

Village of Sag Harbor NYS Police Reform and Reinvention Collaborative

March 2021

On June 12, 2020 Governor Andrew Cuomo signed NYS Executive Order 203, mandating all municipalities in the state with police departments to “perform a comprehensive review of current police force deployments, strategies, policies, procedures and practices, for the purposes of addressing the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness and legitimacy and to address any racial bias and disproportionate policing of communities of color.”

Executive Order No. 203 further directed the chief executive of each such local government to “convene the head of the local police agency, and stakeholders in the community to develop such plan, which shall consider evidence-based policing strategies, including but not limited to, use of force policies, procedural justice; any studies of systemic racial bias or racial justice in policing; implicit bias awareness training; de-escalation training and practices; law enforcement assisted diversion programs; restorative justice practices; community-based outreach and conflict resolution; problem oriented policing; hot-spots policing; focused deterrence; crime prevention through environmental design; violence prevention and reduction interventions; model policies and guidelines promulgated by the New York State Municipal Training Council; and standards promulgated by the NYS Law Enforcement Accreditation Program.”

The Executive Order went on to direct that each local government “in coordination with its police agency, must consult with stakeholders, including but not limited to membership and leadership of the local police force; members of the community, with emphasis in areas ; interested non-profit and faith-based community groups; the local office of the district attorney; the local public defender; and local elected officials, and create a plan to adopt and implement the recommendations resulting from its review and consultation, including any modifications, modernizations, and innovations to its policing deployments, strategies, policies, procedures and practices, tailored to the specific needs of the community and general promotion of improved police agency and community relationships based on trust, fairness, accountability, and transparency, and which seeks to reduce and racial disparities in policing.”

Sag Harbor is unique in many ways and is rich with history. Sag Harbor was the oldest whaling port in New York State. It is also known for its waterfront and natural beauty and charm. There is much more to the Village. The neighborhood of Eastville was formed in the early 1800's. Eastville was a multicultural working class community that drew African Americans, Native Americans, and European immigrants, some involved in the whaling industry. The Eastville community may have been involved in the Underground Railroad. There are three communities on the east side of the village that are historically African American; Azurest, Sag Harbor Hills and Ninevah Beach. Developed after World War II as a summer retreat for African American families, it has seen many changes, especially recently with gentrification. Azurest, Sag Harbor Hills and Ninevah Beach have been multi-generational communities for some, with many having had parents and grandparents who resided there before them. The Village is home to Temple Adas Israel, the oldest synagogue on Long Island. Sag Harbor is also home to a growing Hispanic Community.

One of the most essential roles of government is public safety. The protection of its citizens is paramount. Policing, as part of that role, needs to be fair, unbiased, transparent and effective. The police need to work with the communities they serve and must reevaluate on a regular basis to see if they are, in fact, effective. The Sag Harbor Village Police Department has zero-tolerance for racism in any form. Criminal acts, especially those against people based on their perceived race, ethnicity, gender and sexual orientation are not tolerated and offenders will be prosecuted to the full extent of the law. This process has taken us through the role the police have in the Village of Sag Harbor.

The current staffing of the Sag Harbor Police Department is;

1 Chief

1 Lieutenant, Executive officer

2 Sergeants

8 Police Officers

3 Part time Police Officers

1 Police Clerk (Administrative Assistant)

The department has two female police officers and one Hispanic police officer.

Two officers are assigned to every tour. It is very rare that there is only one officer working. Scheduled absences are covered by part time police officers.

The staffing today is the same as it was in 1994.

PLAN DEVELOPMENT

Survey

In November of 2020, a survey was released regarding perception of the police department along with different duties the public thought the police should or should not perform. The survey was publicized via the Village website and Facebook page, the Sag Harbor PD Facebook page as well as through the Express News Group and all their print, virtual and social platforms. The survey, published in both English and Spanish, was open for about six weeks. There were 56 replies, only one in Spanish. The results are attached (Appendix A).

Public Hearings

Two virtual public meetings were held in December 2020 and January 2021. Both were publicized on the Sag Harbor Village website and Facebook page, the Sag Harbor PD Facebook page and through all media outlets of the Express News Group. There was a short PowerPoint presentation detailing the process and steps that had already been taken (Appendix B) The process was discussed and a question and answer portion of the meeting yielded constructive dialogue.

A committee of local stakeholders was convened to continue the process until submission.

Kathleen Mulcahy, Mayor

Austin J. McGuire, Chief of Police

Gregory Cuyjet, resident Sag Harbor Hills

Dr. Liat Applewhite, resident Sag Harbor Hills

Stephen Roache, resident of Ninevah Beach

Angela Vallot, resident of Ninevah Beach

Elena Krotman, resident, and board member of OLA

Brian Desesa, resident President of the Sag Harbor School Board

Daniel Geffen, Rabbi Temple Adas Israel

The committee met collectively on numerous occasions from January through March.

DEPARTMENT AND STAFF OVERVIEW

The committee was briefed by Chief McGuire in the process to become a police officer. From the initial written test, which is given every four years, to pre-employment testing. This testing can take up to a year to complete.

In order to be a police officer in the Village of Sag Harbor, you must be a resident of the Village. This is a Civil Service rule. You do not have to retain residency after you are hired. You must also be one of the top three scorers on the test, known as the one in three rule. This makes diversifying the department very difficult because of the limited pool of candidates and the high cost of living in the area.

