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Police Reform Executive Summary

On June 12, 2020, Governor Andrew Cuomo issued Executive Order 203, which called for the creation of a Police Reform and Reinvention Collaborative in every community in the state with its own police department. The executive order was precipitated by the events which occurred in Minneapolis over Memorial Day weekend a few weeks earlier that led to the death of George Floyd. The purpose of such a collaborative, as defined by the executive order, is to:

“perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices, and develop a plan to improve such deployments, strategies, policies, procedures, and practices, for the purposes of addressing the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color.”

To do so, communities were to convene a task force that represented all segments of the community, including, but not limited to, members of the local police department, representatives of community organizations, representatives of the district attorney and public defender and local government officials. To ensure a diverse spectrum of residents were represented on the task force in the Village of Croton-on-Hudson, a call for volunteers was issued on September 25, 2020, and notice was provided through the Village email system, Village newsletter and a postcard that was mailed to all Village residents and businesses. The deadline to apply for the task force was October 31, 2020.

The Village received a total of 38 applications from community members; 10 were chosen to serve alongside the representatives mentioned above. In sum, the task force totals 21 members, whose names are listed below:

Iris Dayer	Croton Resident
Earl DePass	Croton Resident
Paige Jones	Croton Resident
Alex Morales	Croton Resident
Ian Murtaugh	Croton Resident
Michael Mui	Croton Resident
Liz Poling-Hiraldo	Croton Resident
Carlton Sargeant	Croton Resident
Aliyah Simpson	Croton Resident
Carolyn Whiting	Croton Resident
John Nikitopoulos	Chief of Police

Marc Leuzzi	Police Sergeant
Edwin Jandres	Police Officer
Debra Rodriguez	Police Officer
Deborah O'Connell	Superintendent of Schools
Laura Dubak	Principal - Croton-Harmon HS
Michael Plotkin	Principal - Pierre Van Cortlandt MS
Jay Sherman	Public Defender's Office
Stephen Ronco	District Attorney's Office
Janine King	Village Manager
Bryan Healy	Secretary to the Village Manager

In addition to the creation of a task force, the Village held a total of seven community forums for various stakeholder groups to give feedback on policing and the police department in the Village of Croton-on-Hudson. The stakeholder groups which were represented were as follows:

1. Senior Citizen Community
2. Faith-Based Community
3. Civic Organizations
4. Spanish-Speaking Community
5. Black Community
6. Students and Youth Community
7. Community-at-Large

These forums, which were all recorded and are available to view on the Village website, provided valuable feedback for the task force to review as they develop the reform plan that is required under Executive Order 203.

Finally, the Village solicited input from all Village residents by means of a written survey. The survey, which was derived from similar surveys written by the International Association of Chiefs of Police, was created to gauge how residents feel about their local police department and the work that it does, or does not, do. Much like the volunteer applications for the task force, the survey was advertised through the Village email system, Village newsletter and by way of a postcard mailed to all Village residents and businesses. A total of 352 surveys were successfully completed and returned via the Village website; this represents a response rate of 4.3% of all residents.

The task force held eight group meetings over the fall via Zoom. In December, the task force broke into sub-committees, which worked on the following areas:

- a. Analysis of Arrest Data

- b. Communication
- c. Procedural Review
- d. Citizen Comments Review
- e. Police-School Relations
- f. Review of State Guidance

The sub-committees worked to ensure that all portions of the requirements under the executive order are followed to the letter of the law. The sub-committees submitted their written work, if necessary, to the committee by January 11, 2021.

These submissions were incorporated into a draft plan, which was presented to the Village Board of Trustees for their review on February 1, 2021. The draft plan was presented at a public hearing for the purpose of providing Village residents an opportunity to comment. The final plan was adopted by the Village Board of Trustees on March 1, 2021. Certification to the State of New York Budget Director was sent on March 2, 2021.

Mission Statement

The current mission statement for the Croton-on-Hudson Police Department can be found below:

It is the mission statement of the Village of Croton-on-Hudson Police Department to preserve the rights, security and quality of life in our Village for all residents through the impartial enforcement of the law, prevention of crime, pursuit of violators of the law, and the maintenance of order in public places. The officers of the Village of Croton on Hudson Police Department pledge to be unbiased, respectful of life, courteous and civil in the performance of their duties in service to our community.

Police Reform Action Items

After a four-month review of documentation and community input, the Village's Police Reform Task Force recommended 13 action items to be reviewed by the Village Board.

A public hearing was held and closed on February 22, 2021. After review by the Village Board of Trustees the recommended action items were amended as follows:

- Priority 1: The Department will complete a review of all existing standard operating procedures (SOPs) and place into effect any necessary changes (101-118 updated as of this report. All SOPs will be updated and issued by March 31, 2021).

- Priority 2: The Chief of Police should research the necessary steps to be taken for the Croton Police Department to become an accredited agency and present his plan to the Village Board within six months after the adoption of this plan.

- Priority 3: The Department will produce an annual report document detailing compliance with all of the priorities in this plan and present same to the Village Board for their review. The report should include a record of all complaints filed with the Department, an analysis of arrest data, traffic stops, and calls for service, a report on all training completed by the department and an analysis of the annual survey. The report should be submitted to the Village Board by January 31 of each year.

- Priority 4: The Department will improve data collection on arrests, traffic stops and calls for service in order to provide an analysis to the Village Board on a yearly basis.

- Priority 5: The Department should endeavor to provide the public with information on what training is received by the officers and whether said training is done semi-annually, annually, etc. The Chief should provide an evaluation of each type of training received. When evaluating training, priority should be given to increasing the number of officers who have completed Crisis Intervention training. In addition, the Chief will explore the implications of partnering with a Crisis Intervention Team.

- Priority 6: The Department should endeavor to engage the residents of the Village on a regular basis through the formation of a Police Advisory Committee. The Mayor shall

appoint the members of the Police Advisory Committee within two months after the adoption of the plan.

- Priority 7: The Chief should update the procedure for adjudicating civilian complaints of officers and present this procedure to the Board of Trustees for approval within six months of the adoption of this plan. The Police Advisory Committee shall review the procedure prior to the submission to the Village Board.

- Priority 8: The Department should work with the Police Advisory Committee on ways to increase police engagement with the community through measures such as regularly held town hall meetings and meetings with community organizations.

- Priority 9: The Department should work with the Police Advisory Committee on ways to increase police engagement with the Spanish speaking community.

- Priority 10: The Department should work with the Police Advisory Committee to increase interactions with the youth of the community through means other than DARE, including trainings, seminars and other programs to be developed.

- Priority 11: The Department should work with the Manager's Department to increase its social media presence on the Village's Facebook, Twitter and Instagram accounts, as well as increasing its content on the Village's website.

- Priority 12: The Department should work with the Police Advisory Committee on creating and implementing an annual community-wide survey that would provide data on the Department's performance over the previous year. The Department and the Committee should explore ways of increasing participation in the survey. The survey should be released in October of each year.

- Priority 13: The Department should work with the Police Advisory Committee to develop community outreach campaigns which focus on safety and educating the public on crime prevention.

- Priority 14: The Department should choose an alternative patch for approval by the Village Board. Once approved by the Village Board the Department should develop an implementation plan providing a timetable and budget. The implementation plan shall be submitted within three months following the Board's approval of the patch.

- Priority 15: The Department should endeavor to increase foot patrols in high-traffic areas, as well as bicycle patrols in appropriate areas as a method for increasing interaction with the public.

Police Reform Task Force Communications Subcommittee Outline:

This subcommittee is composed of Aliyah Simpson, Carlton Sargeant, PO Edwin Jandres & Ian Murtaugh. We have met on several occasions and have come up with the following suggestions. They are through the lens of communications but we realize that they overlap with some of the other working groups. Furthermore, these ideas are just the initial steps which we believe should be undertaken as we reimagine policing in the Village of Croton-on-Hudson.

