

# Rosendale Police Reform & Reinvention Report

Rosendale Community Police Reform Committee (RCPRC)

Last Updated: 3/5/2021

## TABLE OF CONTENTS

<b>Background</b>	<b>2</b>
Police Reform and Reinvention	2
Building on Established Trust	3
Expanding Our Awareness & Understanding	3
Methodology	4
Rosendale Police Reform Community Survey	4
Public Listening Sessions	5
Individual Interviews	6
Process	6
<b>Findings</b>	<b>6</b>
01 - Determining the role of the Police	6
02 - Staffing, budgeting, and equipping our Police department	10
03 - Procedural Justice and Community Policing	11
04 - Law Enforcement Strategies that Build Trust	14
05 - Community Engagement	15
06 - Leadership and Culture	18
07 - Tracking and reviewing use of force and identifying misconduct	20
08 - Internal Accountability	22
09 - Citizen Oversight and Other External Accountability	23
10 - Data, Technology & Transparency	24
11 - Recruiting a Diverse Workforce:	27
12 - Training and Continuing Education	28
13 - Support Officer Wellness and Well-being:	29
Summary of Priority Recommendations	30
<b>Conclusion: Change is often difficult; change is often necessary.</b>	<b>31</b>
<b>Appendix A - Executive Order No. 203</b>	<b>33</b>
<b>Appendix B - Committee Members</b>	<b>36</b>
<b>Appendix C - Summary of Public Survey Results</b>	<b>36</b>

**Appendix D - De-Identified Data Request**

42

**Appendix E - Summary of RPD Arrest, Case, Incident and Traffic Data**

43

## Background

On June 12, 2020, the New York State Governor signed Executive Order (EO) 203<sup>1</sup> requiring each local government in the State of New York to adopt a policing reform plan by April 1, 2021. This EO came in the wake of recent deaths across the country (*Alton Sterling, July 2016, LA; Rayshard Brooks, June 2020, GA; George Perry Floyd - May 2020, MN; Breonna Taylor - March 2020, KY; Michael Brent Charles Ramos - April 2020, TX; Daniel T. Prude - March 2020, NY*) and widespread civil unrest and led to the creation of the Police Reform and Reinvention Collaborative to invigorate communities all across the State. While the details of each report will differ, the primary elements being reviewed and considered by the Town of Rosendale include:

1. Use of force practices and strategies to ensure appropriate tactics are used
2. Data collection, sharing and use that promotes transparency and trust
3. Community oversight of policing practices, policies and leadership
4. Training requirements, particularly those related to racial and gender bias

The Rosendale Community Police Reform Committee (RCPRC) is working to make sure that any proposed changes to existing Rosendale Police Department (RPD) policies and guidance are done in accordance with the law. As a result, some reform recommendations, such as ones that would violate existing collective bargaining agreements, may be “out of scope” by the Committee.

## Police Reform and Reinvention

Due to recent fatal outcomes between Black individuals and law enforcement<sup>2</sup> many cities and states have already passed laws and amended their budgets to address some of the concerns. Similarly, the Rosendale Police Department is reviewing their procedures and considering changes that will enhance community policing with a focus on communities of color.

The Governor has issued an Executive Order 203<sup>3</sup> that both includes controversial and non-controversial proposals, and creates a baseline for forward thinking action.

In our effort to respond to the mandate, the Rosendale Community Police Reform Committee (RCPRC) created subcommittees to focus on the following key areas provided by the State for

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<sup>1</sup> See [Appendix A](#) for full text of EO 203

<sup>2</sup> See [Risk of being killed by Police use of force in the United States by age, race–ethnicity, and sex](https://www.pnas.org/content/116/34/16793) (https://www.pnas.org/content/116/34/16793)

<sup>3</sup> See [Appendix A](#) for full text of EO 203

consideration in the *New York State Police Reform and Reinvention Collaborative: Resources & Guide for Public Officials and Citizens*<sup>4</sup> (released August 2020). These include several broadly supported directives and sets a baseline for continued efforts toward better law enforcement and Police-community relationships. The thirteen subcommittees created were:

01. Determining the role of the Police
02. Staffing, budgeting, and equipping our Police department
03. Procedural justice and community policing
04. Law enforcement strategies to reduce racial disparities and build trust
05. Community engagement
06. Leadership and culture
07. Tracking and reviewing use of force and identifying misconduct
08. Internal accountability for misconduct
09. Citizen oversight and external accountability
10. Data, technology, and transparency
11. Recruiting a diverse workforce
12. Training and continuing education
13. Supporting officer wellness and well-being

## **Building on Established Trust**

Effective policing requires the cooperation of the Rosendale community. Our recommendations to reach across racial lines to build ties with community members could help to reduce disparities<sup>5</sup>. If the community does not trust the Police or does not have a sense of being on the same team and having the same goals, law enforcement is more difficult and less effective.

The RCPRC has studied local law enforcement records to identify the variations in policies, practices and culture that could predict excessive policing and/or discriminatory interactions. Data analysis does not solve problems on its own, but it can help us identify issues and point to solutions.

## **Expanding Our Awareness & Understanding**

According to a Survey administered by the RCPRC in the Fall of 2020, the majority of respondents to the Survey are satisfied with the performance of the RPD. However, there are Rosendale residents who have expressed concerns regarding racial disparities in local law enforcement. But the roots of those disparities are not always clear. Experts point to systemic problems as well as the implicit (largely unconscious) biases mentioned throughout this report. To be clear, those biases come from unconscious or unintentional beliefs. Yet a large proportion of all Americans have these implicit biases and it's difficult to expect Rosendale Police officers to be any different. But in matters of criminal justice, implicit bias can have life-altering implications<sup>6</sup>.

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<sup>4</sup> See [https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/Police\\_Reform\\_Workbook81720.pdf](https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/Police_Reform_Workbook81720.pdf)

<sup>5</sup> See [Section 1](#), [Section 3](#) and [Section 10](#) for additional details.

<sup>6</sup> See [Risk of being killed by Police use of force in the United States by age, race–ethnicity, and sex](#) (<https://www.pnas.org/content/116/34/16793>)

*"We have systems and institutions that produce racial disparate outcomes, regardless of the intentions of the people who work within them."*<sup>7</sup> - Radley Balko, Washington Post (June 2020)

Based on interviews conducted by the Committee, we have heard of a small number of interactions between Rosendale law enforcement and residents reported that explicit prejudice has occurred. Several factors (including an "us-versus-them" attitude especially toward communities of color) can account for the differences in treatment at the hands of Police. When this happens, there can be a lot of dehumanization that occurs in the interactions people have which can lead to reduced trust between the community and law enforcement. While the full factual basis of these interactions must also be considered, the fact that even a small number of residents have perceptions that explicit prejudice may exist needs to be examined to avoid adverse impact on community trust of local law enforcement.

Implicit biases are attitudes or stereotypes that can influence our beliefs, actions and decisions, even though we are not consciously aware of them and do not express those beliefs verbally to ourselves or others. One of the most well-demonstrated types of implicit bias is the unconscious association between black individuals and crime<sup>8</sup>. That association can influence an officer's behavior, even if he or she does not hold or express explicitly racist beliefs.

Given the compelling evidence that implicit biases exist throughout much of American society<sup>9</sup> it is likely that they exist here in Rosendale, including among members of the Police Department (as well as this Committee) and thus has been a focus of our research and a topic that is touched on throughout the individual subcommittee reports (see [Findings Sections](#)).

## Methodology

RCPRC members used several methods to collect and analyze information. Interviews with officials from RPD, Rosendale Town Council, County Law Enforcement officials, County Social Services agencies, and individual citizens. RCPRC also held three on-line public input sessions to obtain direct feedback from residents on RPD. Secondary data collection included a review of RPD policies, procedures, media reports, and comparative research of community Police reform initiatives in other jurisdictions. The RCPRC also designed and administered a Community Survey.

### Rosendale Police Reform Community Survey

The RCPRC created a fifteen question community Survey by modifying the "Community Survey on Public Safety and Law Enforcement" Survey from the Office of Community Oriented Policing Service, U.S. Department of Justice, to focus on key issues directly related to the Committee's

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<sup>7</sup> See

<https://www.washingtonpost.com/graphics/2020/opinions/systemic-racism-Police-evidence-criminal-justice-system/>

<sup>8</sup> See <https://gspp.berkeley.edu/assets/uploads/research/pdf/SpencerCharbonneauGlaser.Compass.2016.pdf>

<sup>9</sup> See <https://www.pnas.org/content/116/24/11693.short> and

<https://www.jrsa.org/pubs/factsheets/jrsa-factsheet-implicit-racial-bias.pdf>

work. The Survey was promoted online and using posters around Town and was administered between September 27 and October 8, 2020. Community members could complete the Survey anonymously online or on paper (which were submitted at the Town Clerk’s Office).

We received two hundred and eighty-eight online responses from residents and fifteen paper Surveys for a total of three hundred and three. Fifteen responses were from non-residents and were not included in the summary or analysis. The total number of responses (303) represents approximately 5% of the Town’s residents (total population is 6,075), which is considered a reasonably large sample size with regard to general Survey response rates. Among the 82.2% of respondents who provide information on their Race, the following demographics were reported:

### Survey Demographics vs. Rosendale Demographics

	Community Survey	2010 Census <sup>10</sup>	2019 Estimates <sup>11</sup>
<b>White</b>	75.8%	93.8%	90.4%
<b>Black/African American</b>	3.4%	1.8%	3.0%
<b>American Indian/Alaska Native</b>	.7%	.1%	0%
<b>Asian</b>	.3%	.8%	1.2%

Note: Totals may not add up to 100% as we did not include “Some other race” category data

As the Table indicates, the demographics of the Survey respondents were fairly close to the demographics of the Town of Rosendale<sup>12</sup>, thus making this a valid sample with regard to demographics.

See [Appendix C](#) for a list of Survey questions and a summary of responses, including the specific demographic breakdown (all individual comments have been removed from the summary to ensure confidentiality.)

### Public Listening Sessions

The Committee held three public listening sessions, which were streamed on the Town’s Facebook page with public commenting via the phone or Facebook comments, before the start of 2021 to gather input and feedback from the public.

- **Public Listening Session #1** - Was held on November 10, 2020, from 5:30 pm to 7:00 pm and was focused on providing the public with a general overview of the Committee’s

<sup>10</sup> See <https://ulstercountyny.gov/sites/default/files/documents/rosendale-2010-census.pdf>

<sup>11</sup> See <https://www.census.gov/quickfacts/rosendaletownulstercountynynewyork>

<sup>12</sup> Standard practice is to use population and demographics data from the last reported decennial Census when conducting this type of analysis but we have opted to also include estimates for 2019 given that the 2020 Census report has not yet been released.

charge and our process, as well as a high-level summary of key Survey results. More than an hour of the meeting was dedicated to public comment.

