

New York State Executive Order No. 203
Police Reform and Reinvention Collaborative

Orange County, N.Y. Sheriff's Office
Police Reform and Reinvention Collaborative Panel

Reform and Reinvention Plan - Draft for Public Comment

February 8, 2021



INTRODUCTION:

On June 12, 2020 Governor Andrew Cuomo issued Executive Order No. 203 requiring each local government in the State to adopt a policing reform plan by April 1, 2021. The New York State Police Reform and Reinvention Collaborative guidance issued in August 2020 provided a path to local governments in initiating a dialogue to determine the current status of their municipal police department and to develop and plan the implementation of policies which will build police-community relationships, and which reflect the community's vision for the role of the police.

Orange County Executive Steve Neuhaus quickly assembled a panel of community stakeholders ("the Panel") to review the present practices of the Orange County Sheriff's Office, the only police agency overseen by County Executive Neuhaus. The Panel members are as follows:

Kenneth Jones, Undersheriff Orange County Sheriff's Office

Kevin Hines, Orange County Legislator, Chairman Public Safety Committee

Darcie Miller, Commissioner of Mental Health/Social Services

Brendan Casey, Commissioner of Emergency Services

Stewart Rosenwasser, District Attorney's Office

Karen Edelman-Reyes, County Attorney's Office

Craig Cherry, Deputy Commissioner Emergency Services

Inaudy Esposito, Executive Director Orange County Human Rights Commission

Gary Abramson, Orange County Legal Aid Society

Dr. Kristine Young, President SUNY Orange County Government

Colin Jarvis, Executive Director Newburgh Ministries

Ray Rodriguez (Coach Ray), President of MyFOURmula, Inc.

Nadia Allen, Executive Director of Mental Health Association in Orange County, Inc.

Christopher Molinelli, Executive Director of HONOR

Kellyann Kostyal-Larrier, Executive Director Fearless (formerly Safe Homes)

Julia Doellinger, Community Member

PANEL MEETINGS AND PUBLIC COMMENT:

The Police Reform and Reinvention Panel ("the Panel") met on three occasions for public meeting and discussion with included community participation on December 10, 2020, January 14, 2021 and January 28, 2021 in a virtual setting due to the COVID-19 pandemic.

Public comment was further received by way of published email address and a general public survey which included a comment section in an effort to gauge the public's present impressions of the Orange County Sheriff's Office and which invited additional comments.

To elicit public participation, Orange County created a website dedicated to providing information to the public on the reform process. The website provided information on Panel members, a dedicated police reform email link for citizens to directly make comments or suggestions, a survey created to gather information from members of the public on any interaction and/or experiences they may have had with the Orange County Sheriff's Office, as well as provided links to register to attend the Advisory Panel public meetings, and links to watch recordings of the previous meetings.

Press releases were made to media outlets as well the use of Social Media to announce the formation of the Advisory Panel to advertise public meeting dates and agendas.

Answers to comments and questions submitted via the survey and public forums and the draft plan were posted on the website for public review and comment.

Aside from public forum meetings, the Panel met additionally on November 12, 2021, January 7, 2021, February 4, 2021, and February 8, 2021 to further discuss the issues at hand, community input as received by way of the Survey, email communication to the Panel, and public comment during the Panel meetings, and to propose changes to present practices and procedures as employed by the Orange County Sheriff's Office.

THE PLAN DOCUMENT:

To fully align with the guidance as provided by Governor Cuomo, the Panel has formulated the below Police Reform and Reinvention Plan document (“the Plan” or “the Plan document”) which tracks the guidance entirely thus demonstrating the present state of the Orange County Sheriff’s Office as its policies existed prior to the issuance of Executive Order 203, while also highlighting each proposed change, deletion or addition to the activities and/or policies of the Orange County Sheriff’s Office as a direct review of the collaborative effort by the Police Reform and Reinvention Panel.

The following Police Reform and Reinvention Plan is offered by the Collaborative Panel following the Panel’s comprehensive review of the Orange County Sheriff’s Office’s current police force deployments, strategies, policies, procedures, and practices, and now offers ideas and suggestions to improve such deployments, strategies, policies, procedures and practices. The Plan document offers improvements as highlighted in the Plan document. The remaining portions reflects the Orange County Sheriff’s Office practices prior to Executive Order 203.

A draft of Plan was published for public comment on the Orange County government website on February 8, 2021.

Open public comment on the February 8, 2021 draft was invited by advertisement on the County’s website, social media accounts, and by public telephone conference to be held on February 10, 2021.

The Plan was approved by vote in the Orange County Public Safety and Emergency Services Committee, a legislative committee comprised of Orange County legislators, on _____.

The Plan was ratified by Resolution of the Orange County Legislature on _____.

- I. The Orange County Sheriff's Office is Charged with County-Wide Law Enforcement Duties in Our Community**
- a. Primary Functions of the Orange County Sheriff's Office (OCSO)
 - i. The authority of the OCSO is derived from the County Charter, Article XVII. The Sheriff is the Chief law enforcement officer for the County with County-wide jurisdiction.
 - ii. The OCSO's Mission Statement is to provide law enforcement services and to effectively maintain overall general welfare and security of the citizens of Orange County by processing and executing all legal documents both Civil and Criminal in nature; providing security to several County agencies; responding to calls for police services, investigating criminal complaints, investigating complaints of improper and/or illegal activities involving the staff of the Orange County Sheriff's Office; maintaining control of all individuals in our custody by transporting them in a safe and orderly manner; patrolling and protecting all County property, maintaining and operating specialized police units, and providing, upon request, police services to Local, State and Federal Police Agencies.
 - iii. Response to Community Calls for Service and Patrol Service by the Orange County Sheriff's Office
 1. Primary functions of the deputy sheriffs in the community
 - a. The primary activities of the OCSO are described in its Mission Statement. The OCSO engages in the following functions:
 - i. Augment local police strength by transporting arrestees after arraignment by local courts
 - ii. Post arraignment transport of inmates to local courts.
 - iii. Movement and detention of prisoners in the county court system
 - iv. County and local criminal court warrant investigations
 - v. Pistol permit applicant background investigations
 - vi. Basic handgun safety course and civilian tactical handgun training
 - vii. Civil evictions and process by order of the court
 - viii. Orange County Government Center Security
 - ix. Operation of K-9 Unit for narcotics and explosive device threat response and assessment
 - x. Administrative oversight of the Sheriff's Narcotics Unit that has consolidated with Orange County District Attorney's Office.
 - xi. Operation of the Marine Division which patrols the Orange County shoreline and the Hudson River
 - xii. Operation of the Bike Unit which patrols the Heritage Trail
 - xiii. Operation of the Special Operations Group which responds to various incidents and augments local police
 - xiv. Patrol coverage and response to complaints within the Orange County Parks system
 - xv. Internal Investigations of its employees
 - xvi. Operate a Special Response Unit which provides ATV support to investigations throughout Orange County
 - xvii. Partner with three Federal agencies; The Federal Bureau of Investigation, the United States Marshalls Service and the

Department of Health and Human Services to conduct criminal investigations relating to gang activities, white collar crime and child support/abandonment crimes.

2. Deputy Sheriff's role in responding to 911 calls
 - a. All Deputies answer 911 calls as dispatched by the Orange County (OC) E 911 Center protocols
3. Proactive policing actions
 - a. Members of the Orange County Sheriff's Office engage in proactive self-initiated policing in a variety of ways. The most basic function is the uniform division which enforces vehicle and traffic law violations and penal law offenses. Uniform members partner with local police agencies to actively patrol high crime areas through the state funded GIVE program. In addition, state grant funds are used to enforce the use of seat belts, the violation of illegally passing school buses and proactive and focused D.W.I. enforcement.
 - b. Members assigned to the Orange County District Attorney's Drug Task Force conduct undercover narcotics investigations in conjunction with local police agencies.
 - c. The Marine Unit assigned to patrol the Hudson river is active during the summer season generally from Memorial Day to Labor Day.
 - d. Gun Involved Violence Elimination Initiative (GIVE)
- iv. Grievances by the Community Directed OCSO and Responsive Measures Employed
 1. Number of civilian complaints regarding police action with an accepted average number of police and citizen encounters for any purpose at over 20,000 per year)
 - a. 2020 – 4
 - b. 2019 – 7
 - c. 2018 – 2
 - i. Following the internal investigation of each complaint between the years 2018-2020, 4 were unfounded, 4 were unsubstantiated, two were founded, and 3 are pending the outcome of the investigation.
 2. Type of complaints received; most oft received complaint
 - a. Alleged unprofessional conduct 3
 - b. Alleged Misconduct associated with arrest 2
 - c. Alleged inappropriate Use of Resources 2
 - d. Neighbor dispute 2
 - e. Divorce Dispute 2
 - f. Alleged Excessive Force 1
 - g. Alleged Racial Profiling 1
 3. Geographic concentration of complaints
 - a. Middletown 6
 - b. Goshen 3
 - c. Newburgh 2
 - d. Port Jervis 1
 4. After review by the Panel of the present system to make a complaint regarding the conduct of any OCSO employee, and after reviewing public comment thereon, it

is proposed by the Reinvention and Reform Panel that the OCSO shall create a space on its website where a citizen may make an anonymous or identified complaint and/or complement regarding any act by any of its employees to the Office of Professional Standards and Compliance by publicizing a telephone number, and email address, and to create a button on its website where a citizen may make a complaint about any member of service.