1. Social Media

Social media presence is a valuable tool through which the Croton Police Department (CPD) can establish a two way communication channel with the residents of this village. It should be an integral part of a vital communications strategy. The community survey revealed that many in our Village view CPD as remote or aloof. By embracing a robust social media presence residents can get to see the department in a more nuanced way. An up close look at officer profiles, day to day activities, explanation of protocols, safety tips, road closures, etc. The media platform(s) selected should also have the ability for the public to communicate directly to CPD with questions, concerns and perhaps tips.

Law enforcement agencies nationwide have successfully adopted social media tactics to enhance their mission, there is no reason that CPD shouldn't as well. This contact between CPD and the public fosters openness and transparency thereby reinforcing the community policing strategy already in place at the department.

Facebook, Twitter, and Instagram and others are all possible forums. We believe that the department should choose platforms that work best for them and are easily accessible to the public. It should be noted that these forums are facilitating two way communication, and as such CPD should delegate the responsibility to an individual or individuals whose tasks include monitoring and responding to the incoming messages from the public. Failure to respond may be more harmful than not having a presence at all.

We recommend that the Village of Croton Police Department set up an official Facebook page to provide information on village activities and provide updates on village events, traffic conditions, weather updates, village parking updates and provide a platform for communication and transparency for the current members of service. This Facebook page should provide quick links for the village website, the Village of Croton Police website and vice versa. This page should have the option to be able to be translated into any desired language to include every member of this community.

We recommend the following changes be made:

- Official FB account for CPD
- Official Twitter account for CPD
- Official Instagram for CPD

- Highlighting a Police Officer each month
- All social media accounts should be linked
- Link the website on social media platforms
- Link social media in emails

2. Village Website

This committee believes that the Village's website needs an overhaul as part of this communications initiative. At the very least, in furtherance of our goal for enhanced CPD transparency, and without reformatting the entire Village website, CPD must have a more prominent spot on the Village's homepage. Easy links to CPD email, the Village newsletter officer bio's and spotlights of recent activities should be made more readily available through the existing website. The village website has much important information for its constituents, we suggest that CPD get a more prominent or visible location on the homepage. It should also provide quick links for any and all other future social media platforms.

We recommend the following changes be made:

- Add a dedicated tab for the mission statement
- Add a Chiefs Message tab
- Add an about us tab that includes
 - a list of the current members
 - pictures of the Chief, Lieutenants, and Sergeants
- Consider adding a Fleet tab that explains what is carried in the Police cars, What the advantages of SUV over sedans are etc.
- Consider adding a Policy Tab
- Change Freedom of Information request to F.O.I.L. request as well as make it more easily accessible than it currently is.
- A place directing people to the CPD's social media
- Ability to translate the website into other languages
- Link website in emails

3. Activities

This Committee believes that a well rounded communications effort also includes activities which will engage the community. This will allow the public to interact with department members in a non-professional way. Activities currently in place such as Coffee with a Cop & DARE are excellent examples of engagement that we think the Village wants to see continued and built upon. Some suggestions include Self Defense training, bicycle safety and bike events such as "racing" against CPD members, CPD Open House and boat rides on the Marine Unit. The CPD could host BBQ. Each one of these aforementioned examples span generations, the self defense training, for example, is just as valuable to a college bound woman as they would be for a male senior citizen.

We suggest the following:

- Coffee with a Cop
- DARE (more DARE in the high school)
- Self Defense Training
- Bicycle Safety Training
- Bike Events (racing against CPD members)
- CPD Open House
- Boat rides on the Marine Unit
- CPD BBQ
- Involving CPD in school events (such as sporting events, color wars)
- Town Halls
- In-school guest speakers (make students aware of protocols, laws, answer questions, etc)
- Pizza with police

4. Engagement

Engagement overlaps significantly with the point above. Summerfest is a prime example of an opportunity for CPD to meet and greet the public. We believe that this connection fosters faith and respect for officers which is paid back over time. Officers most often engage with the general public at life's low points. If and when that time does come the officer enters a situation with pre-established credibility and trust. This addition to the CPD toolbox has the officer entering a situation from a better starting point. Aside from Summerfest and the activities suggested in the prior bullet, engagement could include resident interaction with new officers in field training or neighborhood walk arounds. Civic and Faith based groups may also have some excellent ideas with respect to a more robust engagement with this community.

We recommend the following changes be made:

- Incorporating community interactions into probationary training
- Pro-active engagement with community members (introducing yourself, getting to know community members/business owners, etc.)
- Dressing down/casually at school and community events

5. Complaints

We recommend the following changes be made:

- Official Complaint Form (on the website)
 - Only the chief/lieutenant/village manager is able to see the complaint
- Forms should be easily translatable

6. Annual Surveys/Town Hall Meetings

The survey which preceded this endeavor was a good step to gain understanding of our residents. However, it was only a small sliver of our population and demographic. We firmly believe that an annual survey can continue this dialogue and is a fine form of communication with our community. The ability to respond anonymously and in a foreign language can serve the CPD and the entire Village well. This is a tool which the village should use to take a deeper look into the current status of the relationship between the public and the department. Depending on local enthusiasm, we think a survey should happen at a minimum of at least once per year. In addition to surveys, Town Halls with the Chief of Police and Police Officers at intervals over time can have a tremendous positive effect. Citizen interaction with CPD's executive is an excellent way to have direct communication with the top of the agency.

We recommend:

- Annual survey
- Town hall every 6 months

7. Police Training

Public disclosure of the extensive training officers receive will enhance the reputation and status of our officers. Both the vast amount of training at the Academy for newer officers and perhaps more importantly the in-service training which officers receive throughout their careers. We believe that the more the public knows the better. Anti-bias training, verbal judo training, level of force training and domestic events training requirements should be made known to the community. With this knowledge the community will regard our officers as professionals. Many industries and occupations regard ongoing education as a requirement; we think many do not know or understand the training that our officers complete. This valuable information can be shared on all of the social media platforms as well as the village website.

Subsequently, we recommend the following actions be made:

- Add a training tab to the Police Department webpage (in-depth description of training)
- Add descriptions of the courses that the officers undergo
- Indicate the frequency in which the trainings are conducted
- Indicate where the training is conducted
- Explain how the police academy works and what is covered

8. Citizen Advisory Board

This committee feels that civilian control of CPD as established by our local government is vital. In that vein we also believe that accountability is paramount in exercising that control. We suggest some form of a Citizen Advisory Board or another type of mechanism where

legitimate grievances can be aired in a public fashion. We do not have concrete proposals here but some makeup which would include CPD, the Village Board and appointed members of the public to hear such complaints. The group could have semi annual meetings for example, with the ability to meet in an emergency if necessary.

Ongoing Data Analysis and Key Performance Indicators

As the Village seeks to establish a framework for ongoing community policing, data analysis and data transparency are two key areas in which the Village may want to consider improving upon. Below are some recommendations to achieve a baseline in such areas:

1. Review recent survey sections and questions to help establish key performance indicators which Village can use moving forward in an effort to identify overall community policing and engagement performance year over year:
 - a. Community perception of the police department.
 - b. Community engagement of the police department.
 - c. Perception of Safety by the community.
2. Establish a process and cadence around community surveying.
 - a. The department should determine the regular intervals by which it shall survey the residents of the Village.
3. Establish a process for the collection of, analysis and visualization of community surveying.
 - a. The department should determine in what manner this survey should take place (online, by mail, etc.)
4. Establish a set of CPD metrics which will be analyzed, visualized and shared with the public on a set periodic basis.
 - a. The department should determine the frequency of reporting and endeavor to submit those reports on that schedule.
 - b. The department should determine the best way to share this reporting with the general public (online, social media and/or newspaper).

