

Board of Trustees
Village of Tarrytown
Special Meeting No. 9
Police Reform & Reinvention
Committee
Via Zoom Video Conference
February 17, 2021 6:00 p.m.

PRESENT via Zoom Video Conference: Mayor Butler presiding; Trustees: Brown, Hoyt, Kim, McGovern, Rinaldi and Zollo; Village Administrator Slingerland; Assistant Village Administrator Ringel; Police Chief John Barbelet; Village Attorney Kathy Zalanta and Village Clerk Booth

Members of the Public interested in viewing the meeting should visit <https://www.tarrytowngov.com/home/events/33966> for instructions on how to join & participate.

Police Reform and Reinvention Committee Chairman Trustee Doug Zollo noted that tonight the Board of Trustees is going to finalize the Draft Police Reform and Reinvention Collaborative Plan and Recommendations along with input from the Committee members. The Board of Trustees will approve and confirm the final report and then the report will be sent to the Governor’s Office in Albany by the due date of April 1, 2021. If a member doesn’t get to speak tonight, please send emails to the Village with any questions or comments to administrator@tarrytowngov.com. Or you can send emails to the members of the Board of Trustees, which is the first initial and last name @tarrytowngov.com. For example, his would be dzollo@tarrytowngov.com .

Village Administrator Slingerland noted that the meeting tonight will be approached like a public hearing. The Board of Trustees will have a discussion with each item. When the Board is finished with their discussion, we will open it up to the Committee members to make comments. He circulated to the Board and the members of the Police Reform Committee a table which includes a summary of all the recommendations and we will have a discussion with the Board of Trustees one by one. We took all the recommendations and put them into one list; this is one report. The recommendations were one effort by the Board of Trustees, the Police Reform Committee and the Village Staff. After the discussions on the report tonight, the Board of Trustees will adopt the report. The following is the recommendations from A thru P.

Item	Status and/or Current Actions	Plan and Policy Considerations	Board Action
A. Review and maintain training to remain current with the times and the needs of our community.	<p>The Department has already completed or nearly completed training the entire Department in the following topics:</p> <ul style="list-style-type: none">• Implicit Bias• Anti-Bias in Policing• De-Escalation• Duty to Intervene• Proper use of Body Worn Cameras• Procedural Justice. <p>This is in addition to numerous other standard training topics that are both required and essential to law enforcement, such as first aid, firearms, law review and a list of others.</p>	<p>To continue to train and evaluate these topics on an annual basis in addition to past topics. Having a Lieutenant trained as trainer in Procedural Justice allowing for the Department to address changing trends in this area of policing. Combination of both internal and external training. The Village and Police Department will also explore anti-racist training programs.</p>	Agreed.
B. New de-escalation, anti-bias and antiracist	See Item A above.	Board and/or Staff to work together to implement the training, on at least	Agreed.

Item	Status and/or Current Actions	Plan and Policy Considerations	Board Action
training and continuing education for all police personnel - on at least an annual basis		an annual basis. Need to review policies to confirm that the training is reinforced through the policies. Annual training plan. The Police Department will also explore anti-racist training programs.	
C. Pursue and finish up the Tarrytown Police Department accreditation process.	The Village of Tarrytown Police Department applied to NYS to begin the accreditation process approximately 18 months ago, participated in training related to managing the program, and has attempted to adhere to all current NYS accreditation guidelines when creating new General Orders	Assign the Staff Services Lieutenant as our designated NYS Accreditation Manager to allow us to achieve this goal and stay in compliance for years to come with the standards as they are updated and established by NY State.	Agreed.
D. Complete installation and implementation of body-worn cameras by Police Officers	The Village purchased Axon 3 Body Cameras for every member of the Department. As of this date we have trained and deployed a camera for use by every officer in the Department.	To maintain the program, continue training and to post the policy of the Department regarding body worn cameras on the Village website. The Village will continue to support this.	Agreed.
E. Expand outreach from current “passive” level at retail/restaurant establishments to “active” meetings with HOAs or tenant associations, the Chamber of Commerce, and other groups	Currently there are no specific or re occurring procedures to accomplish this. However, the Department and the Village will work together to explore alternatives on how this might be achievable, and will be flexible and open to consider new approaches.	The Department is open to new forms of community outreach. Officers have been encouraged to enhance their involvement with the community during routine activities. The Department will investigate the feasibility (monetary, manpower) on instituting such policies as foot patrol and assigning on duty officers to attend community meetings. Chief will also reach out to existing HOAs and neighborhood associations.	Agreed.
F. Actively reach out to young people in the community to encourage their participation in youth education efforts and encourage them to pursue law enforcement careers. A key goal is to get more women and minorities to pursue a career in law enforcement.	The Tarrytown PD is currently partnering with the Sleepy Hollow PD, the UFSD of the Tarrytowns, Elmsford, and WestCOP, as well as the Robert Martin organization, to create a youth interaction group entitled Bridge Builders to engender better relationships between youth and the local police. The Department has scheduled additional meetings for this over the next month.	To continue to expand on this program so it becomes an ongoing approach. To work with the schools, post COVID and allow different officers to attend meetings with the involved youth. The Department will continue to explore and listen to ideas outside of the box that will allow us to accomplish this goal. One such example is our event, “Books and Badges” allowing young people to have a positive interaction with law enforcement.	Agreed.
G. Either appoint an in-house staff person or request County and State action to create/restore funding for mental health support in substance	This is focused on addressing and filling the void created by the abolishment of the mental health-focused Mobile Crisis Team that formerly operated out of the Westchester Medical Center. Currently the Village does not	Work with Town, County and State government to find an economically feasible way of incorporating mental health professionals into calls for service where their expertise will be utilized to assist law enforcement. Specific suggestions 1. Restore the	Agreed.

