

NPPRRC

**Re-Imagining Policing in New Paltz**

Ulster County, New York

A Response to Governor Andrew Cuomo's Executive Order #203

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## **Introduction**

We stand at a historic moment in which our country may make great strides toward embodying our stated ideals. Meaningful change requires historical reflection and contextualization. We must be clear about where we have come from to determine where we will go from here.

Policing has its roots in slavery and segregation. The first formally constituted slave patrols were organized in 1704 in South Carolina.[1] The first northern police force was established in Boston in 1838 by merchants to protect property, quickly expanding to limit labor

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organizing by recent immigrants.[2] In both cases, many of the norms of policing have carried over to the present day.[3] While the 13<sup>th</sup> Amendment ended slavery, it had a loophole that impacts law enforcement to this day: slavery and servitude was prohibited ‘except as punishment for a crime.’[4] This allowed and encouraged the continued exploitation of Black labor through the hyper-criminalization of Black people, especially young Black men. This legacy has continued through Jim Crow laws and the War on Drugs, leading to a consistently disproportionate representation of Black people in the criminal justice system. As always, economics are also at the heart of the matter, and as the prison industrial complex was outsourced, there was profit in placing and keeping large numbers of people behind bars.

People of color have good reason to be fearful. According to a 2006 FBI intelligence assessment entitled “White Supremacist Infiltration of Law Enforcement there were “both strategic infiltration by organized groups and self-initiated infiltration by law enforcement sympathetic to white supremacist causes.” In 2015, a follow up report warned FBI agents “domestic terrorism investigations focused on militia extremists, white supremacist extremists, and sovereign citizen extremists often have identified active links to law enforcement officers.”[5] Between the evidence of the FBI, the horrific video evidence of recent years, and the statistical evidence of bias in arrests and incarcerations it is hard to believe that we are not dealing with an inherently racist ideology of policing.

It cannot be overstated the ways in which current over-policing of Black and brown bodies is part of a continuum, albeit one obscured from white consciousness for decades if not centuries. While for many white Americans video images of present day lynching and police acting violently and murderously toward people of color seems shocking, for those on the receiving end it is only visible proof of generations of lived reality. For this reason among others, the ‘few bad apples’ rhetoric serves, for people of color, to increase and deepen suspicion of all police. Rather than excusing any bad apples, it is incumbent upon police departments and individual officers to reckon with the overwhelming statistical evidence that shows the bias in policing, break down the blue line of silence that allows and protects it, remove each and every

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officer who does not commit to divesting of racist norms, and embrace a new culture of fair, equitable, and anti-racist public safety.

Policing does not exist in isolation. This committee was tasked with reimagining policing to address racial bias, not with dismantling systemic racism. However, we do not believe it is possible to address bias in policing without addressing structural racism, meaning that law must change, philosophy must change and funding priorities will necessarily be different. Many of our recommendations move beyond the NPPD even as we are mindful that it is policing that we are primarily responsible for rethinking.

It is never easy to examine our own friends, neighbors and local public servants with the same clear-eyed scrutiny as we apply to the wider world. We have seen this locally in the Paul Echols case, which continues to stir up high emotions and controversy. Regardless of what the final outcome is in this or any other case, any use of force incident that is questionable has long ranging reverberations throughout the community. Relentless scrutiny is the only way to ensure that those sworn to protect and serve our community receive the full and unfettered support of the people. It is also the best way to build a public safety team of which each and every member of the community can feel confident defending and honored to be a part.

[1] Hadden, Sally E. *Slave Patrols: Law and Violence in Virginia and the Carolinas* (Massachusetts: Harvard University Press, 2001), 203.

[2] Gary Potter, *The History of Policing in the United States*, ECU School of Justice Studies.

[3]“After the Civil War, Southern police departments often carried over aspects of the patrols. These included systematic surveillance, the enforcement of curfews, and even notions of who could become a police officer.” Hansen, Chelsea. *Slave Patrols: an Early American Form of Policing*. Lawenforcementmuseum.org. 2019.

[4] 13<sup>th</sup> Amendment to the United States Constitution.

[5] German, Michael. BrennanCenter.org 2020

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## **Methodology of the NPPRRC**

The New Paltz Committee tasked with answering the Governor's Executive Order 203 first convened on August 17, 2020. As per the E.O. the committee was appointed by the Town Board, and fairly uniquely, New Paltz chose to appoint all people of color for the task. The committee met every week, for a minimum of an hour and a half, often for three hours or more, to investigate models of policing, current practices of the NPPD, use of force models, hiring and retention practices, training offered, etc.

The committee met with a wide array of stakeholders and community groups. Given the sensitive nature of the subject matter and the reality that many people do not feel safe sharing critical observations about the police in public or in the presence of police, the committee was intentional about a mix of public and private meetings. The committee asked for, and in some cases received, insights and recommendations that will be referenced in this report. Many will be directly recognizable in our final recommendations. Some will not. In all cases, a clear sense of the rationale of the committee will be presented. The committee met with the following stakeholder groups: New Paltz Racial Equity Committee, New Paltz United for a Responsible Budget, Sisters of Sojourner's Truth, Resisterhood, New Paltz **Women in Black**, Tavern Owners Association, U-CAT, the Public Defender, the District Attorney, small groups of officers, LGBTQI groups from campus, and Town and Village Board members.

All totaled, the Committee spent over 100 investigative hours as a group, and each member spent a great deal of additional time in independent research and writing. In addition to our own, tailored recommendation for New Paltz, we will be referencing and including several well researched tools and resources to facilitate an ideal community safety model.

The NPPRRC has not ranked or prioritized the recommendations contained herein. We perceive the following as a holistic rethinking of community safety. Individual recommendations are not most effective out of context.

### **Data Regarding Racial Bias in NP Policing**

The NPPRRC had no data on racial bias locally to work from, as the NPPD has not been aggregating data by race, ethnicity, or language. The only means of collecting data from past police interactions would be to open the records for every single case. This would have been



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time prohibitive, if feasible at all. This lack of information has left the Committee with little to work from other than anecdotal evidence.

**Recommendation of the NPPRRC:** The NPPD should immediately begin aggregating data based upon race, ethnicity and language. There is no other means by which we as a community can hold the Department accountable for bias, or laud officers for a lack thereof. This data should be reviewed regularly, no less than once each budget year.

*Recommendation to be fulfilled by* immediately; already underway

*Recommendation to be deemed complete by* NPPD/Police Chief

(Limited census demographics are included in the appendix of this document)

## **COMMUNITY SAFETY VS. LAW ENFORCEMENT**

Over the course of our investigation, the distinction between these two models became increasingly clear. The current norm here in New Paltz as well as most other communities, is a law enforcement model. There are several concerns raised by this model. It inscribes and perpetuates a militarized police force with an ‘us vs. them’ baked into the training in ways subtle and overt. A law enforcement model encourages subjectivity where we do not want it, while limiting it where we do. Namely, it provides for the ‘reasonable officer’ standard (more about that later), making use of force subjective, even as it limits the choices an officer may have in what issues to pursue. The effect of this is that nuisance infractions that an officer might well choose to overlook have been laid out in law, and must then be enforced. Law enforcement fundamentally separates police officers from those who they police, creating a rift and setting the stage for mistrust.

Conversely, a public safety model begins with a widely participatory premise. We, as a community insist that our town be a place where each and every resident and visitor feels safe, secure, and included. We seek to be a community where needs are met, problems are addressed proactively, and on the rare occasions when a more forceful approach is necessary everyone involved feels confident that the situation would be avoided at all costs and handled with the maximum amount of restraint possible. A community safety model encourages public safety officers to work in close collaboration with other first responders, social workers, mental health care providers, rescue squads, elected officials and community groups. Community Safety facilitation is inherently integrated in nature. A crucial byproduct of this is that it weaves those entrusted with fostering safety into the life of the community rather than placing them suspiciously outside of it.

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While it may at first seem counterintuitive, a community safety model may not limit the encounters the public has with Community Safety Facilitators (a placeholder title). If CSFs are only called upon when there is the potential for use of force, it further alienates them from the community when the goal is to integrate. That being said, a community safety model is so counter to the current militarized method of policing that it is the strong conviction of this committee the change in methodology would have a direct impact on hiring and recruiting, with a far different kind of applicant pursuing the profession of Community Safety than often presents themselves to fill the role of police officer.

As is stated in the opening of the *New Era of Public Safety's Final Report*, “Law enforcement and the public share the same general goal: to live in safe communities. Reframing the narrative of police-community xiii interaction away from opposition and around a shared set of goals will promote a healthier policing culture and create a stronger society, one where communities and police work together to co-produce public safety. Indeed, policing reform depends on community engagement. Those who know and understand their public safety needs are best positioned to help police departments develop policies and practices to meet those needs.”<sup>[1]</sup>

Well-resourced communities are safe communities. When there is ample access to services, and when communities have a clear understanding of the availability of those services, there is less need for policing. As an example, the County operates the Mobile Mental Health Unit. While we as a community might want these professionals called instead of police when a person is in crisis, they are dramatically understaffed and only operate during the day. For much of the time, there is no one but law enforcement to be called. Also, social workers and mental health professionals will often only go to a crisis call if there is an officer present also. As this illustrates, community safety and wellness models require a broad range of skills to be present at the same time. The loyalty of the NPPD and each officer therein must be to the community over and above any allegiance to the Department, a Police Union, or any fraternal body. Anything less fuels the mistrust of police. This mistrust has the consequence of making police less safe as well as community members. We believe that misplaced solidarity is one of the greatest hinderances to public trust of law enforcement. With increased transparency and accountability, the NPPRRC believes that the New Paltz Police department can begin to transition from a model of law enforcement to one of Community Safety.

**Recommendation of the NPPRRC:** New Paltz move toward a public safety model and away from a law enforcement operations model. The following resources offer detailed, researched, and practiced philosophy and methodology for such a switch.