New York State Police Reform and Reinvention Collaborative
In Response to Governor Andrew Cuomo's *Executive Order No. 203*
[The Village of Croton-On-Hudson, New York, Police Reform Task Force](#)

Schools-Police Relations Subcommittee

Recommendations to Village Manager, Janine King and Police Chief John Nikitopoulos

Subcommittee Members: Iris Dayer (Community Member), Michael Mui (Community Member), Police Officer Debra Rodriguez (Croton Police Department), Laura Dubak (Principal of Croton-Harmon High School), Michael Plotkin (Principal of Pierre Van Cortlandt Middle School).

The Police Department of the Village of Croton-On-Hudson is an integral part of the larger community. The officers and Village administration maintain a leadership role in how the community responds to challenges, fosters a sense of community and addresses issues that are a concern to all sectors of the Croton Community. In order to ensure that the police in the Village of Croton-On-Hudson can perform their duties in an effective and safe manner and to promote mutual trust among all community members, especially the youth of this community, the stakeholders of the *School-Police Relations Subcommittee* offer the following recommendations for consideration and review. Furthermore, this subcommittee asserts the belief that such measures will assist the Village of Croton-On-Hudson Police Department to continue to improve police-community relations and its essential role as a pillar of this community through its relationship with the community's schools, youth and parent groups.

1. It is recommended that officers participate in trauma education to be able to identify and understand the effects of trauma on youth and families. Police officers and commanders will collaborate with community-based organizations and agencies so that they are able to guide youth and families in accessing trauma and mental health related treatment and therapies. When appropriate, CHUFSD can invite Croton PD and vice versa to applicable trainings.
2. The Village of Croton-On-Hudson Police Department officers would be well served in the acquisition of de-escalation and restorative practices training particularly as it applies to mitigating youth conflict and crime.
3. The officers of the Village of Croton-On-Hudson Police Department have an indispensable role in the Croton-Harmon Schools. Every effort should be made to promote youth-based programs in collaboration with school leaders and school-based groups to promote mutual trust with this community's youth, public safety

in schools and to encourage students to participate in efforts to ensure the well-being of all individuals in the community.

- Police presence on school-based *Threat Assessment Teams* and building- and district-level *Emergency Response Teams*.
 - Collaboration with school leadership conducting emergency drills.
 - Regular meetings and collaboration with student-leadership groups (Student Faculty Congress and Student Council)
 - Police membership and participation with school-based parent groups such as the Parent-Teacher Associations and the Special Education Parent-Teacher Association.
 - Police collaboration with other community groups that address the needs of the community's youth and their families. (Ex. Croton Caring Committee.
 - Continuation of existing and the development of new youth programs in collaboration with school leaders and student leadership groups. These include but are not limited to DARE, the police cadet program and mentorship of the youth by members of the police department.
 - Presence and participation in school and community events beginning in younger grades and an increased presence in the community's schools during the school day with the purpose of engaging the youth and serving as a positive role model.
4. Members of the Village of Croton-On-Hudson Police Department should be active contributors to community efforts relating to violence prevention, conflict resolution, diversity and inclusion, mental health and substance abuse prevention.
 5. Explore the possibilities of offering the youth of the community a leadership role within the department by providing officers with education and training on working with immigrant populations and learning to speak Spanish. This effort would be supported by having students who are native speakers provide part of this training and would help the police to form positive and productive relations with this segment of the larger community.
 6. Offering students of the Croton-Harmon Schools the opportunity to serve the community through positions on the Village committees including any long-standing police-community relations committee.
 7. Communication and promotion of youth and community events and programs on the Village website, Police Department calendar and through social media.





Published on *Croton-on-Hudson NY* (<https://www.crotononhudson-ny.gov>)

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Community Survey on Public Safety and Law Enforcement

On June 12, 2020, Governor Cuomo issued Executive Order 203 – New York State Police Reform and Reinvention Collaborative. The order requires:

“Each local government entity which has a police agency operating with police officers as defined under 1.20 of the criminal procedure law must perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices, and develop a plan to improve such deployments, strategies, policies, procedures, and practices, for the purposes of addressing the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color.”

As part of the process for developing our plan, the Village will be seeking input from its constituents in a variety of ways. The following “Community Survey on Public Safety and Law Enforcement” will help guide our decision making on necessary improvements to our police operations.

It will take approximately five minutes of your time and is completely confidential. The survey is designed to gather opinions and experiences from the members of our community. The survey assesses five key components that involve the Croton Police Department:

- Community involvement
- Safety
- Procedural justice
- Performance
- Contact and satisfaction

Please indicate your response to each item by selecting the appropriate answer based on your feelings, opinions, and experiences. You may skip any survey items you do not feel comfortable responding to or know how to answer, but we encourage you to respond to as many items as possible. This is not a test, and there are no right or wrong answers. Please answer each question honestly. The “Community Survey on Public Safety and Law Enforcement” was developed by the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS Office) with the support of ICF International and law enforcement experts.

Community Involvement

	Not at all	A little	Somewhat	A lot	To a great extent	Unsure/Don't know
1. To what extent does the Croton Police Department develop relationships with community members (e.g., residents, organizations, and groups)?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. To what extent does the Croton Police Department regularly communicate with community members (e.g., websites, e-mails, or public meetings)?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. To what extent does the Croton Police Department make it easy for community members to provide input (e.g., comments, suggestions, and concerns)?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. To what extent does the Croton Police Department work together with community members to solve local problems?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Community policing involves officers in the Croton Police Department working with the community to address the causes of crime in an effort to reduce the problems themselves through a wide range of activities. Based on this definition, to what extent do you think the Croton Police Department practices community policing?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Safety

6. Please select the issues you think are the greatest problems within the Village of Croton-on-Hudson. You may choose as many items as you wish:

- Bicycling/skateboarding issues
- Burglaries/thefts (auto)
- Burglaries/thefts (residential)
- Child abuse
- Child sexual predators/Internet safety
- Disorderly conduct/public intoxication/noise violations
- Disorderly youth (e.g. cruising or gathering)
- Domestic violence (adult)
- Driving under the influence (i.e., alcohol or drugs)
- Drug abuse (e.g. manufacture, sale or use of illegal/prescription drugs)
- Fraud/identity theft

- Hate crimes
- Homeland security problems
- Homeless- or transient-related problems (panhandling)
- Illegal dumping/littering
- Illegal parking
- Loud music/noise from homes
- Mugging
- Physical assault
- School safety (e.g. bullying, fighting or weapons)
- Sexual assault/rape (adult)
- Stray/barking dogs
- Traffic issues/residential speeding
- Underage drinking
- Vandalism/graffiti

	Not at all	A little	Somewhat	A lot	To a great extent	Unsure/Don't know
7. To what extent do you feel safe in Croton-on-Hudson when you are outside alone during the day?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. To what extent do you feel safe in Croton-on-Hudson when you are outside alone at night?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	Decreased a lot	Decreased some	Stayed the same	Increased some	Increased a lot	Unsure/Don't know
9. Over the last 12 months, to what extent have your feelings of safety in your community increased, decreased, or stayed the same?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Procedural Justice

	Not at all	A little	Somewhat	A lot	To a great extent	Unsure/Don't know
10. To what extent do officers in the Croton Police Department treat people fairly?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
11. To what extent do officers in the Croton Police Department show concern for community members?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
12. To what extent are officers in the Croton Police Department respectful?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
13. To what extent is the Croton Police Department responsive to the concerns of community members?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
14. To what extent do you trust the Croton Police Department?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	Not at all	A little	Somewhat	A lot	To a great extent	N/A
15. If you had contact with an officer of the Croton Police Department during the last 12 months, to what extent did the officer sufficiently explain his or her actions and procedures?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Performance