Item	Status and/or Current Actions	Plan and Policy Considerations	Board Action
abuse, domestic violence, identified persons with histories of mental health issues. (The recommendation is to focus on working to establish this support through the Town.)	employ a community first responder who responds in real time to assist officers on calls related to mental or behavioral issues. While our officers do deal with these calls they are not as frequent compared to Departments and municipalities of a larger size.	County’s mobile crisis mental health response team through County Government or 2. Partner with the Town of Greenburgh and its incorporated Villages to explore the possibility of a “fly car” system with a qualified professional in the Town to assist those in need of mental health support services.	
H. Review and examine the department’s DARE program, with the focus on its effectiveness and consideration of any possible alternative uses to address underage drinking and illegal drug use by youth in the community.	Currently we have (2) certified DARE officers who are also certified School Resource officers. Pre-COVID they were teaching DARE one day a week at Washington Irving School. One of the officers is bi-lingual and taught to a group in Spanish. Research on the effectiveness of the DARE program is argued in both support of its success as well as the notion the program’s outcomes do not meet its goals.	The Village is open to coordinate with the school district on continuing the program, researching an alternative or removing these officers totally from the schools. We are there because we support officers interacting with students in a non-confrontational setting and the District asked us to continue the program. We can meet with students, parents and the District over the months and years ahead.	Agreed.
I. Review departmental policies and methods of subduing violent offenders to ensure the safest non-lethal means and methods are being utilized locally. (Note: This is also part of the accreditation process.)	Our current policies are in accordance with accepted use of force criteria spelled out for an accredited agency. Tarrytown has banned chokeholds since 2001 in this Department. We also operate within a defined force continuum emphasizing the tactic of using the minimal amount of force necessary. We also have a use of force policy that requires documentation of all use of force, including the gender/gender identification and ethnicity of the person the force was used on.	In the future we plan to stay up to NYS DCJS accreditation standards in this area and review all use of force forms for any irregularities or patterns. We can also post this general order and other similar orders related to our force continuum on our departmental website/public information portal. Institute yearly internal review of any uses of force from the prior year with the Village Administrator’s office.	Agreed.
J. Advocate for changes in the Civil Service process, related to the hiring and discipline of persons as police officers. Encourage changes to civil service to expand educational requirements for new hires, allow flexibility in the use of lists to promote diversity, make it easier to discipline or remove an officer for willful misconduct, and amend the “rule of three” to allow more	<p>The village operates under and follows the current Civil Service rules and regulations. The Police Chief and the Administrator will advocate through the appropriate channels to amend the rules for these stated purposes.</p> <ul style="list-style-type: none">• Encourage increased education for the initial hiring of officers• Allow municipalities to have the ability to switch between local, county and Spanish-speaking lists• Make it easier to remove or suspend an officer for willful misconduct (requires a change in State law)• Increase “rule of three” – allow for additional candidates to be considered	Police agencies and municipalities across Westchester County who operate under the jurisdiction of the Westchester County Civil Service should elevate these concerns for consideration by our County and State officials. (Note: The issues mentioned are already included under the County police reform report.) The intent is to allow flexibility in the process with the goal of increasing diversity in hiring and employment of police officers, such as encouraging the hiring of women and minorities.	Agreed.

Item	Status and/or Current Actions	Plan and Policy Considerations	Board Action
candidates to be considered.			
K. Advocate at the NYS level to de-criminalize minor Vehicle and Traffic Law (VTL 511) violations. Note: This is a recommendation from the representative of the District Attorney’s Office.	The Department must adhere to all NYS laws and their current guidelines. One action taken by this Department was NOT to process those accused of Aggravated Unlicensed Operation 3 rd Degree (NYS VTL 511) and Suspended Registration (NYS VTL 512) by transporting the accused to police headquarters. Barring any exigent circumstances the accused is now issued all summonses on the street with a return date to answer the charges in criminal court.	This issue can only be changed or modified on the State level. The Village officials and police department officials will coordinate with other governments to advocate for this change with our state officials, including through the New York Conference Of Mayors (NYCOM).	Agreed.
L. Issue an annual survey to the community seeking input and feedback on the Police Department and if possible other Village departments	The Village conducted our first community survey about the Police Department as a part of the police reform and reinvention process and received over 1,000 responses.	The concept of performing regular surveys holds value in obtaining information from the community. This is a venture that warrants further discussion, survey refinement and goal setting. Perhaps future surveys might include other Village departments.	Agreed.
M. Create a long-term Police Advisory Committee, or a Policing Committee for ongoing discussions and listening sessions with the community.	Currently there is not a Police Advisory Committee in the Village of Tarrytown.	The establishment of a police advisory committee or group is one the Village is discussing. A thought would be to create an advisory committee that would assist residents in different areas of concern not just focused on the police department. A group of appointed citizens could help those in need navigate housing issues, educational concerns or law enforcement concerns, among other concerns.	Agreed, in some form. Requires additional work.
N. Create a separate Citizens’ Police Review Board, or C.C.R.B.	Currently there is not a Citizen’s Police Review Board in the Village of Tarrytown. Under the Unconsolidated Laws of the State of New York, the Westchester Police Act Chapter 5711q designates the duly elected Board of Trustees is the board of police commissioners. The Village Police Department’s Command Staff (Chief and Lieutenants) handle minor disciplinary incidents both administrative and those reported by citizens. If an incident were to require the filing of formal charges or go beyond the scope of the Department as spelled out in the Rules and Regulations, the matter would be put forth for consideration before the Board of Trustees. Any incident that has the	The establishment of a dedicated citizens’ advisory or review board (CCRB) within the village to provide independent civilian oversight, would transfer authority currently held by the elected officials – the Mayor and Board of Trustees, to an independent group of citizens.	The Board of Trustees does not agree with this item.