- **Public Listening Session #2** - Was held on December 1, 2020, from 5:30 pm to 7:00 pm and was focused on providing the public with initial findings from each Subcommittee with an opportunity for public comment on this work.
- **Public Listening Session #3** - Was held on December 15, 2020, from 5:30 pm to 6:45 pm and was focused on providing the public with preliminary reform recommendations each Subcommittee was considering and time for the public to comment on them.

### **Individual Interviews**

To collect confidential feedback from residents who did not want their identities revealed, committee members conducted telephone and in-person interviews. Summaries of these conversations were recorded without identifying information as means to maintain a record of the interview.

### **Process**

Since September 2020, the Committee has met weekly for one to one and a half hours. Due to the pandemic, these meetings took place on ZOOM. The RCCPR first developed a work plan and timeline and then executed that plan. Meeting Minutes have been taken at each meeting and posted to the Town website once approved. In addition to weekly meetings, subcommittee members have met when needing to discuss and coordinate their work. A range of interviews and discussions have also occurred with Chief Schaffrick, local law enforcement agencies, and Rosendale Town Board members.

## **Findings**

**The following subcommittee reports have been developed from research, interviews, and public comments.**

### **01 - Determining the role of the Police**

#### **1.1 Focus**

This subcommittee examined the various roles and responsibilities of the RPD and the results from our Rosendale Police Reform Community Survey (see the Methodology section, page five) to understand the role the RPD plays in the community. The following questions were used to guide the inquiry:

What role does RPD currently play in the community?

What are the primary activities of the RPD right now?

What is the public's current level of satisfaction/dissatisfaction with the RPD?

How often are complaints made about the Police?

Should social service personnel be deployed in addition to or instead of the Police in certain situations?

Can resources be reallocated from policing to other programs in the community (see also budget)?

Are officers trained/encouraged to refer residents to social services agencies?

Are officers trained on Implicit bias?"

## 1.2 Insights

The RPD plays a variety of roles in the Town of Rosendale. The department is the first responder to domestic disputes and domestic violence, medical emergencies, vehicle and other accidents, at-home deaths, drug overdoses, property theft, mental illness-related events, criminal investigations, conflict mitigation. The RPD also is the lead agency in emergency coordination with Fire Dept, County Social Services, County Child Protection Services, County Mobile Mental Health services. The RPD also has a community safety and engagement function covered more thoroughly in the sections below.

Based on data from the RPD, only two formal complaints were submitted in the last nine years. Regarding informal complaints, the Police Chief stated that he received approximately 2- 4 per year. The nature of these complaints was related to why Police acted the way they did; e.g., complaints related to their lack of knowledge about the law; phone calls about traffic tickets regarding suspended registration to the Chief of Police or Town Supervisor were to seek clarification on why a ticket was given, an arrest was made, etc. RPD's Facebook page provides another data point for the RPD to receive feedback from the public. The Police Chief noted that he gets many more informal commendations than complaints regarding his officers' performance. The RPD introduced a commendation form, available at the Town Hall Office building and the Town of Rosendale website under Police (<https://www.townofrosendale.com/Police/>). See [Section 8: Internal Accountability](#) for more details related to this topic.

From our community Survey, we found that 82.1% of respondents who had interacted with RPD in the past 12-month indicated that they were "satisfied" or "very satisfied," with 8.6% reporting that they were "dissatisfied" or "very dissatisfied." Interestingly, of those who reported their race on the Survey, the vast majority of minorities (non-White) reported being "satisfied" or "very satisfied." While this may indicate that minorities in our Town have a positive outlook regarding the RPD, it is important that we recognize that almost 9% of residents may not, and understanding why will be important moving forward.

While no conclusion can be drawn from our initial data analysis, the Committee has also done preliminary work to look for data that might indicate whether implicit bias does or does not exist within the RPD. Looking at Arrest data (see Table) from 2017 to 2020, we have found that among those for whom the race is known, 18.7% of arrests were of Blacks/African Americans, about five times the Blacks/African Americans population in Rosendale, which the U.S. Census Bureau estimated to be 3.0% in 2019 (it was 1.8% in 2010, the last decennial census for which data is available). In addition, the trend over this period appears to show that the percentage of Black

people being arrested has increased, from a low of 15.7% to a high of 23.0%. Stressing that many unknowns remain and that these results are far from definitive, additional research be done before any conclusions are reached.

Year	Total Arrests	Total Arrests of Black People (%)	Total Arrests of White People (%)	Total Arrests of People for which Race is "Unknown" (%)
2017	285	47 (16.5%)	225 (78.9%)	12 (4.2%)
2018	254	40 (15.7%)	205 (80.7%)	7 (2.8%)
2019	208	47 (22.6%)	158 (76.0%)	3 (1.4%)
2020 <sup>13</sup>	126	29 (23.0%)	96 (76.2%)	3 (2.4%)
<b>TOTALS</b>	<b>873</b>	<b>163 (18.7%)</b>	<b>684 (78.4%)</b>	<b>25 (2.9%)</b>

2019 Census Estimates of U.S. population<sup>14</sup>: 13.4% Black and 76.3% White

We were provided with RPD arrest data from 2020, which indicated that of the total of 126 arrests made, 4 of the arrests (3.1%) involved Black Rosendale residents, and 25 (20%) involved Black non-residents. While this may indicate that the percentage of arrests of Black residents is in line with the Town demographics, the rate of non-residents (20%), as well as an overall percentage (23%), remain close to twice the population demographics. These numbers also mirror what we see nationally, with Black people representing 26% of all arrests in 2019, about twice the percentage of Black (13.4%) people living in the U.S. at the time. For comparison, arrests of White people in 2019 represented 70% of all arrests, which is slightly below the estimated percentage of White people (76.3%) in the United States. Again, these types of "mixed results" demonstrate why no conclusions can or should be drawn from this data and instead only be used to identify questions or issues that warrant additional research.

With regard to data access, it is important to note that due to the summary nature of the data provided to date (see [Section 10: Data, Technology, and Transparency](#) for more details), we have not been able to do additional analysis to look at things such as what percentage of Black people being arrested were residents vs. non-residents for years other than 2020 as well as other important questions such as which arrests were initiated by the officers vs. dispatch. Thus, while useful to have this unofficial breakdown provided by the RPD directly, analyzing the full set of official de-identified data records would allow for a more detailed understanding of the issues. Finally, while the summary data provided for other types of interactions with the RPD, such as Traffic Stops, Cases, and Incidents, is useful since officers are not required to ask for race and

<sup>13</sup> Data provided by the Chief

<sup>14</sup> See <https://www.census.gov/quickfacts/rosendaletownulstercountynewyork> and <https://www.census.gov/quickfacts/fact/table/US/RHI125219#RHI125218>



ethnicity in these situations, the vast majority of the demographics is unknown, making it impossible to conduct a valid analysis due to the small sample size.

Based on public comments from our Community Survey and Listening Sessions (see [Methodology](#) section), we learned that some did question whether the RPD should be the first, and sometimes only, responder to drug overdoses, mental illness-related events, and other social and medical emergencies. The Town of Rosendale's annual budget does not have paid social services personnel. Instead, it relies on Ulster County for these and other services at no cost to the Town. This is due to the NYS State mandate to consolidate services to the extent possible at the County level. Therefore a social worker position funded by the Town of Rosendale would not have the legal jurisdiction to refer patients to County or State facilities. Moreover, social workers will not respond to 911 without the Police; often, social workers (e.g., mobile mental health) receive requests from the Police to respond to the scene related to mental hygiene issues.

Regarding RPD officer referrals to social services agencies, this is a common practice, but the RPD does not maintain searchable records because this information is in the narrative of reports of the referrals it makes to other agencies. Thus, determining the level of outside agency support utilized is unknown. Often, officers will initiate the calls to the various agencies; officers also provide a card that lists the different services. With regard to Domestic Violence referrals, sometimes RPD is asked to follow up, but many times the follow-up is done by the Domestic Violence Task Force or the Child Advocacy Center. Regarding substance abuse follow-ups, the ORACLE Team (Opioid task force) normally conducts a follow-up within 48 hours of the event.

RPD officers have been training in implicit bias since 2017. Implicit bias training is also part of the Police academy's curriculum and the RPD's annual four-part cycle training.

### 1.3 Recommendations

- **Measure and report on the percentage of minorities involved in interactions with the RPD.** While we do not believe specific goals should be set, regularly measuring and reporting on the percentage of minorities will help the RPD and Town understand trends and patterns in their interactions with the public. We believe it would be important to measure and report where possible, the percentage of minorities engaging with the RPD officer vs. dispatch initiated. As noted in other sections, presenting and reviewing this data at each Police Commission meeting and providing it to the public is highly recommended.
- **Further strengthen relations with the community.** Feedback recorded during this committee's public listening sessions noted concerns by some residents of Rosendale that the RPD could redouble their efforts to build greater rapport with the public by demonstrating that they are not just Police officers but community members themselves. This can be achieved by attending community events, talking with pedestrians, and visiting storekeepers.

- **Educate the public on minor infractions.** RPD officers should make greater efforts to educate the public about minor infractions and give warnings, rather than issuing tickets for first offenses. This could go a long way to improve the RPD’s reputation as public safety officers.

## 02 - Staffing, budgeting, and equipping our Police department

### 2.1 Focus

This subcommittee researched the following questions in an interview with Chief Schaffrick: What is the current staffing of RPD? How does staffing affect effectiveness/efficiency? Can any duties performed by officers be performed by social services personnel or administrative/support people? Do officers/Chief feel they have all the equipment they need?

### 2.2 Insights

RPD is a part-time (PT) department consisting of a PT chief, PT clerk, two full-time (FT) officers & eleven PT officer positions, nine PT positions are currently filled, and two remain vacant. As a PT department, RPD is a stepping stone for career Police officers. Chief Schaffrick manages the turnover, as is the nature of a PT department. RPD utilizes a PT clerk for administrative duties, and County social services personnel are being used as a secondary response as needed. Through the chief’s network of relationships with other Police departments and town and county agencies, he can equip his department in very cost-effective ways to meet the department’s basic needs.

The 2021 RPD budget is \$454,653. The Town of Rosendale does not pay the Ulster County Sheriff’s department or the State Troopers when they answer calls in Rosendale. However, the County and State Police are not designated to serve only Rosendale.