[https://civilrights.org/wp-content/uploads/Policing\\_Full\\_Report.pdf](https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf)

<https://civilrights.org/wp-content/uploads/Toolkit.pdf>

<https://www.marketplace.org/2020/06/10/how-one-city-provides-public-safety-without-a-police-department/>



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*Recommendation to be fulfilled by six months after the creation of the new police commission.*

*Recommendation to be deemed complete by Police Commission.*

The NPPRRC was moved by the description of our overall approach as a Hybrid-Affirmative model. We believe the foundational goals of those most critical of law enforcement will ultimately be realized this way. We do not recommend a ‘defund’ strategy. The goal is to move sharply and swiftly away from the normative militarized model of law enforcement. We have recentered funding on those concerns we heard from the community: new vision for community safety; reduction of militarism; social, domestic violence and other supportive services; greater oversight and accountability; and clarity on the need for an anti-racist philosophy to be a mainstay in all aspects of community life. We have heard the deep desire that attention be redirected to mental health - this is a part of a hybrid-affirmative model, though it is not linked to funding allocations given current law.

### **The Ideal Officer**

As the NPPRRC combed through the NPPD Use of Force policy, we were struck by the repeated phrase ‘an objectively reasonable officer.’ The language “reasonableness” and “objectively reasonable” flow from the Supreme Court of the United States and the seminal decision of *Graham v. Connor*, therefore, the designation of ‘objectively reasonable’ will remain in the official document. We recognize however that legal does not equate to clear. The reasonable officer standard for use of force struck us as particularly problematic. First, it seeks to use a subjective framework to measure objective actions: what the officer thinks and feels is the main criteria for justifying the concrete outcomes of use of force. Regardless of what an officer may think or feel, if a person is physically harmed by their actions, that harm is measurable in ways that their feelings are not. Secondly, the reasonable officer standard begs the question: how are we defining reasonable? Reasonable compared to other officers? Reasonable compared to people in general? The Graham court determined that such decisions are to be judged from the perspective of a reasonable officer on the scene and not with the benefit of hindsight. If, as a nation, we are questioning whether or not officers act reasonably in instances when force has been used, this question is crucial.

While we as a committee discussed concern around the idea of the reasonable officer, an image of the ideal officer for New Paltz did begin to emerge. It is our belief that, if we hire officers who fit the model of our Ideal Officer, we might be able to have faith in these officers acting as reasonable officers. In the effort to maintain a police department inhabited by the ideal officers, we must begin to hire officers that fit our model as we remove any officers who do not. We have proposed additional questions for the initial interviews of applicant to the NPPD:

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What do diversity, equity and inclusion mean to you and why are they important?

What is the most challenging aspect of working in a culturally diverse environment?

How would you handle a situation where a colleague was being culturally insensitive, sexist, racist or homophobic?

Have you ever made a decision related to your work that if given the opportunity you would have done things differently? If yes, please elaborate.

Being a police officer is/can be a stressful job in general. How do you decompress from a stressful day at work?

What are some of your hobbies?

What was the last book you read?

Do you have any tattoos? If so, can you describe what the tattoo means to you?

**Recommendation of the NPPRRC:** All members of the NPPD should fit the criteria of our Ideal Officer, be they current members or future hires. The Ideal Officer is one who:

Has or wants deep ties to the community in which they serve.

Actively seeks training and education, especially in those areas that lead to de-escalation and deeper understanding, such as: social work, addiction services, mental health counselling, psychology, foreign languages, domestic violence interventions.

Are committed to non-violent solutions to community problems.

Have a demonstrable commitment to anti-racism (not the same as being unbiased – more later).

This is a general list that should be built upon and made more specific and nuanced over time.

We are aware that there may be those who disagree with the shift in thinking and practice that we are proposing. Given our community commitment to anti-racism as a way of being together that is essential to community safety and wellness, there must be a means of moving forward.

*Recommendation to be fulfilled by April 1, 2022 - demonstrable progress; ongoing process..*

*Recommendation to be deemed complete by NPPD, supported by Commission and Town Board..*

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**Recommendation of the NPPRRC:** Officers who, after being provided with ample tools as outlined in this report, fail to be able to articulate and practice anti-racist policing should be recommended for termination from the NPPD.

*Recommendation to be fulfilled by April 1, 2022.*

*Recommendation to be deemed complete by Police Commission.*

### **Specialist Officers and a Diverse Force**

Along with the Ideal Officer, it is the belief of the NPPRRC that New Paltz would benefit from Specialist Officers. Specialist officers would, prior to entering into the police academy, have training in one of the areas listed above. The rationale is that those persons who perceive themselves as social workers, counsellors, or in a ‘helping profession’ first and then receive police academy training are far less likely to act in a law enforcement model and will be far better equipped to address situations in ways that deescalate tensions.

In addition to officers with clear specializations we also heard from the community the value of and need for officers who speak languages other than English and more female officers. A diverse force not only better represents the community and what we want our community to be, it also affords members of the community who may have had traumatic experiences to find safe space within the agency tasked with creating and maintaining safety.

### **Anti-Racist Community and Ongoing Training of All Officers in the New Paltz Police Department Around Issues of Racial Justice and Racial Diversity:**

Anti-Racism is not the same as being unbiased. The term was coined by scholar Ibram X. Kendi laid out thoroughly in his book, *How to Be an Antiracist*. A succinct definition is provided by Kendra Cherry: “Anti-racism is a process of actively identifying and opposing racism. The goal of anti-racism is to challenge racism and actively change the policies, behaviors, and beliefs that perpetuate racist ideas and actions. Anti-racism is rooted in action. It is about taking steps to eliminate racism at the individual, institutional, and structural levels.”

<https://www.verywellmind.com/what-is-anti-racism-5071426>

This is a crucial difference, because becoming anti-racist and becoming an anti-racist community in particular, means accepting shared responsibility for continuing bias in our systems and life together. In accepting responsibility for bias and its impact, we acknowledge the liberating power we have to change these damaging realities. This has a great impact on policing and how we approach community safety.

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**While training(s) around issues of bias are beneficial, The NPPRRC is clear that no training will do the deeper work of changing mindsets. A move to an anti-racist community framework cannot be achieved through a training. It is a lifestyle change.** This requires consistent and integrated antiracist work in all areas of community and department life (See specific training recommendations for more on this).

For an individual or a community to become anti-racist it must first be clear to people that they have contributed to racist systems in the first place. This is a community wide effort. Therefore, it is the

**Recommendation of the NPPRRC:** All members of the NPPD, Police Commission, the Town Board, Village Board, School Board (and preferably all School District employees) participate in an assessment of their current location on the spectrum of cultural competency such as the Intercultural Development Inventory <https://idiinventory.com/>.

*Recommendation to be fulfilled by April 1, 2022.*

*Recommendation to be deemed complete by all named parties.*

The NPPRRC recognizes that much of the resistance to overcoming racism and white supremacy in policing, as in society, comes from a lack of clear understanding about the nature of racism.

**Recommendation of the NPPRRC:** The NPPD, as well as the community at large (town and village boards, school board, emergency services, public service departments (public works, library, all local businesses in the community) accept a shared glossary of terminology around systemic racism such as <https://www.racialequitytools.org/glossary>.

*Recommendation to be fulfilled by June 2021.*

*Recommendation to be deemed complete by Town Board and Village Board.*

At the same time, when individuals and communities begin to grapple with the depth and breadth of the issues it is essential to provide tools for understanding and a foundation from which to make meaningful changes from a shared desire for unity in diversity.

Our Committee understands that currently hired/employed police officers will not be oriented completely to the regiment of training for new officers, but that does not preclude them from being “updated” in their training regimen to meet the standards of 21st Century policing.

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A close review of the New Paltz Police Departments required training revealed the need to introduce evidenced based training to address institutional racism for all members; specifically training consisting of racial discrimination and bias awareness toward people of color. It is essential that both implicit and explicit biases be explored and addressed effectively by trainers that have a deep understanding of this topic and are dedicated to affect change. In order for implicit bias training to work, law enforcement members must explore and acknowledge their own biases, whether they are conscious or unconscious behaviors, thoughts and,or actions. It is understood that there is a possibility that bias training may not alter a police officer’s behavior. However, that should not negate implementing proper training. Police Officer’s must acknowledge their implicit and explicit biased behaviors and be held accountable by the regular chain of command for not being able to demonstrate their ability to do so. All people from the dominant racial class, (white folks) hold biases that impact how they engage with people of color, including New Paltz Police Officers; more specifically Black and Brown people. It is crucial that the trainer(s) for this particular training have lived experiences of discrimination. It is our recommendation that any trainer/s and or training teams be composed of people that represent groups that are the targets of racial discrimination.

- NPPRRC recommends that all New Paltz Government employees; New Paltz Town Board, Village Board of New Paltz and all entities under these jurisdictions and the town justices receive training in Undoing Racism presented by the People’s Institute for Survival and Beyond.
- It is also recommended that an in-service training be instituted annually as a refresher course and as a way to capture any new hires by the same presenters.

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(Trainers from the People’s Institute for Survival and Beyond)

While it is the belief of this committee that there is an essential learning curve toward anti-racism in policing and community life, it is also the firm belief of this committee that BIPOC and other minoritized groups should not have to wait for justice or delay feeling fully safe in their communities.

**Recommendation of the NPPRRC:** The NPPD develop a practice of decrying misuse of force incidents anywhere in clear language, and articulate how this department avoids similar acts through training, policy, and ethical commitments.

*Recommendation to be fulfilled by immediately.*

*Recommendation to be deemed complete by Police Commission.*

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**Recommendation of the NPPRRC:** The NPPD as an agency and the officers therein refrain from and contradict statements such as ‘Blue Lives Matter,’ as there is no such thing as a ‘blue life,’ there is a uniform which is worn by choice, while BIPOC are often deprived of choices through historic and current norms of policing. This includes visual speech such as flags and garments.

*Recommendation to be fulfilled by immediately.*

*Recommendation to be deemed complete by Police Commission.*

The people of New Paltz should have a police force or community safety corp of distinction and judged on their own merits. We believe that steps to clearly separate our force from views of ‘the police’ as a general category is in the best interest of our citizens and our officers.

### **Current Training Regimen for New Hires:**

The New Paltz Police Department currently subscribes to the Ulster County Law Enforcement Training Group-Police Basic Training Program for new hires. Based on information gathered during our listening sessions, of significant concern is the quality and caliber of training content provided by the aforementioned agency. The current training agency has been described as “Cultural Isolation;” which by definition is a term that indicates that the facility is not culturally diversified; doesn’t perceive it to be necessary to be culturally diversified and doesn’t believe it to be necessary to develop relations outside of their own identifying culture. Training listed on the website includes physical fitness, para-military organizational development, attendance and academics. It also reportedly subscribes to the DCJS state approved police academy curriculum; which appears to have been last updated in 2011. There is no robust language or description of modern day policing; the language is very generic and lacks substance. Ulster County Law Enforcement Training/Group-Police Basic Training Program does not give the appearance of engaging in a transformation of what modern day law enforcement policing should be addressing according to the Final Report of former President Obama’s Task Force on President Barack Obama’s Report on 21<sup>st</sup> Century Policing.