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	possibility of being criminal in nature is referred to the Westchester County District Attorney’s Office of Public Integrity.		
O. Build a Dashboard presenting such statistics as arrests and ethnicity associated with those arrests, for Tarrytown to review and post for public view at least on an annual basis.	As part of the reform and reinvention process the Department posted statistics pertaining to arrests, gender, ethnicity, race and age on its Village webpage. It has been requested that the Village continue to post statistics about the activities of the department.	The Department will continue to update these statistics on an annual basis and post them for public view on its webpage. We will add additional information to this page, for example use of force policy, body camera policy, how to submit a compliment/complaint, etc.	Agreed.
P. Initiate new programs to enhance and maintain officer wellness (including mental and behavioral health services). Request assistance from NY State.	Currently the Department participates in a plan known as EAP, which stands for Employee Assistance Program. This is a County run program that offers assistance to officers based on a variety of issues including but not limited to mental health.	The Department has begun to searching for new initiatives to address these issues. One such program we will be starting soon deals with “First Responder Wellness and Suicide Awareness”. We have also begun to a discussion with NYS Office of Mental Health for an in service program to work with individuals in distress and increase officer wellness.	Agreed.

Board of Trustees Discussion on recommendations A thru P:

Item A

A. Review and maintain training to remain current with the times and the needs of our community.

Mayor Butler noted that he understands that the police department will use the internal train the trainer method, for example the Police Chief will have a Lieutenant trained and then he would train the rest of the department.

Administrator Slingerland noted that it will be both external training and train the trainer to save time and money.

Police Chief Barbelet noted that the training will be a combination of external and internal training.

Trustee Rinaldi noted that the purpose of this meeting tonight is to approve the report that is a mandate by New York State on a broader scope and suggests that we can prioritize and get more detailed with individual action items at a later time.

Trustee Brown noted that she feels that the training recommendation can be broad for the purpose of the report and she wants to help the police department get all the training they need do a better job.

The Board of Trustees agreed to the following Board Action for Item A:

To continue to train and evaluate these topics on an annual basis in addition to past topics. Having a Lieutenant trained as trainer in Procedural Justice allowing for the Department to address changing trends in this area of policing. Combination of both internal and external training. The Village and Police Department will also explore anti-racist training programs.

Item B

B. New de-escalation, anti-bias and antiracist training and continuing education for all police personnel - on at least an annual basis

Police Chief noted that a lot of these topics have become very important in 2021 so his goal for the police department is to do them on an annual basis. By having train the train internally, we will be able to accomplish that.

Trustee Rinaldi noted that he would like to see the police department use evidenced based training and practices, which are backed up by research and evidence.

Police Chief Barbelet noted that evidence based training is fine, but that would be based on whether the course they are taking is deemed to be successful. He would like to have the police trained in all the areas that were recommended by the police reform committee, even though certain training has not been evident in Tarrytown. For example, duty to intervene. We have not had a problem with duty to intervene in Tarrytown, however, this is what the community wants their police department to be trained in. He would like to have the officers trained so that we can prevent the problem from happening here. Therefore, there will be evidenced based training and there will be training that comes out of society. The majority of training that the police department does is sanctioned by the New York State DCJS and other state agencies like NYMIR and NYCOM.

Mayor Butler noted from his military background, there has always been a training officer and he understands that there is a training officer in the police department. That training officer usually publishes an annual training guideline or training plan. Will the police department publish a training plan, which can be reviewed as Trustee Rinaldi was speaking about?

Police Chief Barbelet noted that under his direction, Lt. Budnar will be the training officer and he will schedule training for the whole year for all the members of the department. A daily record of the training and of the officers will be kept.

The Board of Trustees agreed to the following Board Action for Item B:

Board and/or Staff to work together to implement the training, on at least an annual basis. Need to review policies to confirm that the training is reinforced through the policies. Annual training plan. The Police Department will also explore anti-racist training programs.

Item C.

C. Pursue and finish up the Tarrytown Police Department accreditation process.

Police Chief Barbelet noted that approximately 18 months, Lt. Cole was tasked to start the accreditation process before the Police Reform was a big issue, so we have a head start on most other agencies that are trying to do this in New York State. One of Lt. Cole's assignments is to become the accreditation manager which means that he will see this process through. We are about 3 months out before we can call for the accreditation process to begin. Once we became part of the accreditation process, we receive emails letting us know when a standard has changed or has been added. It will probably be a 3 year process and fortunately we had a head start.

Trustee Brown asked the Police Chief if some of the things that you are going to do to become accredited are some of the same things that are in our list of recommendations.

