

VILLAGE OF ELMSFORD POLICE REFORM GUIDE

SECTION 6: ELMSFORD POLICE DEPARTMENT  
REFORM OUTLINE

## **I. What Functions Should the Police Perform?**

***How should the police and the community engage with one another?***

Trust between Law Enforcement and the public is essential. Communities rely on their respective Police Departments and the District Attorney to protect them from crime and injustice. We, in turn, rely on community support and cooperation in ensuring public safety. Today, unfortunately, in too many communities across the country this relationship is strained. One of the basic tenets of the Elmsford Police Department is that through effective police community relations the public can learn about their roles in crime prevention and what to expect from the Police Department. In the same way the Police Department can better understand the community they serve and develop strategies to better address peace and order issues.

### **1. Determining the Role of the Police:**

#### ***a. What role do the police currently play in your community?***

The Village of Elmsford Police Department is a state-of-the-art, professionally staffed law enforcement department dedicated to providing optimal services for all village residents and those who visit or do business within our jurisdiction. Through comprehensive, preventative measures the department is continually vigilant in its efforts to maintain a lawful and peaceful atmosphere, thereby helping to facilitate a high quality of life for all residents and visitors.

#### ***b. Should you deploy social service personnel instead of, or in addition to, police officers in some situations?***

Calls for service involving those in mental health crisis always include the possibility of unknown dangers to the public and responding officers. The addition of trained social service personnel would always be considered beneficial and a welcomed addition to responding police personnel. However, as response times are critical and no such program currently exists in the County, this would require the addition of full time social service personnel to the Elmsford Police Department. The frequency with which the Elmsford Police Department is called to deal with mental health issues is relatively low and does not support additional personnel. Perhaps a better idea is the creation of social service response teams to operate throughout Westchester County and aid smaller departments that may be unable to staff full time social service personnel. Increased mental health training would aid officers in more effectively and safely handling mental health calls.

***c. Can your community reduce violence more effectively by redeploying resources from policing to other programs?***

*i. Violent crime statistics remain low throughout the village. Attached are the Village of Elmsford Police Department crime statistics.*

***d. What function should 911 call centers play in your community?***

*i. 911 calls are answered by Elmsford Police Department personnel.*

***e. Should law enforcement have a presence in schools?***

*i. The Elmsford Police Department currently has 3 certified School Resource Officer who are specially trained to work in an academic environment. Training includes counseling, handling special needs students, violence in the school, gang activity, creating drug free schools and crisis management.*

*ii. The Elmsford Police Department currently has 5 Officers certified as Juvenile Officers. These Juvenile Officers are specially trained in laws and procedures of juvenile custody, laws relating to juveniles and applicable case law, juvenile diversion programs, investigative techniques, interview and interrogation techniques, interviewing the child victim/witness, child abuse investigations, substance abuse, missing persons overview, signs of suicide and current trends in juvenile crime.*

## **2. Staffing, Budgeting, and Equipping Your Police Department**

***f. What are the staffing needs of the police department the community wants?***

*i. The Elmsford Police Department is currently comprised of 21 sworn members. The rank structure of the Elmsford Police Department is comprised of 1 Commissioner of Police, 1 Chief of Police, 1 Detective Sergeant, 2 Detectives, 4 Patrol Sergeants and 12 Police Officers. Officers staff 3 tours of duty every day and the Detective Division handles criminal investigations.*

***g. Should components of the police department be civilianized?***

*No*

***h. How should the police engage in crowd control? Should the police be “demilitarized”?***

- i. The Elmsford Police Department supports the ability of citizens to exercise their First Amendment rights of Freedom of Speech and Freedom to Assemble. The Department has always made an effort to stress the importance of peaceful assembly and aid in any way to ensure their rights are protected.

In the event of a disorderly group Officers are trained in crowd and disorder control in Recruit Training (Police Academy) and retrained annually.

**II. Employing Smart and Effective Policing Standards and Strategies**

**1. Procedural Justice and Community Policing:**

***a. Specific policing strategies that have raised concerns among the public***

**i. “Broken Windows” and “Stop and Frisk”**

1. The Elmsford Police Department does not utilize a “Stop and Frisk” policy but does utilize “Broken Windows” policing theory. For example, any graffiti that is sprayed on property in the Village is immediately documented, photographed and painted over.

**ii. Discriminatory or Bias-Based Stops, Searches and Arrests**

1. Discriminatory or Bias-Based Stops, Searches and Arrests are prohibited by Departmental policy.

**iii. Chokeholds and Other restrictions on Breathing**

1. The use of Chokeholds or any type of hold or technique that obstructs the breathing or blood circulation to a person is prohibited by Department Regulations and New York State law. Officers are not permitted to use such holds or techniques

and have not been trained by the Elmsford Police Department in their use.