	Not at all	A little	Somewhat	A lot	To a great extent	Unsure/Don't know
16. To what extent is the Croton Police Department effective at proactively preventing crime?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
17. To what extent is the Croton Police Department addressing the problems that really concern you?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
18. To what extent are you satisfied with the overall performance of the Croton Police Department?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Contact and Satisfaction

	0 times	1-2 times	3-4 times	5-6 times	7 or more times
19a. How many times in the past 12 months have you had contact with the Croton Police Department for traffic issues (e.g., citation, warning or vehicle crash)? If 0 times, please go to question 20a.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	Very dissatisfied	Dissatisfied	Neither satisfied nor dissatisfied	Satisfied	Very satisfied
19b. To what extent are you satisfied with your interaction(s) with the Croton Police Department for traffic issues?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	0 times	1-2 times	3-4 times	5-6 times	7 or more times
20a. How many times in the past 12 months have you had contact with the Croton Police Department for 911 emergency calls? If 0 times, please proceed to question 21a.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	Very dissatisfied	Dissatisfied	Neither satisfied nor dissatisfied	Satisfied	Very satisfied
20b. To what extent are you satisfied with your interaction(s) with the Croton Police Department for 911 emergency calls?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	0 times	1-2 times	3-4 times	5-6 times	7 or more times
21a. How many times in the past 12 months have you had contact with the Croton Police Department for non-emergency calls (e.g., to report a crime or suspicious activity)? If 0 times, please proceed to question 22a.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	Very dissatisfied	Dissatisfied	Neither satisfied nor dissatisfied	Satisfied	Very satisfied
21b. To what extent are you satisfied with your interaction(s) with the Croton Police Department for non-emergency calls?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	0 times	1-2 times	3-4 times	5-6 times	7 or more times
22a. How many times in the past 12 months have you had contact with the Croton Police Department for other contacts or interactions (e.g., attend a community meeting or talk to an officer on patrol)? If 0 times, please proceed to question 23.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	Very dissatisfied	Dissatisfied	Neither satisfied nor dissatisfied	Satisfied	Very satisfied
22b. To what extent are you satisfied with your interaction(s) with the Croton Police Department for other contacts or interactions?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other Comments

23. Please provide any other comments you wish to share regarding the Croton Police Department below.

Demographics

24. How many years have you lived/worked in Croton-on-Hudson (leave blank if prefer not to answer)?

25. What is your gender?

- Male
- Female
- Prefer not to answer

26. Are you Hispanic or Latino?

- Yes
- No
- Prefer not to answer

27. What is your race?

- American Indian or Alaska Native
- Asian
- Black or African American
- Native Hawaiian or other Pacific Islander
- White
- Prefer not to answer

28. What is your age group?

- 17 years or younger
- 18-29 years
- 30-39 years
- 40-49 years
- 50-59 years
- 60-69 years

- 70 years or older
- Prefer not to answer

29. Please provide your name only if you wish to be contacted regarding your survey responses.

30. Please provide your email address only if you wish to be contacted regarding your survey answers.

Source URL: <https://www.crotononhudson-ny.gov/police-department/webforms/community-survey-public-safety-and-law-enforcement>

Croton on Hudson

Police Reform Task Force Data Analysis Sub-Committee

Compiled by: Alex Morales

Data Analysis Presentation Summary

- Village of Croton Q4 2020 Survey Analysis
- Croton Police Department “Suspicious Person/s” Reports Analysis
- Croton Police Department “Arrest” Report Analysis
- Croton Police Department “Citation” Reports Analysis

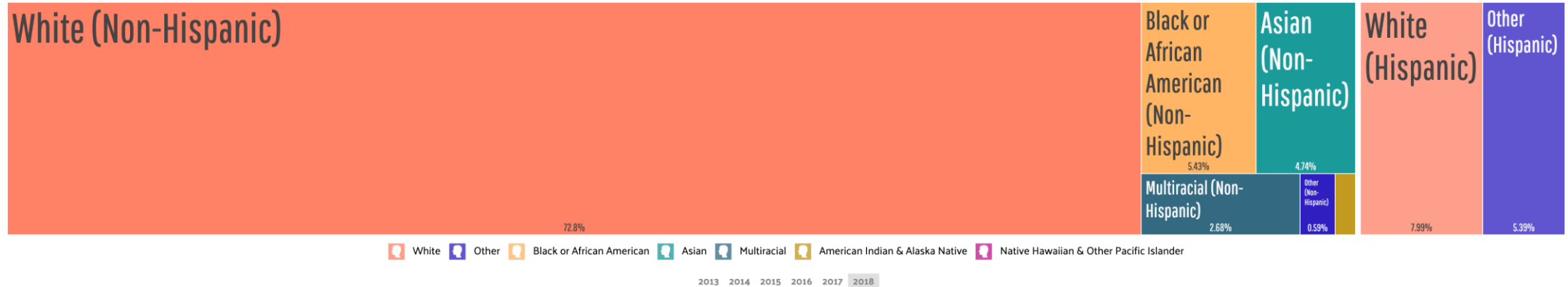
Village of Croton Q4 2020 Survey Analysis

Survey Information Summary

- 352 Survey Responses Received
 - 4 Demographic Questions
 - 22 Survey Questions
- Question Sections
 - Community Involvement
 - Safety
 - Procedural Justice
 - Performance
 - Contact and Satisfaction

Demographics – Census Data (Reference)

8.1k Population (2018)