- a. The complaint and/or complement will be transmitted to a member of service of the rank of Lieutenant or higher a designated by the Orange County Sheriff for investigation.
- b. The outcome of any investigation of any complaint as indicated above shall be reported by the OCSO to any identified complainant.
- c. Should the citizen not recall the name and/or badge number of the deputy sheriff(s) with whom they interacted, the Office of Professional Standards and Compliance shall assist the citizen in so identifying the deputy sheriff(s).

5. After review by the Panel of the present way in which a member of the OCSO identifies themselves when engaging in a citizen encounter, and after reviewing public comment thereon, it is proposed by the Reinvention and Reform Panel that when the OCSO member of service engages in a citizen encounter the member of service shall ensure that their name and badge number are clearly displayed on their uniform, shall ensure that they identify themselves verbally, including their name and badge number, upon the encounter with the civilian and shall, upon request, repeat their name and badge number.

b. Deferral of Calls for Service to Appropriate Social Services Entities

i. Police Response to Mental Health Calls

1. Orange County's current crisis services continuum provides both telephonic and in person response 24 hours per day, seven days per week, 365 days per year. Orange County's Crisis Call Center (OCCCC) at 311 (1-800-832-1200), operated under the Orange County Department of Mental Health in partnership with the Mental Health Association in Orange County, Inc., Independent Living, Inc., and Access: Supports for Living, Inc., and is co-located with Emergency Services (911). OCCCC endeavors to provide the following non-police services to Orange County residents:

- a. Telephonic support, crisis intervention, assessment, practical assistance, and a warm connection to appropriate services for individuals, youth and families impacted by mental illness, substance use, and/or developmental disability;
- b. Behavioral Health response by the Crisis Mobile Response Team (MRT) which provides in-person support including and assessment, intervention, crisis de-escalation, and connection to appropriate services, which can include referrals to peer supports that assist individuals to engage with services, help navigate the system, and provide on-going support;
- c. Rape Crisis services

2. After a review by the Panel of the OCSO's present level of participation in outside agencies which service persons with mental health needs, and after

reviewing public comment thereon, it is proposed by the Reinvention and Reform Panel that the OCSO shall endeavor to attend the Orange County Department of Mental Health's Community Services Board Mental Health Sub-Committee meetings in an effort to remain abreast of the present needs of persons diagnosed with mental illness, the services offered by Orange County to address this vulnerable population's needs, and to offer appropriate participation when called upon to do so.

3. Text4Teens
 - a. The Mental Health Association in Orange County, Inc., offers the Text4Teens Program which is available 24/7 by texting 845-391-1000.
 - b. Text4Teens connects young people in need of support for mental illness, substance use, developmental disability, sexual assault, and those in need of information and referrals to trained professionals.
 4. Members of the OCSO Patrol routinely answer calls for mental health distress as polled by OC E-911. The OCSO's response to Mental Health calls are also directed by the General Order related to Mental Illness.
- ii. Police Response to Substance Abuse/Overdose calls
 1. The OCSO routinely answers calls for overdoses and substance abuse calls for service as directed by OC E911.
 2. A supervisory member of the OCSO participates in the collaborative effort by persons employed in government, healthcare, addiction treatment and those who pay for that treatment committed to "Changing the Orange County Addiction Treatment Ecosystem," works to identify gaps in available substance abuse treatment for persons in need and to remedy that need.
 3. After a review by the Panel of the OCSO's present level of participation in outside agencies which service persons facing substance abuse, and after reviewing public comment thereon, it is proposed by the Reinvention and Reform Panel that the OCSO shall endeavor to attend the Orange County Department of Mental Health's Changing the Orange County Addiction Treatment System steering committee meetings in an effort to remain abreast of the present needs of persons suffering from substance abuse, the services offered by Orange County to address this vulnerable population's needs, and to offer appropriate participation when called upon to do so.
 - iii. Police Response to calls to assist the Homeless
 1. The OCSO cooperates with our county partners in the Department of Social Services with warrant searches and/or sex abuse register requests for information.
- c. Reduction of Violence by Redeploying Resources from Policing to Other Programs: Community Based Outreach and Violence Interruption
 - i. Parent Support Programs
 1. The Orange County Youth Bureau funds the following programs which are supportive of Families:
 - a. Access Supports for Living, Inc.: Circles of Wellness
 - b. Big Brothers Big Sisters of Orange County, NY, Inc: Big Brothers Big sisters of Orange County One-to-One Mentoring

- c. Cornell Cooperative Extension of Orange County: Education for Parenthood/RAPP
- d. Warwick Community Bandwagon, Inc.: Living
- ii. Youth Development Programs
 - 1. The Orange County Youth Bureau funds the following programs (2020):
 - a. Positive Youth Development Run Through the Police Department Juvenile Aid Program in the following communities:
 - i. City of Middletown Police Department
 - ii. City of Port Jervis Police Department
 - iii. Town of New Windsor Police Department
 - iv. Town of Newburgh Police Department
 - 1. DARE Program
 - 2. Junior Police Academy
 - v. Town of Wallkill Police Youth Coalition
 - vi. Greenwood Lake Police Department Juvenile Aid Bureau
 - vii. Village of Montgomery Police Department DARE Program
 - b. Positive Youth Development (non-police involved)
 - i. Boys & Girls Club of Newburgh, Inc.: Diplomas to Degrees
 - ii. City of Middletown Recreation Department:
 - 1. Middletown Teen Center
 - 2. Middletown Summer Youth Leadership Academy
 - iii. City of Newburgh:
 - 1. Boxing Program
 - 2. Youth Soccer Program
 - 3. Summer Playground
 - 4. Year-Round Basketball Program
 - iv. City of Port Jervis Recreation Department: Port Jervis Youth Center
 - v. Hudson Valley Seed, Inc.: Garden Learning Time – Newburgh
 - vi. Maternal Infant Services Network of Orange, Sullivan & Ulster Counties, Inc. (MISN): Empowered Girls Circles
 - vii. Nora Cronin Presentation Academy: Summer Youth Leadership Academy
 - viii. Town of Crawford: Summer Youth Leadership Academy
 - ix. Town of New Windsor: Town of New Windsor Summer Camp Program
 - x. Town of Wallkill Boys & Girls Clubs: Project Triple Club
 - xi. Village of Florida: Village of Florida Summer Recreation Program
 - xii. Village of Walden Recreation:
 - 1. Teen Center
 - 2. Summer Youth Employment Program
 - xiii. Village of Warwick: Village of Warwick Recreation Project for Youth
 - xiv. Warwick Community Bandwagon, Inc.:

1. Life Skills for Teens
 2. Youth Task Force
 3. Summer Youth Leadership Academy
 - xv. Winslow Therapeutic Riding Center:
 1. Visiting Classrooms (Equine-ability and WITH)
 2. Summer Youth Leadership Academy
 - xvi. Text4Teens
2. The Orange County Youth Bureau also provides substantial assistance to other Coalitions and Action Teams including the following:
 - a. Cultural Equity Taskforce
 - b. Healthy Orange
 - c. Healthy Orange’s Council of Community Agencies of Port Jervis
 - d. Kinship Coalition
 - e. Middletown Cares
 - f. Operation P.J. PRIDE
 - g. Orange County JDAI (Juvenile Detention Alternatives Initiative) Collaborative
 - h. Orange County Parenting Coalition
 - i. Orange County Teen Pregnancy Prevention Coalition
 - j. Pine Bush Focus on Youth Initiative
 - k. TEAM Newburgh
 - l. Warwick Prevention Coalition
- iii. Addressing Trauma and Preventing Violence at Home
 1. The Orange County Positive Youth Bureau also funds programming in the area of Positive Youth Development and Mental Health, Trauma and Violence Prevention
 - a. Fearless HV (formerly Safe Homes of Orange County): Teen Dating Violence Prevention Program (TDVPP)
 - b. Fearless HV (formerly Safe Homes of Orange County): Summer Youth Leadership Academies
 - c. Fearless HV (formerly Safe Homes of Orange County): Safe Harbor Trafficking Prevention Program
 - d. HONORehg, INC: A Friend’s House
 - e. Mental Health Association in Orange County, Inc.
 - i. Text4Teens
 - ii. Rape Crises Services
 - f. Orange County Crisis Intervention Training (CIT)
 2. STOP DWI in partnership with Juvenile Probation offer “Too Good,” a comprehensive family of substance use and violence prevention curricula designed to mitigate the risk factors associated with risky behavior and building protection within the child who attends the programming.
- d. Community Policing Activities
 - i. The OCSO’s community policing activities is broadly defined by the General Order on Community Relations. Presently, the OCSO participates in the following community policing programs:

1. Explorer Post 5110
 - a. After review by the Panel of the present available community policing activities engaged in by the OCSO, especially those activities directed at our youth, and after considering public comment on the subject, it is proposed by the Reinvention and Reform Panel that the OCSO shall seek to expand their existing Explorer program to each and every school district in Orange County, and that the program seek to develop youth involvement in the OCSO as a youth advisory committee.
2. Operation Safe Child
3. Child Seat Inspection
4. Victim Impact – Compliance Enforcement
5. Deputy Sheriff Bike Patrols on Heritage Trail
6. If you SEE SOMETHING SAY SOMETHING
7. NYS DCJS Gun Involved Violence Elimination Initiative (GIVE)
8. Sex Offender Awareness
9. Offender Watch ® (sex offender registry)
10. VINE-link (Temporary Orders of Protection- release notification program NYS SHERIFF)
11. Annual National Night Out against crime
12. Seasonal festivities within the Orange County community including events such as Apple Fest, local fairs, and youth sports activities
13. Sexual Assault Response Team (SART)
- e. After review by the Panel of the present available ways in which a member of the public may contact the OCSO regarding an at risk individual, and the manner in which the public may be invited to communicate with the OCSO, and after considering public comment on the subject, it is proposed by the Reinvention and Reform Panel that the Orange County Sheriff’s Office shall appoint a Deputy Sheriff to a position designated as Community Affairs (or a member of service of a rank deemed appropriate to hold such a position) who shall work in conjunction with mental health providers and violence reduction programs to identify at risk individuals for the purpose of referral to appropriate programming. The Community Affairs Deputy Sheriff would also be responsible for training fellow deputy sheriffs to identify and refer at-risk persons with whom they may come into contact to Community Affairs so that our at-risk citizens may be supported by the best available resources the County has to offer. As this Deputy Sheriff’s responsibilities would be referral in nature and would tap into the already-established diversion programs supported by Orange County, it is not contemplated that a new position would need to be created to meet this need.
 - i. After review by the Panel of the present public reporting practices of the OCSO, and after reviewing public comment thereon, it is proposed by the Reinvention and Reform Panel that the OCSO shall publish its Sheriff’s Report, as provided to the Orange County Legislature’s Public Safety and Emergency Services Committee, inclusive of any Community Affairs related events engaged in by members of service

II. Orange County 911 Call Center

- a. Construction, staffing and training at the 911 call
 - i. Orange County Emergency Communications (911) is a division within the Orange County Department of Emergency Services, and is the primary Public Safety Answering

Point (PSAP) for all of Orange County, New York. The Department is headed by a Commissioner who is overseen by the County Executive. Within the Division of Emergency Communications, certified (through IAED & APCO) Public Safety Dispatchers handle the task of call taking and dispatching calls received by 911. The Public Safety Dispatchers are overseen by the 911 Director of Operations, who is overseen by the Deputy Commissioner of Emergency Communications, who reports directly to the Commissioner for the Department of Emergency Services. Our Training unit is made up of a Public Safety Dispatch Supervisor and Dispatch Trainer, who oversee all training aspects and the Quality Assurance/Quality Improvement (QA/QI) program for the division.

- b. How are calls routed; how are these decisions made?
 - i. Our 911 Center receives calls for service and processes the call by interviewing the caller using a national protocol (IAED Emergency Medical Dispatch, Emergency Fire Dispatch, or Emergency Police Dispatch), then providing lifesaving instructions or other pre-arrival instructions, while emergency services are responding. Our Center dispatches a “tiered response” in order to shorten the response time to emergencies. The tiered response includes the notification of law enforcement to all medical and/or fire type incidents. It is up to the discretion of the notified law enforcement agency as to whether they respond to those types of calls. The Computer Aided Dispatch (CAD) System decides which agencies to notify based on appropriate jurisdiction, removing discretion from the Public Safety Dispatcher to decide who gets dispatched/notified.
 - ii. Orange County has a single dedicated crisis call center number 311. The Orange County Crisis Call Center is co-located with 911 call takers at the Emergency Services Building. The Crisis Call Center staff provide 24/7 clinical telephonic response for mental health, developmental disabilities and substance use disorders; and includes the ability to screen for substance use disorders, complete the NYS required LOCADTR tool to determine substance use disorder level of care, and schedule an appointment for individuals in need of treatment.
- c. Describe what social services support systems are available to the 911 Call Center in order to appropriately route calls for service.
 - i. Our 911 Center is also home to the Orange County Crisis Call Center (311). The Crisis Call Center stands ready to provide collaborative, professional, and peer telephone support/outreach, to anyone in need of emotional support, crisis intervention, or connection to social services. This is a valuable resource available to Orange County 911 with the push of a button. Together, we operate with a memorandum of understanding (MOU).

III. The Role of the OCSO in Our Schools

- a. Definition of SO role
 - i. The OCSO have part-time School Safety Deputies in 19 schools at the specific request of the school districts where they are placed. Their primary function is the security of the school building, students and staff. School Safety Deputies are fully certified New York State Police Officers who are additionally trained in the areas of Use of Force, Use of Force Policy, Active Shooter Response, Medical training. De-escalation training and firearms training.
- b. Role in the case of student misbehavior which may amount to a crime
 - i. Where a possible crime has occurred and is brought to the attention of the School Safety Deputy, such cases are turned over to the local police department in the jurisdiction where the school is located.

IV. Staffing, Budgeting, and Equipping Your Police Department

- a. Sheriff's Office Staff
 - i. 112 full-time employees
 - 1. Command Staff
 - a. Sheriff
 - b. Undersheriff
 - c. Assistant Undersheriff
 - d. Chief
 - e. 2 Captains
 - f. 3 Lieutenants,
 - g. 2 Professional Standards and Conduct Investigators
 - 2. 11 Sergeants
 - 3. 78 Deputy Sheriffs
 - ii. Part-Time Deputy Sheriffs
 - 1. 42 School Safety deputy sheriffs
 - 2. 16 Pistol Permit investigators
 - 3. Records retention deputy sheriff
 - 4. Accreditation deputy sheriff
 - 5. 2 Civil office deputy sheriffs
 - 6. K-9 deputy sheriff
 - 7. Range deputy sheriff
 - 8. Special Operations Group deputy sheriff
 - 9. Professional Standards and Conduct Investigator
 - iii. Civilian Employees
 - 1. Range Supervisor
 - 2. 4 Administrative support staff
 - 3. 7 civil office positions
- b. Deputy Sheriff's Role in Crowd Control
 - i. The OCSO maintains a policy by General Order which specifically addresses the OCSO's response to Civil Disturbances, Labor Strike scenes, and Protests. The General Order related to the Use of Force also directs the Deputy Sheriff's role as such events.
 - ii. Deputy Sheriff's receive training every other year in the area of Civil Disturbances and Protests, including addressing varying force options available for use should the occasion arise.
 - iii. Military Equipment: The OCSO does not accept equipment from the United States military for use in policing.
 - iv. Tactical Equipment: The OCSO utilizes its Special Operations Group (SOG) when tactical response is required which exceeds the equipment and training of our Deputy Sheriffs. The equipment available to the SOG Unit includes:
 - 1. Lenco MedCat: described as an up-armored ambulance with on-board oxygen capable of transporting and caring for patients from high risk scenes as well as performing rescues of downed officers and civilians and transporting Tactical assets and gear into a hostile environment safely.
 - 2. Crisis Negotiation Van: outfitted with communication and recording equipment for safely negotiating with persons experiencing an emotional disturbance, hostage takers and barricaded subjects.
 - 3. Fully Operational Ambulance: available to provide advanced medical treatment to injured police officers and civilians while the SOG unit is operating.

4. Less Lethal Launchers and Munitions: This equipment is designed and utilized for enhanced less lethal options specifically used by the SOG members including foam baton rounds, super sock rounds, Oleoresin Capsicum (OC (or pepper)) spray, CS, CN and smoke.
5. Ballistic Shields, pole cameras and robots.

V. Smart and Effective Policing Standards and Strategies

- a. Use of Force: The OCSO's General Order on Use of Force governs the use of Chokeholds and defensive tactics which would restrict breathing
 - i. Deputy Sheriffs shall not use any technique, or combination of techniques than is required to effectuate an arrest.
 - ii. The OCSO does not teach or justify the use of any restraints used for the purpose of physical control which applies pressure to the throat or windpipe of a person in a manner that is intended to hinder breathing or reduce the intake of air.
 - iii. The use of any chokehold which may hinder or reduce the intake of air should only be employed where deadly physical force is justified.
- b. Pursuit: the OCSO's General Order on its Pursuit Policy governs pursuits of vehicles by Deputy Sheriff's.
 - i. Deputies shall not shoot at or from a moving vehicle except as the ultimate measure of self-defense or defense of another when the suspect is using deadly physical force by means other than the vehicle.
- c. Use of Force for retaliatory reasons
 - i. Every training provided to the Deputy Sheriffs includes Use of Force training, the review of New York State Penal Law Article 35, which governs police use of force, as well as the GO on Use of Force.
- d. Duty to Intervene: Any Deputy Sheriff present and observing another officer using force that she or he reasonably believes to be clearly beyond that which is objectively reasonable shall intercede to prevent the use of unreasonable force, if and when the Deputy has a realistic opportunity to prevent harm.
- e. Pretextual Stops and proactive policing
 - i. The OCSO receives certified police officers from their respective academies who have been trained on issues surrounding pretextual vehicle and traffic stops and proactive policing measures. Such matters are address at a deputy sheriff's in-service training.
- f. OCSO productivity standards directed to its uniformed MOS
 - i. The OCSO does not employ productivity standards or quotas directed at measuring productivity standards.
- g. Use of SOG; input on No-Knock Warrants
 - i. The Special Operations Group (SOG)
 1. The SOG are made up of Tactical Operators, Tactical Medics, and Crisis Negotiators highly trained and equipped to handle a multitude of scenarios.
 2. The SOG Unit are highly skilled emergency service and tactically trained officers which offer resolution of critical incidents proven to substantially reduce the risk of injury and loss of life to citizens, officers and suspects alike where it is established that patrol forces are not adequately equipped or trained to intercede. The SOG is staffed with highly motivated personnel with outfitted with specialized equipment and training in the response to critical incidents. SOG works to contain volatile situations and deliver acceptable resolutions. Examples of incidents where SOG may be called to respond includes barricaded suspects, hostage situations, high risk arrest and/or search warrant execution, terrorist

situations, dignitary protection assignments and any other response deemed necessary by the Sheriff.

3. SOG may also be made available to any other agency that makes such requests for intervention in a critical incident.
- ii. No knock search warrants are issued only upon a sufficient basis founded thereon by an independent magistrate after review by the Orange County District Attorney's Office.
- h. Deputies Less-Than-Lethal Weaponry such as Tasers and Pepper Spray; training and equipment
 - i. Equipment
 1. Oleoresin Capsicum (OC) or Pepper) Spray
 2. Baton
 3. Taser
 4. SOG is additionally trained in launchable and handheld less lethal options such as foam baton rounds.
 - ii. Training (*See also* Training section at **VIII**)
 1. De-escalation training
 2. Reality Based training (which includes scenarios of less lethal and de-escalation options)
- i. Arrested Individuals
 - i. OCSO shall continue to conduct a medical and mental health assessment of all arrested individuals upon their request in continued compliance with newly enacted State law.
 - ii. After review by the Panel of the present public reporting practices of the OCSO, and after reviewing public comment thereon, it is proposed by the Reinvention and Reform Panel that the OCSO shall publish its Sheriff's Report, as provided to the Orange County Legislature's Public Safety and Emergency Services Committee, inclusive of the following information on a monthly basis:
 1. Answers to calls for service as assigned by 911
 2. Use of Force incidents
 3. Number of arrests and uniform traffic citations issued, the age, sex, and race of the person arrested and/or ticketed (if the individual discloses).
 4. Community Affairs related events engaged in by members of service

VI. Law Enforcement Strategies to Reduce Racial Disparities and Build Trust

- a. Using Summonses Rather than Warrantless Arrests for Specified Offenses
 - i. The Use of Summonses as opposed to executing a summary arrest is generally governed by the General Order on Arrest Procedure.
 1. Presently, the General Order on this point no specific instructions in Arrest Procedures G.O. of when to use a criminal summons vs. arrest warrant or custodial warrantless arrest based on civilian complaint when the Deputy is not the victim/complainant.
 - a. In contrast to full custodial arrest, citation/summons allows the officer to release the individual without the need for transport to the station, formal booking, fingerprinting and pretrial release decisions.
 - b. A written policy which would more specifically guide our Deputy Sheriff's on this issue is under review and consideration.
 - c. Under the new Bail Reform statute, all offenders accused of non-violent felonies and misdemeanors must be released on their own recognizance and strong consideration must be had for release from the station with an Appearance Ticket to appear in Court.
- b. Diversion Programs are offered and supervised by the courts in Orange County.

- c. Hot-Spot Policing and Focused Deterrence
 - i. Partnerships with City police departments
 - 1. The OCSO partners with the City of Middletown Police Department and the City of Newburgh Police Department for the following special enforcement details:
 - a. DWI enforcement initiatives
 - b. Buckle-Up New York (BUNY)
 - c. Directed Patrols based upon citizen complaints
 - d. New York State Department of Criminal Justice Service (DCJS) Gun Involved Violence Elimination Initiative (GIVE)
 - 2. Special Operations Group (SOG) as requested by outside agencies.
- d. De-Escalation Strategies (*See also* Training Section at **VIII(b)**)
 - i. All Deputy Sheriffs were introduced to de-escalation strategies when trained in the police academy as part of their Use of Force curriculum.
 - ii. All Deputy Sheriffs are trained annual in their Use of Force as proscribed by the New York State Penal Law, Article 35, as well as the OCSO Use of Force General Order and policy.
 - iii. In 2014 Orange County partnered with local law enforcement to provide Crisis Intervention Training (CIT) as part of the New York State Office of Mental Health and the New York State Department of Criminal Justice Services (DCJS) Mental Health Criminal Justice Initiative. As part of the CIT rollout, all police departments participating are required to complete and submit a report to the Local Government Unit (LGU), National Alliance for Mental Illness (NAMI), Mobile Mental Health and Independent Living, Inc. within 24 hours of responding to an “emotionally disturbed person” as defined by law enforcement.
 - iv. Orange County currently provides a Mobile Mental Health response 24 hours per day, seven days per week, and 365 days per year.
 - v. The OCSO also ensures de-escalation training and annual in-service training which specifically incorporates the subjects of
- e. Investigations Division at the SO is charged with the duty to effectively identify, investigate and forward founded Hate Crimes for prosecution
 - i. The OCSO’s is committed to the investigation of Hate Crimes. Any acts or threats of violence, property damage, harassment, intimidation, or other crimes motivated by hate and bias and designed to infringe upon the rights of individuals are viewed very seriously by this agency and will be given high priority. This agency shall employ necessary resources and vigorous law enforcement action to identify and arrest hate crime perpetrators. Also, recognizing the particular fears and distress typically suffered by victims, the potential for reprisal and escalation of violence, and the far-reaching negative consequences of these crimes on the community, this agency shall be mindful of and responsive to the security concerns of victims and their families.
 - ii. The Investigative Division currently has two investigators trained in evidence collection and crime scene management. A uniform member is also trained in these functions to assist if necessary.
 - iii. The Division is staffed with four investigators that can adopt any investigation involving hate crimes. After hours, the investigations division operates a rotating on-call schedule designating one investigator to respond to incidents occurring outside of regular working business hours.
 - iv. The OCSO staffs the Hudson Valley Crime Analysis Center with a full-time investigator. This investigator can access, analyze and develop intelligence indicating patterns and organized hate groups and suspects potentially involved in the offense. The investigator

assigned to the Crime Analysis Center coordinates with the investigator designated as the primary on the case.

- v. Investigators have been trained by the Orange County District Attorney's Office in the methods and indicators for identifying incidents as hate crimes. The training further provided information and resources to assist supervisors in the preparation for prosecution and the procedures that the Orange County District Attorney's Office has in place to coordinate with the investigating agency.
- vi. The Orange County Sheriff's Office also has two full time investigators assigned to the F.B.I. Hudson Valley White Collar Crime Task Force. Investigators assigned to this unit can adopt cases that fall within defined federal hate crime statues.
- f. The County Executive has established the Reform and Reinvention Collaborative Advisory Panel to act as his Citizen and Professional advisory board.
- g. Police Statistics and Transparency Act
 - i. OCSO will continue to collect incident data and arrest data and will provide said data to its accrediting agencies when required.

VII. Community Engagement

a. Fostering Community-Oriented Leadership, Culture and Accountability

- i. Present personnel promotional process at the OCSO is divided by Civil Service Positions and Non-Civil Service Positions:
 - 1. Civil Service Positions:
 - a. The OCSO promotes to its civil service ranks solely on the basis of qualification for the position free of discrimination as outlined in Civil Service Law.
 - b. Civil Service promotions will be made from the eligibility list established by the Civil Service Commission.
 - c. The Sheriff may make a temporary or provisional appointment of a person to a civil service position.
 - d. When a vacancy exists within the Office, which requires the promotion of a member to a civil service rank, the Sheriff may do any of the following:
 - i. request the civil service commission to schedule a test to provide him with a certified eligibility list of candidates,
 - ii. make an appointment from an existing eligibility list of candidates,
 - iii. request a new test to provide him with a new eligibility list.
 - e. The Civil Service Commission shall make appropriate announcements when promotional examinations are scheduled, and the Sheriff will post the notice on the Deputy Sheriff's bulletin board at least ten (10) days prior to the last filing date.
 - f. Oral interviews may be given to eligible deputies by the Sheriff and/or his designee.
 - g. The Sheriff or his designee shall review performance evaluations to assist in the selection process and the candidate must have a minimum of acceptable level of rating in the previous (2) performance evaluations.
 - h. The Sheriff may request recommendations for promotion from the Chief Deputy Sheriff and the candidate's supervisors.
 - i. The Sheriff shall determine the most qualified candidate and make said promotion.
 - j. The Chief Deputy Sheriff will post on the Deputy Sheriff's bulletin board a Personnel Order announcing the selection, after notifying all candidates interviewed.

- k. The promoted deputy shall have a probationary term in accordance with Civil Service standards.
- l. Reapplication for Promoted Positions:
 - i. Promoted personnel are selected from list of eligible candidates established by the passing of the civil service promotional exam appropriate for the position.
 - ii. Eligibility lists are fixed for a period of time set by Civil Service.
 - iii. Candidates appear on the promotional list in order of their final rating.
 - iv. Candidates may be chosen from such list for the duration of the list. Upon expiration of the eligibility list, candidates must take and pass the exam again in order to be eligible for a promotion.
 - v. Maintaining one's name on the promotional list is the procedure for reapplication.
- m. After review by the Panel of the present publication practices of the OCSO's recruitment efforts and applicant pool development, and after reviewing public comment thereon, is proposed by the Reinvention and Reform Panel that the OCSO shall publish all requirements to become a police officer on its website so that the public may access this information.
 - i. The OCSO shall publish the minimum educational requirements for the position of Deputy Sheriff.
 - ii. The OCSO shall publish the minimum physical fitness standards for the position of Deputy Sheriff.
- n. After review by the Panel of the present publication practices of the OCSO's recruitment efforts and applicant pool development, and after reviewing public comment thereon it is proposed by the Reinvention and Reform Panel that the OCSO shall advertise by way of posting to its website and social medial accounts the availability of any civil service exam for any position at the OCSO. If such an exam is presently unavailable, the OCSO shall publish the anticipated next date for such an exam should such an anticipated date be provided to the Office.
- o. After review by the Panel of the present publication practices of the OCSO's recruitment efforts and applicant pool development, and after reviewing public comment thereon, it is proposed by the Reinvention and Reform Panel that the OCSO shall confer bi-annually with Orange County's Deputy Commissioner for Employee Relations and Affirmative Action Plan Officer, presently Tamara Hunter, regarding its efforts to ensure the OCSO is an inclusive environment that provides all employees with an opportunity advance their careers successfully, that the OCSO employees are of a diversity which will project a fair-mindedness to all those who come into contact with the members of the OCSO, and to ensure the OCSO maintains a culture of diversity.
- p. After review by the Panel of the present OCSO's recruitment, applicant pool development, and deputy sheriff professional development, and after reviewing public comment thereon, it is proposed that that the OCSO shall endeavor to establish a part-time civilian position of Chief Diversity Officer (CDO). The CDO will be a person who is a professional in this field of work who will assist the existing workforce with diversity, equity, and inclusion in all matters of recruitment, hiring, professional

development and employee retention. It is the Panel's hope that the CDO will assist the OCSO to bridge the public perception gap which may exist between police agencies and the public and further the OCSO's dedication to a highly trained, professional workforce who treat all with respect and dignity. Thus, it is the Panel's recommendation that the OCSO work in collaboration with the Orange County Department of Human Resources and the Orange County Department of Human Rights to create the part-time civilian position of CDO and that this collaboration will work together to properly vet any proposed hires. The creation of this part-time position should have no budgetary impact on present funding for the OCSO.

2. Non-Civil Service Positions

- a. When a vacancy exists within the Sheriff's Office which requires the appointment of a member to a non-civil service position, the Chief Deputy Sheriff will post a Departmental Memorandum, on the Deputy Sheriff bulletin board at least ten (10) days prior to the last filing date listing the following:
 - i. Job description and eligibility requirements,
 - ii. A schedule of dates, times and locations of all elements of the process,
 - iii. A description of the process to be used in selecting personnel for the vacancies.
 - b. The appointment to a non-civil service position shall be job related and nondiscriminatory.
 - c. Oral interviews may be given to eligible officers by the Sheriff and/or his designee.
 - d. The Sheriff or his designee shall review performance evaluations to assist in the selection process and the candidate must have a minimum of acceptable level of rating in the last two (2) performance evaluations.
 - e. The Sheriff may request recommendations for promotion from the candidate's supervisors.
 - f. The Chief Deputy Sheriff will post on his bulletin board a Personnel Order announcing the selection, after notifying all candidates interviewed.
- ii. Present personnel evaluation process.
 1. Deputy Sheriff Evaluations are conducted to review the following performance areas:
 - a. Officer Safety
 - b. Interpersonal Skills
 - c. Knowledge
 - d. Investigative Skills
 - e. Community Relations
 - f. Problem Solving and Decision Making
 - g. Productivity
 - h. Report Writing
 - i. Work Habits
 - j. Initiative
 - k. Training Received
 - l. Commendations Received
 - m. Plan for future performance goals and objectives

- n. Plan for career goals and objectives
 - o. Invite Deputy Sheriff's comments on review
2. Supervisor Evaluations are conducted to review the above performance areas as well as the following performance areas:
- a. Appearance
 - b. Acceptance of Feedback/Criticism
 - c. Attitude toward Police Work, Personal Responsibility, Personal Motivation
 - d. Knowledge and Application of Department Rules and Regulations
 - e. Knowledge and Application of Criminal Statutes, Vehicle and Traffic Laws, and Local Ordinances
 - f. Field Performance
 - i. Stress Conditions/Decision Making
 - ii. Informed Judgments
 - g. Encouraging Creative Thinking, Team Approach, Trust
 - h. Citizen Orientation
 - i. Familiarity with Resident
 - ii. Familiarity with Local Business operators
 - iii. Development of Relationship of Trust Within Community
 - i. Problem Solving Abilities
 - j. Dealing with Deputy Sheriffs Fairly
 - k. Planning, Organizing, and Implementing Plans
 - l. Attendance
 - m. Decision Making, Dependability, and Job Knowledge
 - n. Communications
 - o. Conflict Resolution
 - p. Administrative Skill in Utilizing Departmental Procedures
 - q. Time Management
- iii. OCSO incentivize/track/memorialize when Deputies are involved in community-oriented activities which are not enforcement related
- 1. Deputy Sheriffs: Tracked and reviewed during personnel evaluations in the area of interpersonal skills and community relations
 - 2. Supervisors: Additional tracked and reviewed in area of Citizen Orientation and Communications
- iv. OCSO fosters diversity in its workforce and Diversity in its leadership team
- 1. The Sheriff has promoted diversity and minority inclusion in the selection of deputies and has been successful in appointing women. Minority candidates are rarer on the eligible list and appointment is based on availability.
 - 2. The second method the Sheriff's Office workforce is selected is through requests for transfer from currently serving police officers in Orange County. This method provides the Sheriff's Office with deputies that already have completed their basic training and is very cost effective. The selection is made through interview (a board conducts interviews) and review of the candidates' law enforcement experience. Individual police officers apply for transfer at their own election. It is common knowledge among police officers serving in Orange County that the OCSO accepts transfers.
 - 3. The OCSO's leadership team must select most positions via the Civil Service test process described above. In those positions (not necessarily leadership per se)

wherein the Sheriff's Office has open choices from a candidate pool the OCSO seeks diversity and minority representation in its workforce.

- v. OCSO instills a culture of diversity and fairness reflective of your formal rules and policies.
 1. Outlined in the OCSO's Bias Based Profiling General Order and the Ethics General Order, the OCSO engages in a multitude of policy development and enforcement measures to ensure consistent attention is paid to diversity and fairness amongst its work force.
 2. Bias training and Micro Aggression Training (for further information see Training section)
 - a. The OCSO prohibits biased based policing. Deputy Sheriffs are initially trained in the police academy in the areas of Cultural Diversity/Bias Related Incidents/Sexual Harassment. The OCSO provides Annual Retraining Program/ In-Service Training includes blocks of instruction in Harassment/Discrimination and Police Ethics where deputies are trained in biased based profiling and diversity issues including legal aspects. A documented annual administrative review of agency practices including citizen concerns and corrective measures taken which include a review of: citizen complaints/comments, training, recommendations for changes in procedures/practices, Vehicle and Traffic stops, consent searches, field interviews and arrest data.
 3. Rewarding the intervenor
 - a. The OCSO Code of Ethics and the General Order regarding Disciplinary Procedures and Rules of Conduct includes the duty to intervene. In fact, the OCSO "encourages" deputies to intervene at the time of biased policing incidents.
 - i. The Code of Ethics states in pertinent part, "...serve the community; to safeguard lives and property..... I will never act officiously or permit personal feeling, prejudices, political beliefs,to influence my decisions.I will never engage in acts of corruption or bribery, nor will I condone such acts by other deputies."
 - ii. The General Order on Disciplinary Procedures states that any OCSO Office employee who becomes aware of any violation of any law, rule, regulations, general orders and other policies or procedures, by any Office employee, shall immediately notify their supervisory officer.
 - b. The Duty to Intervene is also addressed in the Use of Force Policy as follows:
 - i. Any Deputy Sheriff present and observing another officer using force that s/he reasonably believes to be clearly beyond that which is objectively reasonable shall intercede to prevent the use of unreasonable force, if and when the Deputy has a realistic opportunity to prevent harm.
 - ii. A Deputy Sheriff who observes another officer use force that exceeds the degree of force as outlined in this General Order shall promptly report these observations to a Supervisor and any member of the Office of Professional Standard and Compliance (PS&C) by telephone if not on site.

- iii. Deputy Sheriff's shall not use any more of these techniques, or combination of techniques than is required to gain compliance to effect an arrest.
 - iv. Note: The Orange County Sheriff's Office does not teach or justify the use of any restraints used for the purpose of physical control which applies pressure to the throat or windpipe of a person in a manner that is intended to hinder breathing or reduce the intake of air.
 - v. The use of any choke holds which may hinder or reduce the intake of air should only be employed at the level where deadly physical force is justified.
 - b. After review by the Panel of the present publication practices of the OCSO's governing policies and procedures, and after reviewing public comment thereon, is proposed by the Reinvention and Reform Panel that the OCSO shall publish all General Orders, policies and procedures which govern all Deputy Sheriffs on its website to the extent such documents would not compromise the manner in which criminal investigations are conducted and/or which would otherwise be subject to the Freedom of Information Law.
 - c. **Tracking and Reviewing Use of Force and Identifying Misconduct**
 - i. Use of Force Reporting
 - 1. OCSO General Orders require that all use of force incidents be reported by the Deputy Sheriff to their supervisor.
 - 2. Weapons Discharge Reporting
 - a. All members of the OCSO shall report the discharge of their weapon whether on or off duty at a time when a person could be struck by a bullet from the weapon immediately or as soon as practicable of the incident in verbal form and in writing within 48 hours. This exceeds compliance with the newly enacted State law requirement to do so.
 - ii. Review of Use of Force
 - 1. All uses of force must be reported, even those that do not result in injury.
 - 2. The review process determines whether the employee followed established Policy and Procedure or used excessive force in the performance of their duties. Reviewers include Commissioned Officers, the Chief Deputy, members of PS&C and the Sheriff (or his designee, in most cases the Undersheriff).
 - 3. If the use of force utilized is determined to be consistent with the established Policy and Procedures the use of force is determined to be "Justified and Appropriate".
 - 4. In those cases where the use of force is determined to be inconsistent with the established Policy and Procedure an internal investigation is conducted to determine the level of misconduct and the appropriate discipline that is warranted by the facts of the case.
 - 5. If discipline must be imposed it also must be consistent with the terms of a collective bargaining agreement wherein employees have the right to appeal their discipline to neutral arbitration.
 - 6. In cases where a serious disciplinary outcome is imposed the Sheriff's Office advises and consults with Orange County Department of Human Resources and the Law Department.
 - 7. Discipline can range from a written reprimand to separation from service.
 - iii. Independent Review of Use of Force or Misconduct

1. Misconduct cases within the Sheriff's Office are passed through a system of review.
 - a. In cases of misconduct the OCSO practices progressive discipline.
 - i. Progressive discipline is a process where minor misconduct is addressed through re-training and steadily increasing discipline for repeated misconduct. Of course, dependent of the severity of the misconduct (untruthfulness and other serious violations) the misconduct could result in immediate serious discipline without following the track of progressive discipline. Discipline can range from written reprimand up to separation from service.
 - ii. Discipline is governed by contractual agreement with the collective bargaining agencies that represent the employees. At the last step any dispute related to discipline ends in neutral arbitration.
2. Misconduct which rises to the level of potential criminal conduct.
 - a. Where identified, a bifurcated investigation (one criminal and one employment based) is implemented and the Office of District Attorney is advised and consulted with.
 - b. In cases involving the use of deadly physical force that results in serious physical injury and/or death of an employee or another person, the OCSO has entered into an Memorandum of Understanding with the Office of District Attorney that the New York State Police shall be the lead criminal investigation agency. Those types of cases can also be reviewed by state agencies including the Office of the NYS Attorney General pursuant to the Executive Orders which specifically address Use of Force Resulting in the Death of a Civilian.
- i. OCSO' Personnel Early Warning System
 - a. The OCSO has a responsibility to its employees and the community to identify and assist employees that demonstrate symptoms of job stress and performance problems. Although no set of criteria can determine these traits, it is important that certain "risk indicators" be reviewed routinely as possible indicators of behavior patterns. The Sheriff will annually review the items contained in this section in addition to reviews that shall be initiated by the supervisory staff.
 - b. The following threshold or trigger levels represents will initiate a review of employee actions or behavior for Personnel Early Warning System:
 - i. Disciplinary Problems
 - ii. Internal Affairs Complaints
 - iii. Vehicle Pursuits
 - iv. Civil Litigation
 - v. Vehicle accidents involving agency vehicles
 - vi. Negative performance evaluations
 - vii. Civilian complaints
 - viii. Excessive sick leave usage
 - ix. Worker's Compensation claims
 - x. Adverse or extreme personality changes
 - xi. Other personal issues
 - xii. Use of force incidents
 - xiii. Tardiness
 - xiv. Unexcused Absences

- ii. Review of “sentinel” or “near-miss” events is included in the Personnel Early Warning System policy.
- iii. Non-punitive measures designed to improve officer performance
 - a. A Deputy who is not meeting standards dictated by the Sheriff’s office Policy and Procedure is first a subject of conduct counselling.
 - b. Conduct counselling is not discipline; it is a review of actions and activities of a Deputy by a Supervisor who retrain the Deputy regarding whatever shortcoming has been identified.
 - c. If the conduct of the Deputy does not improve, the Deputy may be counselled again or placed with another Deputy (this Deputy that they are placed with would be a Field Training Officer (FTO) generally used to train new Deputies). The FTO will give the Deputy more intensive retraining over a period and produce reports relative to the progress the retraining Deputy is making.
 - d. If the Deputy still does not improve then they are subject to discipline due to inability or inaptitude.
- d. **Internal Accountability for Misconduct**
 - i. Peer misconduct reporting requirements at OCSO
 - 1. The Rules of Conduct and the General Order on Internal Affairs require a Deputy to report the misconduct of a peer.
 - ii. Process for investigating reports of misconduct
 - 1. The General Order on Internal Affairs governs the investigative process for suspected misconduct by a deputy sheriff.
 - 2. Substantiated and finalized misconduct is available to the public.
 - iii. Retraining as a result of substantiated complaints of misconduct and settlements or adverse verdicts in lawsuits to reduce the risk of future misconduct
 - 1. These types of incidents are routinely addressed by supervisors during daily pre-shift rollcall and included in future trainings as warranted. Depending on the event these incidents would be discussed by supervisory staff to develop future training strategies and policy updates.
 - 2. Supervisors would also send out written directives to all Deputies
 - iv. Arbitration process in place to ensure impartiality when reviewing potential misconduct
 - v. Referral to the OCDA for prosecution where criminal misconduct is found as described above.
 - vi. The Off Duty conduct by deputies is governed by the Rules of Conduct policy.
- e. After review by the Panel of the present publication practices of the OCSO’s governing policies and procedures, and after reviewing public comment thereon, it is proposed by the Reinvention and Reform Panel that the Orange County Sheriff’s Office shall publish all General Orders, Policies and Procedures which govern all Deputy Sheriffs on its website to the extent such documents would not compromise the manner in which criminal investigations are conducted and/or which would otherwise be subject to the Freedom of Information Law
- f. **Citizen Oversight and Other External Accountability**
 - i. Reporting Misconduct by a member of the SO
 - 1. Presently, all complaints, including anonymous complaints, shall be accepted in person, in writing or by telephone.
 - 2. After review by the Panel of the present system to make a complaint regarding the conduct of any OCSO employee, and after reviewing public comment thereon, it is proposed by the Reinvention and Reform Panel that the Orange County Sheriff’s Office shall create a space on its website where a citizen may make an

anonymous or identified complaint and/or complement regarding any act by any of its employees to the Office of Professional Standards and Compliance by publicizing a telephone number, and email address, and to create a button on its website where a citizen may make a complaint about any member of service.

- a. The complaint and/or complement will be transmitted to a member of service of the rank of Lieutenant or higher a designated by the Orange County Sheriff for investigation.
 - b. The outcome of any investigation of any complaint as indicated above shall be reported by the OCSO to any identified complainant.
 - c. Should the citizen not recall the name and/or badge number of the deputy sheriff(s) with whom they interacted, the Office of Professional Standards and Compliance shall assist the citizen in so identifying the deputy sheriff(s).
- ii. Investigation Outcomes
 1. Prior to the repeal of New York Human Rights Law section 50-a, the outcome of any investigation was not communicated as such communication was prohibited by statute.
 2. Since the repeal of 50-a, to the extent the Public Officer's Law allows, such information is communicated to the public by request.
 - iii. Legislative oversight of the SO
 1. Public Safety Committee
 2. Funding powers
 - iv. Joint County Executive and Legislative Oversight of the SO
 1. Orange County Police Advisory Board
 - v. Current accreditations held by the SO
 1. NYS DCJS Law Enforcement Accreditation Program (NYS LEAP)
 2. The Commission on Accreditation for Law Enforcement Agencies (CALEA)
 3. NYS LEAP SWAT Accreditation
 - vi. Community Comment Which Tracks the Level of Trust in the OCSO
 1. The Sheriff's Office is unique among law enforcement agencies in that Sheriff is elected every four years, unlike Chiefs of Police or Superintendent of State Police. By standing for election or re-election the candidate and/or Sheriff is selected by the people to serve. If the people lose trust in the Sheriff or disagree with the actions of the OCSO, they may, and history in Orange County and throughout NYS shows the people do, vote the Sheriff out of office. Unlike any other method of survey research, the vote of the people is direct and reflects their will.
- g. Data, Technology and Transparency**
- i. Incident data is reported out by the Division of Criminal Justice Services and is publicly available
 - ii. Data driven policing strategies
 1. The OCSO does not formulate its own data from which it then makes policing strategy decisions.
 2. The OCSO does obtain data driven requests from New York State to enforce certain crimes and/or vehicle and traffic conditions in certain geographic areas.
 - iii. Policies are presently available by FOIL request.
 1. The Orange County Sheriff's Office is committed to publishing our Policies and Procedures for review by the public on the county website (Sheriff's Office page) consistent with advice that we will receive from the county Law Department.

iv. Body Worn Cameras/Dash Cams

1. The Orange County Sheriff's Office has previously explored the purchase of dash and body cameras. The cost of the cameras is relatively inexpensive, but the storage and encryption of the data is the substantial cost associated with these items. Previous estimates for these items were in the hundreds of thousands of dollars of equipment storage and maintenance.
2. After review by the Panel of the present lack of body worn camera system in place at the OCSO, after recognizing that the OCSO needs a body worn camera system for its sworn members of service, after acknowledging the prohibitive costs associated with storage of body worn camera footage, and after reviewing public comment thereon, it is proposed by the Reinvention and Reform Panel that the Orange County Sheriff's Office shall endeavor to seek out funding sources outside of Orange County taxpayer funds to fund a body worn camera program, which would include the body worn cameras, administration of the program, including training, and storage systems to collect and store the body worn camera footage for three (3) full years from the date of the incident recorded.

VIII. Recruiting and Supporting Excellent Personnel

a. OCSO efforts to recruit a Diverse Workforce

i. Agency reflective the diversity of the community it serves

1. The OCSO believes it is essential that law enforcement agencies reflect and represent the diversity of the communities they serve. Diversity defined not only in terms of race and gender, but also religion, sexual orientation language ability, and background, is a critically important tool to build trust in communities. Research has demonstrated that when members of the public believe that when law enforcement represents them, understand them, and respond to them – and when communities perceive authorities as fair, legitimate and accountable in deepens trust and confidence. This trust is essential to defusing tension, solving crimes and creating a system in which residents view law enforcement as fair and just.
2. Entry level positions advertised through Orange County Civil Service announcements, available on the internet, posted in public buildings and newspapers, current agency personnel notifying qualified applicants.
3. Like most agencies throughout Orange County the OCSO does not reflect the racial diversity of the county but we have been successful in increasing the number of minorities and women in the workforce. The Civil Service process does not produce enough prospective candidates that would substantially raise racial diversity in the OCSO. However, in those appointments that are not controlled by a list (part-time School Security Deputies and Pistol Permit Investigations) the OCSO does reflect the community we serve in terms of racial minorities and diversity.
 - a. The demographic breakdown of the 112 full-time civil service employees as reported by the individual (there are some vacancies at this time) is as follows:
 - i. 72 white male
 - ii. 8 white female
 - iii. 5 black male
 - iv. 9 Hispanic male
 - v. 1 Hispanic female
 - vi. 1 male Pacific Islander

- vii. 1 male American Indian
 - viii. 1 female Asian
 - b. The demographic breakdown of the 69 part-time Sheriff-appointed employees as reported by the individual is as follows:
 - i. 38 white male
 - ii. 2 white female
 - iii. 20 Hispanic male
 - iv. 1 Hispanic female
 - v. 6 black male
 - vi. 1 black female
 - vii. 1 male Asian
- ii. What the OCSO can do better to re-evaluate hiring practices and testing to remove barriers in hiring underrepresented communities
 1. Testing is controlled by the NYS Civil Service Commission. The OCSO seeks candidates that can expand our minority and diversity percentages
 2. The OCSO has been successful in developing diverse officers through appointments to investigator and other special assignments encouraging others to set their goals higher. The current OCSO retention rate is excellent.
 3. As proposed above, it is proposed by the Reinvention and Reform Panel that the OCSO shall publish all requirements to become a police officer on its website so that the public may access this information.
 4. The OCSO will continue to publicize the release of any civil service qualifying exam for the position of Deputy Sheriff.
 5. After review by the Panel of the present publication practices of the OCSO's recruitment efforts and applicant pool development, and after reviewing public comment thereon, it is proposed by the Reinvention and Reform Panel that the OCSO shall confer bi-annually with Orange County's Deputy Commissioner for Employee Relations and Affirmative Action Plan Officer, presently Tamara Hunter, regarding its efforts to ensure the OCSO is an inclusive environment that provides all employees with an opportunity advance their careers successfully, that the OCSO employees are of a diversity which will project a fair-mindedness to all those who come into contact with the members of the OCSO, and to ensure the OCSO maintains a culture of diversity.
 6. After review by the Panel of the present OCSO's recruitment, applicant pool development, and deputy sheriff professional development, and after reviewing public comment thereon, it is proposed that that the OCSO establish a part-time civilian position of Chief Diversity Officer (CDO). The CDO will be a person who is a professional in this field of work who will assist the existing workforce with diversity, equity, and inclusion in all matters of recruitment, hiring, professional development and employee retention. It is the Panel's hope that the CDO will assist the OCSO to bridge the public perception gap which may exist between police agencies and the public and further the OCSO's dedication to a highly trained, professional workforce who treat all with respect and dignity. Thus, it is the Panel's recommendation that the OCSO work in collaboration with the Orange County Department of Human Resources and the Orange County Department of Human Rights to create the part-time civilian position of CDO and that this collaboration will work together to properly vet any proposed hires. The creation of this part-time position should have no budgetary impact on present funding for the OCSO.

b. Training and Continuing Education

i. OCSO Training Program

1. Training specifically geared toward building police-community trust and reduction in bias incidents/building stronger connections with communities of color

a. Police Academy Training

- i. Ethics and Professionalism – 8 hours
- ii. Police Discretionary Powers – 2.5 hours
- iii. Procedural Justice – 2 hours
- iv. Interview and Interrogation – 5 hours
- v. Persons with Disabilities – 6 hours
- vi. Cultural Diversity, Bias Related Incidents, Sexual Harassment – 5 hours
- vii. Eyewitness identification – 2.5 hours
- viii. Decision Making – 8 hours
- ix. Fundamental Crisis Intervention Skills for Law Enforcement – 48 hours
- x. Professional Communications – 8 hours
- xi. Community Resources – Victim and Witness Services – 3 hours
- xii. Community oriented policing and problem solving – 2 hours

b. OCSO Training

- i. Biased based profiling (2 hours annually): The OCSO administers initial training and annual training for affected personnel in biased based profiling, diversity issues, and legal aspects. In this training, members are instructed on how to recognize preconceived biases and subconscious biases, awareness of the factors that go into decision making, and the stereotypes that exist.
 - ii. Principled Policing (2 hours annually): The OCSO conducts annual training for Principled Policing that covers the four pillars of Procedural Justice: giving members of the community a voice, neutrality in decision making, respectful treatment, and trustworthiness. Police Legitimacy is also covered to emphasis the public's view that police are entitled to enforce the laws and maintain order.
 - iii. Code of Ethics (1 hour Annually): The OCSO adheres to a Code of Ethics which is reviewed with personnel annually. This review emphasizes that a law enforcement officer will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities, or friendships to influence their decision making in the performance of their duties.
 - iv. Harassment and Discrimination (1 hour Annually): The OCSO receives annual training reviewing the Agency's policy and procedure on harassment and discrimination, including recognizing problem behaviors and how to report them.
2. Training specifically geared toward less lethal use of force techniques
 - a. Police Academy Training
 - i. The Laws which govern the use of physical force and deadly physical force – 11 hours
 - ii. Civil liability and risk management – 2 hours

- iii. Defensive Tactics – 71 hours
- iv. The Nature and Control of Civil Disorder – 3 hours
- v. Aerosol Subject Restraint – 6 hours
- b. OCSO Training
 - i. New York State Penal Law Section 35 Use of force (4 hours Annually)
 - 1. Article 35 is covered annually for all sworn members of the OCSO. This training covers agency policy and procedure on the use of force, NYS Article 35, and the use of force continuum. Any legal updates pertaining to use of force are also covered during this annual training.
 - 2. Reality based training scenarios are conducted throughout the year that require Officers to demonstrate their ability to apply the force continuum in evolving situations.
 - ii. Use of Aerosol Devices (1 hours Annually): Each year sworn members receive training in the safe and proper use of displaying and deploying pepper spray. Guidelines for use and demonstration of proficiency are required annually. Members also receive inert training pepper spray throughout various reality-based training scenarios for hands-on deployment of a less lethal option.
 - iii. Baton Training (4 hours Bi-Annually): All sworn members who are issued or may be issued a baton receive training in the proper application for both riot control and patrol deployments. Classroom topics consist of batons which are approved by the OCSO, baton target areas, and different blocks and strikes which are effective in less lethal situations. Practical exercises are conducted to allow the students to demonstrate the ability to strike intended target areas using proper technique.
 - iv. Crowd Control and Riot Control Formations (8 hours Bi-Annually): All sworn members receive Riot Control and Civil Disturbance training every two years. Classroom training and discussion overviews topics such as history and recent civil disturbance events, priority of life, and riot control formations. Drills on formations and practical exercises are conducted where students must demonstrate the ability to effectively operate in various formations.
 - v. Taser Training (4 hours Annually): Certified members are provided the basic operational theory and practical training to reasonably, safely, and effectively operate TASER Conducted Energy Weapons. In addition to classroom presentation the members are required to deploy live cartridges into a less lethal area of a stationary target. Certified Members are also given tasers during reality-based training in order to gain compliance from suspect role players in situations where they would otherwise be forced to use higher levels of force.
 - vi. Specialty Impact Munitions (4 hours Annually): This Training includes the deployment of 37mm, 40mm, and shotgun specialty impact munitions. Members certified in the deployment of impact munitions are required to demonstrate proficiency with operating

their respective less-lethal platform. Various projectiles are deployed in training including bean bag, rubber pellet, and foam rounds.

- vii. Chemical Agents (4 hours Annually): Members certified in the use of chemical agents for the purposes of crowd and riot control receive annual training in both classroom and live scenario deployments. Classroom training reviews different chemical agents, delivery methods, crowd and riot dynamics, tactical considerations, and decontamination procedures.
3. Training regarding response to non-criminal matters:
- a. Police Academy Training
 - i. Crisis Intervention Training, including understanding mental illness, indicators of emotional disturbance, causes of emotional distress, crisis communication skills, specific mental illnesses, personality disorders, treatment, recovery and resources, suicide prevention in high-risk groups, suicide prevention treatment and resources, effectively communicating with persons in distress and/or experiencing crises. (48 hours)
 - ii. Professional traffic stops
 - iii. Community Resources – Victim and witness services
 - iv. Missing and children and adults
 - v. Emergency medical services
 - b. OCSO Training
 - i. De-Escalation and Crisis Intervention (4 hours Annually)
 - 1. The OCSO conducts annual training for sworn members in De-Escalation and Crisis Intervention. This training prepares members to identify behavioral signs of an individual in emotional distress and with a mental illness. Students learn the major causes of emotional distress, mental illness, substance abuse, and medical conditions. In addition, students are instructed how to handle these situations safely and effectively.
 - 2. In addition to the 4-hour annual training, de-escalation is covered multiple times throughout the year and incorporated into various trainings including crisis intervention, use of force/article 35, disability awareness, and utilized during reality-based training. De-Escalation training emphasizes verbal persuasion and the use of time, distance, and cover to decrease the number of instances where the use of force is necessary.
 - 3. After review by the Panel of the present training practices of the OCSO, including in the areas of mental health and de-escalation, including a review of the OCSO's response to 911 calls for help with a person experiencing a mental health crisis, and after reviewing public comment thereon, and recognizing that the OCSO's present training exceeds standards as set forth by their accrediting agencies, it is proposed by the Reinvention and Reform Panel that the continuing in-service training for deputies will be annually

reviewed in conjunction with the Orange County Department of Mental Health to ensure the most up to date and best practices are implemented as they are updated, that the training will be adapted based upon recommendations received by the Orange County Department of Mental Health and/or, in the case of Crisis Intervention Training, as issued by the New York State Office of Mental Health and Hygiene.

- ii. Disability Awareness (2 hours Bi-Annually): The OCSO conducts training every two years on Disability Awareness. This content of this training contains essential information that Law Enforcement Officers need to respond to situations and incidents involving individuals with disabilities. This training highlights the distinct characteristics and needs of many disabilities along with different ways to interact and proceed properly.
 - iii. Medical Training (8 hours Bi-Annually): Medical Training is given to all members bi-annually. During this training we cover Basic First Aid, CPR/AED, Bleeding Control and Naloxone Training from the American Safety and Health Institute taught by Certified Instructors of the OCSO.
 - iv. Project Lifesaver - Missing and Vulnerable Children and Adults: The OCSO have several members assigned to Project Lifesaver. Project Lifesaver's goal is to provide a timely response to save lives and reduce potential injury for adults and children who wander or become lost due to illness or disability. This program trains members in communicating with a person who has Alzheimer's, autism or a similar disease and members become certified as an Electronic Search Specialist for people who may wander.
4. The OCSO measure the quality and efficacy of the training provided two ways:
- a. Comparison of the number of blotters received per year (average is over 20,000 blotters per year) to the number of civilian complaints received (average over the last three years is 4.3 per year)
 - b. The OCSO's accreditation by the New York State Department of Criminal Justice Services (NYS DCJS) and Commission on Accreditation for Law Enforcement Agencies (CALEA) are reviewed on a regular basis. To maintain the OCSO's accreditation by each agency, the OCSO must satisfy their independently imposed training requirements.
- ii. After review by the Panel of the present training practices of the OCSO, including in the areas of de-escalation techniques (including police response to mental health matters and identification of persons with disabilities), implicit and explicit bias, racial profiling or race based decision making, and use of force, and after reviewing public comment thereon, it is proposed by the Reinvention and Reform Panel that the OCSO shall publish all training requirements, including all scheduled training programming, a short description of the training, the duration of the training, an indication of how often the training must/should occur which is applicable to all Deputy Sheriffs, and the agency providing the training on its website to the extent such publication would not compromise the manner in which criminal investigations are conducted and/or which would otherwise be subject to the Freedom of Information Law. Should the training include instruction on

de-escalation techniques (including police response to mental health matters and identification of persons with disabilities), implicit and explicit bias, racial profiling or race-based decision making, and/or use of force, the training description shall indicate the amount of time devoted to instruction in those areas.

- iii. After review by the Panel of the present OCSO listed Trainings, which include the subject areas of Biased Based Profiling, Principled Policing, Code of Ethics, and Harassment and Discrimination (combined 4 hours annually), and after reviewing public comment thereon, it is proposed by the Reinvention and Reform Panel that the OCSO's newly created CDO shall review, approve and make changes where appropriate of current training standards to ensure that Diversity, Equity and Inclusion training is comprehensively addressed within the annual training of every member of service.
 1. It is further proposed by the Panel that the CDO shall be tasked with ensuring the OCSO workforce receives Diversity, Equity and Inclusion (DEI) training at any time in-service training is offered where the subjects of Biased Based Profiling, Principled Policing, Code of Ethics, and Harassment and Discrimination are offered.
 2. It is further proposed that until the position of CDO is implemented, and thereafter if need be, that the Human Rights Department shall conduct all necessary training for the OCSO on the subjects of Diversity, Equity and Inclusion (DEI) and remain available to the OCSO to include DEI training in their already-existing training in the areas of Biased Based Profiling, Principled Policing, Code of Ethics, and Harassment and Discrimination.

c. Support Officer Wellness and Well-being

- i. Police Academy Training – 16 hours
- ii. Wellness and well-being within the OCSO
 1. Physical Health
 - a. The OCSO requires annual fitness testing where Deputies are asked to meet a level of fitness consistent with the Cooper Standards. If the deputy meets the standards they qualify for a stipend.
 - b. The OCSO offers an annual “Wellness Day” includes annual diagnostic testing and consultation opportunities with physical fitness counsellors.
 - c. The OCSO negotiated a physical fitness program into the collective bargaining agreements of its employees that give significant financial benefits to officers that maintain a good physical condition as measured by the nationally recognized Cooper Norms.
 2. Mental Health
 - a. Police Academy Training – Police Officer Suicide Seminar – 3 hours
 - b. Counselling
 - i. The annual “Wellness Day” includes annual consultation with mental health counselors.
 - ii. The Employee Assistance Program offered for all County employees is available at any time to the employees of the OCSO.
 - c. Sleep deprivation
 - i. The OCSO has both Policies and Contractual provisions with its collective bargaining agencies to ensure that employees are not over-scheduled or exposed to sleep deprivation.
 - d. Substance abuse
 - e. Post critical incidents

- i. The OCSO engages deputies in post critical incident debriefing with a person certified in critical incident debriefing. Follow up consultation may be offered and, if so, encouraged.