Lt. Cole noted that is accurate. When you look at training, there are certain specific criteria that is required through New York State accreditation standards. So there's many different areas where there are critical standards that we have to meet in order to be accredited and they go above and beyond any other standard that the Police Chief, the Board or the Department utilizes.

Trustee Brown asked Lt. Cole to let the Board know when we go through the recommendation items if that particular item is part of the accreditation process.

Police Chief Barbelet noted that every officer in the department goes through three days of service training through the county police which is based upon standards by New York State to be accredited. We meet the minimum standard for the training topics, but in Tarrytown, we do more training above the standard accreditation. The benefit of being accredited is to stay current on training and other important issues. Accreditation can save you money, but it's also a peace of mind to know that your department is meeting standards set up by the state government.

The Board of Trustees agreed to the following Board Action for Item C:

Assign the Staff Services Lieutenant as our designated NYS Accreditation Manager to allow us to achieve this goal and stay in compliance for years to come with the standards as they are updated and established by NY State.

Item D

D. Complete installation and implementation of body-worn cameras by Police Officers

Trustee Rinaldi noted that the Village purchased body cameras for every member of the Department. To date, we have trained and deployed a camera for use by every officer in the Department.

The Board of Trustees agreed to the following Board Action for Item D:

To maintain the program, continue training and to post the policy of the Department regarding body worn cameras on the Village website. The Village will continue to support this.

Item E

E. Expand outreach from current “passive” level at retail/restaurant establishments to “active” meetings with HOAs or tenant associations, the Chamber of Commerce, and other groups.

Police Chief Barbelet noted that we have had community police programs in the past including cops on bicycles, it becomes a manpower constraint. We have to have three officers in the Village available to answer calls. We can try to have officers have a more public presence and get out of their vehicles, but not too far away from their vehicles in case they get a police call. If the Board wants to consider having cops on bicycles or consider having an officer on foot, it is a Board decision to set the policy and give us direction.

Trustee McGovern noted that she feels this is important for the police to be seen in the community.

Trustee Zollo asked the Police Chief if the police officers can walk in the central business district in the late afternoon, like 500 ft. away from their car. And also if police officers can drive down to Pierson Park and walk around, again a short distance from their vehicle to have more contact with the public.

Police Chief noted that they can absolutely do that. They call that PWT, Park, Walk and Talk.

Mayor Butler asked in the evenings, if police officers still get out of their vehicles and check local establishments to make sure that their doors are locked.

Police Chief Barbelet noted that they do still check the establishments in the central business district in the evenings and they also do what is called vertical patrol, where we go to the two high rise story buildings in Tarrytown on a random basis and check inside the building from the top floor to the bottom, checking hallways and stairwells. This is to prohibit people mingling in the hallways and stairwells and it's also nice for the residents to see them in the building checking to make sure they are safe.

The Board of Trustees agreed to the following Board Action for Item E:

The Department is open to new forms of community outreach. Officers have been encouraged to enhance their involvement with the community during routine activities. The Department will investigate the feasibility (monetary, manpower) on instituting such policies as foot patrol and assigning on duty officers to attend community meetings. Chief will also reach out to existing HOAs and neighborhood associations.

Item F.

- F. Actively reach out to young people in the community to encourage their participation in youth education efforts and encourage them to pursue law enforcement careers. A key goal is to get more women and minorities to pursue a career in law enforcement.

Police Chief announced the next police officer test is going to be May 15 and May 16. They are holding it over a weekend. He made a promise to a police reform committee member to announce when the next test will take place. I enlisted her to help get that information out to some of the local people in the community. He already spoke to Reverend Williams about posting it at the church. Lt. Cole is currently working on a police tutorial service. The Tarrytown Police Department is going to sponsor a cram session on taking the entrance exam for anyone from Tarrytown that registers to take the test and it is free of charge. We plan to partner with the Village of Sleepy Hollow. They have been partnering with the Sleepy Hollow Police Department, the Schools of the Tarrytowns and West Cop. We are also working cooperatively through the Bridge Builders Program. These are two big initiatives that are brand new and we are moving forward on.

Trustee Brown noted that during the public hearings, we heard that people are hoping to see more police women on the police force. She asked if the police department can make a special focus on trying to get women interested in law enforcement, so we can have more women on the force.

Mayor Butler noted that like the County has a Spanish Speaking Police Officer list, maybe they can come up with a County List of Women Police Officers.

Trustee Rinaldi asked if the Bridge Builders Program was only local and how many local residents participate.

Police Chief said that it includes Tarrytown, Sleepy Hollow, Elmsford and the Town of Greenburgh and they have only had an organization meeting so far and there was roughly six local students on the call. When it opens up, they expect to meet with a larger group at the schools.

The Board of Trustees agreed to the following Board Action for Item F:

To continue to expand on this program so it becomes an ongoing approach. To work with the schools, post COVID and allow different officers to attend meetings with the involved youth. The Department will continue to explore and listen to ideas outside of the box that will allow us to accomplish this goal. One such example is our event, “Books and Badges” allowing young people to have a positive interaction with law enforcement. A key goal is to get more women and minorities to pursue a career in law enforcement.

Item G.

- G. Either appoint an in-house staff person or request County and State action to create/restore funding for mental health support in substance abuse, domestic violence, identified persons with histories of mental health issues. (The recommendation is to focus on working to establish this support through the Town.)