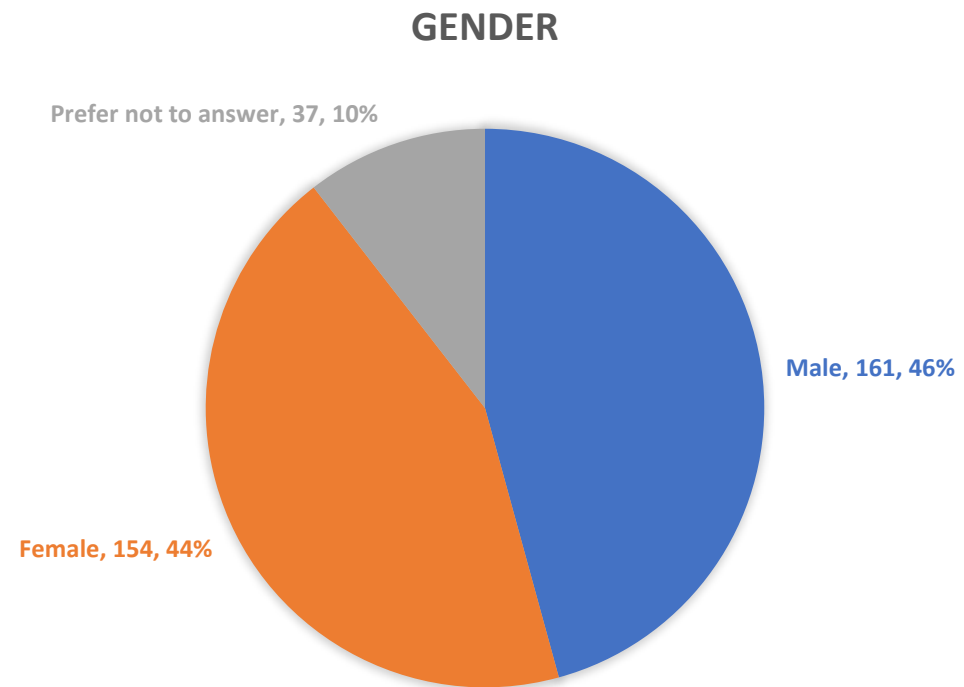


Data Verification

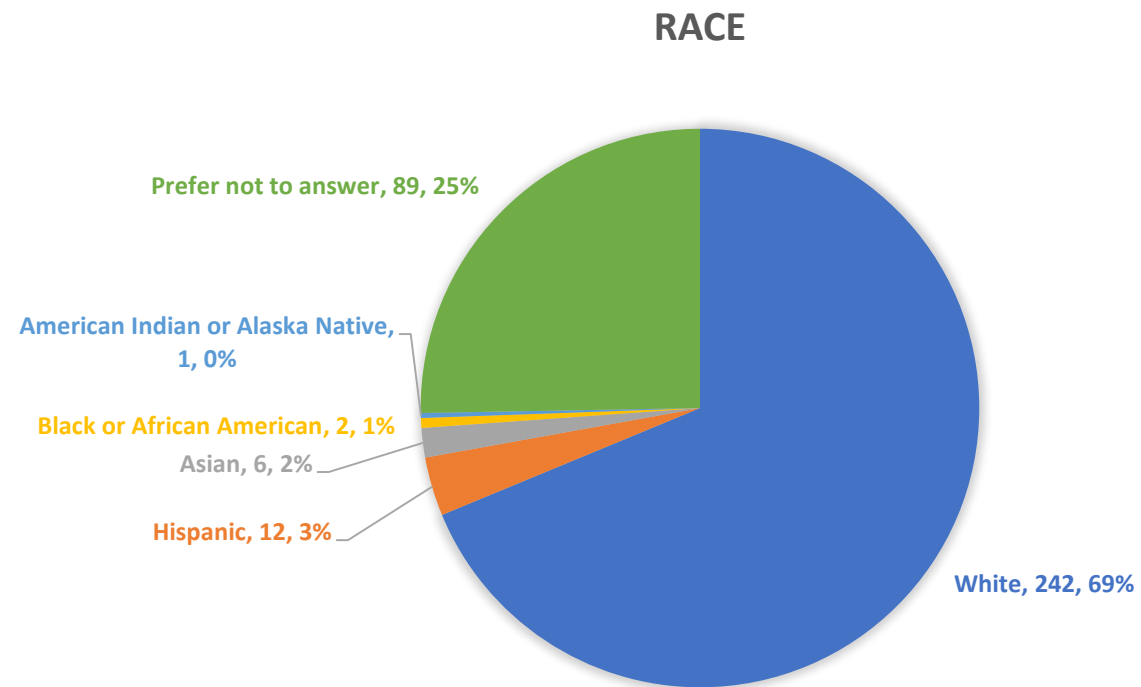
datausa.io

censusreporter.org

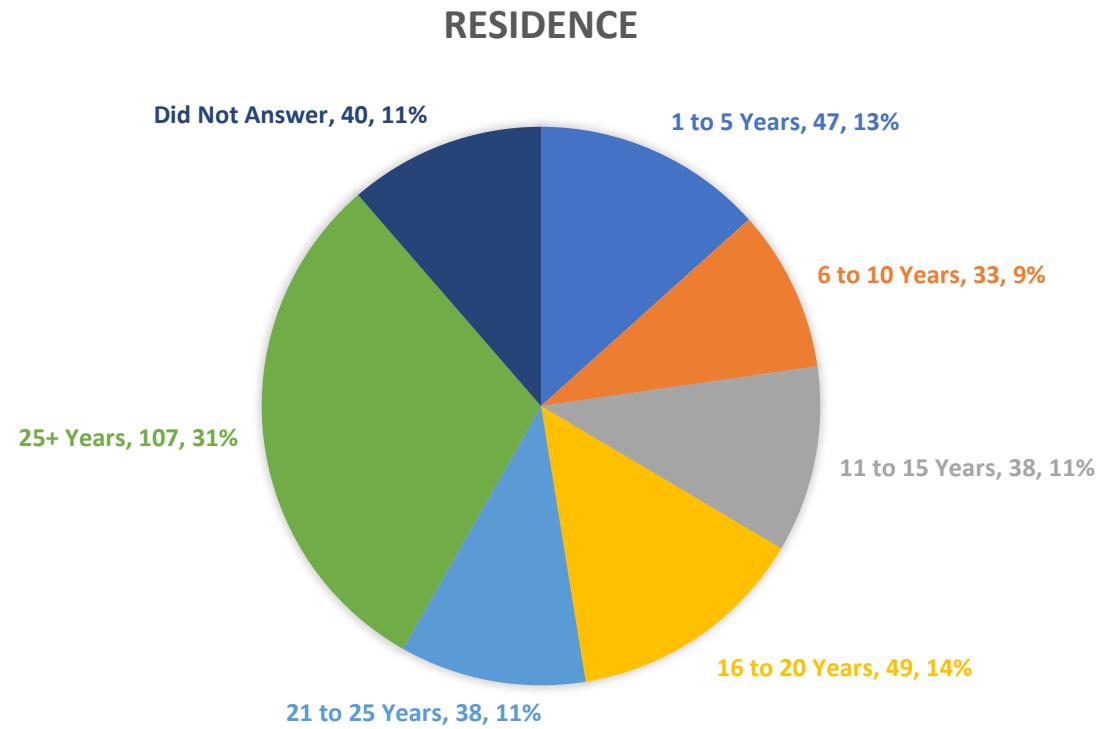
Demographics



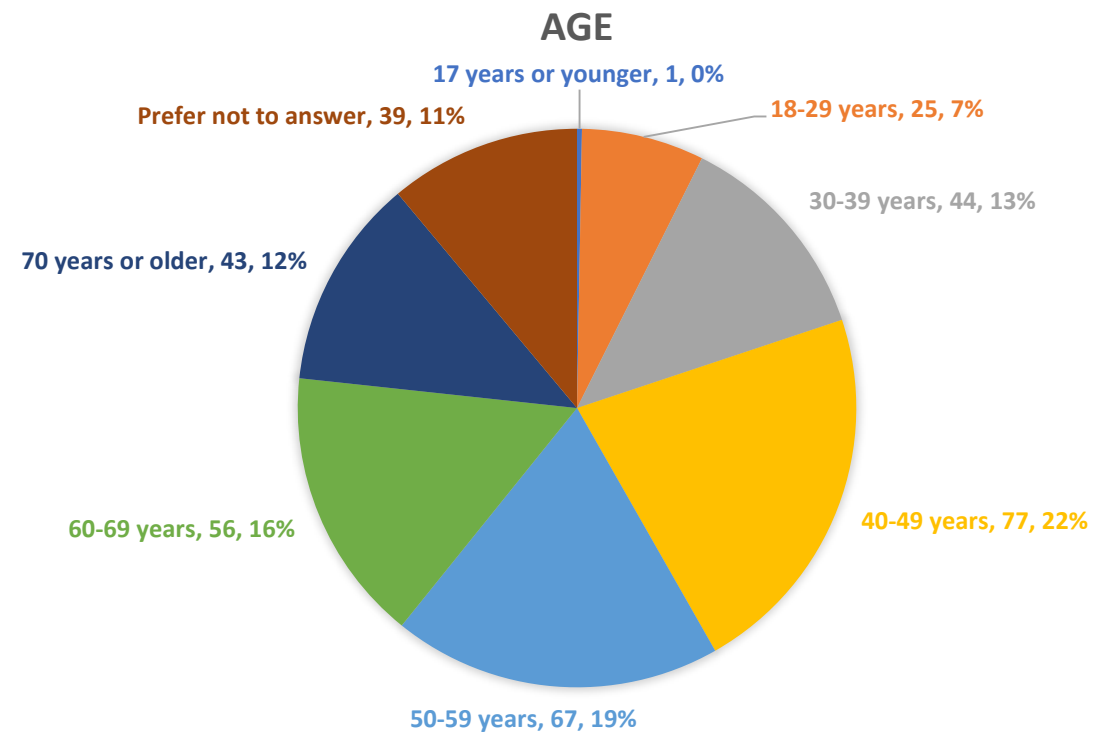
Demographics



Demographics

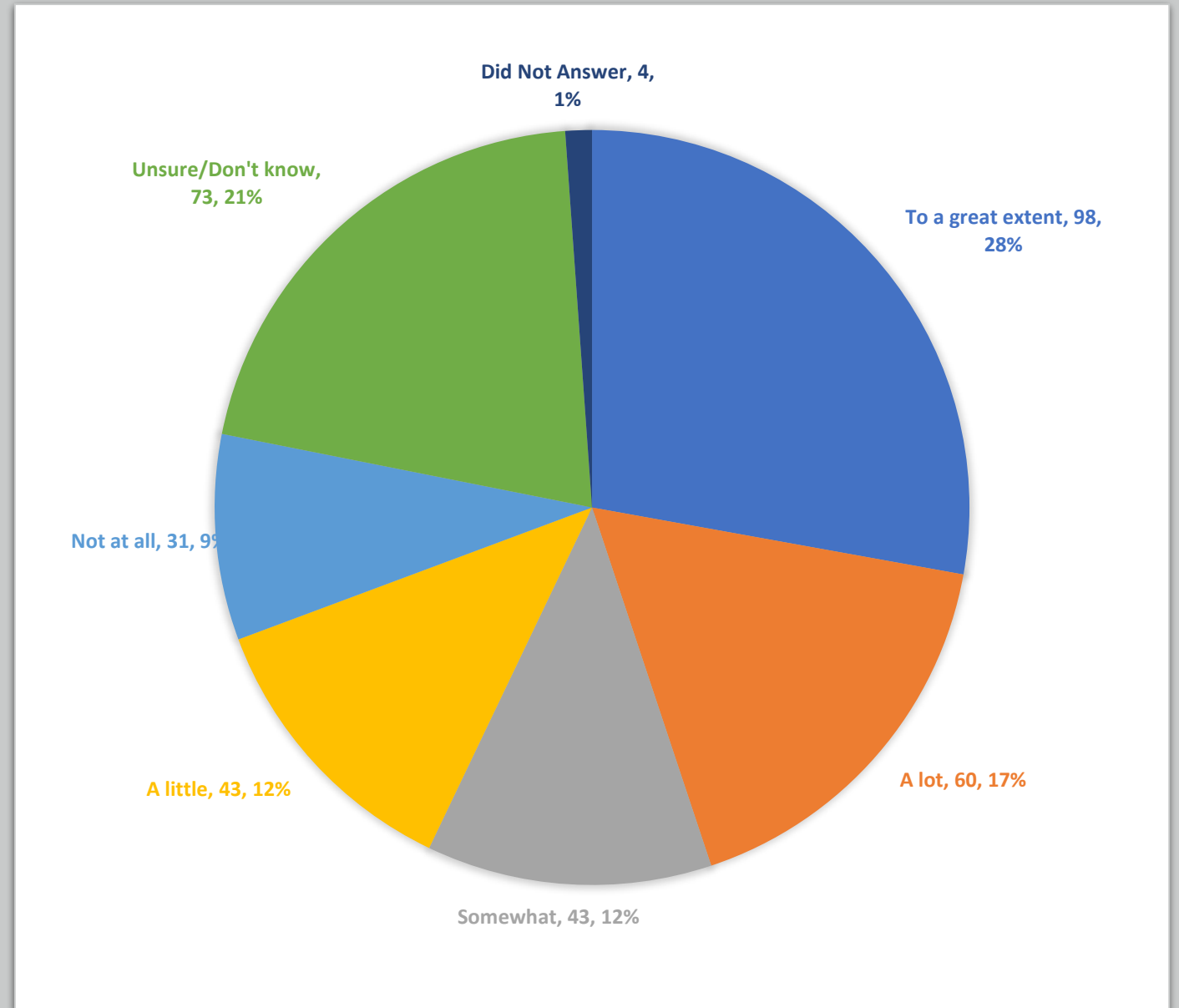