### **Recommendation of the NPPRRC:**

All new police officers who have not successfully completed Police Academy should be enrolled in a program akin to the Dutchess County Law Enforcement Academy, which subscribes to an updated training program that is diversified with culturally responsive training with an inclusive & holistic approach for modern day law enforcement practices. Dutchess County Training for law enforcement officers is collaboratively working in the context and guidance of President



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Obama's Task Force on 21<sup>st</sup> Century Policing (dated May 2015) as are other departments around the state in response to Gov. Andrew Cuomo's Executive Order No. 203.

Unlike current practices of engagements, the 21st century police consists of a robust training program that requires prospective police officers to identify, examine and address their own internalized implicit and explicit biases. The 21st century policing promotes and requires effective police engagements with the community; which will allow for positive relationships to develop. Police officers will learn how to effectively listen and communicate with all community members and learn to demonstrate empathy. Policing in the 21st century will build community trust, legitimacy and transparency and accountability. We believe this training model will foster the professional development of our Ideal Officer.

*Recommendation to be fulfilled by June 1, 2022.*

*Recommendation to be deemed complete by Police Commission.*

### **Training: Body Cameras & Police Car Cameras**

The New Paltz Police Department implemented a Policy and Procedures In-Car Video Recording System on September 1, 2006. The policy was revised on June 24, 2019. In part, this system is to aid in documenting evidence during particular engagements between police and citizens and to lend way to transparency. During a particular high profile case in September of 2018 involving a person of color, the use of the police in-car cameras or the lack thereof left many members of the New Paltz community concerned, dismayed and quite frankly, distrusting of the police force. To that end Police Body Cameras were acquired by the New Paltz Police Department on June 10, 2020. It's important to note that body cameras were not yet in use in the New Paltz Police Department at the time of the September 2018 case referenced above.

### **Recommendation of the NPPRRC:**

Based on discussions with the New Paltz Police Chief concerning the Police Officer's training and use of car and body cameras; it is strongly recommended that:

- *ALL* New Paltz Police Officers be retrained in the use of car and body cameras
- The training be conducted on-site with an in-person instructor.
- We also recommend that the New Paltz Police Department require that police officers be mandated to have their body cameras on at all interactions for all incidents to which police officers are called to respond.
- Exceptions would include (sexual assault cases, and domestic abuse cases at the discretion of the officer)

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- An abridged training review should be added annually for all officers, and if appropriate that could include an online training.

*Recommendation to be fulfilled by November, 2021, then ongoing.*

*Recommendation to be deemed complete by Police Commission.*

### **Training in a new method of Questioning for Progress beyond traditional “Interrogation” methods.**

Current training in interrogation is based upon an antiquated model that comes from the Ulster County Police Academy. This is not adequate to achieve our standards of a Community Safety model in line with or exceeding 21st Century Policing.

#### **Motivational Interviewing:**

The invaluable benefits of Motivational Interviewing (MI) is that police officers will learn how to engage in conversations from a humanistic and creative approach rather than the regimented dialog and the use of words that are inciting, arrogant, condescending, dismissive, or antagonistic. The philosophy of MI is that a positive and respectful engagement generally yields positive results. It also holds that citizens want to be heard, respected and be part of a process that is transparent.

“Motivational Interviewing is a collaborative, goal-oriented style of communication with particular attention to the language of change. It is designed to strengthen personal motivation for and commitment to a specific goal by eliciting and exploring the person’s own reasons for change within an atmosphere of acceptance and compassion.” (Miller & Rollnick, 2013, p29)

“Motivational Interviewing is a collaborative communication style that increases intrinsic motivation for behavior change. When used in the criminal justice setting, offenders are treated in a non-judgmental, non-confrontational and non-adversarial manner. It attempts to increase the person’s awareness of the potential problems caused, consequences experienced, and risks faced as a result of the target behavior. The professional helps clients envision a better future, as they become increasingly motivated to achieve their goals in a collaborative fashion. Regardless of the setting, the expertise for change and decision to make change comes from within the individual.

This strategy helps them to think differently about their behavior and to consider the positive outcomes possible through a change in behavior. In doing so, ambivalence is resolved and

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resistance (discord) is lowered while the health and safety of the offender, the community and the officer are increased.

MI focuses on the present, and entails working with an individual to change any particular behaviors that might not be consistent with their personal values. These discrepancies are explored in a non-threatening manner. The key tenets of MI are acceptance, empathy, collaboration and evocation which are utilized to help the person overcome ambivalence about, (or the pros and cons) of changing vs. not changing. A variety of studies have shown its efficacy in a broad arena of behavior change when MI is used versus the status quo.

Although a specialty of MI is the criminal justice setting, MI skills know no boundaries when it comes to behavior change and are utilized in many human services environments. Our team consists of experts both in motivational interviewing and in your profession”; excerpt from The Varalli Group <https://www.thevaralligroup.com/motivational-interviewing-online/>

**Recommendation of the NPPRRC:** All police personnel and New Paltz Justices receive Motivational Interviewing training; preferably under the instruction of the Varalli Group.

*Recommendation to be fulfilled by June 2022, then ongoing.*

*Recommendation to be deemed complete by Police Commission.*

## **POLICY**

Ignorance of the law is no excuse for breaking it. However, clarity in law and rule promotes participation. The NPPRRC found several areas where we felt strongly clarification was in order or policy could be augmented in ways that would prevent and/or reveal bias in policing. When people perceive that revealed bias is not and will not be tolerated new trust may be established, leading to natural partnerships between community safety professionals and the general public. The following section makes recommendations to this end.

## **CHOKEHOLDS**

***N.Y. Bans Chokeholds and Approves Other Measures to Restrict Police***

**The state became one of the first to make major changes in police practices in the wake of George Floyd’s killing, which has spurred nationwide protests.**



**“New York State has criminalized the use of chokeholds by police in the immediate aftermath of George Floyd’s shocking death by asphyxiation. In that case, the arresting officer applied continual pressure to his neck while Mr. Floyd was handcuffed on the ground. Governor Cuomo signed this measure into law on June 12, 2020 in the presence of Gwen Carr - the mother of Eric Garner, another individual killed after use of a chokehold in 2014 by a New York City police officer. The legislation creates the crime of aggravated strangulation where a police officer uses a chokehold and causes serious physical injury or death.”**

NPPRRC has captured and included the above New York Times report dated June 12, 2020 in this report. Chokeholds remain in the New Paltz Police Policy.

**Recommendations of the NPPRRC:**

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- The New Paltz Police Department should remove the chokehold policy from its continuum use of force policy in accordance with state law.
  - In addition, NPPRRC recommends that carotid restraint be removed from the continuum use of force policy as well. The carotid restraint is a technique used by officers to restrict blood flow to a person's brain by compressing the sides of the neck where the carotid arteries are located.
  - It is recommended that chokeholds and carotid restraint training materials be removed from training programs in the New Paltz Police Department.

*Recommendation to be fulfilled Immediately.*

*Recommendation to be deemed complete by current Police Commission.*

## **STOP NOTIFICATION**

### **Recommendation of the NPPRRC:**

Any time an officer stops a civilian, they must provide the person with a business card containing their name and badge number and a clear reason for the stop (no "do you know why I pulled you over?" allowed).

*Recommendation to be fulfilled by June, 2021.*

*Recommendation to be deemed complete by Police Commission.*

## **CAMERA USAGE**

### **Recommendation of the NPPRRC:**

Body and car cameras should be running at all times, unless there is a specific reason for them to be turned off (domestic violence victim, etc.).

*Recommendation to be fulfilled by immediately.*

*Recommendation to be deemed complete by Police Commission.*

## **EVALUATION**

### **Re-Orientation on how Police officers are evaluated for Productivity:**

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Currently the New Paltz Police Department evaluates its police performance by the following criterion:

1. **Appearance:** Physical appearance, uniform condition, haircut compliance, general overall
2. **Acceptance of Feedback:** accepts criticism uses feedback to improve performance
3. **Attitude toward Police Work:** career views, acceptance of responsibility, motivation
4. **Knowledge of Department Rules and Regulations:** application to rules
5. **Knowledge of Criminal Statutes, Traffic Laws, and Local Ordinances:** self explanatory
6. **Report Writing:** Quality, Quantity, attention to detail, neatness of work
7. **Field Performance/Stress Conditions:** Decision making and actions taken
8. **Patrol Procedures/Problem Solving:** Recognizes identifies criminal activity, problem areas or neighborhood problems, and takes corrective action.
9. **Self- Initiated Field Activity:** Proper utilization of of uncommitted time
10. **Officer Safety:** Safety precautions for public-prisoners, Co-workers and self
11. **Attendance and Punctuality:** Self Explanatory
12. **Teamwork and Cooperation with others:** Effectiveness in working with others
13. **Rapport with Citizens:** Neighborhood policing skills
14. **Investigative techniques:** Self Explanatory
15. **Decision Making:** Ability to come to a conclusion based upon information judgement
16. **Communications:** Collection and reporting of information in written and oral form

**Recommendations of the NPPRRC:**

All officer evaluations must include comments on the basis of aggregated data that shows patterns in their civilian interactions.

*Recommendation to be fulfilled by January, 2022.*

*Recommendation to be deemed complete by Police Commission.*



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## DISCIPLINE MATRIX

Fair, consistent and transparent discipline is paramount to creating a police department that effectively represents and serves its community. Proactive interventions and consistent consequences hold officers accountable for their actions and encourage behavior that falls within departmental expectations and values allowing officers and superiors to focus on effectively serving and protecting the community.

“A discipline matrix is a formal schedule for disciplinary actions, specifying both the presumptive action to be taken for each type of misconduct and any adjustment to be made based on an officer’s previous disciplinary record. The primary purpose of a discipline matrix is to achieve consistency in discipline: to eliminate disparities and ensure that officers who have been found to have committed similar forms of misconduct will receive similar discipline” (Harvard p. 10).