To compare the cost of the Police on a per capita basis, the RPD is among the lowest lowest in the county. The RPD 2021 budget: \$454,653 (\$75/capita) Other Ulster county Police budgets from 2020:

- New Paltz \$2.5 million (\$176/capita)
- Town of Ulster \$2.4 million (\$191)
- Saugerties \$2.5 million (\$131)
- Highland \$1.6 million (\$285)
- Shawangunk \$861,713 (\$62)
- Plattekill \$643,835 (\$63)
- Shandaken \$340,207 (\$115)

**Note:** These population numbers are based on 2010 US census data.

Town	Population	Police Budget	% per capita
Rosendale	6,075	\$454,653	\$75
Saugerties	19,482	\$2,500,000	\$128

Town of Ulster	12,327	\$2,400,000	\$195
Shandaken	3,085	\$340,207	\$110
Lloyd/ Highland	10,863	\$1,600,000	\$147
Plattekill	10,499	\$643,835	\$61
New Paltz	14,003	\$2,500,000	\$179

### 2.3 Recommendations

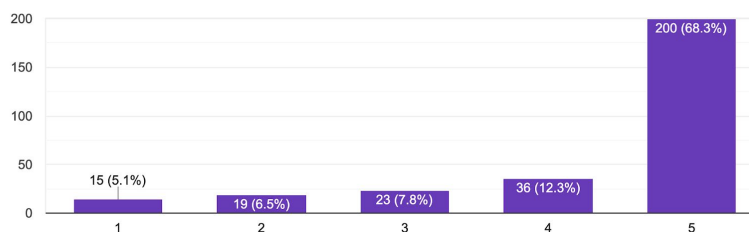
- The Committee recommends a more in-depth review of the total costs for community policing in Rosendale per capita vs. other municipalities with Police forces within the county.

## 03 - Procedural Justice and Community Policing

### 3.1 Focus

Procedural justice<sup>15</sup> and community policing addresses the idea of fair processes and how people’s perception of fairness is strongly impacted by the quality of their experiences and not only the end result of these experiences. This subcommittee focused on working to understand better the perceptions Rosendale residents have regarding trust, respect and fairness, and the RPD.

To what extent do officers in the Rosendale Police Department treat people of all races, ethnicities and backgrounds fairly?  
293 responses



### 3.2 Insights

Procedural justice and community policing are critical for building trust and increasing law enforcement authorities’ legitimacy within communities of color in Rosendale.

As such, it has paramount implications for both public safety and officer efficacy. While highly publicized abuses of authority by Police officers fuels distrust and erodes legitimacy, it is the less publicized, day-to-day interactions between community members and law enforcement that are most influential in shaping people’s long-term attitudes toward our Police department and officials.

With training, procedural justice and community policing can take hold (in Rosendale) at both the officer and department levels. It can help to further agencies’ efforts to restore strained

<sup>15</sup> Procedural justice theory has been applied to various settings, including supervisor-employee relations within organizations, educational settings, and the criminal justice system. In the criminal justice context, most procedural justice research has focused on citizen-Police interactions.

community relationships by laying the groundwork for legitimacy. Certainly, Rosendale Police officers are granted legitimacy in the sense that they are legally authorized to perform their duties. However, in the context of procedural justice, legitimacy refers to the extent to which the RPD and its officers are perceived as morally just, honest, and worthy of trust and confidence. And when that happens, procedural justice is a powerful tool in improving compliance, cooperation, and public safety especially in communities of color.

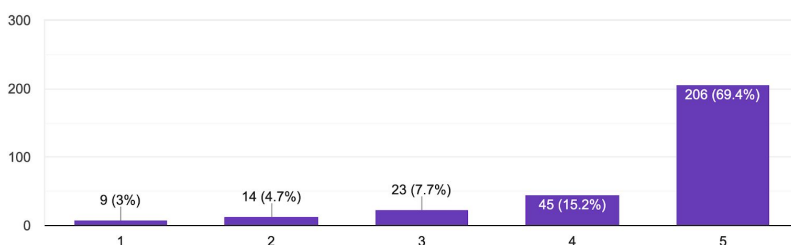
Section #2 of our community Survey focused on procedural justice matters with four questions dedicated to issues of respect and trust between the Rosendale Police Department and Town residents. Respondents used a rating scale on each question with:

- (1) Being "not at all."
- (2) Being "a little."
- (3) Being "somewhat."
- (4) Being "a lot."
- (5) Being "to a great extent."

While overall, a large majority of responses were positive (selecting a 4 or 5 on the rating scale) with an average across the four questions of 82.5%, there was a non-trivial average number of negative responses (selecting a one or a two on the rating scale) of 9.7%. While the RPD should be commended for the over 80% positive responses to these questions, given the focus of the Committee's work, we believe it is important to more fully understand why almost 10% of the respondents had a negative perception.

While we are limited by the data collected from this initial Survey, we have taken a closer look at that the procedural justice question which received the highest percentage of negative responses (11.6%), which was "To what extent do officers in the Rosendale Police Department treat people of all races, ethnicities, and backgrounds fairly?" (see Chart). While 68.3% responded "to a great extent" and 5.1% responded "not at all" to this question, of those respondents who provided their Race, the vast majority of minorities had a positive response "4 or 5" to this question. Interestingly, while there were more negative responses from those who opted not to identify their Race on the Survey, the vast majority of respondents who selected a rating of "1" also identified themselves as White.

To what extent are officers in the Rosendale Police Department respectful?  
297 responses



Similarly, when we look at the procedural justice question that received the lowest negative response (7.7%), which was "To what extent are officers in the Rosendale Police Department respectful?" We also found that the vast majority of respondents who identified themselves as Black had a

positive response to the question and the vast majority who selected "1" identified as White.

Again, with more negative than positive responses from those who opted not to identify their Race at all.

While the Community Survey looked at the opinion and perception of Rosendale residents, and thus may or may not reflect what actually takes place in interactions between residents and the RPD, it is often just as important to address perception as it is reality when working to ensure trust with law enforcement. Thus, while the overall response to the Survey was positive and those minorities who responded did not appear to have significant concerns, it is important that more work be done to understand better why some in our community feel negatively toward the RPD.

The full summary of Survey results can be found in [Appendix C](#), and more background on the Survey itself is in the [Methodology](#) section.

Finally, while more anecdotal, the Committee also heard concerns from specific residents. Some of whom requested anonymity regarding perceived negative interactions with the RPD that led them to question the degree to which the RPD could be trusted.

### 3.3 Recommendations

- **Conduct Annual Community Policing Survey** - We strongly recommend that the RPD administer an annual community policing Survey, using the one conducted by the RCPRC as a baseline, to measure progress on issues of procedural justice. We would further recommend that the RPD set annual goals regarding the average percentage of negative responses to these questions and launch specific initiatives designed to reduce percentages over time.
- **Hold an Annual Public Town Hall Meeting** - To continually build and increase trust with the community, the RPD should hold an annual “town hall” meeting to report their Survey findings and engage in a public dialog to better understand what the data indicates.
- **Identify Independent Third Party to Engage Minorities** - Based on feedback the Committee has received, we believe that some residents, particularly minorities, may feel uncomfortable sharing concerns and feedback directly with the RPD. It is important to stress here that this is not necessarily due to any negative interactions they have had with the RPD but rather general concerns they have regarding law enforcement, possibly based on prior experience with other agencies. Given this, we would recommend that an independent third party, someone who is familiar with the minority community, be identified to confidentially engage with the Town’s minorities when input is needed.

## 04 - Law Enforcement Strategies that Build Trust

#### 4.1 Focus

Law enforcement experts have identified a range of strategies<sup>16</sup> to help Police departments address racial disparities and help build trust within their communities. This subcommittee researched to what degree these strategies, when appropriate, are used by the RPD and what additional procedures would be useful to consider. Questions included: Does Rosendale Police Department have any proactive community intervention or violence prevention programs? Are there "hot-spot" policing areas? Are de-escalation strategies in the RPD manual, and are officers trained in these strategies?

#### 4.2 Insights

While some recommended strategies (which all generally have both pros and cons), such as "hot spot" policing, in which data is analyzed to identify areas of high criminal activity so that policing in that area can be increased, are not generally used in smaller cities and towns. Other strategies, such as de-escalation and community-based intervention or violence prevention programs, can be very effective regardless of the size of the jurisdiction.

Based on discussions with Chief Schaffrick and a review of the RPD Policy Manual, we have found that the RPD encourages the use of de-escalation strategies by its officers and uses these whenever deemed appropriate. For example, the Use of Force section (300.3) of the RPD Policy Manual includes the following:

*300.3.4 ALTERNATIVE TACTICS - DE-ESCALATION*

*When circumstances reasonably permit, officers should use non-violent strategies and techniques to decrease the intensity of a situation, improve decision-making, improve communication, reduce the need for force, and increase voluntary compliance (e.g., summoning additional resources, formulating a plan, attempting verbal persuasion).*

In addition to this general policy on the use of de-escalation tactics, the RPD manual also specifically recommends (Section 407.5(b) that de-escalation be used when acting as First Responders to situations that involve individuals experiencing a mental health crisis. This recommendation is then expanded on in Section 407.6: DE-ESCALATION, which provides specific recommended tactics such as "speak and move slowly and in a non-threatening manner," turn off flashing lights and sirens, and to avoid using "stances or tactics that can be interpreted as aggressive." Finally, the RPD Policy Manual also requires or recommends, depending on the circumstances, that officers receive regular training on de-escalation strategies (see Section 304.9(f) and 300.8(b)).

The RPD does engage in a range of informal community intervention and violence prevention initiatives. These include being present in the community and having officers regularly leave their patrol cars to engage the public. The RPD also participates in and organizes community events, including fundraising initiatives led by Chief Schaffrick.

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<sup>16</sup> See [https://www.theiacp.org/sites/default/files/2018-11/IACP\\_PMP\\_SmallTribal.pdf](https://www.theiacp.org/sites/default/files/2018-11/IACP_PMP_SmallTribal.pdf)

Finally, the RPD maintains an active Facebook group page with over 2,800 followers where they regularly post information for the community and engage with the public online. The page alerts the community to policing concerns, such as scams that are going around, highlights community events and activities, spotlight officers who go beyond the regular call of duty, and reports on arrests that occur.

#### 4.3 Recommendations

Whereas we believe the RPD supports and uses appropriate law enforcement strategies that are designed to build and maintain trust within our community, for improvement, we are recommending the following:

- **Emphasize De-escalation Tactics Earlier in Section 300.3 (Use of Force)** - The current RPD Policy Manual makes a note of using de-escalation tactics at the end of the Use of Force section and does not list specific tactics to use in this section (instead, specific tactics are listed in Section 407.6 related to situations involving persons experiencing a mental health crisis). We would recommend referencing the use of de-escalation tactics earlier in Section 300.3 and provided a list of specific tactics as well as means to emphasize their use.
- **Promote Examples of De-escalation on Facebook Group** - To build more community awareness of their use of de-escalation strategies, we would recommend that the RPD post more examples of de-escalated situations or where force was avoided.
- **Make More of the RPD Policy Manual Publicly Available** - While some aspects of the Policy Manual may need to be kept confidential to address security concerns, we would encourage the RPD to make as much of it available to the public as possible, particularly those sections that speak to issues such as policies regarding situations that involve people experiencing a mental health crisis. We would also encourage the RPD to hold annual public meetings on their Policy Manual to answer questions from the community and gain input and feedback on it.