Demographics



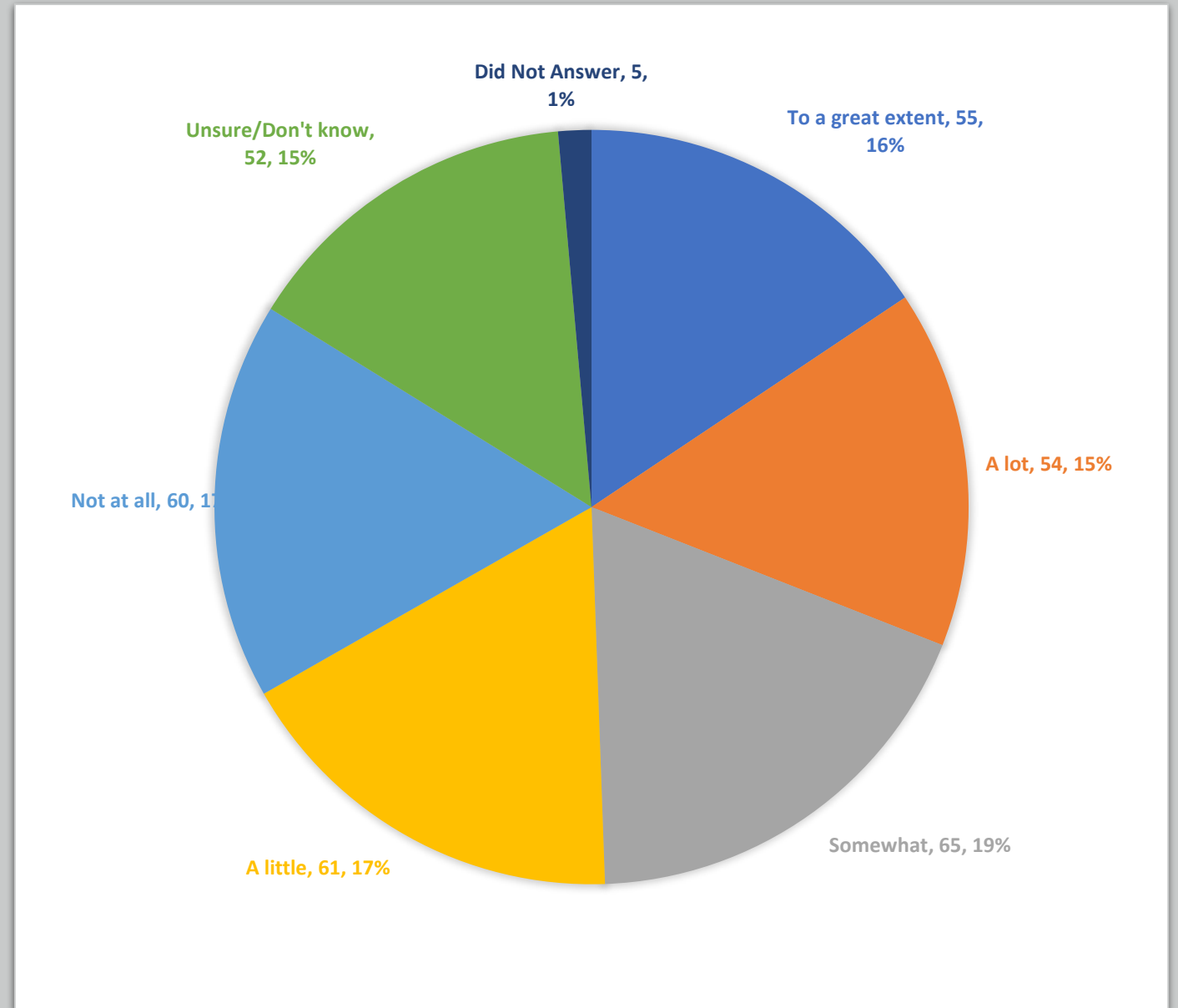
[Questions] Community Involvement

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



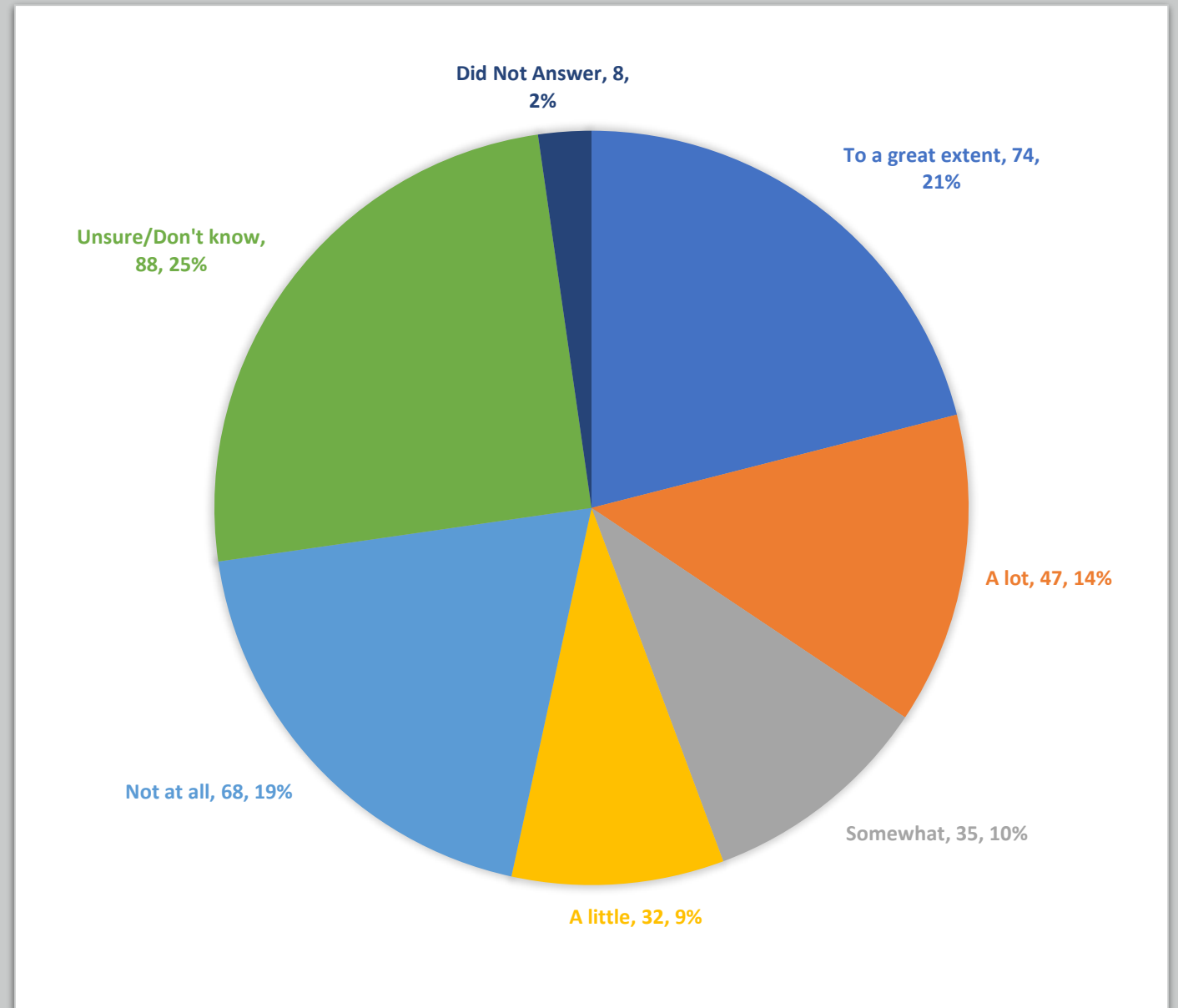
[Questions] Community Involvement

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