**iv. Use of Force for Punitive or Retaliatory Reasons**

1. Use of Force is only permitted when, in performance of their duty, officers must effect the lawful arrest of a person resisting or attempting to escape from custody, in self-defense or in the defense of another person or to prevent a person from injuring themselves. Once compliance is achieved, the escalation of use of force ceases. Use of force is not permitted for punitive or retaliatory reasons.

**v. Pretextual Stops**

1. The Elmsford Police Department does not condone or participate in Pretextual Stops.

**2. Informal Quotas for Summonses, Tickets or Arrests**

1. The Elmsford Police Department does not condone or participate in quotas for Summonses, Ticket or Arrests.

**vi. Shooting at Moving Vehicles and High Speed Pursuits**

1. Officers are prohibited from discharging a firearm from or at a moving vehicle unless the occupants of the vehicle are using deadly physical force against the officer or a third party.

**vii. Use of SWAT Teams and No-Knock Warrants**

1. SWAT Teams: Situation determines if SWAT is utilized.
2. No-Knock Warrants: Situation determines if No-Knock Warrants are issued.

**viii. Less-Than-Lethal Weaponry such as Tasers and Pepper Spray**

1. Less Lethal technology and tools provide officers with a use of force option that decreases the possibility of injury to suspect and officer. The Elmsford Police Department trains its officers in the use of several Less Lethal tools. One such option is the Taser brand X26P Conducted Electrical Weapon. The X26P

CEW produces an electrical charge that can momentarily incapacitate a subject.

2. The Elmsford Police Department also trains its Officers annually on other forms of Less Lethal technology such as Pepper Spray and the ASP Expandable Baton.

**ix. Facial Recognition Technology**

We do not use Facial Recognition Technology in the Elmsford Police Department.

**2. Law Enforcement Strategies to Reduce Racial Disparities and Build Trust:**

***a. Using Summonses Rather than Warrantless Arrests for Specified Offenses***

The Elmsford Police Department has always issued VTL summonses in the street. Additionally any Violation Arrests are handled by summons in the street as opposed to bringing the subject into Police Headquarters.

***b. Diversion Programs***

*The Elmsford Police Department participates in Youth Court*

***c. Community-Based Outreach and Violence Interruption Programs***

The Elmsford Police Department utilizes our Youth Officers and School Resource Officer to interact with youth within the Village and our Schools.

***d. Hot-Spot Policing and Focused Deterrence***

In an effort to combat perceived criminal trends Elmsford Police Personnel are directed to patrol certain areas.

Focused Deterrence can and will be utilized in instances such as traffic complaints where officers will give special attention to locations throughout the Village that have increased traffic violation complaints. Focused Deterrence is also helpful with incidents of increased juvenile activity throughout the Village. Increased patrol and bicycle posts can be utilized to interact with groups of juveniles and prevent issues from arising.

***e. De-Escalation Strategies***

- i. All Elmsford Police personnel are trained in de-escalation techniques to reduce the intensity of an encounter with a suspect and equip

officers with options for gaining voluntary compliance or mitigate the need to use a higher level of force while still maintaining control of the situation. Officers are trained annually in Article 35 training by the Department Training Officers and receive de-escalation strategies during recruit training (Police Academy) and receive refresher training at least annually.

***f. Can Your Community Effectively Identify, Investigate and Prosecute Hate Crimes?***

1. The Elmsford Police Department Detective Division has received training on identifying and investigating Hate Crimes.

**3. Community Engagement:**

**a. Community outreach plans**

The Elmsford Police Department is currently working in partnership with WestCOP in an effort to improve the bond between the Police Department and the Youth in our Community.

**b. Citizen advisory boards and committees**

**c. Partnership with community organizations and faith communities**

1. The Elmsford Police Department and its Constable Unit assist monthly with the Food Pantry at Mt Carmel Church and the Food Pantry at Alexander Hamilton High School.

**d. Partnering with students and schools**

1. All Events in the Village of Elmsford work in conjunction with Police Department.

**III. Fostering Community-Oriented Leadership, Culture and Accountability**

**1. Leadership and Culture:**

**a. *Is your leadership selection process designed to produce the police-community relationship you want?***

The goal of the Police Department is to provide each member an opportunity for advancement and to promote a deserving officer who has the Police Departments best interests in mind. Part of the promotional process includes a discussion about each candidates accomplishments in the area of building community relationships. Each candidate for promotion is asked to describe what they have done with respect to building a a positive relationship between the department and the community. The candidates are also asked what are ways that the Department can improve the Police-Community relationship in the future.