Administrator Slingerland noted that this is focused on addressing and filling the void created by the abolishment of the mental health mobile crisis team that used to operate in the Westchester County Medical Center. Currently the Village does not employ a community first responder who responds in real time to assist officers to deal with these calls. They are not frequent here in Tarrytown compared to departments and municipalities of a much larger size city or town. We recommend or plan to consider a policy to work with the town, county and state to find an economically feasible way of incorporating these mental health professionals. The County Executive mentioned that they’re working on establishing a task force with these kinds of staff people and make them available to local law enforcement so they will be available for calls with their expertise to assist law enforcement efforts. The specific suggestions are 1) restore the County’s mobile crisis team or 2) partner with the Town of Greenburgh and explore the possibility of establishing a fly car system.

Police Chief Barbelet noted that he supports this 100% and we welcome the help. He believes the most successful plan here is to work with the Town of Greenburgh. The residents of Tarrytown already contribute a tax to the Town budget which goes to the paramedic system. We already have

in place a paramedic service, he suggests to expand on that successful model and look to create that for mental health. He would like nothing more for a mental health professional to respond and assist his officers.

Trustee Rinaldi agreed with the Police Chief that the County's Mobile Crisis team was never adequate. In order to make this successful, we need to make it more local.

Lt. Cole noted that there is a reference to this in the accreditation standards. We have a policy and procedure currently and it is accreditation standard proof that deals with mental health and the medical health of persons in custody, which is required through New York State.

Trustee Rinaldi noted that he understands that is a standard when people are in custody and that's where the mental health training of how you as an officer deals with that person in custody and that's great. But, he thinks the issue is more about that there's some people who don't have to be in custody by the police. He doesn't think the police officer should be the primary intervention facilitator when you come across someone who has psychiatric symptoms.

Lt. Cole agreed and said the police officer would facilitate getting them the help they need.

Trustee Hoyt asked why the County Mobile Crisis Team was cut or stopped.

Trustee Rinaldi noted that it wasn't stopped, it was cut and now they even cover a larger area. So the closest one is now in St. Vincent's in Harrison. It is budgetary.

The Board of Trustees agreed to the following Board Action for Item G:

Work with Town, County and State government to find an economically feasible way of incorporating mental health professionals into calls for service where their expertise will be utilized to assist law enforcement. Specific suggestions 1. Restore the County's mobile crisis mental health response team through County Government or 2. Partner with the Town of Greenburgh and its incorporated Villages to explore the possibility of a "fly car" system with a qualified professional in the Town to assist those in need of mental health support services.

Item H.

- H. Review and examine the department's DARE program, with the focus on its effectiveness and consideration of any possible alternative uses to address underage drinking and illegal drug use by youth in the community.

Police Chief noted pre-COVID, we taught DARE every Tuesday at the Middle School. We also do random walkthroughs of John Paulding just for ten minutes so that the police officer is familiar with the school and the kids and they can see them just walking through to say hello. We are teaching DARE in the schools because we were asked to by the school district. If somebody presents a different program, of course we would look into it. He 100% supports police officers in schools. When he drops off his teenage daughter at Middle School, he loves when he sees the police officer outside her school. When the officers are in the school teaching DARE, the students get to see the officers in a non-confrontational manner. Research studies have shown that the DARE program does not meet its goals. Others say it does. But the one good thing is that it allows police officers to interact with students in a non-confrontational manner.

Trustee Zollo noted that in the police survey, it showed that 50% of the youngsters that participated in the survey were concerned with drugs and alcohol in their life and in schools.

Trustee Rinaldi noted that there are other evidence based programs like DARE and his recommendation is that we commit to comparing different programs and to have the best program that's the most effective for the kids.

Police Chief Barbelet noted that basically, it is the school district's decision. If they don't want us there, we will not be there and if they want us there, we will work with them to get it done.

Trustee Brown asked if there are competing programs like the DARE program.

Trustee Rinaldi noted that it was adopted through Congress and it was disseminated with the best intentions and then over time, there have been alternative evidenced based programs. He has already started the research to find the best program, but he thinks right now, we should dedicate and continue the program.

The Board of Trustees agreed to the following Board Action for Item H:

The Village is open to coordinate with the school district on continuing the program, researching an alternative or removing these officers totally from the schools. We are there because we support officers interacting with students in a non-confrontational setting and the District asked us to continue the program. We can meet with students, parents and the District over the months and years ahead.

Item I

- I. Review departmental policies and methods of subduing violent offenders to ensure the safest non-lethal means and methods are being utilized locally. (Note: This is also part of the accreditation process.)

Lt. Cole noted that this is another critical standard that we have in place already and we meet them procedurally now. The written directive is consistent with training, using only the amount of force that subjectively is reasonable, under the circumstances, for the officer involved to effect an arrest, prevent escape, defend themselves or others, also for documenting, reviewing, investigating and reporting use of force.

Trustee Zollo asked if the Village has a force continuum. Can you explain force continuum.

Lt. Cole noted that Tarrytown does have force continuum in our policy. Force continuum starts with the least intrusive level of force up to deadly physical force. It gives an officer kind of a paradigm of use of force model, where the officer has to select from the appropriate use of force for the particular circumstance the officer is encountering. It may go from zero to 100 in two seconds, or it may provide more tools, in the less than lethal situation. It goes from speaking and verbal to using your hands to a less than lethal tool such as pepper spray or taser then it gets a little more involved to an impact weapon, or if needed, a firearm.

Police Chief Barbelet noted that it is important to note that this and other procedures will be available on the Police Department website under the heading "Policy Procedures" for everyone to see. If it doesn't jeopardize the officer's safety, we are willing to post procedures publicly.