In May 2020, P.O. Pablo Londono was hired. Pablo was born in Colombia and is the first naturalized U.S. citizen of Hispanic descent hired as a full-time police officer in Sag Harbor. Prior to his hiring in Sag Harbor, he was a police officer with the NY and NJ Port Authority and prior to that was employed as a Traffic control Officer here.

Initial academy training, field training and in-service training was explained. Following the initial academy and after field training, officers receive a minimum of 56 hours per year, including firearms, defensive tactics, CPR and first aid, law updates and active shooter. We train with other local agencies and Suffolk County. We also have available the Suffolk County DIIT program, which is online training. This was particularly useful during the COVID-19 Crisis. Training that had been cancelled in 2020 due to COVID-19 is starting to return. In 2021, we are seeing more training concentrated on intrinsic bias and de-escalation.

By June, 2021, all police officers in Sag Harbor will have attended “Tactical Policing with Impartial Perceptions”, a nationally recognized program taught by the Suffolk County Police Dept.

The different roles of the ranks in the department were explained and discussed.

A three-year statistical comparison of department activity was included.

A complaint/compliment form for officers is on the police website. Attempting to determine a best practice for making anonymous complaints was discussed.

A comparison of the five east end Village Police Departments was presented. Sag Harbor is the smallest geographically and has the least amount of police officers, but is second only to Southampton Village in population and calls for service (Appendix D)

Following the initial summary as described, the function and role of a Police Officer in the community was discussed, specifically to the Village of Sag Harbor. Sag Harbor has limited resources and is too small of a municipality to employ social workers or psychologists in addition to the police. The police work 24/7. That is why they often are called upon to respond to situations that are not necessarily typical police functions. If you call, we come. No matter what. The police in many small communities handle everything from appliance problems to motor vehicle accidents to domestic incidents. The mental health crisis, especially on the east end was amongst the topics.

Officer Wellness and the East End Police Peer Support Group were discussed.

REFORM PACKAGE

The June 2020 Police Reform package was presented and discussed.

Police reform began in Sag Harbor before the Governors mandate. In fact, since 2016 the Department's policies, procedures and practices were reviewed and completely rewritten. In 2018, a company called Lexipol was brought in as a consultant to rewrite all the policies of the department. This had not been done since the mid 1980's.

Lexipol is a professional company used by numerous agencies to help implement policies that are legal, contemporary and best practice. Lexipol closely monitors changes in the law and regularly updates the policies in accordance with the law and best practices. The department started releasing new policies in June of 2020, with five to ten released per week. The officers receive them electronically and must acknowledge their receipt and that they understand what they have read. In March, 2021, officers will start receiving daily training bulletins electronically from Lexipol to keep them up to date on the policies. As of this date, 95 % of new policies have been implemented with the remaining 5% to be implemented by April 30. The new policy manual is posted on the Village website and is available to anyone who would like to view it. It is the most contemporary, legally compliant and contains the most current best practices available. A PowerPoint presentation reference the above is attached (Appendix C).

Sergeant Kenneth Alversa of the East Hampton Town Police Dept. attended a committee meeting to talk about the School Resource Officer Program in East Hampton and also presented on in service training. East Hampton Town has had a School Resource Officer for over 20 years. Sgt. Alversa explained that this program is not necessarily punitive to students but more of a community policing model and assistance for the school.

Deputy Chief Brendan Ahern of the Suffolk County District Attorney's Office gave a comprehensive presentation on the Criminal Justice Reform of 2020, including changes in bail requirements and discovery rules. Other topics including the new Niche RMS platform was discussed.

Draft Plan Recommendations

Provide on-going police training/education

- Continue training on CPR and First Aid
- Provide annual training on Intrinsic Bias and De-escalation
- Provide training on mental health issues
- Continue working with Lexipol on implementing new policies/procedures

Increase police staffing and diversity

- Commission Professional Staffing Study to support additional police hires and determine best allocations of resources.
- Hire additional Police Officers to keep up with the demand and provide more community policing and outreach.
- Commit to increasing racial diversity in new hires to reflect the demographic diversity of the Sag Harbor community.
- Consider relaxing residential requirements or providing affordable housing and or property tax relief for new Police recruits and existing police officers.
- Involve the Historically Black communities of Sag Harbor Hills, Azurest, and Ninevah Beach, as well as other minority communities in the Village, to help identify potential candidates and consult on hiring decisions.
- Increase Spanish speaking officers in the department.

Enhance relationships with community residents

- Look for ways to enhance and strengthen relationships with residents of the historically African American communities, the Spanish speaking communities and all other minority populations.
- Participate in positive interactions with the community that do not involve an enforcement action or investigation.

- Periodically attend homeowner association meetings and other community events to get to know residents and listen to their concerns.
- Form an ongoing community advisory group with representatives of the historically African American communities and the Spanish speaking communities along with other residents of Sag Harbor to enhance two-way dialogue and discuss policing policies and practices.
- Place a School Resource Officer (SRO) in the Village school and seek funding through a shared cost program, similar to East Hampton Village.

Increase data collection and transparency

- Investigate legally appropriate ways to collect and analyze demographic data on traffic stops and enforcement actions.
- Increase transparency of disciplinary records of police officers.
- Provide alternative avenues for people to raise or file police complaints without fear of reprisal utilizing other municipal sources, outreach groups or faith-based organizations.
- Collect data on community perceptions about local law enforcement.
- Purchase and require police to use body cameras for increased transparency and consistent with best practices.
- Transition to the Niche Records Management System.