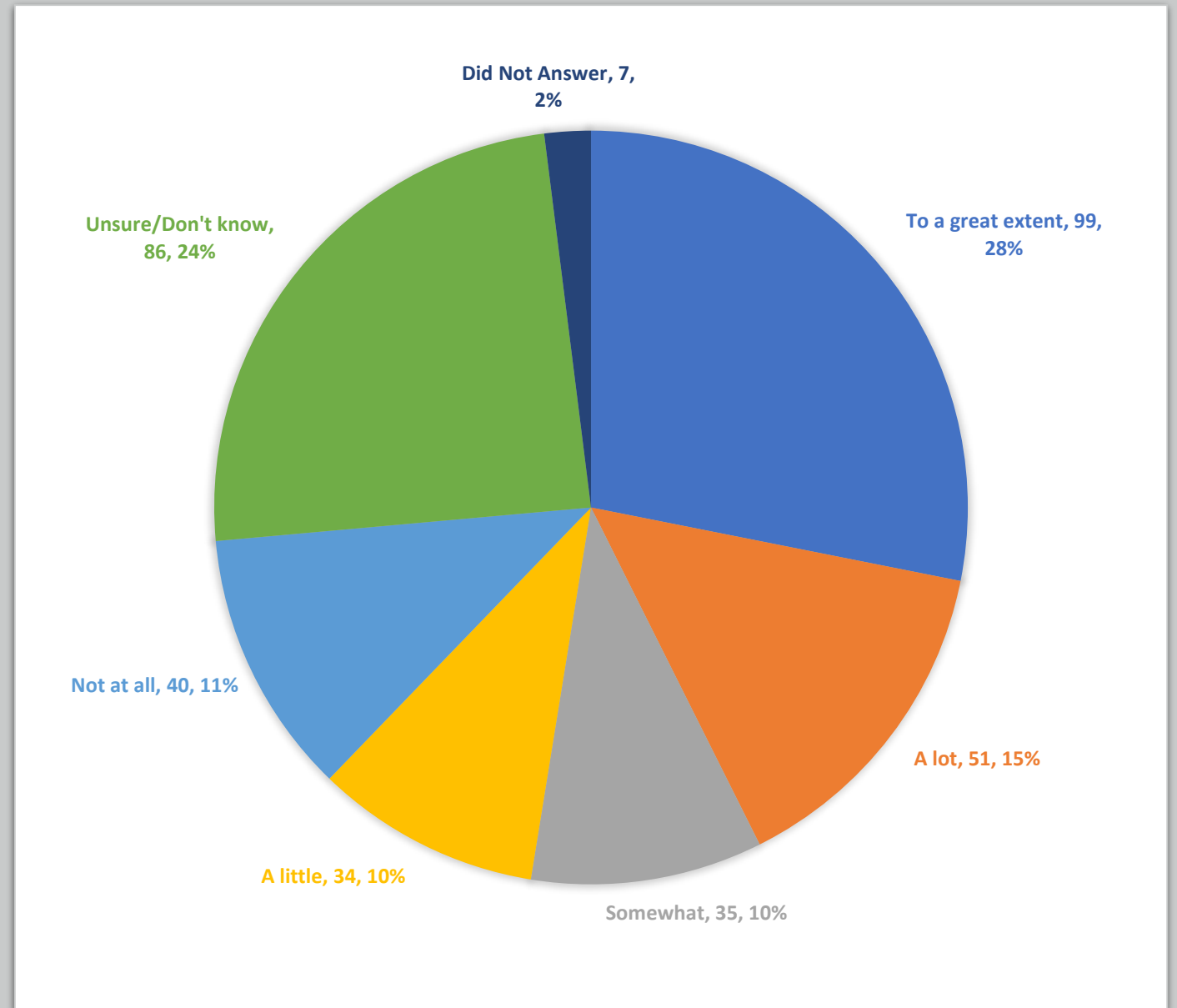
[Questions] Community Involvement

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



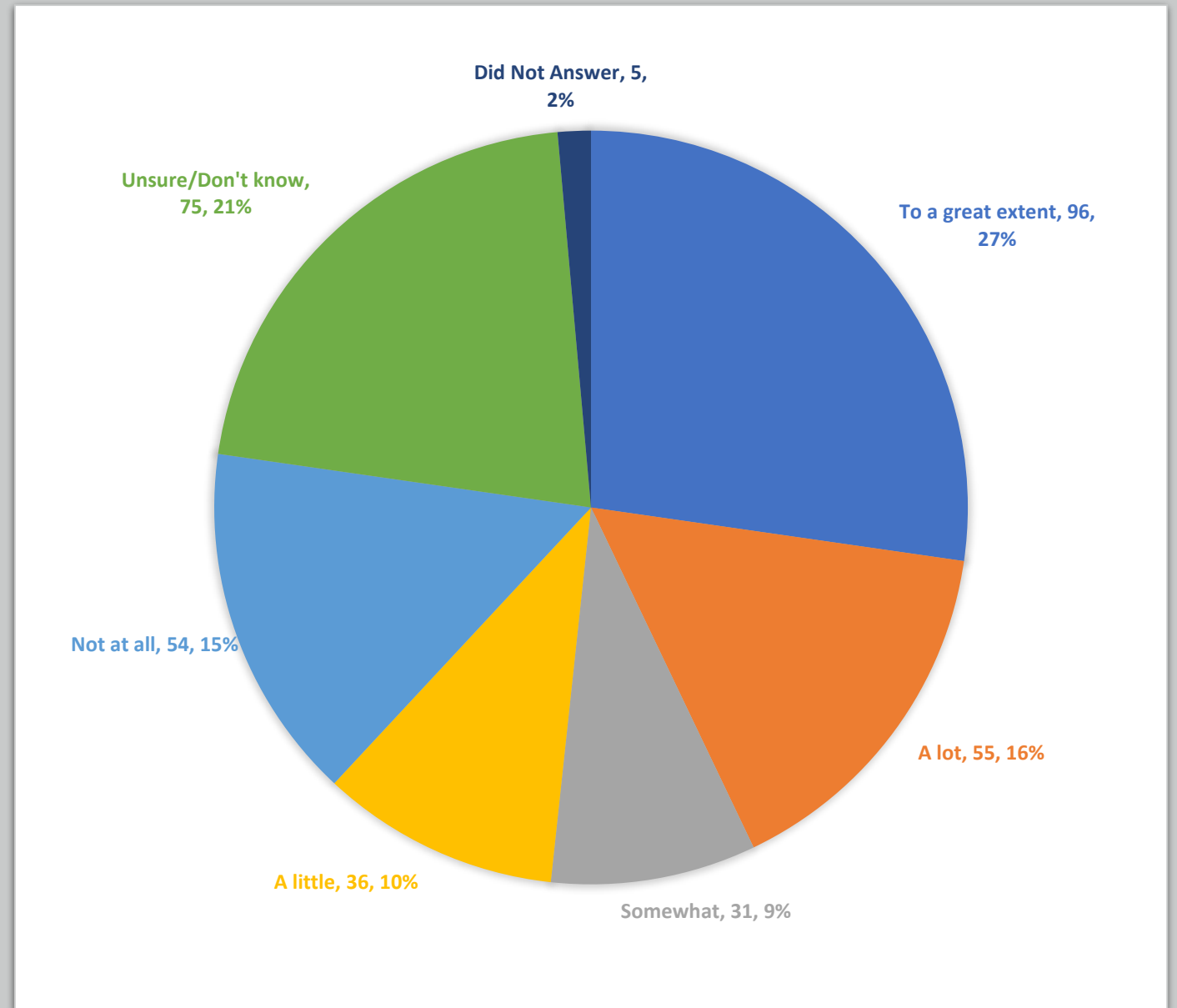
[Questions] Community Involvement

4. To what extent does the Croton Police Department work together with community members to solve local problems?