The current NPPD Chief agrees with the need for a discipline matrix and has already begun research into other police departments’ matrices in order to create and implement an appropriate matrix for the New Paltz Police Department. For example please see [City of San Diego Discipline Matrix](#) and the [New York City Police Department Disciplinary System Penalty Guidelines](#).

**Recommendation of the NPPRRC:** A discipline matrix be created for the NPPD within the next six months which includes penalties for unauthorized use of force and failure to utilize body cameras.

*Recommendation to be fulfilled by June, 2021.*

*Recommendation to be deemed complete by Police Commission.*

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## Police Commission

Police oversight takes many forms, from review to disciplinary authority. Given the consistent erosion of trust in law enforcement, it is the position of the NPPRRC that nothing short of full and independent disciplinary latitude is appropriate.

**Recommendation of the NPPRRC:** Reinstate a Civilian Police Commission that provides oversight not merely review.

The primary task of the police commission shall be to ensure the vision and mission of a migration from law enforcement to public safety. Upholding the values of becoming an anti-racist community are the lens through which all decisions are best viewed. Below are the distinct characteristics of the Commission that extend beyond already enacted law, also available here:

<https://drive.google.com/file/d/18Qtn4umMhowCvGmRpN6aqH3JNqQIe-UX/view?usp=sharing>

The commission must be independent, given full authority to act without concern for being undermined by the Town Board and cannot be disbanded without clear evidence of detrimental behaviour and harm caused to the community through the actions of the commission. Detrimental behaviour is defined as failing to uphold the charge of the commission. These causes must be adequately articulated to the community. This must be accomplished by presentation at a public Town Board meeting, publication to online sources such as the Town website, Facebook page or other social media outlets, followed by Town Halls, with public comment considered publicly. These measures must be properly noticed with a minimum of seventy two hours to be binding.

Five Members, minimum two people of color.

Three year terms, staggered. Not to exceed three terms.

Must receive initial training.

Must attend department trainings.

Must participate in at least one ride along per shift, per term.

*Recommendation to be fulfilled by September, 2021.*

*Recommendation to be deemed complete by Town Board.*

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**Recommendation of the NPPRRC:** Commendations are regularly shared with the Police Commission. Going forward, Complaints will be shared as a matter of course as well.

*Recommendation to be fulfilled by April, 2021.*

*Recommendation to be deemed complete by Police Commission.*

The following details the current organizational structure of the NPPD:

[https://www.townofnewpaltz.org/sites/g/files/vyhli3541/f/pages/2.1\\_oranizational\\_structure.pdf](https://www.townofnewpaltz.org/sites/g/files/vyhli3541/f/pages/2.1_oranizational_structure.pdf)

<https://cops.usdoj.gov/RIC/Publications/cops-w0861-pub.pdf>

[https://www.researchgate.net/publication/325195078\\_Rethinking\\_the\\_Models\\_of\\_Police\\_Oversight\\_Toward\\_a\\_New\\_Paradigm](https://www.researchgate.net/publication/325195078_Rethinking_the_Models_of_Police_Oversight_Toward_a_New_Paradigm)

<https://www.ojp.gov/pdffiles1/nij/184430.pdf>

### **Care of Officers**

The NPPRRC heard a great deal about the strain that officers face. Each day, the men and women of the NPPD, and all law enforcement agencies, go to work with the weight of the unexpected. Given the law enforcement model, officers are asked to perceive everyone they interact with by threat assessment. This hypervigilance is unhealthy for the officers themselves as well as for the community they serve within. We are also aware of the stigmas around mental health that are so common in law enforcement. However, to deny mental health needs is a dangerous sign and implausible reality. Further, we question whether professionals who cannot acknowledge their own need of mental health maintenance could be relied upon to be first responders in mental health crises situations.

**Recommendation of the NPPRRC:** As a means of caring for the officers of the NPPD, every officer should receive, *at minimum*, one hour per month of counselling. In the aftermath of a traumatic event or use of force, this support should move from monthly to weekly, at the recommendation of the mental health professional. We realize that many officers may choose to endure rather than avail themselves of these services. However we are optimistic that they will realize the concern that undergirds it and in time the practice will be normalized and embraced.

*Recommendation to be fulfilled by September, 2021, then ongoing.*

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*Recommendation to be deemed complete by Police Commission.*

**Recommendation of the NPPRRC:** Continue efforts already under way to develop an emergency services chaplaincy program. The committee recommends that these efforts continue, as this would afford ongoing and consistent emotional support and care, available at all times for officers.

*Recommendation to be fulfilled by September, 2021.*

*Recommendation to be deemed complete by Town Board.*

### **Defunding the Police and why we do not support it:**

The NPPRRC took each and every suggestion and observation of the committee very seriously. Not surprisingly, some of them were in direct opposition to each other. Many make their way into this report, some exactly as suggested. Some were reasonable ideas, though not practical for this community. What follows is the rationale for the most publicly talked about idea that we are not recommending. It is the hope of the committee that our reasoning for this will offer assurance of our complete commitment to including input and ideas from all of the groups of stakeholders who put time, energy, and thought into this community wide effort for the betterment of New Paltz.

Defunding is an idea with merit and a terrible name. Even though the members of the NPPRRC perceive the merit in the idea, we also came to see it as a gross oversimplification. What follows are some of the complicating factors.

A strategy of defunding is only viable if there are other viable places to put the resources such that they still address community safety and wellness. As an example, a community might decide to take funding from the police and invest in mental health resources. In our case, we are bound by laws at the county and state level such that if we were to invest in a separate mental health response system we would no longer be able to participate in those funded at the county and state level. Since we do not have the resources to provide as much or more than we currently have, we would actually reduce the services we are providing.

Defunding is considered a way to avoid over policing. What is not so obvious is that it also leads to departments that are spread too thin, with officers working dangerous amounts of overtime. Over tired officers are more likely to make unsafe/unwise choices. We heard on several occasions that New Paltz falls under the policing auspices of the State Police, SUNY police, and the Sheriffs office. The idea that we need any police force was questioned. However, it should be noted that State Police are not included in the E.O. 203 mandate, and as such will have less positive pressure to move toward an antiracist model of policing, and therefore this does not increase safety of BIPOC. This was our primary mandate, and we do not feel that it is wise in this context.

Given the clear and compelling case made for community safety services that are populated with personnel with exceptional training in multiple areas, with language and social work skills, we feel that

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we must have staffing levels and pay that makes such staffing possible to achieve the significant goals of an antiracist safety system.

Keeping the best talent requires offering competitive salary and benefits. There is already a pattern of officers being trained under the auspices and at the expense of the NPPD only to leave for higher paying positions in other municipalities. This costs the community in multiple ways. We lose the talent in which we have invested, and we have to reinvest in replacing those officers (See also hiring and retention recommendations).

[1] *New Era of Public Safety, Full Report*. Pg. xiii-xiiii

### **The Camden Experiment background:**

This summer, “defund the police” became a rallying cry for protesters all over the country. In Camden NJ a city that once led the country in per-capita homicide This could not have happened to a city more unlike New Paltz. Camden is the opposite of New Paltz when it comes to racial demographics. Camden had far more violent crime than New Paltz both in raw data and by ratios. Camden is larger in population and closer to larger urban centers than New Paltz. The Police budget was busted and Conservatives and Liberals and Protesters in the streets came together to disband the police and force them to re-apply for their jobs. Hiring more police, at much lower pay and without union protection. The turnover has been extraordinary and the pressure from above, beneath and besides that existed in Camden does not exist in New Paltz, or almost anywhere in similar towns to New Paltz. We do not recommend disbanding the police, breaking the union, nor decreasing the pay of police dramatically as was done in Camden. There were, however, golden nuggets that the NPPRRC did find to be helpful in addressing a cultural shift that is necessary in every American town.

The following are excerpts from the Chief of Police in Camden and Citizens as well as their new police department made it a priority not to evaluate Police officers by ticketing and arresting citizens, but rather to evaluate them by putting a much heavier emphasis on community “check- in’s”

*“I don’t want you to write tickets, I don’t want you to lock anybody up. I’m dropping you off on this corner that has crime rates greater than that of Juárez, Mexico, and for the next 12 hours I don’t want you to make an arrest unless it’s for an extremely vile offense,” Thomson recalls telling his officers. “Don’t call us—we’re not coming back to get you until the end of your shift, so if you got to go to the bathroom, you need to make a friend out here. You want to get something to eat? You better find who the good cook is.”*

*Sean Brown, a business owner and native Camden resident, says he had complicated feelings about the department. While he supports the end result, the transition from the city-led to county-led force was “quick” and “harsh,” and he said he saw good people lose their jobs. But he says he now feels safer in his city than ever before, in part because police actively check in with him on the status of his*

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*neighborhood.*

*“Every couple of months I get a call from an officer, who just asks me how is everything going in my neighborhood? Do I feel safe? Is there anything I want to tell them?” he said. “Things are demonstrably different.*

*Police officers can now be seen hosting block parties, flipping burgers and competing in games alongside kids in the neighborhoods.*

**Recommendations of NPPRRC: (assigning more priority to “checking- in” with the marginalized Black/Latino/Non-white population and less priority to ticketing and arresting.)**

In the Attached Blank Evaluation form used currently for reviewing New Paltz Town police performance NPPRRC directs attention to the item #8 and item #13 which include patrol procedures and problem solving and rapport with citizens. We suggest that these categories be re-evaluated to reflect very high points awarded for the successful achievement of non-confrontational, non-law enforcement “check-ins” with the communities and business listed below:

Black Student Union on SUNY New Paltz’s Campus

The Master’s Touch Church, Pastored by Reverend Christopher Williams

Representatives from Meadowbrook housing

Nellies

Hudson Valley Cheesecake

Los Jalapenos

La Charla

Orale Mexico

Great Wall Kitchen

New China House

Asian Fusion

New Paltz Indian Restaurant

Sisters of Sojourner’s Truth



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Black Studies Department of SUNY New Paltz (Invite them to Town and Gown)

BLM Chapter in New Paltz

Cherry Hill Plaza Laundromat

**Suggestions:** Officers patronize, have meetings and make connections slowly but naturally as a part of the general community. When paying, or being waited on, conversation can grow. If language is a barrier, having someone on patrol that can help with translating can be a priority of hiring.

The following questions can be used in personal interviews of the community representatives.