Mayor Butler asked for explanation regarding New York State accreditation standards in this area and that we use the forms for any irregularities or patterns.

Police Chief Barbelet noted that DCJS has created a policy where every month, we have to submit to them any kind of use of force made by an officer. It has to fit the criteria, but the use of force, includes the use of hands as a weapon, grabbing an arm if they are resisting. On the form that gets filled out, it includes the name of the officers, age, race and ethnicity and it also asked for the person that the force was used against. So it allows for monitoring by him and by the state if we see a pattern where an officer is using force multiple times against, for example, women.

The Board of Trustees agreed to the following Board Action for Item I:

In the future we plan to stay up to NYS DCJS accreditation standards in this area and review all use of force forms for any irregularities or patterns. We can also post this general order and other similar orders related to our force continuum on our departmental website/public information portal. Institute yearly internal review of any uses of force from the prior year with the Village Administrator's office.

Item J

- J. Advocate for changes in the Civil Service process, related to the hiring and discipline of persons as police officers. Encourage changes to civil service to expand educational requirements for new hires, allow flexibility in the use of lists to promote diversity, make it easier to discipline or

remove an officer for willful misconduct, and amend the “rule of three” to allow more candidates to be considered.

Police Chief Barbelet noted that if you read the County’s Police Reform package, there’s a whole section on this. The issues we have mentioned are all discussed and supported under the County reform. He is one of six Police Chief’s in Westchester County on the Civil Service Committee. We will have a voice with them explaining our recommendations and why we support them.

Mayor Butler noted that he understands that municipalities can work off of a local, county and/or Spanish speaking lists. But, he doesn’t see how this helps females or people of color. He would like to see this added as a way to allow more diversity in terms of females and people of color.

Trustee Brown noted that she is a little surprised that everyone would agree the requirement that a police officer should have a college degree. Would that put up barriers to some of the people who we are trying to reach? Some of the police candidates do have a college degree, but there’s life experience and there’s military experience that could also apply.

Police Chief Barbelet noted that in New York City, they have a 60 college credit requirement. This topic was discussed with the County Civil Service that this could be a block or a hindrance to people in the community that didn’t have the opportunity to go to college. He supports not to require a 4-year college degree, but some form of higher education credits.

Trustee Zollo noted that we should look at the educational requirement at a later time. We also give police officers the opportunity to go to college when they join the force, we pay for them to go to college. Maybe we should include that we encourage increased education.

The Board of Trustees agreed to the following Board Action for Item J:

Police agencies and municipalities across Westchester County who operate under the jurisdiction of the Westchester County Civil Service should elevate these concerns for consideration by our County and State officials. (Note: The issues mentioned are already included under the County police reform report.) The intent is to allow flexibility in the process with the goal of increasing diversity in hiring and employment of police officers, such as encouraging the hiring of women and minorities.

Item K

- K. Advocate at the NYS level to de-criminalize minor Vehicle and Traffic Law (VTL 511) violations. Note: This is a recommendation from the representative of the District Attorney’s Office.

Administrator Slingerland noted that this issue can only be changed or modified at the state level. Village officials and police department officials will coordinate with other governments to advocate for this change with our state elected officials, including through NYCOM, New York Conference of Mayors.

Police Chief Barbelet noted that these minor violations can include suspended vehicle registration, insurance lapse. They are unclassified misdemeanors and they are arrestable offenses. We decided about a year ago, that instead of bringing that person in handcuffs into the police department and put them in a booking cell, we would issue them a summons, and it is considered an arrest. They can get a ride home and then are expected to come back to court two weeks later. This is a less traumatizing experience then putting them into a police car and coming to headquarters. That is something we can change as an internal procedure internally, but these are laws in New York State, classified as an unclassified misdemeanor. And the only way to address this is through NYCOM and/or with other government agencies. But we have taken our own progressive steps to make this not as intrusive.

The Board of Trustees agreed to the following Board Action for Item K:

This issue can only be changed or modified on the State level. The Village officials and police department officials will coordinate with other governments to advocate for this change with our state officials, including through the New York Conference of Mayors (NYCOM).

Item L

- L. Issue an annual survey to the community seeking input and feedback on the Police Department and if possible other Village departments.

Police Chief Barbelet noted that we discussed possibly sending out surveys for not only the Police, but about other Village Departments, like Recreation or Sanitation. This could be a good feedback about all Village services. Maybe the next survey should be a more general survey, about 4 or 5 questions about other Village departments.

Trustee Brown noted that sometimes there's value in sending surveys to everyone and then sometimes sending the survey to small groups also adds values where you can target certain groups from time to time to get different snapshots.

Trustee Kim noted that if you are going to send out surveys every year, he thinks that it has to be the right type of questions and can't be wordy or long. We need to be able to analyze them for something that's productive and constructive for the Village.

Trustee Rinaldi noted that we are now working on the police department and he thinks the way it is written is fine. If the Board decides to send the survey out annually or biannually that will be the Board's decision. He thinks that we need to send out a police survey at least every other year.

The Board of Trustees agreed to the following Board Action for Item L:

The concept of performing regular surveys holds value in obtaining information from the community. This is a venture that warrants further discussion, survey refinement and goal setting. Perhaps future surveys might include other Village departments.

Item M

- M. The establishment of a police advisory committee or group is one the Village is discussing. A thought would be to create an advisory committee that would assist residents in different areas of concern not just focused on the police department. A group of appointed citizens could help those in need navigate housing issues, educational concerns or law enforcement concerns, among other concerns.

Trustee McGovern noted that it is important to have a concerned citizens group who can support and advocate for the Village on all of the recommendations we have made in this police reform report.

Trustee Brown agreed that the Village will need an advocacy group to help with us work with other government agencies.

Trustee Zollo noted that he believes the idea of a Police Advisory Committee is for residents to have a committee to go to if they have a problem with the police department, housing, or immigration etc. He thinks this is a great idea. The Board of Trustees can develop a committee to ensure that all of our residents are treated equally and fairly.

Trustee Rinaldi noted that the police reform meetings was a very positive collaborative process. He thanked Trustee Zollo, Trustee Brown, Rich and Josh and the Police Chief who have all done an incredible amount of work on this. And all of the members of the police reform committee for all their dedicated work and effort in this process. The easy part of this process was to fulfill the governor's mandate; we have gone so far beyond that in this process. We don't have any real problems with our police department, but we want to enhance interactions between the officers and community and enhance how the community feels about the police and their experience with our police. Transparency is vital. He thinks our police department under the leadership and guidance of Police Chief Barbelet, have already engaged in making improvements and enhancements and as the Mayor said, the buck ultimately stops at the Board of Trustees. We are in effect a police commission. He noted that he does not support a CCRB. He doesn't think we need it. He supports an advisory committee that directly advises the Board of Trustees. The advisory committee would be a group for our citizens to go to with concerns or issues, for example, to help file a complaint if they feel threatened or scared.

Trustee Brown agrees with an advisory committee. The Board will have to work on its mission and what they will address. She does not see any justification for a CCRB. It seems reactionary, disciplinary and punitive. Our police department has proved to us so far that they are doing a very good job and we want to help them do an even better job.

Trustee Zollo noted that the Police Department works at the direction of the Police Chief. The Board of Trustees has oversight on the department and works with them on the budget and we negotiate contracts, but on a daily basis, they work for the Police Chief. The Village of Tarrytown is very fortunate to have the kind of police department that we have. It starts with the Chief and goes out to every single one of the police officers.

The Board of Trustees agreed to the following Board Action for Item M:

The establishment of a police advisory committee or group is one the Village is discussing. A thought would be to create an advisory committee that would assist residents in different areas of concern not just focused on the police department. A group of appointed citizens could help those in need navigate housing issues, educational concerns or law enforcement concerns, among other concerns.

Item N

- N. Create a separate Citizens' Police Review Board, or C.C.R.B.

The Board of Trustees does not agree with this item.

The establishment of a dedicated citizens' advisory or review board (CCRB) within the village to provide independent civilian oversight, would transfer authority currently held by the elected officials – the Mayor and Board of Trustees, to an independent group of citizens.

Item O

- O. Build a Dashboard presenting such statistics as arrests and ethnicity associated with those arrests, for Tarrytown to review and post for public view at least on an annual basis.

Police Chief Barbelet noted that if you go onto our website, we have posted the last three years of statistics, 2017, 2018 and 2019, pertaining to arrests, gender, ethnicity, race and age. We plan to have 2020 statistics available within two weeks. We will continue to do this annually and continue to be more transparent. You will also see a tab on the website called department policies or department procedures, this will include things like our use of force policy and body worn cameras policy. We also established on our website that you can file a civilian complaint against a Tarrytown Police Officer and never step foot in our building. We are making that user friendly. We will continue to remain transparent with our statistics.

The Board of Trustees agreed to the following Board Action for Item O:

The Department will continue to update these statistics on an annual basis and post them for public view on its webpage. We will add additional information to this page, for example use of force policy, body camera policy, how to submit a compliment/complaint, etc.

Item P

- P. Initiate new programs to enhance and maintain officer wellness (including mental and behavioral health services). Request assistance from NY State.

Police Chief Barbelet noted that the Employee Assistance Program (EPA) has been around a long time and he has utilized this program for some of his employees. We are active in making sure everyone gets the help they need. We have just begun a new program dealing with first responder wellness and suicide awareness. We have also begun discussion with the New York State Office of Mental Health for an in service program to work with individuals in distress and increase officer wellness. He asked if Lt. Budnar can speak on this new program, officer wellness.

Lt. Budnar noted that the Officer Wellness Program is something that we just started through the New York State Office of Mental Health. It is a free training that they provide. We started out by sending a supervisor and two police officers to participate in this training and they are going to provide us feedback on their training experience. We are going to come up with different ways we can utilize this here within our department. This training is offered through New York State Office of Mental Health and the Division of Forensic Services. The supervisors also participated in a first responder, supervisor suicide awareness training that we put out in the last three weeks and all the supervisors have now been trained in that.

Trustee Rinaldi noted that he recommends that we support ongoing wellness for officers.

Trustee Brown noted that our community has many wellness providers and maybe they can provide workshops for police officers outside of wellness training. She agrees this should be ongoing and should be fostered.

Mayor Butler suggested that you include a request to New York State or the County for resources to help fund some of these mental health programs. Funding is very important.

The Board of Trustees agreed to the following Board Action for Item P:

The Department has begun searching for new initiatives to address these issues. One such program we will be starting soon deals with “First Responder Wellness and Suicide Awareness”. We have also begun to a discussion with NYS Office of Mental Health for an in service program to work with individuals in distress and increase officer wellness.