**b. *Does your officer evaluation structure help advance your policing goals?***

Our officer evaluation process reinforces the need for achieving the Departments goals and providing all Village residents and guests fair and equal enforcement of the law. This is accomplished by constant supervision by our Sergeants who ensure that our officers actions are aligned with Departments goals and policies.

**c. *Does your hiring and promotion process help build an effective and diverse leadership team?***

Yes

**d. *What is your strategy to ensure that your department's cultural-norms and informal processes reflect your formal rules and policies?***

While on patrol the vast majority of an officers work is done independently outside the immediate oversight of a supervisor. Because of this we have found that consistent enforcement of rules and creating a culture of working together with the community is beneficial to policing. This approach has been interwoven into the work ethic of every member of the Police Department and is reinforced daily by our supervisors. Given that the Elmsford Police Department is smaller than most police agencies, this culture can be observed by command staff and supervisors every day.



## **2. Tracking and Reviewing Use of Force and Identifying Misconduct:**

***a. When should officers be required to report use of force to their supervisor?***

***i. All Elmsford Police personnel are required to notify their supervisor immediately following any use of force incident. Any use of force by a member of the Department must then promptly document the use of force in an appropriate report and place the report in the Use of Force Binder.***

***b. What internal review is required after a use of force?***

***1. All Use of Force Reports are reviewed by the Commissioner of Police and/or the Chief of Police.***

***c. Does your department review officers' use of force and/or misconduct during performance reviews?***

***Yes***

***d. Does your department use external, independent reviewers to examine uses of force or misconduct?***

***No***

***e. Does your department leverage Early Intervention Systems (EIS) to prevent problematic behavior?***

***We do not leverage early intervention systems but due to the small size of our department our first line supervisors are able to effectively monitor the officers assigned to them. This intimate knowledge of the officers allows our Sergeants to serve as early intervention systems and monitor our officers for any changes in performance or conduct.***

***f. Does your department review "sentinel" or "near-miss" events? Does the department respond to questionable uses of force with non-punitive measure designed to improve officer performance?***

***The Commissioner of Police and/or the Chief of Police review all reports of use of force or sentinel events. Any discrepancy that does not rise to the level of misconduct can be addressed with retraining of the officer concerned.***

Officer retraining seeks to stress proper tactics or a more appropriate use of force.

**3. Internal Accountability for Misconduct:**

*a. What does your department expect of officers who know of misconduct by another officer?*

1. Any Elmsford Police Officer who knows of misconduct by another Officer is expected to immediately report it to a Supervisor.

*b. Does your department have a clear and transparent process for investigating reports of misconduct?*

1. Any violation of the Departments Rules and Regulations is investigated by the Departments Internal Affairs. Any Criminal violation is forwarded to the District Attorneys Office.

*c. Does your department respond to officer misconduct with appropriate disciplinary measures?*

Yes

*d. What procedures are in place to ensure that substantiated complaints of misconduct or complaints? When appropriate, are cases referred to either the District Attorney or another prosecutor?*

Yes.

*e. Does your department expect leaders and officers to uphold the department's values and culture when off-duty?*

Yes, see section 2.12.7 of the Rules and Regulations

**4. Citizen Oversight and Other External Accountability:**

*a. Does or should your department have some form of civilian oversight over misconduct investigations or policy reform?*

No.

*b. Is there an easy, accessible and well-publicized process for members of the public to report complaints about police misconduct?*

Yes.

- c. *Are investigation outcomes reported to the complainant? Are they reported to the public? Should the department or the citizen complain review entity, if any, accept anonymous complaints?*

Investigation outcomes are reported to the complainant. Outcomes of investigations are not reported to the public due to NY Civil Rights Law and we do not accept anonymous complaints.

- d. *Does your local legislature engages in formal oversight of the police department? Should any changes be made in the legislature's oversight powers or responsibilities?*

- e. *Is your police department accredited by any external entity?*

No.

- f. *Does your police department do an annual community survey to track level of trust?*

No but it is a possibility.

##### **5. Data, Technology and Transparency:**

- a. *What police incident and complaint data should be collected? What data should be available to the public?*

1. All reports that are closed are available to the public through FOIL Requests.

- b. *How can your police department make its policies and procedures more transparent?*

The Elmsford Police Department is committed to making its policies and procedures more transparent.