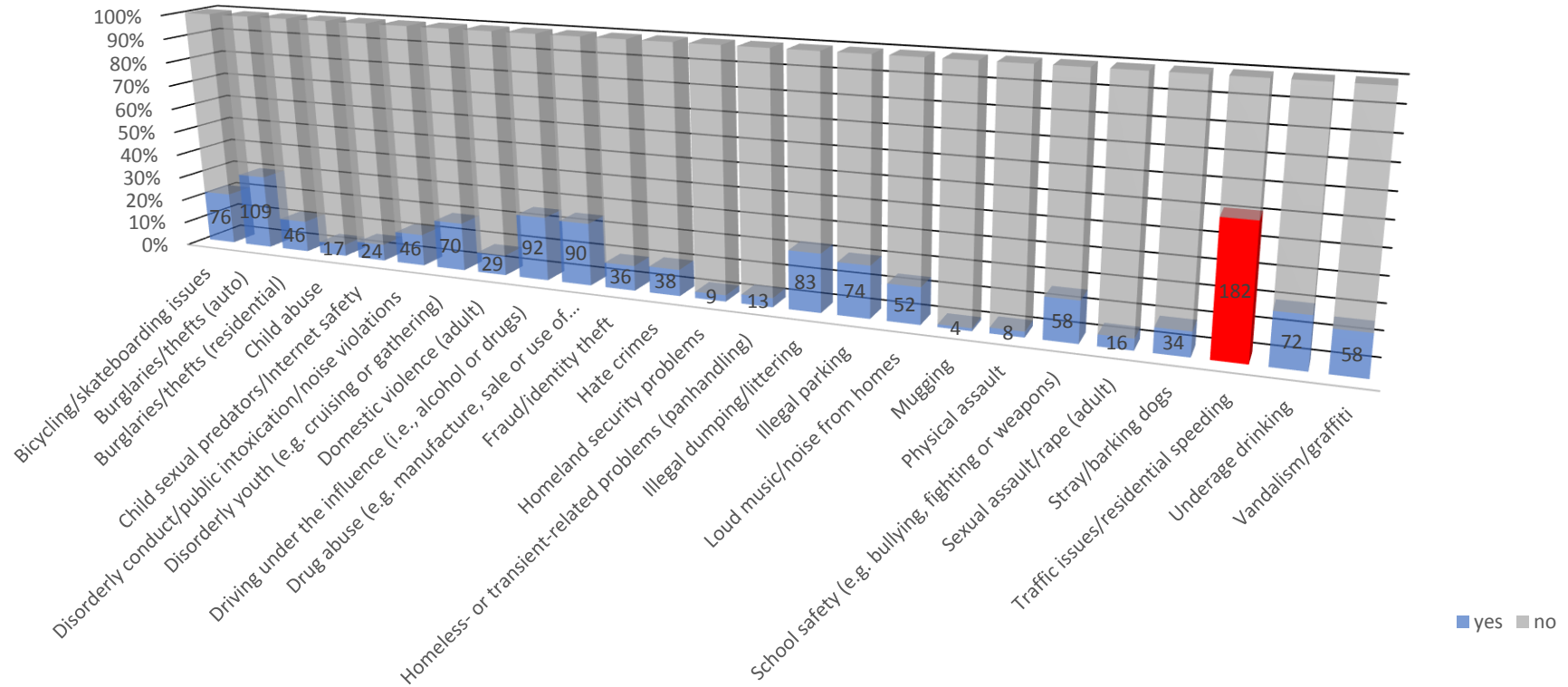
[Questions] Community Involvement

5. Community policing involves officers in the Croton Police Department working with the community to address the causes of crime in an effort to reduce the problems themselves through a wide range of activities. