is a concern. “I feel like police throughout the country feel beaten down, because of a lot of negative reporting from the bigger news outlets. Everything we’re doing is being questioned. Will police want to make arrests when with every contact there is a chance they’re going to get in trouble or be critiqued? Luckily where we are, we have a lot of support.”

Another challenge was COVID-19. Said Chief Owens, “Every day it seemed like we were issuing a new memo on what we were going to do – masks, gloves, what if somebody had COVID, how to decontaminate our cars, it was a constantly evolving thing. I felt like that was a beat-down, too.”

The recruitment and retention of police has become a concern nationally since last year, with demands for increased diversity in hiring. Chief Owens noted that in New York State, selection and promotion of police personnel is dictated by state law. “For recruiting, in New York State we have to adhere to Civil Service law, but I can only hire the people from the list. We can only do what we can do. There’s typically only 3-5 candidates for every single job opening. So we are handcuffed when people are screaming ‘diversify’.

Chief Owens is thankful to his staff and the community he serves. “I love our department and our town, that’s the best part of the job. We have the best officers, and the people in our town are good people.”



Chief Kevin Owens

WHY I BECAME A COP

I grew up in a small town, we didn’t have a local police department, we had the State Police, and I always looked up to them. One of my neighbors was a police officer and I thought that was pretty cool. I was in the military and when I got out I started taking the tests thinking that I wanted to be a police officer or firefighter, and I was leaning towards the blue. I wanted to help people and chase the bad guy. And I wanted to be in a smaller town where I could make a difference.

Why Increasing Officer Morale Should be a Priority for Every Police Leader

Officers worked hard to get into law enforcement so be one of the reasons they love coming to work every day

BY ASSISTANT CHIEF BRIAN SMITH (RET.) – CALIFORNIA HIGHWAY PATROL
PREVIOUSLY PUBLISHED IN POLICE1 BY LEXIPOL



*Asst. Chief/Ret. Brian Smith
California Highway Patrol*

I have wanted to be a police officer since I was five years old. Everything I did centered around that goal. After I graduated from high school, I joined the U.S. Marine Corps and obtained a Bachelor's in Criminal Justice. Since I was stationed in California for three and half years, I applied to the California Highway Patrol. I made a lot of sacrifices along the way, including leaving my family on the East coast and attending a six-month, live-in academy. I hoped that my dream job would be as great as I always imagined. I retired as an

assistant chief, and I have to say that working for the highway patrol was better than I ever imagined.

I started the article with my background because I know so many officers and deputies who made a lot of sacrifices and attended long academy classes away from their families to achieve their lifelong dreams of becoming law enforcement professionals. So, if a person is going to go through all those challenges, why would they ever be unhappy at their job?

We face so many challenges from the media, Hollywood, academia and even politicians who have an overall agenda and use us as pawns, but that is an article for another time. Today's article is about how you, as a supervisor or manager, can make sure your officers and employees enjoy their job and feel appreciated.

THE IMPACT OF A POSITIVE LEADER

When I graduated from the academy, I was sent to a beautiful beach community. What could be better? I was living my dream in a gorgeous location. However, many of the supervisors and a manager caused a lot of employees to be unhappy and not want to go to work. Most of us just accepted their over-controlling methods and did our job every day. Then one day, a new sergeant promoted into our office. His style of supervision was nothing like we had ever seen. He treated us like family. In fact, he worked the beat with us, he asked about our families, he let us know he was always available if we or our families ever needed anything, and he always backed up his promises and offers.

Some of the other sergeants resented him because he did not rule with an iron fist. He actually cared about us. He also developed each one of us into better officers, clerical staff, dispatchers, auto technicians and maintenance workers. Most of us who worked for him ended up promoting due to his direction and assistance. I learned a lot from him, and I continued to follow his examples throughout my career and life.

As a commander, anytime a new supervisor or manager transferred or promoted into one of our offices, I always sat down and had a discussion with them. I told them that my two greatest concerns in the office were officer/employee safety and morale, and one was just as important as the other.

Having said that, you would think it would be easy to follow that guidance, but some people just didn't get it. Subordinates would dread going to work when they worked for certain supervisors. As I mentioned earlier, it should be easy to keep people happy when they choose their profession. They went through a lot to get that job. It's not like most people where they must take an undesirable job so they can get paid and make ends meet. So with that in mind, here are 12 steps to increasing morale in your office or department:

1. GET BUY-IN

I always worked like we were a family. You may not always get along with all your family members, but you still care about and take care of them. In disagreements, always look at their perception or point of view. You don't have to act on it, but you should consider it. When giving directions or orders, explain the purpose when time allows. It's even better if you get their support. The goals will be accomplished more successfully when they "buy-in" to an assignment.



Pond5

2. KNOW YOUR PEOPLE

Every employee has their own personality. Some just want to be noticed, others want verbal recognition and others want documented praise. Find out what motivates them and deliver. Even though I had over 150 employees at one office, I could tell when they passed me in the hall if something was wrong. I wouldn't pry, but I would take them aside and ask them if everything was alright. Nine times out of ten, there was something bothering them. Always be available to listen.

3. UNDERSTAND YOUR EMPLOYEES ARE NOT YOU

You may have been a hard worker and produced a lot of activity. Many employees may not have the same work ethic as you. You

can require a minimum standard of performance and you should try to motivate them to improve. However, always keep in mind that they are not you. They may not be a hard charger. If they are meeting the standards, do not attack, single out or punish them. Recognize personnel when they do perform at a higher level.

4. CHECK ON THEIR WELFARE

Anytime one of your employees is injured or sick, call to check on their welfare. In the beginning, many officers may think you are trying to get them back to work sooner. And although there are policies and procedures for that, you just need to let them know that you are only checking on their welfare to see how they are doing.

Ask if they are getting the proper treatment they need and if you can assist them with anything. See if the spouse or family needs any assistance. How many of your employees are at home on injury leave? When was the last time you called to genuinely check on them or invite them to lunch? They will realize that you actually care about them and are not just following policies.

5. ATTEND BRIEFINGS AND TRAINING DAYS

When I was a young officer, I really respected a certain captain and I told others about him. One day, someone asked me why I respected him so much. After thinking about it, I realized it was because he visited the graveyard briefing one night and spoke with us. I had never seen a captain visit graveyards before, let alone talk to us.

You don't have to just do ride-alongs. Go out in a patrol car and work with your officers. Make traffic stops. I even carried my ticket book as an assistant chief. When you make traffic stops, write your own citations. Don't call a beat car to do it for you. If you stop a DUI or felon, you may turn it over to a patrol unit, but always write as much of the report as possible, so it is easier for the officer. Not only do the officers appreciate seeing you out there in the trenches, but it allows you to see their working conditions. Drive the pool cars on occasion, so you know the condition of the fleet.

6. ASSIST AT INCIDENTS

Don't just show up at incident scenes to supervise. If you have time, ask if you can assist. You may assist with getting witness information, impounding vehicles and requesting more assistance. There are many tasks you can take part in that do not actually involve conducting the investigation.

7. STAY INFORMED

Advise your staff to let you know when an employee is injured or seriously sick. If an employee is taken to the hospital at any time, check on them. Do not wait until the next day unless it was a minor incident. You should also follow up with employees to check on their sick or injured family members. Visit them in hospitals when it is appropriate. Always attend your employees' immediate family members' funerals. Many times, that is a person's lowest point in their life. You want to be there to provide support.

8. REMEMBER BIRTHDAYS

Calling your employees on their birthdays is a great way to show you care, but the best part about it is that you get to stay attached to your employees and stay abreast of their lives. Document their birthdays on your calendar and call them every year. You will see that it is actually more rewarding for you than it is for them.

9. AVOID "DO AS I SAY, NOT AS I DO"

Don't do something you told your employees not to do. There was a sergeant who would not let officers take a patrol car home even though they worked nights and had court early in the morning, but he took a car home many times for no valid reason. A clerical supervisor asked if she could work through lunch and leave an

hour early so she could run some personal errands. Her request was approved. Two days later, one of her staff asked if she could do the same thing because family was passing through the area, and she wanted to visit with them. The same supervisor who worked through lunch denied the request.

10. DON'T TAKE CREDIT FOR OVERTURNING A SUPERVISOR'S DENIAL

If a supervisor below you denies a subordinate's request and the employee appeals it to you, do not just overturn the supervisor's decision. One time an officer who was very loyal to his professional football team was invited to see his team play in the playoffs. He had never seen them in the playoffs before. He requested the Sunday off to attend the game, but due to the work shift, the sergeant denied his request. He asked if he could appeal it to the lieutenant, who also denied it. When it got to the captain, the captain was going to grant his request and let him go to the game. However, instead of looking like the hero and making the sergeant and lieutenant look bad, the captain went back to them and told them that the officer could go but had them tell the officer that they decided to let him take the day off to attend the game.

11. PRAISE WHEN WARRANTED

When officers work hard and accomplish great things, there are too many supervisors who say, "Well, that's what they are paid to do." Always remember that praise is free. You don't want to dilute the significance of the reward system, but when someone demonstrates an effort above the expected, acknowledge them.

Avoid "cut and paste" evaluations. As a hard worker, it is insulting to get the same comments and ratings as a mediocre employee and trust me, they find out.

If someone is a substandard employee, document that on their evaluation with suggestions for improvement. If they are an average employee, thank them for their activity and efforts. However, you should really acknowledge the dedicated and hardworking employees.

Take the time to put the extra comments on their evaluation and let them know how much you appreciate the extra efforts. For the employees who really excel, you may also want to give them a commendable document of gratitude for their efforts. It goes a long way.

12. LEARN EMPLOYEE NAMES

Some of the most successful people I know can remember people's names all the time. Employees feel more appreciated and part of the family when supervisors or managers know their names. They also pick up on it when you call them Buddy, Bub or Hey. Take the time to learn their names; it will improve their morale and your relationship with them.

These are just a few examples of how you can raise morale. You can't fake being genuine, but if you look at your employees as family members and truly care about them, you will improve their working conditions and make them want to go to work every day. When morale increases, loyalty, happiness and productivity increase. However, when morale decreases, sick leave, work-related injuries, complaints and grievances increase. Officers worked hard to get into law enforcement so be one of the reasons they love going to work every day.

About the author

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Keynote Address by Congresswoman Elise Stefanik

Facing a Crime Crisis, We Need to Fully Support Our Police



*Congresswoman
Elise Stefanik*

The featured speaker at the installation banquet of the annual training conference was Congresswoman Elise Stefanik, serving her fourth term in office representing New York's 21st District in the House of Representatives. In May, Congresswoman Stefanik was elected by her colleagues to serve in House Leadership as Chair of the House Republican Conference.

Her presentation was changed to a virtual keynote as the conference date conflicted with Congress being in session at the same time. In her remarks to NYSACOP delegates and guests, Congresswoman Stefanik said, "Our police officers, Border Patrol agents, corrections officers and other members of the law enforcement community are the fabric of who we are in the North Country and we depend on you every day to keep our neighborhoods safe and secure. I am grateful to you and your families who also sacrifice so much." Speaking about the New York State Association of Chiefs of Police specifically, she added, "This Association is vital to the

"We must do all that we can to empower our local officers and make sure that you have the resources you need to keep our state and communities safe."

framework of our State's law enforcement communities and we thank you for all that you do in support of one another."

Congresswoman Stefanik continued, "But policing goes beyond the badge. You all go above and beyond your job description to help your neighbors. As you well know, there has never been a more crucial time to stand and support our men and women in law enforcement. We are facing a crime crisis in America. Communities across the country are calling for justice, yet President Biden and Democrats remain dedicated to radical ideas like defunding the police that will only make our streets and communities less safe. New York State has seen firsthand the devastating impact of these policies. So far this year shootings are up 77% in New York City and murders are up 17% from last year. In 2020 the United States

tallied more than 20,000 murders, the highest number since 1995, and 4000 more than 2019. This is the largest single year increase in murders since the FBI began publishing this data in 1960. The rising crime rates in New York City and cities across the country are not a coincidence. They are a consequence of the Democrats disastrous radical policies. Those of you who are working in areas that cut or threatened to cut police budgets, you often saw the largest drops in proactive policing and the largest increases in homicides."

Speaking to a mutual area of concern: retention – the Congresswoman added, "As a result of the far left's rhetoric we are seeing an increased number of retirements and recruitment issues across many law enforcement agencies. I have and will continue to vote against anti-police bills that handicap our law enforcement community and prevent you from doing your job. The Democrats' solution for police reform is anything but, it consists of eliminating qualified immunity, restricting the transfer of military grade equipment, and limiting collective bargaining rights for police officers. I will always support qualified immunity as an essential part of protecting you and your efforts to protecting your communities with justice and fairness."

She continued, "Harmful policies like bail reform which was championed by Governor Cuomo and Democrats in New York State are making your jobs more difficult and our communities less safe. I have heard from countless upstate New York families who have been put at risk by this policy that is releasing criminals back onto our streets. It is failing, and that is why I have called for an assessment of these failed bail reform laws." Congresswoman Stefanik added, "We must do all that we can to empower our local officers and make sure that you have the resources you need to keep our state and communities safe. We should be encouraging young people to pursue careers in law enforcement and equip them with the skills and training necessary to be successful. This starts with fully funding our law enforcement budgets. This is why I am a proud supporter of efforts like the Back the Blue Act which would provide \$15 billion to hire more officers and provide salary increases for state and local law enforcement."

Concluding her remarks, Stefanik said, "I will never stop fighting for you, and will always appreciate the sacrifices you and your families make for all of us. Thank you again for the opportunity to speak to you today, and I wish you a successful and productive remainder of your conference."



**CONSIDER SHARING YOUR
RESEARCH PROJECTS AND THESES
WITH COLLEAGUES**

editor@nychiefs.org

Annual Conference a Success

Well-Attended, Awesome Venue, Inspirational Training

After an historic cancellation of last year's conference due to the COVID-19 pandemic, the 2021 conference of the New York State Association of Chiefs of Police (NYSACOP) was held in Glens Falls. The long-awaited event was attended by 150 members and guests, along with 79 exhibitors representing 41 companies. Intralogic hosted a special arrival dinner for

informed perspective when it comes to working with communities, involving them with public safety decision-making, and keeping them safe.

The Monday morning (July 26) agenda included a presentation by Risk Management Specialist Pete Frisoni, a former Chief of Police himself, speaking about the services offered by the Public



NYSACOP Members gathered at the Queensbury Hotel in Glens Falls, NY for the 2021 Annual Training Conference. NYSACOP Photo



Deputy Jim Banish (Warren Co. SO) discusses officer wellness as part of a group presentation by Scott Neff (DCJS) and Exec. Director Patrick Phelan) NYSACOP Photo.

NYSACOP Board members, Past Presidents and NYSACOP staff on the evening prior to the conference.

Opening ceremonies launched with a procession of the Glens Falls Police Department's Honor Guard, including bagpiper Officer Patrick Germaine (Colonie PD) and followed by the National Anthem sung by Sgt. Jason Bach (Colonie PD). Welcoming remarks were made by Glens Falls Mayor David Hall, who noted that his wife's grandfather was once the police chief in Glens Falls,

Employer Risk Management Association (PERMA). Programs include a bulletproof vest program which subsidizes the purchase of outer body armor carriers, and a grant program in partnership with NYSACOP to support officer wellness. Executive Deputy Commissioner Michel Green of the Division of Criminal Justice Services (DCJS) provided an overview of crime statistics in New York State. Commissioner Green also spoke about state regulations governing the decertification of police training, stressing that the



Commissioner Dermot Shea (NYPD) addresses delegates during Opening Ceremonies. NYSACOP Photo



Immediate Past President Steven Casstevens (Chief, Buffalo Grove, IL PD) speaks about traffic issues during a panel presentation on member-driven issues. NYSACOP Photo.

and who also served as a President of NYSACOP. Remarks were also offered by NYSACOP President Timothy Parisi, NYSACOP Executive Director Patrick Phelan, Warren County District Attorney Jason Carusone, New York State Police Superintendent Kevin Bruen, and Assistant Chief Jarred Smith (Glens Falls PD).

Keynote speaker was NYPD Police Commissioner Dermot Shea who spoke about the importance of community engagement, letting the people served by the police know that their voices are heard when it comes to policing decisions affecting their safety and their neighborhoods. Commissioner Shea's experience from both the patrol and investigative sides of NYPD give him an

process is still rooted in disciplinary and administrative processes at the local level. Since October 2016, the Commissioner said that 447 police officers have had their training decertified. He also explained that updated model policies are available online for hate crimes, custodial interrogations, human trafficking, and license plate readers. During the afternoon, Executive Director Patrick Phelan kicked off the Officer Wellness presentation, introducing guest presenters Deputy Jim Banish (Warren County SO) and Training Technician Scott Neff of DCJS.

Monday evening's special event was a dinner cruise sponsored by Blauer and Axon aboard the Luc de Sacrement, the flagship of

the Lake George Steamboat Company. Perfect weather graced the excursion, allowing members, exhibitors and guests to introduce themselves and get reacquainted.

Tuesday's (July 27) schedule began with a presentation on legal



Chief/Ret. Greg Veitch led a session on the principles of executive leadership. NYSACOP Photo.

issues by Michael Ranalli, Esq., Program Manager with Lexipol, and a former Chief of Police and President of NYSACOP. Ranalli's topic was Managing the Brady/Giglio Rule in a Video World. Dean Esserman, Senior Counselor for the National Police Foundation followed, speaking about contemporary issues facing law enforcement nationally. The afternoon session, facilitated by Asst. Chief/Ret. William Georges (NYSACOP Traffic Safety Committee Chair), included presentations by Assistant District Attorney Mary Tanner-Richter (Albany Count D.A. Office), Captain Jeffrey Rinaldo (Buffalo PD), Assistant Commissioner Chuck DeWeese (NYS DMV), and Chief Steven Casstevens (Buffalo Grove, IL PD), Immediate Past President of the International Association of Chiefs of Police. Panelists discussed a variety of member-driven issues, including driving while impaired by cannabis, and rogue motorcycles/ATVs in communities.

Chief/Ret. Greg Veitch, Noble Cause Training and Development spoke on The Four Pillars of Leadership: Leaders, Followers, Culture, and Mission. Chief Veitch told attendees that by linking well-researched principles to individual self-assessments, they will be able to identify areas of success and where improvement may be needed with the goal of developing a future-focused leadership mindset and style that benefits the officers they serve, the departments that employ them, the communities that have placed trust in them, and the noble profession they have chosen.

The final day (July 28) of training began with an interactive discussion with Rudolph Hall of the New York State Attorney General's Office of Special Investigations (OSI). Dr. Hall discussed the role of OSI and the mandates under the new law requiring an investigation "...of any death of a civilian, whether in custody or not, whether armed or dangerous or not, and there is a correlation between the law enforcement action or inaction and the death of the individual." The new law expands the former requirement that the Attorney General's Office be contacted whenever there was a death of an unarmed civilian. Hall explained that his office is still developing some of their response protocols. For instance, he explained, they have received calls when a police officer provides first aid to an overdose victim by providing Narcan, and the victim dies. He also noted that many of their calls come from corrections facilities involving the deaths of inmates in custody. Hall stressed that the law covers actions and inaction by both on-duty and off-duty police, as well as corrections officers and other peace officers. When an incident occurs, Hall said that agencies should call the OSI Hotline at 855-OSI-NYAG (855-674-6924).

District Attorney Sandra Doorley (Monroe County) made a comprehensive presentation on new cannabis legislation. Doorley described the new legislation pertaining to possession, cultivation, sale and smoking in public. She said, "people who are older than 21 can smoke cannabis almost anywhere cigarette smoke is allowed, including on sidewalks, front stoops, other public places, and as a result, smoking cannabis in any of these locations will not and cannot be a basis for an approach, stop, summons, arrest or search." Section 222.10 which talks about restrictions on cannabis use, interestingly, a violation of these restrictions is a civil penalty of \$25 or community service, it's not a criminal penalty. For example, if you are smoking or ingesting cannabis on school grounds, that would be subject to a civil penalty. What's important for law enforcement to realize is that, under this section, and for cultivation under §222.15, although they are in the penal law, it allows for the imposition of a civil penalty and not a fine so when a court presides over one of these offenses, it must exercise its civil jurisdiction, rather than criminal jurisdiction.



President Timothy Parisi takes the oath of office from Iliion Mayor Brian Lamica during installation ceremonies at the annual banquet on July 28. NYSACOP Photo.

The final special event of the conference was the banquet on Wednesday, July 28. Chief Timothy Parisi took his oath of office from his Mayor, Brian Lamica (Iliion, NY). Chief/Ret. Michael Lefancheck emceed the evening's events which included the oath of office to the Vice Presidents and Zone Representatives in attendance: First VP Chief Kevin Sylvester, Second VP Chief Joseph Sinagra, Third Vice President Chief Shawn Heubusch, along with Zone Representatives Chief Martin Flatley (Southold PD, Zone 1), Commissioner Kenneth Jackson (Garden City PD, Zone 2), Chief Greg Austin (Rye Brook PD, Zone 4), Chief Dominick Blasko (Crawford PD, Zone 5), Deputy Chief Michael Woods (Colonie PD, Zone 6), Chief Michael Crowell (Manlius PD, Zone 7), Chief Patrick Garey (Endicott PD, Zone 8), Chief Samuel Farina (Fairport PD, Zone 9), Chief Joseph Wehrfritz (Orchard Park PD, Zone 10), and Asst. Deputy Commissioner Oleg Chernyavsky, (NYPD Liaison).

The keynote speaker for the banquet was Congresswoman Elise Stefanik. As Congress was in session at the time, she provided pre-recorded comments to the members, guests and dignitaries in attendance. See story on page 22.

The Association's Medal of Honor was presented during the banquet. See story on page 12. Share your comments, suggestions and critiques about the conference with us – send email to: APB@nychiefs.org

Conference Snapshots

Clockwise from upper left: NYPD Commissioner Dermot Shea, President Timothy Parisi, Executive Dir. Patrick Phelan, attendees gathered for opening ceremonies, Medal of Honor presented to family of Officer Robert Mumford.



Conference Snapshots

President Timothy Parisi presented with plaque by Exec. Dir. Patrick Phelan, NYSP Supt. Kevin Bruen, Emcee Chief Michael Lefancheck, Board Members take oath of office, Chief/Ret. Michael Ranalli, MAGLOCLEN reps Rick Smith and Kevin Smith.



Officers and Representatives Installed

At the 2021 conference in Glens Falls, Chief Timothy Parisi (Ilion PD) was sworn in as President by his Mayor, Brian D. Lamica. Vice Presidents and Zone Representatives were took their oath of office from emcee and Past President Chief Michael Lefancheck (Baldwinsville PD).

The following officers were sworn in to their respective offices:

- Chief Kevin Sylvester (Ossining PD) – First VP
- Chief Joseph Sinagra (Saugerties PD) – Second VP
- Chief Shawn Heubusch (Batavia PD) – Third VP
- Chief Martin Flatley (Southold PD) – Zone 1

- Comm. Kenneth O. Jackson (Garden City PD) – Zone 2
- Chief Greg Austin (Rye Brook PD) – Zone 4
- Chief Dominick Blasko (Crawford PD) – Zone 5
- Dep. Chief Michael Woods (Colonie PD) – Zone 6
- Chief Michael Crowell (Manlius PD) – Zone 7
- Chief Patrick J. Garey (Endicott PD) – Zone 8
- Chief Samuel Farina (Fairport PD) – Zone 9
- Chief Joseph Wehrfritz (Orchard Park PD) – Zone 10
- Dep. Comm. Oleg Chernyavsky (NYPD) – NYPD Liaison



NYSACOP Board Members takes the oath of office from Emcee and Parliamentarian Chief Michael Lefancheck.



Vice Presidents are sworn in at the annual banquet on July 28, 2021 in Glens Falls. From left: Chief Shawn Heubusch, Chief Joseph Sinagra, and Chief Kevin Sylvester.



Chief Steven Casstevens (Immediate Past Pres. IACP) speaks to delegates on current issues and trends in traffic safety. Photo: NYSACOP



Board members Chief Shawn Heubusch, Chief Michael Lefancheck, Chief Timothy Parisi, Chief Kevin Sylvester, Chief Joseph Sinagra, and Chief John Aresta. Photo: NYSACOP

SUNY's New Statewide Police Commissioner Knows the System Well

Reprinted with permission: SUNY Cortland

She got her start as an officer at SUNY Purchase before moving to SUNY New Paltz and climbing the ranks from officer to investigator and then chief.

Mary Sullivan Ritayik '97 knows what it's like to be a SUNY student, too, having majored in sociology at SUNY Cortland.



SUNY Police Chief Mary Sullivan Ritayik
Photo by Robin Weinstein/SUNY New Paltz

She will be the first female to hold the title of statewide commissioner and is the first to rise through the ranks of officer, investigator, chief and commissioner within the SUNY system.

Having been a SUNY Cortland student has shaped how she's chosen to serve other students through her multiple roles in the University Police.

"I loved my college experience. It was the best four years of my life," Ritayik said. "It was just a great period of my life and working in UPD allowed me to still stay connected to students who are going through that same thing.

"It's about making it a good experience for students. I liked the environment and I liked the purpose and the foundation underneath it. You're not just there to enforce the law, you're there to be a role model."

Ritayik, who starts in her role as part of the chancellor's leadership team on July 6, was drawn to an academic interest in sociology early in her college career. She recalls classes with Professor Herbert Haines and the late Frank Hearn as being engaging and challenging. Cortland's Sociology/Anthropology Department has since created a baccalaureate degree in criminology track for others aspiring to a career in law enforcement. The major is among the university's most popular.

A minor in history and an internship with Big Brothers Big Sisters of America gave Ritayik a well-rounded experience.

"You were on your own and you determined your fate with getting to class and passing and getting through your classes," she said. "I really learned my work ethic there. You'll see the results if you work hard, so I really pushed through."

After graduating, Ritayik attended the Westchester County Police Academy. Scoring well on civil service exams, she attempted to

join the New York State Police at first but failed the push-up portion of the physical ability test. Ritayik soon found another opportunity as an officer with SUNY Purchase in 1998.

The state police's loss was SUNY's gain.

She transferred to SUNY New Paltz in 2000, was promoted to police investigator in 2003 and became deputy chief in 2013. On January 1, 2019, she was appointed chief of university police at New Paltz.

Ritayik has created a number of initiatives related to her strong belief in community policing and strengthening ties between officers, the campus community and the greater New Paltz area.

Last year she formed the University Police Department Advisory Committee, which sought insight from students, faculty, staff and alumni about how New Paltz's UPD could improve its interactions with underrepresented people following George Floyd's murder in Minneapolis.

"Commissioner Ritayik has demonstrated throughout her career a commitment to forging a strong relationship between university police and the college community," said SUNY Chancellor Jim Malatras. "She has proven to be a tremendous asset to SUNY New Paltz, building trust within the community by engaging students, faculty and staff regularly on issues that matter most. Mary is also a trailblazer for women in law enforcement, and well respected by colleagues and the community. We are excited to have her join our team as we continue to meet the expectations of our students for a safe environment on our campuses."

She hopes to continue expanding opportunities throughout the SUNY system in her role as statewide commissioner, as well as addressing issues such as diversity and retention among the police departments on SUNY campuses.

Most of all, her goal is to continue to foster a safe and welcoming environment in which students can learn.



Photo by Robin Weinstein/SUNY New Paltz

"Underneath it all, students are trying to forward their education and the faculty are teaching it," she said. "It's a unique environment to be a police officer. These are all young adults who are trying to learn and navigate the world. I like that connection and I've never left."

"Even though now I'm a little older than the students," she laughed.

As an officer, Ritayik always strove to be a role model for her coworkers and students alike. She's hoping that her promotion to commissioner inspires young women to push for leadership roles, whether it be in policing or other lines of work.

"It's a great feeling when you can break a glass ceiling and be recognized by your fellow officers and chiefs based on merit," she said. "Yes, I am female, but I'm a chief first. I just happen to be female. I'm the commissioner now and I happen to be female."

"It's about showing other people, other females and other diverse people, that you can do it. It hasn't hit me yet. It's an honor to be the first female commissioner. I'm glad to see women out there breaking glass ceilings and pulling up the women behind them because we can do this job. We may do it a little differently, but everybody has their own way of doing things."

When Ritayik first arrived in Cortland as a first-year student in the fall of 1993, she could never have imagined where she'd wind up. Now, she's leading 500 officers across SUNY's state-operated campuses.

It makes her think back to her time as a student and as a young officer. Ritayik knows what it's like to be a student on a SUNY campus and she knows what it takes to serve and protect a SUNY campus as well.

"I'm really sensitive to officer's situations," she said. "I would want anybody who's going to be my boss or be in charge of something to know what it's like on the midnight shift. I've worked the midnight shift. I worked Christmas Day. I worked New Year's Eve on Y2K at Purchase. It was the biggest New Year's Eve you could ever have in your lifetime and I worked it because I was the low person on the totem pole. I think it's really important to never forget where you came from."

Vouchers Instead of Tickets

Positive Impact on Police-Community Relations

Defective automobile lights present a safety hazard—the ability to see and be seen. For police, equipment violations, though often minor, are important areas for enforcement. In New York State and many others, motorists can repair the equipment within a certain time period without a penalty. But the process, bureaucracy, and angst of dealing with a "fix-it" ticket can still be aggravating. The *Lights On* program provides vouchers to motorists with a lighting violation in order to get the defective light fixed. Chief Joseph Sinagra (Saugerties PD) implemented such a program in his jurisdiction. He said, "This is an innovative way to build community



Pond5

"When you see the appreciation and when they get tears in their eyes after a traffic stop, you know you made an impression.. " Chief Joseph Sinagra

trust. When we stop a motorist and tell them we're giving them a voucher instead of a ticket, it changes everything." Funding is provided through Lights On and micro-grants so that a motorist can get a voucher for up to \$250 of repair work.

Steyer's Hudson Valley Automotive is one of the participating repair shops in Saugerties. Stephanie Steyer said that she has noticed a change in attitude with motorists coming in for repair work. "When they came in to get a light fixed because of a ticket, they were very unhappy. But with the voucher program, it's a complete turnaround." Steyer, who once served as a police officer herself, said that the program is important. "I noticed cars with

defective lights when I'm out driving. With all of the distractions today, a missing light can mean the difference between being able to brake in time or getting into a crash." She added that the program helps to create good will between police and motorists.

According to *Lights On*, the program improves relationships between police and the community, results in safer cars on the road, and uses fewer resources so that police and the courts can focus on bigger issues. Said Chief Sinagra, "When you see the appreciation and when they get tears in their eyes after a traffic stop, you know you made an impression. They're going to tell someone, and that's how we're going to regain and rebuild trust in our communities."

Listen to our interview with Chief Sinagra about the Lights On program—click on *APB Podcasts* at www.nychiefs.org





Traffic Safety Committee

The NYSACOP Traffic Safety Committee (TSC) continues its ongoing work to examine issues that impact traffic safety and to inform our members on relevant topics. In pursuit of those goals, the TSC sponsored a session at the recent NYSACOP Annual Conference entitled *Member Driven Issues*. The session was facilitated by TSC Chairman Bill Georges and the speakers included Immediate Past President of IACP, Chief Steven Casstevens (Buffalo Grove, IL Police Department), Assistant Commissioner of the NYS Governor’s Traffic Safety Committee, Chuck DeWeese, Captain Jeff Rinaldo (Buffalo Police Department) and Mary Tanner-Richter, Assistant Albany County District Attorney and Chief of their Vehicular Crimes Bureau. Topics included the state of traffic safety from an international, national and state perspective, the issue of unregistered ATVs/dirt bikes recklessly operating on public roads and what countermeasures can be/are being used to combat this dangerous situation, and the new marijuana legislation and how it specifically impacts drug-impaired driving enforcement. The session was well-attended and a great amount of information was shared with attendees.

We are constantly updating the Traffic section of the NYSACOP website with notable incidents, upcoming training opportunities, TSC meeting minutes and other traffic safety related information. Our hope is that this information is both interesting and informative so please check it out regularly and if you have something that you would like us to include, please let us know.

We also continuously monitor issues that have the potential to affect traffic safety. Some examples that we are currently reviewing include efforts to decrease, or even eliminate traffic enforcement, equity/fairness in traffic stops, the need for additional drug recognition experts (DREs) and other related training especially as it relates to driving while impaired by drugs. As always, we will keep you informed of our efforts.

Lastly, the TSC has recently had some personnel changes. Unfortunately, due to work obligations Chief (Ret.) Mark Henderson has left the committee. We extend our collective appreciation

to Mark for both his service and friendship. Also, West Seneca Chief Dan Denz recently retired from service and we are pleased to announce that Chief (Ret.) Denz has signed on as NYSACOP’s



Captain Jeffrey Rinaldo (Buffalo PD) addresses delegates attending the 2021 annual training conference of the New York State Association of Chiefs of Police in Glens Falls, NY. (NYSACOP Photo)

newest Traffic Safety Outreach Liaison (TSOL). Congratulations Dan and welcome to the traffic safety team! As a result of these changes, we are looking for members who may be interested in joining the TSC. If you are interested please let us know!

The TSC works to positively impact traffic safety services for both your agency and your community and we welcome your comments, suggestions and involvement. For further information, or if you would like assistance, please contact Mike Geraci, Bill Georges or Dan Denz at Traffic@nychiefs.org. Thank you and stay safe!



**DO YOU HAVE
AN INNOVATIVE PROGRAM?**

editor@nychiefs.org

Shawn Butler Wraps Up 25 Years at Auburn PD

Career with City of Auburn

On July 16, 2021, Shawn Butler walked out of Auburn PD for the last time, serving a total of 25 years plus one day with the City of Auburn Police Department. When Butler spoke with *The Chronicle* on July 15, he was still chipping away at paperwork in



Chief Shawn Butler
Retired on July 16, 2021

his office to ensure a smooth transition to the new chief, James Slayton, who would be sworn in that evening. Chief Butler began his career with Auburn in 1996. He was promoted to Sergeant in 2005, and then to Lieutenant in 2009 where he was in charge of the Detective Bureau. He served in that position until 2012 when he was transferred back to command the Patrol Division. In 2016, he was promoted to Chief of Police where he has served as the city's 10th chief. A self-described planner, Butler announced his departure in July 2020 and has been involved in succession planning since that time. "I announced my retirement a year ago today. I wanted to make sure that my successor had the tools at his ready, so we've been planning for this." Retiring from police work is not the only transition for the Butler family. "My wife and I are moving out of state, we will be travelling the country in our RV for 3 months. So we are transitioning everything in our life. We have a lot to do," said Butler, adding, "I am excited for my wife and I – we've been planning for a long time."

Domestic Homicides Shaped a Renewed Perspective for Victims

When asked about any memorable cases during his career, Chief Butler recalled his days leading criminal investigations. "When I was in charge of our detective bureau we had a spate of domestic

"I became close with the victims' families and got to know them personally. I'm still very close friends with some..."

violence related homicides – three of them within a 12 month period, which is big for us. That really impacted my compassion and empathy for victims," said Butler who described that he became more involved with victims services and advocacy groups which influenced him personally and professionally. "That changed my

perspective as to our role and responsibility to victims. I became close with the victims' families and got to know them personally. I'm still very close friends with some, I was actually just texting one of the mothers of a homicide victim this morning. The child that this one victim left behind is now an 11 year old boy and I played a part, in a sense, in his life and tried to mentor him. Those cases really influenced me and I said, if I ever got to the chief's position, this is what I would expect from my department." Butler added, "Making sure that our officers are understanding and have compassion and empathy is very important because you never know when it's going to affect someone in a most positive way."

The retiring chief remembered a particular case in which one tragedy followed yet another, and the investment he had made in helping the family proved itself. Said Butler, "I was lead investigator and point of contact for this one family in their daughter's homicide. A couple years later, I was again involved with the same family when they lost their son to a heroin overdose. For the second time with this family, I was the bearer of bad news. But being there for them, and being able to walk them through the process and help. That really changed me. If you've never had to live through a tragedy like that, to be able to help someone and support them the best you can, it meant a lot to me, and I know it meant a lot to them."

Chief Butler discussed with *The Chronicle* his observation that many times, police officers become overly stoic, rigid, and unfeeling. Some of this can be a defense mechanism to cope with the stresses of the job. But, said Butler, it is just as necessary to be genuine with victims and to show empathy. He said, "We become so cynical, jaded, and callous. It's so easy to look at death as just another part of the job. You become almost robotic, but we have to get them to remember that this is somebody's loved one and you can do more. Even though you still have to do your job, it's okay

"I think that is key, when you have an incident and you have those relationships established you can all be part of the team to make sure the community gets through it..."

to show sympathy and emotion. That's something that our officers need to see, from the top, and be reminded of it."

Changes in Our Approach to Persons with Addiction

One of the changes Chief Butler witnessed during his tenure was how police responded to calls involving persons with drug addiction. "We were selected as one of the communities nationwide to participate in the Healing Communities project, we have some great collaboration with all aspects of fighting opioid addiction," Chief Butler noted. "There was a huge stigma with my officers as well, especially when the plan for officers carrying Narcan first came out, officers questioned, 'why are we doing this?' We have come a long way." Auburn now has a procedure that engages other persons who have dealt with addiction to support those who are struggling. "We will call peer advocates to the scene of an overdose

because, the reality of the situation is, me trying to convince someone to go seek treatment with a uniform on, as a police officer, that's not going to be a message that's very well received. So we have a connection with a local advocacy group here, Nick's Ride. It's named after 20-year-old Nick Campagnola who lost his life to an overdose. They have trained New York State certified peers who will come out 24/7 and try to engage the individual." Butler continued, "We also



Chief Butler speaking with community members during a May Walk event in Auburn. Photo: Auburn PD

have a follow-up program with Nick's Ride where we provide them with a data sheet of all overdoses that occurred within the last 7 days, and they go out and do individual follow-ups. The idea at first was that we went out and accompanied the advocate, but I didn't feel the message would be received or that they would engage with us. So why not have the advocates who have lived the experience, that's the better message and better received." The City of Auburn also has a program called CASA, Children Affected by Substance Abuse, to assist the children of persons with addiction, a

demographic that Chief Butler says is often forgotten. "That gets children into counseling after they've seen their parents overdose or if they see their mom and dad high or using all the time. Its trauma and these kids need help."

Engaging the Community

Chief Butler has always been an advocate of community policing. He credits the department's relationship with the community for preventing riots and violence after the George Floyd incident. "Our relationship with the community is important. Community policing was not something we were using as a Band-Aid, we have been doing that for a number of years. We have been engaged with the community and having forums, we put ourselves out there, we were involved with minority community advocacy groups, so the relationship was already born, the trust was there," said Butler. So when the George Floyd incident had occurred and we had a couple of rallies and marches right here in the city, we were right there next to them. They trusted us, they believed that we were there for the right reasons, and we had no issues whatsoever." Butler continued, "I think that is key, when you have an incident and you have those relationships established you can all be part of the team to make sure the community gets through it. I think it saved us from having any type of issue after that incident and the incidents that followed."

Reimagining Policing Mandates

The Governor's Executive Order 203 required all municipalities in New York State to engage with their constituents and develop strategic plans to ensure that policing services were being delivered in a way that met the needs of the communities being served. *The Chronicle* asked Chief Butler if the relationships and networks that Auburn police had developed with the community made that task easier. "There was a time commitment to making sure that we had the required forums and meetings, but as far as relationship-building, it was matter of putting pen to paper and documenting all of our efforts, the relationships were already there," said Butler. The chief indicated that as a result of police reform discussions, the department has since placed all of their policies on the police department's website, and they are getting body cameras. Additionally, they are completing the final steps in achieving New York State Law enforcement Accreditation, something that Butler said was already in the works prior to the executive order.

Shawn Butler is a member of the New York State Association of Chiefs of Police, and serves as the Northeast Regional Chair of the International Association of Chiefs of Police Executive Committee; he also served as President of Central New York Association of Chiefs of Police, and is a graduate of the FBI National Academy.

WHY I BECAME A COP

My parents were friends of a trooper who had just completed the State Police Academy. I was about 9 years old at that time and I remember him coming to the house and I was enamored at the whole thing: the aura, what a police officer stood for, the car. From that point on I just knew that I wanted to become a police officer.



Chief Shawn Butler, Ret.