## 05 - Community Engagement

### 5.1 Focus

Though tiny relative to the population, there is no robust community engagement or outreach program(s) focused toward communities of color. Is there such a community engagement or outreach plan in the RPD manual? Formal training? How does the current Police commission function? Partnerships with community organizations and faith-based organizations? Students/youth center? Is particular attention paid to communities of color, if so, how? How is engagement with this community tracked?

### 5.2 Insights

Strong relationships of mutual trust between the Rosendale Police Department and the communities they serve are critical to maintaining public safety and effective policing.

Rosendale Police rely on community members' cooperation to provide information about their neighborhoods. The community also works with the law to devise solutions to crime and disorder problems. Similarly, community members' willingness to trust the Police depends on whether they believe that RPD actions reflect community values and fairness and incorporate procedural justice and legitimacy principles.

The foundation of a successful Rosendale policing strategy is the close ties between Police and community members, a connection that mutually benefits both. And these ties will be strengthened by implementing an enhanced community engagement program.

To develop a strong community partnership, the Rosendale Police Department must develop positive relationships with the community, including Rosendale residents who believe their concerns are not being considered.

### **5.3 Recommendations**

The following are some key issues and ideas for Police-Community relationship building:

A more in-depth discussion of the following list will require further consideration of Rosendale's (cultural, racial, diverse, age, and ethnic) demographics, population and geographic area, The Youth Center, The Library, and houses of worship, percentage of residents by age, and the Police Department budget (with detailed breakdown) and staffing (number of FT and PT officers.)

#### **1. Acknowledge and Discuss With Your Communities the Challenges You Are Facing**

Controversial incidents can damage relationships between Police and their communities. In some cases, a perceived act of misconduct by a single officer (anywhere) damages Police-community relationships locally and reduces the trust of the Police generally.

Police should acknowledge the history of racial minorities and others who have faced injustice at the hands of the law. And officers should never discount the negative experiences of individuals with the Police.

#### **2. Be Accountable and Transparent**

Transparency is essential to positive Police-community relationships. When a critical incident occurs, agencies should try to release as much information about it as possible, as soon as possible, so the community will not feel that information is being purposefully hidden. On a day-to-day level, Police departments should post information on their Websites detailing policies on the use of force, substantiated community member complaints, and other issues. This information should be easily accessible so the community feels they are being kept "in the loop."



### **3. Reduce Bias and Improve Cultural Competency**

Rosendale Police officers should continue receiving training on diversity, implicit bias, language, and cultural competency. Even though Rosendale has a small percentage of communities with a variety of racial and ethnic backgrounds and cultures, officers need to be able to communicate effectively with and understand the cultural norms of these different groups.

### **4. Visibility and Collaboration**

It is essential for the Police to be visible in their communities and know their residents. Many people do not interact with the law outside of enforcement contexts. This can result in people developing negative associations with the Police – for example, if the only contact they have ever had with Police consisted of receiving a traffic citation or calling the Police to report being the victim of a crime. Finding opportunities to interact with community members in a non-enforcement context reduces bias on the part of community members and Police officers. Getting to know community residents helps both groups to break down personal barriers and overcome stereotypes and allows officers to learn which residents of a neighborhood are law-abiding and which ones are not.

An enhanced community engagement program will build understanding and trust between citizens and Police by establishing communication platforms, engagement, and collaboration through various civic platforms. Here are a few thoughts:

1. Community walks. Once a month, the chief/officer takes to the streets within a specified neighborhood and goes door to door to meet with residents. Also joining is (one-or-two) representatives from the town board, town, commission, or local clergy, all in attendance to get an accurate depiction of how things look from the ground and join in the RPD's community outreach initiative.
2. The Rosendale Police Commission should add community liaisons of neighborhoods, districts, businesses, churches, community agencies, and youth groups. These community members are responsible for developing, overseeing, and assisting with implementing effective strategies to reduce crime and disorder, change perceptions and facilitate positive engagement and increased trust between Rosendale PD and the neighborhoods they serve by implementing community-Police relations groups to provide venues for the community to have the ability to speak, be heard, and have their perspective considered. They should continually re-evaluate the effectiveness, services, and professionalism of Police officers' performance in the Rosendale community.
  - The Rosendale Police Commission liaison member should work in neighborhoods throughout the town to develop ongoing relationships of trust with the community, assist with neighborhood meetings and watch groups, and coordinate info between the RPD, Code Enforcement, The Town Board, businesses, and the residents.

3. Community service. All Rosendale Police officers should be encouraged to perform community service activities each year. They are encouraged to choose activities that match their skills and interests, such as conducting CPR training, mentoring at-risk teens, answering questions at classes for recent immigrants, serving food at a church's community dinner, or holding 'Coffee with an Officer' open hours, where residents are free to speak their minds with officers.

Current engagement initiatives include:

- Sports (little league coaching, youth basketball)
- Seniors (annual BBQ, holiday dinners, snow assistance)
- Holidays (Toys for Tots, food drives)
- Fundraising (local food pantry)

4. Citizen Comment Cards. The Police department gives out 'citizen comment cards' in traffic contacts and other calls of service.

5. Education of the community and the private sector as a tool in advancing community policing. One-hour talks on:

- a. Meth/drug awareness
- b. Elder education seminar
- c. Effective alcohol management
- d. Domestic intervention response
- e. Street crime & traffic activity patterns

6. Police involvement in the local youth center and local sports activities (once the current pandemic conditions are resolved)

7. Police participation in community events

## **o6 - Leadership and Culture**

### **6.1 Focus**

This subcommittee researched questions related to "How is the Chief of Police and other RPD department leaders selected? What about promotion structure? Officer evaluations?" "Are there incentives to officers who establish positive relationships with the community? Are there incentives to officers who complete additional training on bias/race issues?"

### **6.2 Insights**

Based on the research conducted, RPD's leadership and culture seem to be one of continuous education and learning, on-the-job-training, and course work. The previous Chief Soule and current Chief Schaffrick have professionalized the force over the last decade.

The RPD Chief of Police is selected by the Rosendale Police Commission and approved/appointed by the Rosendale Town Board. The hiring process is conducted in accordance with NYS and County civil service guidelines. A Police Chief must attain a particular rank (sergeant) and pass a civil service test. The Town must pick the top three candidates who applied for the position to interview. Note: Chief Schaffrick did take and pass the test.

As of the writing of this report (January 2021), there are only two full-time Police officers and nine part-timer officers in the RPD. The Chief is part-time, and there are no other leadership positions filled. Many part-time RPD officers are called back to serve at their primary Police department. Many former RPD officers have moved on to FT jobs elsewhere.

Police recognized by the community or for special services rendered receive a commendation pin, a Pride of Rosendale Award presented at a Town Board meeting, and a letter from the Town Police Commission and Town Board. In addition, Police officers may also be selected for awards from the Ulster County Police Chiefs Association. There are no special incentives in place for officers who complete training on bias/race issues. However, the Chief looks for officers who have curiosity (a high drive for self-improvement) to learn more about these skills. Promotions are made based on budget availability, and the officer seeking a promotion passing a test. The Chief does RPD Officer evaluations each year.

Chief Schaffrick offers mentorship to officers, including on-the-job training and regular feedback. Many Police academy graduates work at RPD to complete their field training requirements. An accredited Police officer must accompany them. In this sense, the RPD serves as a training ground for new officers.

In the Police Academy, Officers are trained in procedural justice. There is also in-service training on implicit bias offered to Rosendale Police Officers. The RPD has access to Department of Occupational Health and Safety training for free; however, that requires someone to backfill that position while the officer is being trained. Other Police training classes are fee-based, which RPD does not have a budget to pay for. The County Crisis Intervention Training task force is getting underway, which will offer training opportunities on implicit bias for all officers in Ulster County.

### **6.3 Recommendations**

- In the future, the Chief should maintain scrutiny over officers who are demonstrating low or no concern for the application of the new laws or who have expressed their disapproval of the latest round of implicit bias and antiracist training being recommended by this committee. The Chief could also note an officer's performance in adopting new practices and include this as a consideration for promotion.
- In light of recent events in Washington DC, this committee recommends that the Chief redoubles his efforts to monitor behavior and communication. This includes officers' social media accounts, e.g., Facebook, Twitter, Parler, etc., ensuring that officers are not making threats to public safety using disrespectful racial slurs or making racist comments.

## **07 - Tracking and reviewing use of force and identifying misconduct**

**7.1 Focus:** In this section, the subcommittee examined incidents in which force was used and the proportionality of that response. What is the RPD's record on the use of force, and how far back are records kept? What is the policy for reporting the use of force, and how are complaints investigated? Are there alternatives to armed officers responding to calls that would result in fewer use-of-force occurrences in Rosendale? Does the RPD have early intervention systems in place to prevent problematic behavior?

**7.2. Insights:** The subcommittee found the use of force in Rosendale has historically been low and reflective of the small size of the Rosendale Police Department and the Rosendale community. Use of force records are on file dating back twelve years and are kept with the Chief of Police. Using 2020 as an example year, Rosendale Police used force in two separate incidents, both of which involved suspects with firearms. Detailed descriptions of these incidents are recorded with the Chief of Police of Rosendale and reviewed by the subcommittee. In summary, for "Incident A," the officer used a direct stun with a taser to bring the armed suspect, a confirmed gang member, into custody without discharge of a firearm. In "Incident B," two officers responded to an emergency overdose 911 call. A subject at the scene struck one officer in the face. A scuffle with the assailant ensued. As the officer attempted to subdue the subject, a second subject arrived at the scene with a pistol and pointed it at the two Rosendale Police officers. The officers were able to push the weapon away and convince the subject to put the gun down, de-escalating the incident without discharge and resulting in a safe, voluntary surrender.

Based on the records of these incidents and conversations with Chief Schaffrick, it was determined the Rosendale Police officers acted within the law in both incidents. Regarding Incident B, the officers went above and beyond to ensure the situation was resolved peacefully despite the threat of gun violence by a subject at the scene. No complaints have been filed concerning either of these two incidents. It's important to note that the Town Supervisor was alerted by the Chief of Police when both incidents occurred, and she was kept abreast of developments as they unfolded.