Loretta London, member of the Police Reform Committee, thanked everyone for a wonderful evening and she is glad to see things are being wrapped up. As far as the mental health issues, she is a board member at Phelps Hospital and they have a mental health department there. She thinks they may be a good resource and that we should ask them if they would be interested in supporting an officer wellness program. Her other comment relates to police education. We talk about evidence based science or in her field it is evidence based medicine. She thinks before we say a police officer shouldn't have an education or whatever words you put in, she thinks it is necessary that we look to see what resources and data we do have to help us support which way you go on that. In her line of work, she always encourages and mentors people to get an education so that they have a better perspective of their life and what's available to them through education.

Joe Cesarano, member of the Police Reform Committee, thanked Chairman Trustee Zollo, Trustees Brown and Rinaldi and the rest of the committee for this opportunity. He thanked Police Chief Barbelet for being so diligent and patient with everyone on the committee. He noted that he and 10 other members of the Police Reform committee sent out a report of recommendations today to the Board of Trustees and he wanted to go through a little bit of those specifics. He noted that they strongly recommend anti-racist training to supplement the anti-bias training, which has been under a lot of criticism nationwide as being somewhat ineffectual. He noted that they recommend the active bystander training as a supplement to the duty to intervene requirements. We would love to see the Tarrytown Police Officers engage in restorative justice practice training, there is a community that is doing that on a nationwide basis for communities across the nation. There seems to be some confusion regarding the community responder proposal. Their recommendation is for a community responder that acts independently of the police department. It is not a co-responder assisting a police officer in responding to a specific call, but an alternative to a police officer responding. In places like Denver, you have 911 operators actually routing calls directly to community responders rather than the police officers. We recommend that the police officers have a backup or a standby role, unless they are needed.

Trustee Brown asked if the mental health responders could be volunteers.

Mr. Cesarano noted that it could absolutely be a volunteer program. It also could be a program funded in other ways through private funding or a shared service with other towns. In regards to subduing violent offenders, we would like to ask the Tarrytown Police Department to document every step in a de-escalation situation as part of that recommendation. Regarding the CCRB, there is an opt-in program that Tarrytown can be part of. He encouraged the Board to look at the report on officer wellness for specifics.

Village Administrator Slingerland noted that we did receive these recommendations back in mid-December and they have been incorporated into the report. As mentioned earlier, we don't want to have two different reports. Tonight we are looking to incorporate these final recommendations into the report of the Village of Tarrytown from the Committee and from the Board of Trustees and that's why we did an item by item review.

Lisette Mendez-Boyer, member of the Police Reform Committee, thanked everyone for this amazing work and she is grateful that Tarrytown was able to do this work. She sees this as a starting point, not an ending point. She feels it is very important to have an advisory committee to continue to listen to the community. She fully supports the idea of the community responder for mental health and substance abuse where it is separate from the police department. She loved the idea of bringing Phelps Hospital as a way to bring wellness to our police officers. She added that it is as important as the wellness for police officers are is the wellness of our community. She thought her DARE experience was awful and that program should be thrown out. Bring in doctors and nurses and let them talk about drug issues. We don't need police officers teaching kids about drugs, we have other professionals who can do that. Let Police Officers do the job they are trained to do.

Kisha Bush, member of the Police Reform Committee, thanked everyone for all their hard work. She thanked the Police Chief for remembering to tell her about the upcoming police exam and she will spread the word to the youth in the community including the young ladies as well. She thinks the DARE program could be beneficial, but she doesn't think that the police should be the ones teaching the kids about drugs. She believes it kind of criminalizes drug abusers in some way makes it feel like those who use drugs are criminals because police are telling you not to use them. She feels that if the DARE program could be reinvented, maybe using health professionals to bring awareness to this type of program. The Police Chief brought up vertical patrol. She is aware of a lawsuit in New York City regarding a clean hall program. She wanted to bring awareness to the police on how the police interact with people when they find them in the halls or stairwells. We don't want to have those issues here, we don't need a lawsuit. She supports the opt-in CCRB, we may not have one for the Village, but to have an opt-in with the County may be something that will help to bring a level of security to people when they find themselves afraid to actually approach the police department regarding an officer within the department.

Trustee Zollo thanked everybody, it's been a great experience. We appreciate everybody's participation, it was very productive. He thinks the committee, the Police Department, the Board of Trustees and Village staff put together a great report considering the size of our Village and the size of our Police Department. Fortunately, we didn't have a lot of difficulty because we do have a terrific department. However, we are human, we have faults and we could always be better. If we can help make a better police department, we are going to do it. This is the beginning of the process, it will continue and we couldn't have done it without all of you. Thanks again.

Administrator Slingerland thanked everybody who has participated in this process. It has been a long road, many hours of meetings and effort putting together draft reports and bringing together a lot of people with varying opinions and perspectives. We serve everybody here and everybody in the community. There was a lot of involvement and concerns across the board and we want to make sure that we represent everybody here in the Village. He thanked everyone for all the hard work, commitment and efforts. He thanked the Police Chief and all the members of the police department, they are among the best he has worked with, but there's always room for improvement. The Chief and the department has had an open mind and have been very cooperative during this process.

ADJOURNMENT

On the motion of Trustee Zollo, seconded by Trustee Hoyt, the meeting was adjourned at approximately 8:10 p.m. by vote of seven in favor, none opposed.

Carol A. Booth
Village Clerk