- c. *How can your police department ensure adequate transparency in its use of automated systems and "high-risk" technologies?*

The Elmsford Police Department does not use automated systems or "high-risk" technology. Any information gathered by any technology employed by the Department is vetted by Detectives or Officers before any action is taken. For example the License Plate Readers use License Plate Reading technology

affixed to our patrol cars. Each Officers must authenticate any plate read by the technology before taking police action.

***d. Should your police department leverage video cameras to ensure law enforcement accountability and increase transparency?***

- i. The Elmsford Police Department has installed cameras throughout the interior and exterior of Police Headquarters. The cameras record sensitive locations within the department and capture locations where there are interactions between officers and suspects who may be in custody.
- ii. Beginning in 2018 the Elmsford Police Department installed license plate readers throughout the Village of Elmsford. License Plate Readers are positioned to capture entrance/exit points of the village. The addition of the License Plate Readers has aided investigations and serve an additional function as a crime deterrent.

**IV. Recruiting and Supporting Excellent Personnel**

**1. Recruiting a Diverse Workforce**

***a. Does your agency reflect the diversity of the community it serves?***

Yes we have 12 police officers and 4 of these officers are of minority descent, in our supervisor ranks 3 out of the 7 supervisory officers are of minority descent. In total the Elmsford Police Department has 21 sworn members of the department and 1/3 of the sworn members are of minority descent.

***b. What are ways in which your agency recruits diverse candidates that better represent the demographics of the communities you serve?***

In order to better serve our community the Elmsford Police Department has recently used the Spanish Speaking List when hiring new members.

***c. What are ways in which you can re-evaluate hiring practices and testing to remove barriers in hiring underrepresented communities?***

W currently adhere to the Westchester County Civil Service Rules when looking to hire a new member of the Department.

***d. How can you encourage youth in your community to pursue careers in law enforcement?***

1. During Career Day at the Elmsford Schools our School Resource Officer encourages the children in the Schools to pursue careers in Law Enforcement.

***e. What actions can your agency take to foster the continued development and retention of diverse officers?***

The Elmsford Police Department does not have any issue with retention or development. Based on our experience there is no need for changes in our operations. We will continue to operate an inclusive and supportive work environment.

**2. Training and Continuing Education**

**a. How can you develop officer training programs that reflect your community values and build trust between police officers and the communities they serve?**

1. Senior Leadership members of the Police Department have already received Implicit Bias Training and would like all members of the Department to receive it as well. Further our training programs are constantly adapted to better serve the growing trends in tactics and techniques. The training program is continuously changed to reflect changes to the law and the needs of the community that we serve.

**b. What training policies can you adopt to ensure that police officers continuously receive high-quality, relevant in-service training sessions?**

1. Annual In Service Training is located in Rules and Regulations Section 30.5.0. Our officers currently complete between 36-48 hours of in service training annually. Officers assigned to specialized units or serve as instructors complete additional annual training.

**c. How can your police department use its training programs to avoid incidents involving unnecessary use of lethal or nonlethal force?**

1. This can be accomplished by having annual training for the Department members.

**d. How can your police department use its training programs to avoid potential bias incidents and build stronger connections with communities of color and vulnerable populations?**

**e. How can your training program help officers effectively and safely respond to individuals experiencing mental health crises or struggling with substance abuse?**

1. Our Officers receive this training while they are recruits in the Police Academy. Further the Elmsford Police training curriculum is constantly adjusted to deal with mental health and substance abuse call for service.

**f. What practices and procedures can you put in place to measure the quality and efficacy of your police department's training programs?**

Training programs are constantly evaluated by the training staff to ensure that they are in line with current tactics and trends. Each program is adapted to fit the needs of the officers and the community.

### **3. Support Officer Wellness and Well-being**

**a. *What steps can you take to promote wellness and well-being within your department?***

The Elmsford Police Department is an active participant in the Employees Assistance Program with our Westchester County partners and actively encourage our officers to take part if necessary.

**b. *Are there ways to address officer wellness and well-being through smarter scheduling?***

The Elmsford Police Department is always looking for ways to improve our officers schedule in fact we are currently evaluating a new schedule in order maintain a more consistent work schedule during the week.

*c. How can you effectively and proactively address the mental health challenges experiences by many police officers throughout their careers?*

If mental health issues are noticed by another Department member or a member lets us know that he is experiencing mental health issues, we would immediately offer assistance.

*d. How can you address the well-being of an officer after a traumatic event?*

1. Our Officers would be transported to the Hospital and our Department would offer counseling to the Officer.