The subcommittee requested and received a list of use-of-force incidents by the Rosendale Police Department, the summary of which is below:

### Use-of-Force Record:

- 2020 - RPD Officers responded to a medical emergency 911 call and were met with a combative male. During the arrest, a second male appeared with a handgun.
- 2020 - Foot Pursuit of a subject with a stolen and illegally possessed handgun. Subject fought with officers upon being tackled. Officers subdued the subject with a Taser an arrest was made.

- 2019 - A vehicular traffic stop resulted in an officer being physically confronted by the driver, who was irate for the stop. The subject charged at the officer, who was able to deflect the attack and begin de-escalation.
- 2019 - During an emergency response, a subject determined to be under the influence of unknown substances was attempting to strike cars as they passed by. Assisted by the NYS Police and Ulster County Sheriff Department, soft hand techniques used to bring the subject under control and arrest peacefully. (MHL 9.41)
- 2012 - Officers responded to a psychiatric emergency call and found a subject wielding a knife and acting aggressively. Officers subdued the subject with a Taser, disarmed him, and an arrest was made. (MHL 9.41)
- 2010 - During a lawful arrest, a subject resisted officers, resulting in the use of a Taser to subdue the subject before an arrest was made.
- 2010 - Officers responded to a psychiatric emergency call and found a subject wielding a knife and determined to be under the influence of alcohol. Officers subdued the subject with a Taser, disarmed him, and an arrest was made. (MHL 9.41)
- 2009 - During a lawful arrest, a subject resisted officers, resulting in the use of a Taser to subdue the subject before an arrest was made.
- 2009 - Responding to a psychiatric emergency, officers arrested an individual in a mental crisis who had assaulted his mother. During the arrest, the subject escaped from the patrol vehicle. To subdue him, a Taser was used, and the arrest made. (MHL 9.41)

Our research of the RPD manual shows that use of force training must be done annually and that officers receive the training at the county level. The use of force section in the RPD manual (300.1) is comprehensive. As per New York State law, the RPD tracks use of force incidents logged into the DCJS database.

We received several inquiries about the possible use of unarmed or non-Police respondents to certain calls in an effort not to escalate tensions by the arrival of armed Police officers to calls that are not, at first glance, violent in nature. The subcommittee believed this idea warrants further investigation. That noted, as in "Incident B" cited above, some non-violent calls can quickly turn violent, and any adjustment to the current first responder role of the Rosendale Police Department would necessarily have to take this type of situation into account.

### **7.3 Recommendations**

- The RPD and Town of Rosendale should make all future annual de-identified use-of-force analyses available to the public on the Town website in addition to being presented at PC meetings.

## **o8 - Internal Accountability**

**8.1 Focus:** The subcommittee's work focused on ensuring that RPD officers hold each other to high professional standards. Is reporting misconduct encouraged by town and Police leadership? What policy governs internal accountability? Is it thorough and up to date? Have there been any internal complaints about officer conduct, and how were they resolved?

**8.2. Insights:** The subcommittee found that the policy on use-of-force reporting is included in the current Police manual. Upon investigation, we found that the section on use-of-force is regularly updated to reflect current law and best practices (since this committee started business in August 2020, the use-of-force section has been updated four times). Each update is signed off on by the Chief before sent to every officer, who must read and sign off as agreeing to abide by the updated section. The duty to report regarding the use of force states that an officer present and observing another law enforcement officer that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. It is also required that any officer who observes another law enforcement officer or a member use force that is potentially beyond that which is objectively reasonable under the circumstances should report these observations to a supervisor as soon as feasible.

As for internal non-use-of-force complaints, Section 1007.3 of the RPD manual covers Personnel Complaints. We did find that non-criminal complaints by officers about other officers do occur from time to time. The Chief investigates these complaints and, if found to have merit, typically are dealt with as follows: first level a verbal warning is given; the second level, a counseling letter is signed by the offending officer; third level, a warning letter of possible termination is signed by offending officer; fourth level results in termination of the officer by the Town Board. Depending on the type and severity of the incident, the appropriate level of discipline is applied, i.e., a severe incident could immediately warrant termination, bypassing the previous steps.

Section 314.3.2 of the RPD policy manual governs addresses the Federal Law governing Anti-Retaliation. This section is included in the RPD manual, and all officers have acknowledged understanding of this code. To date, there have been no reported incidents of retaliation for reporting the actions of fellow officers.

It should be noted that any complaint of criminal behavior conducted by an RPD officer is by law immediately forwarded to the Ulster County District Attorney for investigation and prosecution, if so warranted.

Regarding the proper handling of internal accountability complaints and procedures, the Department of Justice suggests that all Police departments should have an Office of Professional Standards to ensure accountability to the agency leadership and the community. They recommend that smaller agencies like Rosendale explore the possibility of partnering with other

local agencies to create a regional Office of Professional Standards to serve as a multi-agency Internal Affairs department. [Building Trust Between the Police and the Citizens They Serve.](#)

### **8.3 Recommendations**

- The Committee recommends the Rosendale Police Department add a written policy governing the reporting of misconduct by officers beyond the use of force. This policy should both encourage officers to report misconduct by other officers and protect officers against retaliation. Best practices also suggest an anonymous option for internal complaints should be explored to encourage reporting.
- When the new internal accountability policies are complete, immediate training should occur, followed by annual training.
- All complaints involving civil rights violations must be sent to the Town Supervisor, Town Board, The Police Commission for discussion in executive session, and the Ulster County District Attorney.
- The Town of Rosendale should investigate the possibility of forming a regional Office of Professional Standards to govern Internal Affairs, led by a citizen oversight committee.

## **09 - Citizen Oversight and Other External Accountability**

### **9.1 Focus**

How does the Police commission function? Are RPD officers required to give out business cards following an interaction with the public? Are officers trained to provide people they encounter with their name and badge number?

### **9.2. Insights**

The Town of Rosendale Police Commission (PC) consists of three members—two from the public and the Town Supervisor. The Police Chief and a Town Board Liaison are non-voting members. Currently Anthony Stenta (town resident and former business owner), Joe Hafner (town resident and former RPD from the 1980s; now the Chief with Bloomington Fire Department), and Jeanne Walsh, the Town Supervisor.

The PC meetings are open to the public, and meeting announcements are made on the Town website and Town Hall. The PC functions as the first oversight committee for the Police. The Town Board serves as the second oversight committee for the RPD, especially regarding budget considerations and new hires. Pre-covid, the Commission met monthly and has started to do so again via Facebook Live. An emergency meeting can be called by the Town Supervisor or the Police Chief at any time. The Chief briefs the Commission on the functioning of the department

and updates the PC on arrests, crime, response statistics, and the RPD's operations capacity (Police personnel matters are discussed in executive sessions.)

In sum, this committee found that the PC is fulfilling its mandate as one layer of accountability and the Town Board as another layer of Police oversight; however, improvements to enhance representation on the PC could be made.

Regarding RPD officer use of business cards, this committee learned that business cards are available to RPD officers. However, we were not able to determine if they are being handed out regularly. Chief Schaffrick noted that business cards are generally reserved for case-level incidents in which follow-ups are needed. Business cards are available on the RPD duty room desk. The cards were designed so that a handwritten case number can be included on the front of the card to prevent the card's misuse as a form of identification.

### 9.3 Recommendations

- **Regarding citizen oversight and external accountability**, this committee recommends adding another citizen as a liaison, perhaps someone who is familiar with the minority community to the PC to enhance representation. The Town Board may also consider removing PC members who formerly served as law enforcement officers.
- **Regarding the complaint/commendation protocol**, this committee recommended changing the complaint/commendation protocol so that all formal and informal complaints and commendations are filed with the Chief of Police and the Town Supervisor and then referred to the PC. This will add another layer of transparency to RPD conduct.

## 10 - Data, Technology & Transparency

### 10.1 Focus

What Police incident and complaint data is currently collected/how? Do RPD officers wear body cameras (BWCs)? Are there plans to obtain them along with requisite training on how/when to use them?

### 10.2. Insights

Since 2017 the Rosendale Police Department has worked with the Ulster County Law Enforcement Center to centralize data collection using a state-of-the-art system from Tyler Technologies, which is in widespread use across the United States. RPD data associated with different types of interactions with the public, including Incidents, Traffic Stops, Cases, and Arrests, can be entered and accessed by officers via laptops in their cars and at different dispatch agencies.



A key issue for the Committee has been the demographic breakdown among Rosendale residents involved in interactions with the RPD to understand better what racial or other biases may be present when the public interacts with the RPD. There are different policies and legal issues related to collecting demographic data for each interaction type (Incidents, Cases, and Arrests). Thus, the amount of available data for analysis can vary. For example, while officers are required by law to ask suspects arrested for their Race, Gender, and Ethnicity, the suspect is not required by law to provide this information. There is no legal or policy requirement for Incidents and Cases, to ask those involved about their Race, Gender, or Ethnicity. Thus, even less demographic data is available for these types of interactions.

The Ulster County Law Enforcement Center has a data analyst on staff, supported through a federal program and assists agencies in accessing and analyzing data. Following a tour of their facilities, the RCPRC was encouraged to submit data requests to their analyst. A summary of the requested data was provided a few weeks after the request was made (see Appendix D for summary report). While this report was helpful in understanding what information is available, individual de-identified data records were needed for the Committee to conduct our own independent analysis of the demographic breakdown of those who have had interactions with the RPD. For example, while the summary indicates how many Incidents were initiated by an officer vs. dispatch, it does not break this down by Race, Gender, or Ethnicity. Thus we cannot determine if there is a difference between the demographics of those involved when an officer initiates vs. dispatch.

To address the limitations of the data summary, a formal request was sent to the Town Supervisor, following a call with her, on December 8, 2020, that provided a concise request for de-identified data (see Appendix E). After receiving a range of conflicting responses regarding reasons why de-identified data could not be provided, including indications that there were legal or policy issues, the Ulster County Sheriff (who had consulted with the County Attorney) ultimately clarified that the only issue was, in fact, the amount of work that the data request would require. As a result, he requested that we file a FOIL request for the data, which would allow them to put additional resources towards that request. A FOIL request was filed with the Ulster County Sheriff on February 10, 2021. While an update has been provided, we have not received the data nor any final determination as of February 27, 2021. It remains unclear to the RCPRC why initial rationales were provided that ultimately proved to be incorrect or why it took several months from our initial request to be told to FOIL the data.

Finally, while not directly related to data issues, while conducting the tour of the Ulster County Law Enforcement Center and getting an overview of the Tyler Technologies system, one of the Committee members took note that the "people icon" in the software that represented a suspect depicted a black man. In contrast, the icon for the judge was a white man. While those involved in the presentation agreed that this seemed inappropriate, they noted that no one had noticed this over the past three years of use. While anecdotal in nature, the Committee felt that this was an example of how implicit bias can find its way into Police work without being noticed by the organization.

Currently, the RPD has an in-car camera system that is aging out. The Town has applied for and has received a grant for Body Worn Cameras (BWCs); however, it is a matching grant, and the Town's part of the grant requires an investment of \$8,000 for a new server to process the BWC data. The new server will also manage other data necessary for the RPD's day-to-day operations. The Town is currently in talks with its own IT consultants and the State E-Justice program on the use of local servers vs. hosted servers and the security blocks that need to be in place.

According to RPD policy, an officer's name and badge number will be provided upon request. Officers are becoming more accustomed to providing their names at the beginning of an interaction. Currently, it depends on the nature of the call, but standard protocol is in accordance with the Mental Hygiene Law section 9.41 for psychiatric emergencies to build a relationship with the person in crisis.

### 10.3 Recommendations

- **Set goals for change and measure progress over time** towards those goals. Accurate and regularly reported data is central to this, as without it, one cannot measure progress and thus cannot know if reforms are working.
- **Facilitate Public access to Police data.** This Committee feels strongly that policy and legal issues currently preventing public access to de-identified policing data must be changed. A more regular review of this data must be conducted by oversight organizations such as the RPC. Of course, the release of this type of data needs to be done thoughtfully to ensure that individual privacy and other legal rights are protected. However, we believe, based on our research, that this can be done while still allowing much more significant public access.
- **Create a data dashboard.** We recommend that the RPD, working with the Ulster County Law Enforcement Center, developed a "data dashboard" that can be accessed by the public via their website that would provide timely de-identified data analysis in a format easily understood by the public. While the Committee's work is focused primarily on making demographic information more broadly available, other data may be of value to include as well. Finally, we would strongly recommend that the RPC have a standing agenda item to review both the data dashboard and more confidential data related to Police conduct at each meeting. This could include data associated with any reform goals established by the Committee.
- **Enhance representation on Rosendale's Police Commission.** Regarding citizen oversight and external accountability, the Police Commission is fulfilling its mandate as one layer of accountability and the Town Board as another layer of Police oversight. A suggestion would be to add two liaison positions, who are familiar with minority and traditionally marginalized communities, to the PC, to enhance representation.
- **Upgrade RPD's technology to enhance Transparency.** Regarding data technology and

transparency, the RPD operates with dated technology, which needs to be upgraded for Body Worn Cameras to be operational and for records management to be functional. Another suggestion is to make redacted arrest data more readily available to the public via the town website.

## 11 - Recruiting a Diverse Workforce:

### 11.1 Focus:

What are the demographics of the town of Rosendale? What are the demographics of RPD? Does the RPD reflect the diversity of our community? How are recruits identified? What is done to promote diversity with the RPD? Who is applying for officer positions (age, race, educational background)? How does the hiring process work from start to finish? Does the RPD actively seek out any diverse recruits? What are ways in which you can re-evaluate hiring practices and testing to remove barriers in hiring underrepresented communities?

### 11.2. Findings and Insights

#### Town of Rosendale Demographics (2010 Census and 2019 Estimated Population Data)

	2010 Census <sup>17</sup>	2019 Estimates <sup>18</sup>
White	93.8%	90.4%
Black/African American	1.8%	3.0%
American Indian/Alaska Native	.1%	0%
Asian	.8%	1.2%

The current RPD force consists of nine white males and two white females; the RPD had some diversity in the past including Asian and gay officers.

Recruits are identified by The Ulster County Police Academy and a recommendation from current officers from other agencies. Being a PT department, the RPD does not have the resources to attend job fairs. Candidates applying for officer positions are younger people, mostly with associates degrees. According to the Chief, there have been approximately three Black candidates interviewed in the past three years out of a total of 15-18 candidates.

<sup>17</sup> See <https://ulstercountyny.gov/sites/default/files/documents/rosendale-2010-census.pdf>

<sup>18</sup> See <https://www.census.gov/quickfacts/rosendaletownulstercountynynewyork>

The Police officer hiring process starts with an Ulster County Civil Service application, an informal interview, a formal interview with multiple candidates by two interviewers who have to answer twenty-five questions. The Chief seeks to have a department with a diversity of people (age & race) and life experiences relating to the issues in the community that they will encounter.

### 11.3 Recommendations

- **Intentional Community Engagement** Reach out to build relationships with the minority population in our community can only help in attracting and recruiting more diversity in RPD.
- It is recommended that Ulster County Civil Service cast as wide a net as possible to attract a diverse pool of candidates.
- Plan an inclusive community event.

## 12 - Training and Continuing Education

### 12.1 Focus

Who is responsible for training opportunities? Investigation of the training calendar for 2021, what is being done for Officer Support and Wellness?

### 12.2 Insights

Training for Rosendale Police Officers begins with the Police Academy. Training modules from the Academy total 431 hours of instruction. The modules cover a vast array of topics. Some of the topics covered are Constitutional Law, Discretionary Powers, NYS Penal law, Justification for the use of force, NYS Criminal Law Procedural Law; Juvenal Law; Mental Illness; Firearms Training, Cultural Diversity / Bias-Related incidents; Community Oriented Training. These are but a few of the training modules<sup>19</sup>.

There is mandatory training each year as stipulated by the New York State Division of Criminal Justice Services. This is the training that is covered through the Sheriff's office in the cycle training each year. Topics include Article 35 and use of force, procedural justice, any update refreshers regarding Penal Law, Criminal Procedure Law, Raise the Age, Sexual Harassment, etc.

The New York State Division of Criminal Justice Services comes up with an "in-service training" calendar for these opportunities. Some of the course curriculum supplied by Chief Schaffrick include: Raise the Age; Mobile/LERMS Review, Off Duty Encounters; Procedural Justice, Firearms Re-Qualifications, and Standards Drills. They also include Policy and Legal Updates; Night-Time

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<sup>19</sup> [www.criminaljustice.ny.gov/ops/training/bcpo/bcpo01.htm](http://www.criminaljustice.ny.gov/ops/training/bcpo/bcpo01.htm)

Firearms qualifications, Reality-Based Scenarios, Bail Reform and Discovery, Evidence Collection and Disposition, Sex Offender Update.

### **12.3 Recommendations**

The committee recommends additional training:

- Cultural Diversity
- Bias-related training for officers, including the latest training on anti-racism. The contents of the annual four-part cycle training for RPD officers should be reviewed to include anti-racist training.
- Mental Health intervention

As this is an essential component of the work this committee is tasked with, it is very important to the ANY Police department's work to make for a safe and fair encounter with the same.

## **13 - Support Officer Wellness and Well-being:**

### **13.1 Focus**

What current methods exist in the RPD for promoting mental health and well-being among the officers?

### **13.2 Insights**

The men and women who make up the RPD face situations every day that endanger their health and safety, and even their lives. The dangers are often mental and emotional as well as physical—and seeking help for that type of illness or injury can be more challenging than getting treatment for something more observable like a wound that needs stitching up or a broken bone. But an officer's mental state is just as important as their physical condition. They need to be well and healthy in both areas to carry out their law enforcement responsibilities.

### **13.3 Recommendations**

Chief Schaffrick is intentional in his relationship with his officers in monitoring their mental health. He understands the importance of family and models work and life balance and the importance of physical exercise. Professional counseling is available to officers and is utilized by them.

## **Summary of Priority Recommendations**

The following represent those recommendations that the RCPRC members felt were high priorities for the Town Board to address. It is important to note that additional details on these Priority Recommendations and many other recommendations can be found in our report's body.

The Town Board should research all of the RCPRC recommendations, both Priority and others in the report, and produce an action plan on how each will be addressed and release the plan to the public within four months from when the final report is ratified.

**We recommend** the RPD administer an annual community policing Survey, using the one conducted by the RCPRC as a baseline, to measure progress on procedural justice issues; hold annual meeting to report their survey findings, engage in a public dialog, and better understand community concerns regarding law enforcement.

Suggested Timetable: 9-12 months

**We recommend** the RPD and Town of Rosendale should make all future annual de-identified use-of-force analyses available to the public on the town website in addition to being presented at Police commission meetings.

Suggested Timetable: 9-12 months

**We recommend** the Town Board change the complaint/commendation protocol so that all formal and informal complaints and commendations are filed in a way to add another layer of transparency to RPD conduct.

Suggested Timetable: 3-6 months

**We recommend** that the RPD, working with the Ulster County Law Enforcement Center, develop a "data dashboard" that the public can access via their website that would provide timely de-identified data analyses in a format easily understood by the public.

Suggested Timetable: 9-12 months

**We recommend** the RPD use of dated technology be upgraded for Body Worn Cameras and enhanced records management.

Suggested Timetable: 9-12 months

**We recommend** that the Police Commission be responsible for overseeing all RCPRC recommendations; and for the Police Commission to provide quarterly public updates to the Town Board and the public.

Suggested Timetable: 3-6 months

**We recommend** the Rosendale Police Department add a written policy governing the reporting of misconduct by officers beyond the use of force.

Suggested Timetable: 3 months

**We recommend** all complaints involving civil rights violations must be sent to the Town Supervisor, Town Board, and Police Commission for discussion in executive session, as well as the Ulster County District Attorney.

Suggested Timetable: 3-6 months

**We recommend** adding two or more liaisons to the Police Commission to provide better community representation for a term of one year.

Suggested Timetable: 6 months

**We recommend** additional bias-related training be provided to RPD officers, including the latest training on anti-racism; also annual updates for mental health training to better determine whether an individual's behavior is indicative of a mental health crisis so that the situation may be resolved in as constructive, safe, and humane a manner as possible.

Suggested Timetable: 9-12 months

### **Conclusion: Change is often difficult; change is often necessary.**

The Rosendale community, the Rosendale Police Department, and the Rosendale Town Board should consider this targeted proposal, which builds on mechanisms for improving law enforcement procedures, enhancing Police/community relationships, decreasing racial disparities, and promoting Police accountability.

Our goal is to develop recommended best practices guidelines to ensure fair and effective policing tactics and procedures that encourage equitable justice, community trust, and Police officer safety and wellness. Our Town leaders must monitor and consider ways to bring about improvement in Rosendale policing. This proposal is a concrete and attainable way to reach that goal.

Despite the limitations and extreme challenges associated with the COVID-19 pandemic, the RCPRC sought to be comprehensive and ambitious. We wanted and needed to make sure the proposal reflects the concerns of all Rosendale citizens, including those who feel well-served, under-served, and poorly served.

The committee members appreciate being given the opportunity of reviewing and better understanding all aspects of Police policies and procedures. We are hopeful that the findings and recommendations in this report will provide new insights for even better community policing and enhanced Police and community relations.

Thank you.

The Rosendale Community Police Reform Committee  
Rosendale NY - March, 2021

Ted Dixon, Chair  
Josh Baron, Secretary  
Marc Cassidy  
Councilman, Matt Igoe, Liaison for Police Commission

Terry Johnson

Jessieca McNabb

Chief Scott Schaffrick, Rosendale Police Department

William J. Weishaupt, Ulster County Chief Investigator/Assistant District Attorney

Richard Wright

Councilwoman, Carrie Wykoff, Liaison for the Rosendale Town Board



## Appendix A - Executive Order No. 203

### EXECUTIVE ORDER

#### **NEW YORK STATE Police REFORM AND REINVENTION COLLABORATIVE**

**WHEREAS**, the Constitution of the State of New York obliges the Governor to take care that the laws of New York are faithfully executed; and

**WHEREAS**, I have solemnly sworn, pursuant to Article 13, Section 1 of the Constitution, to support the Constitution and faithfully discharge the duties of the Office of Governor; and

**WHEREAS**, beginning on May 25, 2020, following the Police-involved death of George Floyd in Minnesota, protests have taken place daily throughout the nation and in communities across New York State in response to Police-involved deaths and racially-biased law enforcement to demand change, action, and accountability; and

**WHEREAS**, there is a long and painful history in New York State of discrimination and mistreatment of black and African-American citizens dating back to the arrival of the first enslaved Africans in America; and

**WHEREAS**, this recent history includes a number of incidents involving the Police that have resulted in the deaths of unarmed civilians, predominantly black and African-American men, that have undermined the public's confidence and trust in our system of law enforcement and criminal justice, and such condition is ongoing and urgently needs to be rectified; and

**WHEREAS**, these deaths in New York State include those of Anthony Baez, Amadou Diallo, Ousmane Zango, Sean Bell, Ramarley Graham, Patrick Dorismond, Akai Gurley, and Eric Garner, amongst others, and, in other states, include Oscar Grant, Trayvon Martin, Michael Brown, Tamir Rice, Laquan McDonald, Walter Scott, Freddie Gray, Philando Castile, Antwon Rose Jr., Ahmaud Arbery, Breonna Taylor, and George Floyd, amongst others,

**WHEREAS**, these needless deaths have led me to sign into law the Say Their Name Agenda which reforms aspects of policing in New York State; and

**WHEREAS**, government has a responsibility to ensure that all of its citizens are treated equally, fairly, and justly before the law; and

**WHEREAS**, recent outpouring of protests and demonstrations which have been manifested in every area of the state have illustrated the depth and breadth of the concern; and

**WHEREAS**, black lives matter; and

**WHEREAS**, the foregoing compels me to conclude that urgent and immediate action is needed to eliminate racial inequities in policing, to modify and modernize policing strategies, policies, procedures, and practices, and to develop practices to better address the particular needs of communities of color to promote public safety, improve community engagement, and foster trust; and

**WHEREAS**, the Division of the Budget is empowered to determine the appropriate use of funds in furtherance of the state laws and New York State Constitution; and

**WHEREAS**, in coordination with the resources of the Division of Criminal Justice Services, the Division of the Budget can increase the effectiveness of the criminal justice system by ensuring that the local Police agencies within the state have been actively engaged with stakeholders in the local community and have locally-approved plans for the strategies, policies and procedures of local Police agencies; and

**NOW, THEREFORE**, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, in particular Article IV, section one, I do hereby order and direct as follows:

The director of the Division of the Budget, in consultation with the Division of Criminal Justice Services, shall promulgate guidance to be sent to all local governments directing that:

Each local government entity which has a Police agency operating with Police officers as defined under 1.20 of the criminal procedure law must perform a comprehensive review of current Police force deployments, strategies, policies, procedures, and practices, and develop a plan to improve such 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.

Each chief executive of such local government shall 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 addressing 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 Police Training Council; and standards promulgated by the New York State Law Enforcement Accreditation Program.

The political subdivision, 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 with high numbers of Police and community interactions;

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 seek to reduce any racial disparities in policing.

Such plan shall be offered for public comment to all citizens in the locality, and after consideration of such comments, shall be presented to the local legislative body in such political subdivision, which shall ratify or adopt such plan by local law or resolution, as appropriate, no later than April 1, 2021; and

Such local government shall transmit a certification to the Director of the Division of the Budget to affirm that such process has been complied with and such local law or resolution has been adopted; and

The Director of the Division of the Budget shall be authorized to condition receipt of future appropriated state or federal funds upon filing of such certification for which such local government would otherwise be eligible; and

The Director is authorized to seek the support and assistance of any state agency in order to effectuate these purposes.

G I V E N under my hand and the Privy Seal of the State in the City of Albany this twelfth day of June in the year two thousand twenty.

BY THE GOVERNOR

## Appendix B - Committee Members

Ted Dixon, Chair

Josh Baron, Secretary

Marc Cassidy

Councilman, Matt Igoe, Liaison for Police Commission

Terry Johnson

Jessieca McNabb

Chief Scott Schaffrick, Rosendale Police Department

William J. Weishaupt, Ulster County Chief Investigator/Assistant District Attorney

Richard Wright

Councilwoman, Carrie Wykoff, Liaison for the Rosendale Town Board

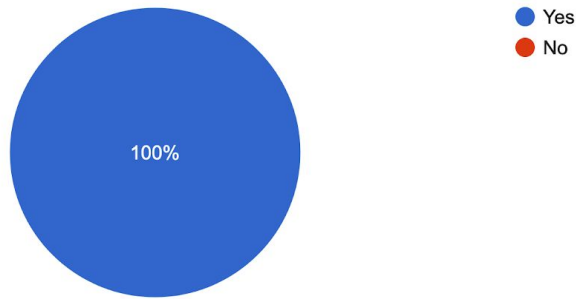
## Appendix C - Summary of Public Survey Results

Please see the [Methodology section](#) of the report for background on the Survey instrument that was used and how the Survey was administered.

For questions #2 - #10, a rating scale from 1 to 5 was used with (1) being "not at all", (2) being "a little", (3) being "somewhat", (4) being "a lot" and (5) being "to a great extent".

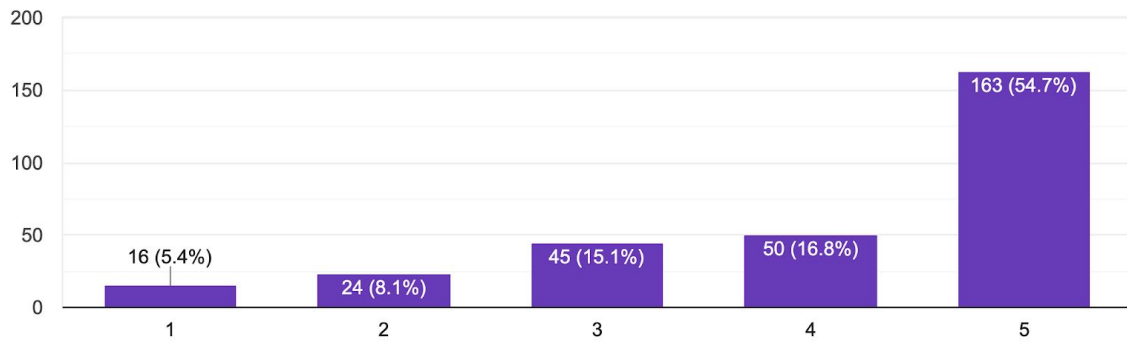
Are you a resident of the Town of Rosendale, NY?

303 responses



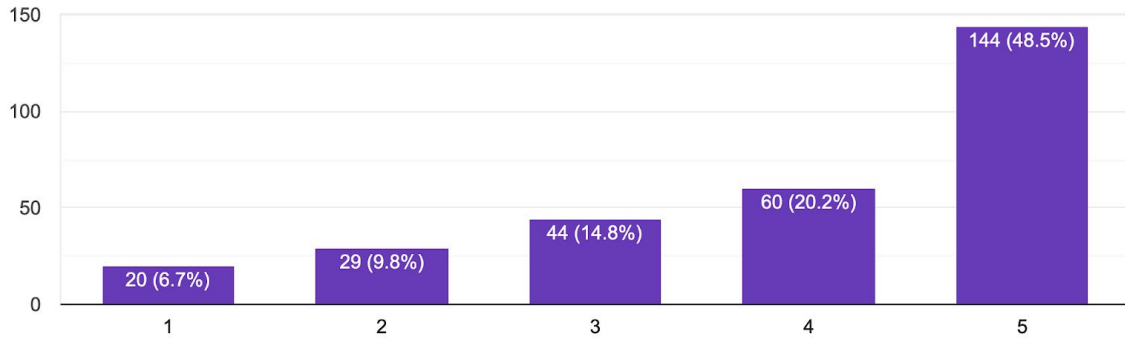
To what extent does the Rosendale Police Department develop relationships with community members (e.g., residents, organizations, and groups)?

298 responses



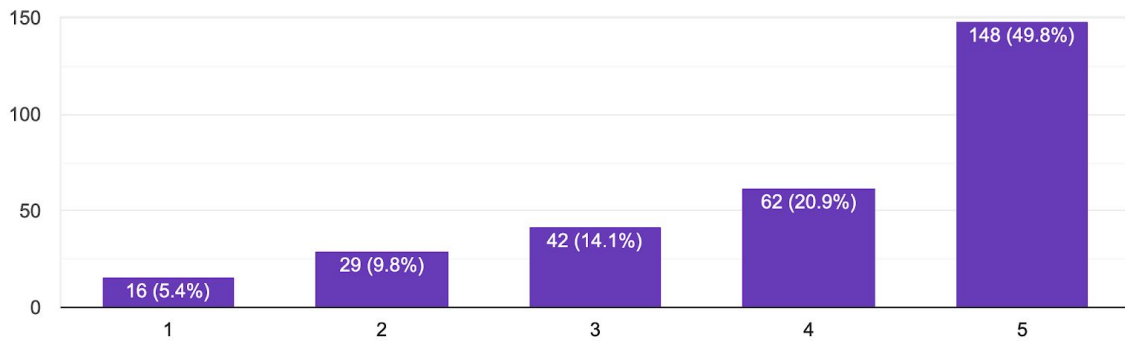
To what extent does the Rosendale Police Department make it easy for community members to provide input (e.g., comments, suggestions, and concerns)?