*How is everything going in your area/shop?*

*Do you feel safe?*

*Is there anything you want to tell me as a representative of the Town board and police chief?"*

<https://drive.google.com/file/d/11YnltSqphI4fF0WkrksrrlnbRozAorDI/view?usp=sharing>

In addition to encouraging frequent communication with Local BIPOC communities and business owners, Camden has initiated a program of training their police officers in de-escalation techniques that are cutting edge in the world. Camden was chosen as one of seven cities by the Police Executive Research Forum, a reform think tank in Washington, D.C., to develop its signature de-escalation training, according to Executive Director Chuck Wexler.

The NPPRRC is not un-responsive to feedback that we have received about the limited role that training alone can play in impacting police behavior, however, clips from surveillance and body cam footage in November 2015, which have since spread across YouTube, particularly in police-reform circles, show a man walking into a fried chicken shop in Camden, knife in hand. He leaves the shop, thrashing the knife in the air, and is encircled by a group of officers. They walk with the man for several minutes, asking him to “drop it, drop the knife.” They attempt to tase the man, and fail, but are ultimately able to tackle him.

“Eighteen months before that we would have shot and killed that guy, two steps out of the store,” said Thomson, the former police chief.

Camden had proof on video that the training worked in real life.

**Recommendation of NPPRRC:** New Paltz Town Police Department should engage in the De-Escalation model provided by Chuck Wexler and the Police Executive Research Forum.

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**The following is his bio and a summary of his program, taken from his website:**

Chuck Wexler is Executive Director of the Police Executive Research Forum (PERF), an organization of law enforcement officials and others dedicated to improving the professionalism of policing. Executive Director since 1993, he leads a staff engaged in policing research, management studies and consulting for police agencies, publication of books and reports on critical issues in policing, police executive education, and policy development.

Under Wexler's leadership, PERF has studied a wide range of issues confronting the policing profession:

- Reform police agencies' policies, training, and equipment regarding police use of force: Based on the idea that the sanctity of human life is at the heart of the mission of policing, PERF has conducted research into re-engineering police training on use of force, released a set of Guiding Principles on Use of Force, and published a training guide called ICAT (Integrating Communications, Assessment, and Tactics) to help police agencies put the Guiding Principles into effect.
- In 2019 PERF developed a protocol to help officers identify and defuse "suicide by cop" situations as part of their overall ICAT training;
- Strategies for rebuilding police-community trust;
- Recommendations for police agencies considering body-worn cameras;
- The heroin epidemic in many American communities;
- The role of local police agencies in preventing and investigating cybercrime;
- The response to critical incidents in Baltimore and St. Louis;
- Mass shootings and the police response to "active shooter" situations;
- U.S. Justice Department investigations of local police departments regarding civil rights violations;
- De-escalation of potentially dangerous encounters between police officers and persons with mental illness;
- Gun violence prevention;
- New technologies that are changing the nature of policing, such as security cameras, license plate readers, and crime analytics software;
- Police management of large-scale demonstrations and other major events;
- Improving the police handling of sexual assault investigations;
- Guidelines on police use of Electronic Control Weapons (2005 and 2011);
- Immigration policy: Since 2007, PERF has made the issue of immigration a top organizational priority. PERF has held national and regional meetings across the country

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and has developed points of consensus among police executives regarding the role of local police on immigration policy.

Wexler also has been directly involved in projects to improve the delivery of police services. As long ago as the 1990s, when the city of Minneapolis faced unprecedented increases in violent crime, Wexler helped develop and implement a comprehensive anti-crime strategy that is now a model for public-private cooperation. Wexler has worked in Chicago to reduce juvenile homicides in some of the city's most troubled areas and improve coordination between police and public schools. He has been involved in crime-reduction and policing projects in Kansas City; Los Angeles; Northern Ireland; Kingston, Jamaica; London; Tanzania; and the Middle East.

In recent years, Wexler has forged close relationships between U.S. law enforcement leaders and their colleagues in Police Scotland, with an emphasis on leadership development and best practices in police use of force.

Wexler also oversaw PERF's analysis of the investigation into the "Beltway Sniper" incidents of 2002, serving as co-author of PERF's report, *Managing Multijurisdictional Cases: Lessons Learned from the Sniper Investigation*.

In addition, Wexler worked with the best-selling business management writer, Jim Collins, to adapt Collins' research to public-sector agencies like police departments. A PERF report on this project, *Good to Great Policing: Application of Business Management Principles in the Public Sector*, was co-authored by Wexler.

Over the years, Wexler has tackled a number of controversial, high-profile issues in policing:

- **Gates/Crowley Incident:** In 2010, Wexler chaired the Cambridge Review Committee, a 12-member panel created to identify lessons for police departments nationwide from an incident involving the 2009 arrest of Harvard Professor Henry Louis Gates, Jr. (a preeminent black American historian) at his home.
- **Immigration Enforcement Policy:** In 2011, he chaired the Department of Homeland Security's Task Force on Secure Communities, which provided recommendations on federal immigration enforcement practices.
- **Policing in the Middle East:** Since early 2012, Wexler and a group of PERF leaders have been facilitating an unprecedented series of joint discussions by the top officials of the Israeli Police and the Palestinian Civil Police, with the cooperation of Jordan.

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A native of Boston, Wexler held a number of key positions in the Boston Police Department. As operations assistant to the Police Commissioner, he played a central role in the agency's efforts to prevent racial violence in the wake of court-ordered desegregation of the Boston school system. He was also instrumental in the development and management of the Community Disorders Unit, which earned a national reputation for successfully prosecuting and preventing racially motivated crime. Prior to joining PERF, Wexler worked as an assistant to the nation's first Director of the Office of National Drug Control Policy.

Wexler has a bachelor's degree from Boston University, a master's degree in criminology from Florida State University and a Ph.D. in urban studies and planning from the Massachusetts Institute of Technology. He has taught undergraduate courses at MIT and was a visiting assistant professor at Bowdoin College. Wexler has authored journal articles and newspaper opinion pieces, and he is a frequent participant in policing conferences and panels.

In February 2006, Wexler was awarded an OBE (Order of the British Empire) for his extensive work with British and American police agencies. In 2016, he was selected by Politico Magazine as one of the "Politico 50," an annual list of "thinkers, doers and dreamers" who are changing America.

<https://www.policeforum.org/chuck-wexler>

### **Message from the School District Superintendent**

This month I had the opportunity to meet with Chief Lucchesi from the New Paltz Police Department. As the new superintendent of the school district it was an important conversation as I needed to share with Chief Lucchesi my thoughts about the role of policing in our education system. Chief Lucchesi shared with me his perspective and experiences with the New Paltz Central School District. I shared with Chief Lucchesi my concerns about the over policing of schools, the school to prison pipeline, the use of SRO's and the need for the development of positive relationships between the officers and the students in the community. Overall the conversation was positive with a great deal of agreement about this very important relationship.

Angela Urbina-Medina, Superintendent of Schools

New Paltz Central School District

### **New Paltz Police Reform and Reimagine Committee Educated Opinion of OMNYMYST Training (Recommended for Town & Village Board in 2019)**

NPPRRC received from the Town Board a training proposal dated February 19, 2019, written by Ava Bynum, Founder and consultant for OMNYMYST. The training described was to be delivered to the Town and Village and to include the New Paltz Police Department. A copy of the proposal is included in this report. However, we'd like to highlight the following two statements in the proposal as follows:

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***“The Town and Village Board of New Paltz as well as the New Paltz Police Department, seek to continue to develop New Paltz’s status as a safe and welcoming community by developing a deeper analysis of racial equity amongst their teams.”***

***“The purpose of a consulting partnership between Omnymyst and The Town and Village of New Paltz is to facilitate deeper dialogue and understanding amongst their diverse team through a series of trainings for the Town and Village as well as the New Paltz Police Department.”***

The Town Board and Village Board do not present as diverse government officials. Further research of Ava Bynum of OMNYMYST shows that her work is primarily centered on educational & nutritional food equity programs and farming. Our committee is focused on improved governance in our town and village and racial equity in policing. As such, we would not recommend this model for the improvement of either local government or the New Paltz Police Department.

## **COURTS**

The New Paltz Police Reform and Reinvention Committee considered it imperative to engage in a listening session with our local judges; Judge James B. Bacon, located in New Paltz with a General Practice Profile and Judge Rhett D. Weires, located in New Paltz with a background in Matrimonial Law and Family Court. Important to note that local justices are not required to have a license to practice law.

NPPRRC considered it crucial to have a dialog with our local justices to understand the legal process and how persons of color are engaged in our local court system. New York State Governor Cuomo described this process as “Collaborative” in the New York State Police Reform And Reinvention Collaborative: Resources & Guide for Public Officials and Citizens. However, our request was denied. This clearly demonstrates a lack of transparency. This was an unfortunate and missed opportunity for a collaborative engagement with our local judges operating within the New York State Court System.

New York Advisory Committee on Judicial Ethics reported it has been long standing that town and village justices are offered but not necessarily required to participate in training programs during their career as a justice. However, a recent independent review of the NYS court system has determined the need to make improvements as it relates to adding required training specifically related to racial and implicit bias and discrimination practices that have been longstanding and historical in the structure of the New York Courts.( Please see link below) Press Release, dated October 15, 2020:

[http://www.nycourts.gov/LegacyPDFS/press/pdfs/PR20\\_44.pdf](http://www.nycourts.gov/LegacyPDFS/press/pdfs/PR20_44.pdf)

In addition, Chief Judge Janet DiFiore issued a review of programs, practices and policies within the New York State Court System regarding racial discrimination and biases among court employees, court users and the public. As a result of the findings new trainings have been developed and available to all court personnel. One program in the Office of Diversity Inclusion stood out entitled Diversity Dialogues. It

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contains a series of varied situations of dialogs with court personnel with an emphasis of what diversity means in the workplace.

In our pursuit to follow Governor Cuomo’s mandate in EO 203 to reform and reinvent the New Paltz Police Department we the NPPRRC, did convene with the Ulster County District Attorney and Public Defender. Likewise, we invited the local judges to a meeting; our request was denied.

### **Ulster County Public Defender**

As stated on their website “The Public Defender's Office in Ulster County (UCPD) provides legal representation to indigent clients in the criminal courts and Family Court in Ulster County. It also provides representation at the Appellate level for criminal and family court cases.” In this capacity they have regular interaction with the New Paltz Police Department and have a broad familiarity with their culture and practice.

On January 4, 2021, the NPPRRC met with members of the Ulster County Public Defender’s Office including the Public Defender and the Assistant Public Defender assigned to the New Paltz Town Justice Court. We were provided with an overview of the Public Defender’s office, structure, composition, how they obtain cases, their culture, training, practices, and information management system.

The Public Defender was pleased to discuss the new Restorative Justice Program in Ulster County. We learned that with Restorative Justice parties have the opportunity to make amends, receive restitution, participate in community service, as well as have their mental health evaluated and treated. If successful, the case will be removed from court. The defendant will not be convicted or face criminal liability.

The most important take away for the NPPRRC was that the office of the UCPD expressed concern with the confrontational manner of the New Paltz Police Department. They suggested new and/or additional training in de-escalation.

### **Ulster County District Attorney**

As stated on their website, “the Ulster County District Attorney (UCDA) has the sole responsibility for the prosecution of all crimes and offenses which occur within Ulster County. The District Attorney's Office partners with local, county, state, and federal law enforcement agencies with a common goal to promote public safety and protect the people and property in our community. The District Attorney is the county's chief law enforcement officer.”

On January 11, 2021, the NPPRRC met with the UCDA. We were provided with an overview of the office, structure, composition, the culture, training, practices, and information management system. The DA is already tracking demographics on defendants and agreed to consider tracking victims. Clegg



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discussed Restorative Justice, the 180 and Oracle Programs, Intimate Partner Violence Intervention (IPVI), and the prospective Opioid Court.

The District Attorney did not express any specific concerns with the New Paltz Police Department.

### **Ulster County Probation Department**

The Director of the Ulster County Probation Department, Nancy Schmidt, provided significant information relating to the departments partnership with Family of Woodstock 180 program (Restorative Justice/Practice) providing case management and restorative circles to those individuals being supervised through the departments juvenile diversion program. Additionally, Ms. Schmidt referenced the program the DA is developing to include adults between the age of 18-26. Director Schmidt also indicated that people of color have expressed to the probation department the desire to participate in restorative practices through community based programs.

**Recommendation of the NPPRRC:** We support the increasing work being done in Restorative Justice practices (currently juvenile only) and laud the work of the DA to move to 18-26 year olds. We encourage greater collaboration between the DA, the NPPD, and programs like the 180 Initiative.

### **Recommendations of the NPPRRC for Ulster County Public Defenders, District Attorneys, Probation and Judges:**

- Actively recruitment for black staff, attorneys and management;
- Complete Undoing Racism and Implicit Bias Training at least yearly;
- Track and regularly review for performance evaluation the demographics of arresting and supervising officers, complaining witnesses, victims, defendants, and outcomes.
- The New Paltz justices participate in Undoing Racism; a training offered by the Peoples Institute for Survival and Beyond, The trainers associated with the institute have 20-30 years of experience and first hand knowledge of what it is to be discriminated against; therefore, they qualify as experts in this field of training.

<http://ww2.nycourts.gov/diversity-dialogues-28056>

Trainers: The People's Institute for Survival and Beyond

Tracy Givens-Hunter [thgivens@gmail.com](mailto:thgivens@gmail.com) Peter Heymann [heyman.peter@gmail.com](mailto:heyman.peter@gmail.com)

*Recommendation to be completed by January, 2022.*

*Recommendation to be deemed complete by Ulster County Human Rights Commission.*

### **QUALIFIED IMMUNITY**

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Qualified immunity for law enforcement must stop. This is, clearly, well beyond the scope of the Town of New Paltz, however that does not mean that we cannot have a clear opinion on the issue, or that the voice of New Paltz should not have a say in the larger conversations around community safety models and what is beneficial or detrimental.

“...while this culture of near-zero accountability has many causes, by far the most significant is qualified immunity. Qualified immunity is a judicial doctrine created by the Supreme Court that shields state actors from liability for their misconduct, even when they break the law. Under this doctrine, government agents—including but not limited to police officers—can never be sued for violating someone’s civil rights, unless they violated “clearly established law.” While this is an amorphous, malleable standard, it generally requires civil rights plaintiffs to show not just a clear legal *rule*, but a prior case with functionally identical *facts*. In other words, it is entirely possible—and quite common—for courts to hold that government agents *did* violate someone’s rights, but that the victim has no legal remedy, simply because that precise sort of misconduct had not occurred in past cases.” Jay Schweikert, Cato Institute, writing for the American Bar Association (see below).

[https://www.americanbar.org/groups/public\\_education/publications/insights-on-law-and-society/volume-21/issue-1/qualified-immunity/](https://www.americanbar.org/groups/public_education/publications/insights-on-law-and-society/volume-21/issue-1/qualified-immunity/)

<https://ij.org/frequently-asked-questions-about-ending-qualified-immunity/>

<https://www.cato.org/policy-analysis/qualified-immunity-legal-practical-moral-failure>

Qualified immunity is especially dangerous when applied to police, functioning as an escape hatch from any form of justice. The historical context helps to illustrate the complex problems with qualified immunity and why it must be abolished. Stand your ground laws - laws that do not require a person to retreat if they feel threatened but authorize force on such feelings - are a part of a long standing and racially biased culture. As articulated by Kelley Brown Douglas in her book *Stand Your Ground: Black Bodies and the Justice of God*, the link between stand your ground philosophy and the ownership and subjugation of Black people is clad in iron. In essence: historically Black bodies were regarded as property. Property was that right of white people/men. Free Black people are suspect, and should be controlled. If and when Black bodies are not controlled, white feelings of insecurity are normalized. The right to protect property and control Black bodies are both white rights, and ground which can and must be stood. It is no coincidence, then, that almost all successful stand your ground defences are in cases with white defendants. Qualified immunity is stand your ground, magnified and increased in ways that function to reinscribe the overpolicing and extrajudicial murder of Black people across America.

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It must be stated that we are not saying there is a specific issue in New Paltz related to Qualified Immunity. We are saying that as long as there are Qualified Immunity laws trust will be much harder to foster between communities of color and even the most benign safety professionals.

## **SUMMARY OF RECOMMENDATIONS**

**Recommendation of the NPPRRC:** The NPPD should immediately begin aggregating data based upon race, ethnicity and language. There is no other means by which we as a community can hold the Department accountable for bias, or laud officers for a lack thereof. This data should be reviewed regularly, no less than once each budget year.

*Recommendation to be fulfilled by* immediately; already underway

*Recommendation to be deemed complete by* NPPD/Police Chief

**Recommendation of the NPPRRC:** New Paltz move toward a public safety model and away from a law enforcement operations model. The following resources offer detailed, researched, and practiced philosophy and methodology for such a switch.

[https://civilrights.org/wp-content/uploads/Policing\\_Full\\_Report.pdf](https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf)

<https://civilrights.org/wp-content/uploads/Toolkit.pdf>

<https://www.marketplace.org/2020/06/10/how-one-city-provides-public-safety-without-a-police-department/>

*Recommendation to be fulfilled by* six months after the creation of the new police commission.

*Recommendation to be deemed complete by* Police Commission.

**Recommendation of the NPPRRC:** All members of the NPPD should fit the criteria of our Ideal Officer, be they current members or future hires. The Ideal Officer is one who:

Has or wants deep ties to the community in which they serve.

Actively seeks training and education, especially in those areas that lead to de-escalation and deeper understanding, such as: social work, addiction services, mental health counselling, psychology, foreign languages, domestic violence interventions.

Are committed to non-violent solutions to community problems.

Have a demonstrable commitment to anti-racism (not the same as being unbiased – more later).

This is a general list that should be built upon and made more specific and nuanced over time.

We are aware that there may be those who disagree with the shift in thinking and practice that we are proposing. Given our community commitment to anti-racism as a way of being together that is essential to community safety and wellness, there must be a means of moving forward.

*Recommendation to be fulfilled by* April 1, 2022 - demonstrable progress; ongoing process..

*Recommendation to be deemed complete by* NPPD, supported by Commission and Town Board..

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**Recommendation of the NPPRRC:** Officers who, after being provided with ample tools as outlined in this report, fail to be able to articulate and practice anti-racist policing should be recommended for termination from the NPPD.

*Recommendation to be fulfilled by April 1, 2022.*

*Recommendation to be deemed complete by Police Commission.*

**Recommendation of the NPPRRC:** All members of the NPPD, Police Commission, the Town Board, Village Board, School Board (and preferably all School District employees) participate in an assessment of their current location on the spectrum of cultural competency such as the Intercultural Development Inventory <https://idiinventory.com/>.

*Recommendation to be fulfilled by April 1, 2022.*

*Recommendation to be deemed complete by all named parties.*

**Recommendation of the NPPRRC:** The NPPD, as well as the community at large (town and village boards, school board, emergency services, public service departments (public works, library, all local businesses in the community) accept a shared glossary of terminology around systemic racism such as <https://www.racialequitytools.org/glossary>.

*Recommendation to be fulfilled by June 2021 .*

*Recommendation to be deemed complete by Town Board and Village Board.*

**Recommendation of the NPPRRC:** The NPPD develop a practice of decrying misuse of force incidents anywhere in clear language, and articulate how this department avoids similar acts through training, policy, and ethical commitments.

*Recommendation to be fulfilled by immediately.*

*Recommendation to be deemed complete by Police Commission.*

**Recommendation of the NPPRRC:** The NPPD as an agency and the officers therein refrain from and contradict statements such as ‘Blue Lives Matter,’ as there is no such thing as a ‘blue life,’ there is a uniform which is worn by choice, while BIPOC are often deprived of choices through historic and current norms of policing. This includes visual speech such as flags and garments.

*Recommendation to be fulfilled by immediately.*

*Recommendation to be deemed complete by Police Commission.*

**Recommendation of the NPPRRC:**All new police officers who have not successfully completed Police Academy should be enrolled in a program akin to the Dutchess County Law Enforcement Academy, which subscribes to an updated training program that is diversified with culturally responsive training with an inclusive & holistic approach for modern day law enforcement practices. Dutchess County Training for law enforcement officers is collaboratively working in the context and guidance of President

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Obama's Task Force on 21<sup>st</sup> Century Policing (dated May 2015) as are other departments around the state in response to Gov. Andrew Cuomo's Executive Order No. 203.

Unlike current practices of engagements, the 21st century police consists of a robust training program that requires prospective police officers to identify, examine and address their own internalized implicit and explicit biases. The 21st century policing promotes and requires effective police engagements with the community; which will allow for positive relationships to develop. Police officers will learn how to effectively listen and communicate with all community members and learn to demonstrate empathy. Policing in the 21st century will build community trust, legitimacy and transparency and accountability. We believe this training model will foster the professional development of our Ideal Officer.

*Recommendation to be fulfilled by June 1, 2022.*

*Recommendation to be deemed complete by Police Commission.*

**Recommendation of the NPPRRC:** All police personnel and New Paltz Justices receive Motivational Interviewing training; preferably under the instruction of the Varalli Group.

*Recommendation to be fulfilled by June 2022, then ongoing.*

*Recommendation to be deemed complete by Police Commission.*

**Recommendation of the NPPRRC:** Based on discussions with the New Paltz Police Chief concerning the Police Officer's training and use of car and body cameras; it is strongly recommended that:

- *ALL* New Paltz Police Officers be retrained in the use of car and body cameras
- The training be conducted on-site with an in-person instructor.
- We also recommend that the New Paltz Police Department require that police officers be mandated to have their body cameras on at all interactions for all incidents to which police officers are called to respond.
- Exceptions would include (sexual assault cases, and domestic abuse cases at the discretion of the officer)
- An abridged training review should be added annually for all officers, and if appropriate that could include an online training.

*Recommendation to be fulfilled by November, 2021, then ongoing.*

*Recommendation to be deemed complete by Police Commission.*

**Recommendations of the NPPRRC:**

- The New Paltz Police Department should remove the chokehold policy from its continuum use of force policy in accordance with state law.
- In addition, NPPRRC recommends that carotid restraint be removed from the continuum use of force policy as well. The carotid restraint is a technique used by officers to restrict blood flow to a person's brain by compressing the sides of the neck where the carotid arteries are located.
- It is recommended that chokeholds and carotid restraint training materials be removed from training programs in the New Paltz Police Department.

*Recommendation to be fulfilled by July, 2021.*

*Recommendation to be deemed complete by Police Commission.*

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**Recommendation of the NPPRRC:** Any time an officer stops a civilian, they must provide the person with a business card containing their name and badge number and a clear reason for the stop (no “do you know why I pulled you over?” allowed).

*Recommendation to be fulfilled by June, 2021.*

*Recommendation to be deemed complete by Police Commission.*

**Recommendation of the NPPRRC:** Body and car cameras should be running at all times, unless there is a specific reason for them to be turned off (domestic violence victim, etc.).

*Recommendation to be fulfilled by immediately.*

*Recommendation to be deemed complete by Police Commission.*

**Recommendations of the NPPRRC:**

All officer evaluations must include comments on the basis of aggregated data that shows patterns in their civilian interactions.

*Recommendation to be fulfilled by January, 2022.*

*Recommendation to be deemed complete by Police Commission.*

**Recommendation of the NPPRRC:** A discipline matrix be created for the NPPD within the next six months which includes penalties for unauthorized use of force and failure to utilize body cameras.

*Recommendation to be fulfilled by June, 2021.*

*Recommendation to be deemed complete by Police Commission.*

**Recommendation of the NPPRRC:** Reinstate a Civilian Police Commission that provides oversight not merely review.

The primary task of the police commission shall be to ensure the vision and mission of a migration from law enforcement to public safety. Upholding the values of becoming an anti-racist community are the lens through which all decisions are best viewed. Below are the distinct characteristics of the Commission that extend beyond already enacted law, also available here:

<https://drive.google.com/file/d/18Qtn4umMhowCvGmRpN6aqH3JNqQIe-UX/view?usp=sharing>

The commission must be independent, given full authority to act without concern for being undermined by the Town Board and cannot be disbanded without clear evidence of detrimental behaviour and harm caused to the community through the actions of the commission. Detrimental behaviour is defined as failing to uphold the charge of the commission. These causes must be adequately articulated to the community. This must be accomplished by presentation at a public Town Board meeting, publication to online sources such as the Town website, Facebook page or other social media outlets, followed by Town

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Halls, with public comment considered publicly. These measures must be properly noticed with a minimum of seventy two hours to be binding.

Five Members, minimum two people of color.

Three year terms, staggered. Not to exceed three terms.

Must receive initial training.

Must attend department trainings.

Must participate in at least one ride along per shift, per term.

*Recommendation to be fulfilled by September, 2021.*

*Recommendation to be deemed complete by Town Board.*

**Recommendation of the NPPRRC:** Commendations are regularly shared with the Police Commission. Going forward, Complaints will be shared as a matter of course as well.

*Recommendation to be fulfilled by April, 2021.*

*Recommendation to be deemed complete by Police Commission.*

The following details the current organizational structure of the NPPD:

[https://www.townofnewpaltz.org/sites/g/files/vyhli3541/f/pages/2.1\\_oranizational\\_structure.pdf](https://www.townofnewpaltz.org/sites/g/files/vyhli3541/f/pages/2.1_oranizational_structure.pdf)

<https://cops.usdoj.gov/RIC/Publications/cops-w0861-pub.pdf>

[https://www.researchgate.net/publication/325195078\\_Rethinking\\_the\\_Models\\_of\\_Police\\_Oversight\\_Toward\\_a\\_New\\_Paradigm](https://www.researchgate.net/publication/325195078_Rethinking_the_Models_of_Police_Oversight_Toward_a_New_Paradigm)

<https://www.ojp.gov/pdffiles1/nij/184430.pdf>

**Recommendation of the NPPRRC:** As a means of caring for the officers of the NPPD, every officer should receive, *at minimum*, one hour per month of counselling. In the aftermath of a traumatic event or use of force, this support should move from monthly to weekly, at the recommendation of the mental health professional. We realize that many officers may choose to endure rather than avail themselves of these services. However we are optimistic that they will realize the concern that undergirds it and in time the practice will be normalized and embraced.

*Recommendation to be fulfilled by September, 2021, then ongoing.*

*Recommendation to be deemed complete by Police Commission.*

**Recommendation of the NPPRRC:** Continue efforts already under way to develop an emergency services chaplaincy program. The committee recommends that these efforts continue, as this would afford ongoing and consistent emotional support and care, available at all times for officers.

*Recommendation to be fulfilled by September, 2021.*

*Recommendation to be deemed complete by Town Board.*



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**Recommendations of NPPRRC:** Assign higher priority to “checking- in” with the marginalized Black/Latino/Non-white population and less priority to ticketing and arresting.

*Recommendation to be fulfilled by April, 2021.*

*Recommendation to be deemed complete by Police Commission.*

**Recommendation of NPPRRC:** New Paltz Town Police Department should engage in the De-Escalation model provided by Chuck Wexler and the Police Executive Research Forum.

*Recommendation to be fulfilled by April, 2022 and yearly.*

*Recommendation to be deemed complete by Police Commission.*

**Recommendation of the NPPRRC:** We support the increasing work being done in Restorative Justice practices (currently juvenile only) and laud the work of the DA to move to 18-26 year olds. We encourage greater collaboration between the DA, the NPPD, and programs like the 180 Initiative.

**Recommendations of the NPPRRC for Courts, Public Defender, District Attorney and Probation:**

- Active recruitment for black staff, attorneys and management;
- Complete Undoing Racism Training and Implicit Bias Training at least yearly;
- Track and regularly review for performance evaluation the demographics and outcomes of arresting and supervising officers, complaining witnesses, victims, and defendants.

*Recommendation to be completed by January, 2022.*

*Recommendation to be deemed complete by Ulster County Human Rights Commission.*

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**APPENDIX:**

**Basic Demographics of the Town and Village of New Paltz:**

The State University College at New Paltz is centrally located in the Town. The student population is factored into the 2019 United States Census Report for Town and Village.

According to the 2019 United States Census Bureau the town population is **14,036**.

Racial and Ethnic Demographics for Town of New Paltz:

84% White

78.5% White not Hispanic/Latino

10.6% Hispanic/Latino

6.3% Black/African American alone

4.2% Asian alone

2.7% Some other Race only

2.2% Multiracial

.7% American Indian/Alaskan Native alone

0.0% Native Hawaiian/Pacific Islander alone

**State University at New Paltz Demographics**

0% American Indian or Native Alaskan

6% Asian

7% Black or African American

22% Hispanic/Latino

0% Native Hawaiian or Other Pacific Islander

3% Multi-racial

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62% White

Student Housing on Campus 2019: 6,807

Student Housing Off Campus 2019: 950

**Log of NPPRRC Community Meetings**

Peace Park-----	9/17/2020
New Paltz Youth Center-----	9/17/2020 Declined
1st Town Hall Meeting-----	10/22/2020
SUNY New Paltz Students-----	11/5/2020 No Show
U-CAT-----	11/9/2020
Concerned Parents of New Paltz-----	11/12/2020 Cancelled
New Paltz Community for Public Safety-----	11/16/2020
Resisterhood-----	1/17/2020
New Paltz United for a Responsible Budget-----	11/30/2020
Tavern Owners Association-----	12/3/2020
Individual-----	12/11/2020
Racial Equity Coalition-----	12/14/2020
Ulster County Police Reform-----	12/15/2020
Sisters of Sojourner’s Truth-----	12/29/2020 Rescheduled
Ulster County Public Defender-----	1/4/2021
Individual-----	1/7/2021
Justice and Reform Town Hall-----	1/8/2021
Ulster County District Attorney-----	1/11/2021
New Paltz Police Department-----	1/14/2021
New Paltz Police Department-----	1/19/2021
New Paltz Police Department-----	1/20/2021
Individual-----	1/23/2021
Concerned Parents of New Paltz-----	1/25/2021 Cancelled
Sisters of Sojourner’s Truth-----	1/26/2021
2nd Town Hall-----	1/27/2021
New Paltz Women in Black-----	2/1/2021
Individual-----	2/8/2021
Town Board Members(2)-----	2/18//2021
Town Board Members(2)-----	2/22/2021

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## LISTENING SESSIONS SUMMARY:

The Town Board established the New Paltz Police Reform and Reimagine Committee whose mission was to help identify and hopefully eradicate racism within the New Paltz Police Department using a collaborative problem-solving platform that would include engaging in dialog with residents of the New Paltz community, elected officials, the police department and local businesses.

The committee's objective included a review of the overall mission and functions of the New Paltz Police Department and the implementation of services, police policies, procedures, trainings and manner of engagements with members of the New Paltz community with a special focus on the interactions of police officers with Black, Brown and People of Color.

New Paltz Police Reform and Reimagine Committee held listening sessions with community stakeholders beginning on September 17, 2020 through February 22, 2021. The listening sessions' focus was an opportunity for the residents of New Paltz to share experiences and ideas with committee members as we worked to develop recommendations for improvements and enhance the services of our police department.

The stories described in the next 6 paragraphs all involved people of color and described in detail by people of color with the exception of one individual; who is the parent of children of color. There are more stories that are not included out of fear of retaliation.

Members of this committee heard the stories of Black women who expressed serious concerns of not feeling safe within this community and in particular in the neighboring proximity of their homes. Women spoke of encounters of intimidation and harassment by white people while walking in and around the New Paltz community; more often than not by white males. There have been episodes that appear intentional; vehicles repeatedly driving past women of color with flags on their vehicle and as the vehicle approached the engines go into high gear and vehicle accelerate. There is no surprise that fear and hesitation exist with regards to reporting these retaliation does exist and there is the lack of trust that exist with reporting these acts of hate. One woman when asked why not call the police, her response; "for what...what are they really going to do?"

There is a community of Latino families residing in New Paltz. The community consists of different subsets; people of color and people of different languages. This community struggles to advocate for themselves. Natural reaction to police is to clam-up. These families often remain within their own communities with their families; often in fear; fearing that immigration authorities who may be looking for undocumented individuals, fear that their families will be separated, etc. Of concern to this community is that while some members have been able to attain a driver's license and personal identification; their driver's license has a marking on it that

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identifies their immigration status. Hence, this increases the fear of the of latino community on a daily basis; fear that they can be uprooted and families separated. It has been expressed that having spanish speaking staff within the police department is crucial.

A concern or the latino community is communication when engaging with the police. It is suggested that the New Paltz Police Department acquire communication tools to better communicate with this community. The Agricultural Education Center should be referenced as a resource to make connections. There is a language barrier in that the New Paltz Police Department does not have translation services for spanish speaking only individuals. This is a huge deficit that needs to be addressed to allow for effective and meaningful dialog and engagement between police and people. Ideally, the New paltz Police Department should have language translation services readily available.

A situation was shared by a Black woman of color who was stopped by New Paltz police but not initially informed why she was being stopped. She and her children sat inside her vehicle anxious and nervous. Subsequently she reportedly was asked by the police if she knew why she was stopped and she indicated she had no idea. She said after some time had passed the officer told her she made an illegal left turn into a parking lot.. She explained she did not realize there was a sign indicating no left turn. She was delayed approximately 20 plus minutes with children sitting in the car. One officer reportedly stood by her rear door; opposite side of the driver, while the other Officer was in and out of his vehicle several times. Ultimately no ticket was issued. However, she explained that the lack of communication and the fact that a second officer stood by the door near where her children were seated was enough to have her and her children feeling frightened & nervous. The officer's gun was at eye level to the children sitting in the back seat.

It has been the perception of several members and businesses of the New Paltz Community that Meadowbrook Apartment complex has been a target for over-policing. It has been said that police vehicles can be observed parked fairly often along the far end parameters of the Tops Supermarket and that police vehicles frequently drive through the sections of Meadowbrook where younger families reside and not so much through the senior section. There is a footpath behind Tops Supermarket that residents and visitors routinely use. It was said that over the years young black males had frequently been stopped and questioned by police when entering the path after leaving the local movie theatre in the Tops Plaza. It has been suggested that a community friendly walk-through may be better received if it included officers simply engaging in casual conversations; free of suspicion or an investigatory presence. It is the perception of some members of the New Paltz community that Meadowbrook Apartment complex is far more policed than any other complex in New Paltz.

Members heard from a parent in the New Paltz Community whose Black sons have had several contacts with the New Paltz Police as teenagers and as men. One situation involved her son's

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walking on Main Street in New Paltz at a young age when they were stopped and questioned by New Paltz Police who asked them if they were runaways from St. Cabrini Group Home. Another situation occurred when her son was 16 years of age riding in the backseat of a vehicle in town on or around halloween night. An egg was thrown from the vehicle and landed on the ground. New Paltz Police stopped the vehicle; told her 16 year old “get the fuck out the car” then the officer proceeded to pull another individual out the vehicle and threw him on trunk of the car. A lawsuit was filed with unsuccessful results. This parent described another situation involving the U.R.G.E.N.T. TEAM(Ulster Regional Gang Enforcement Narcotics Team ) who were in New Paltz when her son drove to a friends’ home to pick up his paintball gun. As he pulled in the driveway of the friends’ home he was quickly confronted by members of the U.R.G.E.N.T. Team. Her son was put on the ground and the only thing said to him was “shut the fuck up.” The officers took everything out of the trunk of his vehicle and tossed it to the ground. The police found nothing of interest in the vehicle and allowed her son to put his belongings back in the trunk of the vehicle. One of the items was a macetti. Before picking up the macetti her son reportedly said to the officers, “ I am picking up my knife now to put back in my car.” According to his mother, her son told the police he was putting the knife in his car so that they would not shoot him for picking it up. This incident happened quite some years ago. Black males have feared for their lives for decades; fearing that police would kill them. This family obtained a lawyer and successfully sued in court.

The vast majority of stakeholders we engaged with were white and reported to be residents of New Paltz (a small number attending identified as not being residents of New Paltz). Concerns voiced by community members are listed below; not in a particular order and were not limited to the following:

- police department budget/spending/reduction
- eliminate police department
- lack of affordable housing
- community engagement programs with police
- Civilian peacekeepers to be employed by the town rather than armed police respond
- provide/increase financial assistance to Family of New Paltz
- need for language translator(s)
- include on NPPD website anonymous reporting document
- opposition to police using military weapons and tactics

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- civilian oversight
  - Narcan kits in restaurants
  - interpreter
  - engage with the Migrant tutoring program at SUNY New Paltz'
  - police should have a code of conduct
  - police & citizen encounters
  - fact sheet for sanctuary city
  - police commission
  - evaluating the outcomes of trainings
  - mental health services
  - implicit bias/effectiveness
  - funding for implicit bias
  - civilian patrols
  - Bar owners to provide their own security; not rely on police for security
  - town government hire social workers to intervene for mental health crisis; not police

While engaging with the majority white stakeholder groups and after having actively listened to request for change and the wants and needs requested by the stakeholders in the community, the NPPRRC committee asked if there were any stories to share concerning Black people or people of color whose story could be shared with specific consideration as it related to Executive Order 203. The feedback was overwhelmingly “no”.

The popular topic of discussions of multiple stakeholder groups revolved around the need for local provisions for mental health services to be readily accessible within the landscape of the New Paltz community. It was the suggestion of the majority of stakeholders to reduce the police budget and redirect funds to implement and provide community based services for Mental Health.

The Ulster County Department of Mental Health is responsible for the funding, monitoring and planning of community mental health services and alcohol and substance abuse services in Ulster County. New



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Paltz community members should contact their Ulster County Legislators; specifically Eve Walter, District 20-Town of New Paltz, Village of New Paltz and James Delaune-Town of Esopus, Town of New Paltz to pursue the agenda of mental health services and substance abuse services. The New Paltz Police Department's budget cannot be reallocated to implement these services.

The NPPRRC met with members of the Bar Owners Association.

They reported they have trained Bouncers and trained security to manage their patrons. Additionally reported that SUNY Police are nearby considering college students frequent the establishment. Reports that New Paltz police presence nearby is sufficient enough to maintain a positive atmosphere. When asked for an opinion of the police budget, replied that he was not familiar with the budget but that for public safety he could not imagine having less of a police force.

Another owner reported he has had his business for 48 years. He recalled years ago New Paltz Police department had problematic situations with old officers from years gone by. He views New Paltz Police today as sophisticated; not arrogant. He has found it productive to have women posted at the entry way of the business. He also said he does not get many students at his place of business. With regard to his thoughts if police funding was reduced he questioned what would it take away. He made a statement about unarmed presence; and stated that power is important; having a gun protects.

### **Discussions with Town Board Members**

Members of NPPRRC spoke with Town Board members (Police Commissioners) David Brownstein and Julie Seyfert-Lillis. David Brownstein spoke candidly about his white privilege. He indicated that he is becoming more aware of the racist systems that exists. He acknowledged he has become aware of his own racism and is wanting to learn more about the racist systems that exist and that he has benefitted. Both are receptive to engaging in implicit/explicit bias training. David also expressed a desire to learn how the biases he carries affect him daily. Both expressed the desire to receive training and commit themselves to better engage with the community. As the Executive Director of Wild Earth, David Brownstein also recognizes that implicit bias exists and would benefit from an informative training program.

Town Supervisor, Neil Bettez expressed a desire to see the process of police reform move forward in a positive direction and is interested in hearing from the community members. The idea of re-establishing a police commission of non-elected officials is embraced by the Town Supervisor.

Town Board member Alex Baer discussed her relation with the Latino community in the City of Poughkeepsie prior to her current work with the New Paltz Town Board; she has been with the town board just over one year. Alex shared that she has not yet met with members of the latino community. NPPRRC expressed the urgent need to engage with the Latino community; the need for a connection is imperative. NPPRRC suggested that she connect with the New Paltz Central School District where she

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can make significant connections as well as engaging with the Agricultural Childcare Center.

### **Evolving List of Partners**

There is no way to move from a law enforcement model to a Community Safety model without the full participation of many partners. While the NPPRRC was not tasked with making recommendations beyond the NPPD, we felt it imperative to offer up a preliminary list of partners:

Town Board

Village Board

School Board

State Police

Sheriff's Office

District Attorney

Public Defender

Emergency Services

Mental Health and Substance Abuse Providers

SUNY Police

State Legislature - ending qualified immunity

County Legislature

### **Submissions from the Community**

The NPPRRC received many documents and ideas from the community. Many of these make it into this report in one form or another. These are attached for historical/informational purposes - none of these were subject to any form of public scrutiny, input, or sanction. The array of visions within these reports illustrates the vast differences in philosophies present throughout our community. To clarify, while one of these community submissions is written as if it speaks for the NPPRRC, it does not. Nonetheless, the committee entertained and considered input regardless of the source.