297 responses



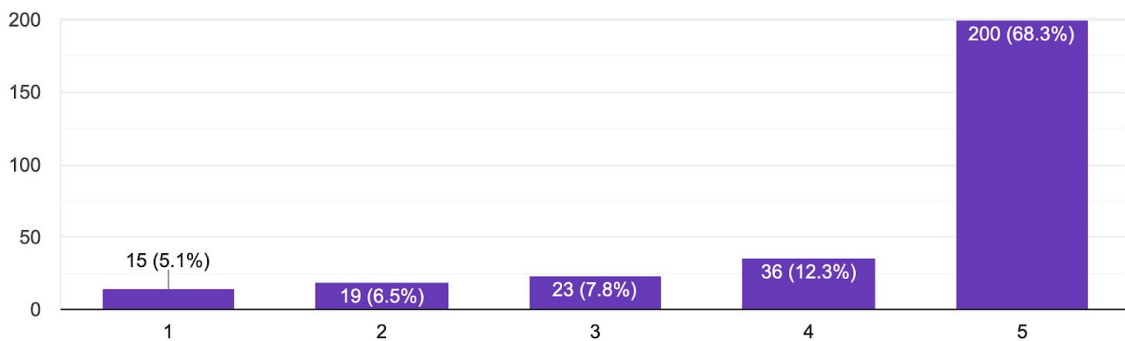
To what extent does the Rosendale Police Department regularly communicate with community members (e.g., websites, e-mails, or public meetings)?

297 responses



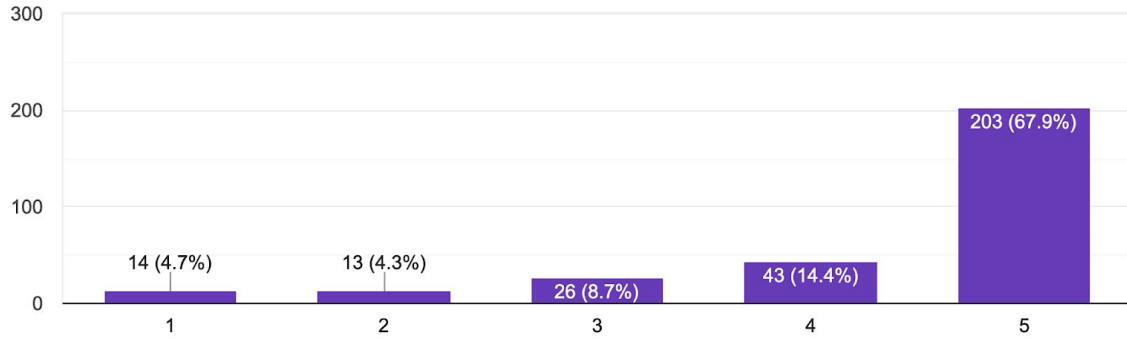
To what extent do officers in the Rosendale Police Department treat people of all races, ethnicities and backgrounds fairly?

293 responses



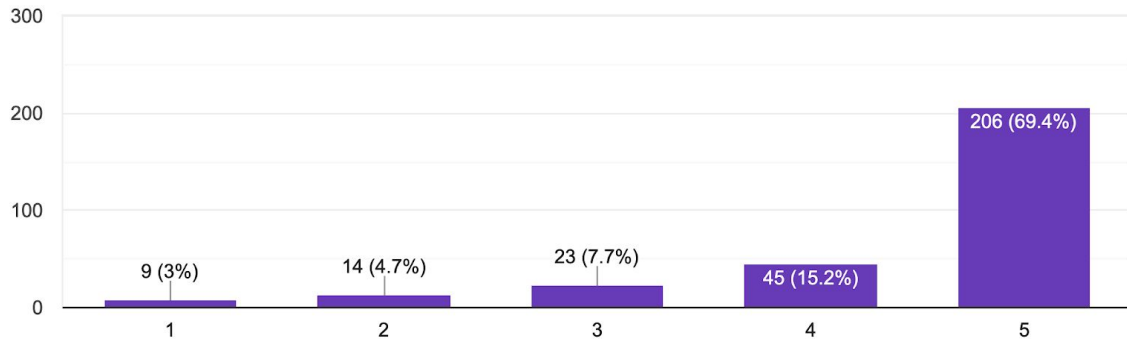
To what extent do officers in the Rosendale Police Department show concern for community members?

299 responses



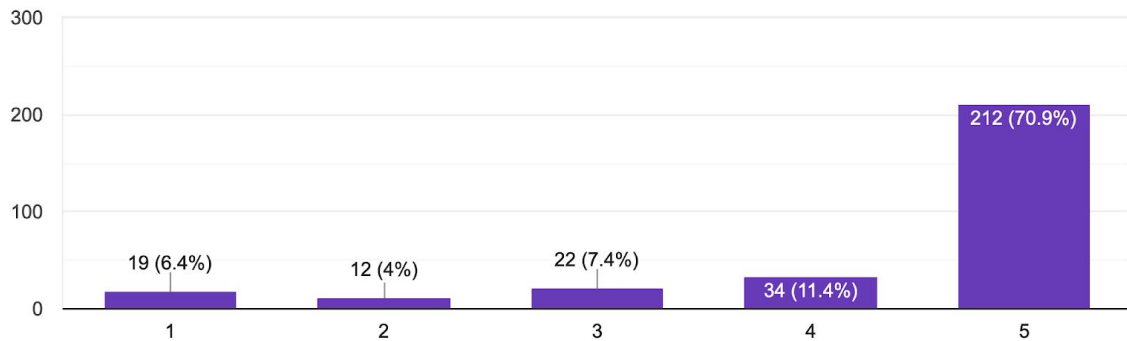
To what extent are officers in the Rosendale Police Department respectful?

297 responses



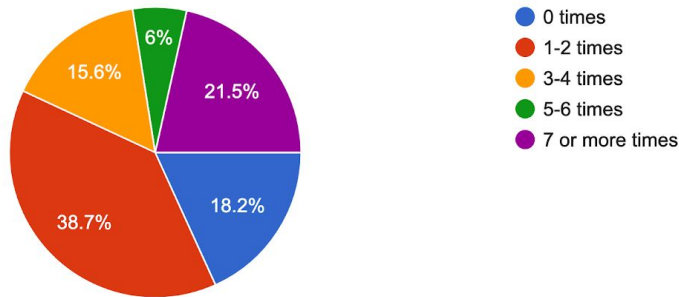
To what extent do you trust the Rosendale Police Department?

299 responses



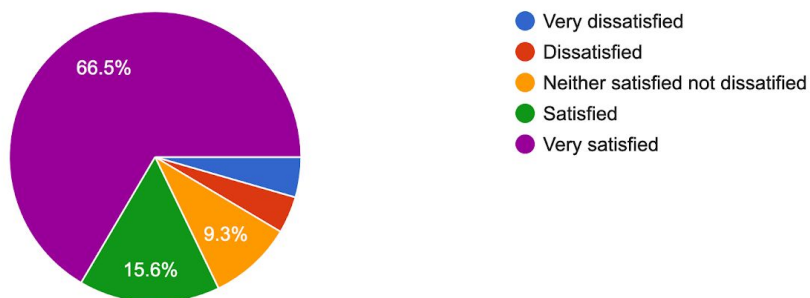
How many times have you had contact in the past 12 months with the Rosendale Police?

302 responses



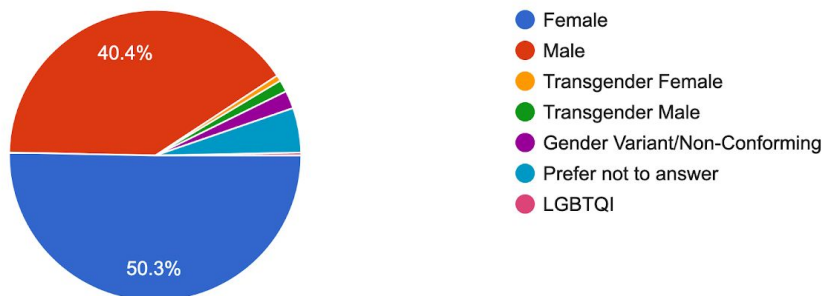
If you have had contact with the Rosendale Police within the past 12 months, how satisfied were you with your interactions?

269 responses



What is your gender?

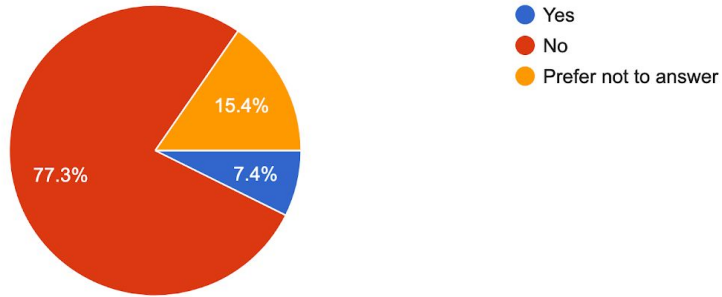
302 responses





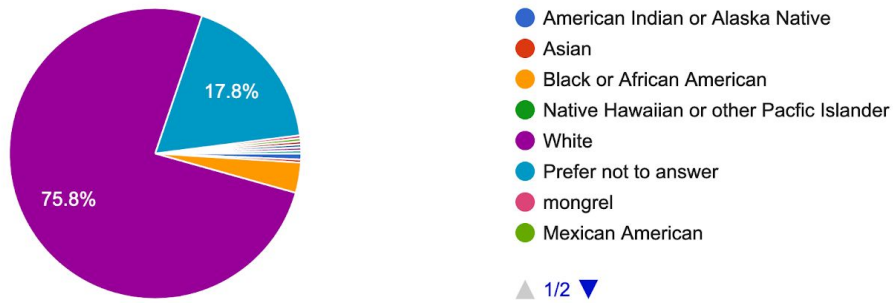
Are you Hispanic/Latino/Latinx?

299 responses



What is your race?

298 responses



NOTE: We received over 130 comments from respondents but these have been removed to ensure confidentiality.

## Appendix D - De-Identified Data Request

### Formal Rosendale Police Department Data Request

We would like de-identified data records associated with all Incidents, Cases, Traffic Stops and Arrests from 2017 to 2020 made by the Rosendale Police Department that include the following data elements:

- Race
- Ethnic Origin
- Sex/Gender
- Residency
- Call Source (officer vs. phone)

We understand that this data will include many "unknown" or "not responded" values when the data could not be collected. We also recognize the importance of confidentiality and privacy issues associated with this type of data and thus are intentionally requesting that all identifying data, including the date/time of the event, age of those involved and all internal tracking numbers, be removed before the data is provided. We would prefer that the data set be provided in an Excel or CSV file format. If useful, we are prepared to use encryption software to ensure that the data is secured when being transmitted to us and while in our possession.

## **Appendix E - Summary of RPD Arrest, Case, Incident and Traffic Data**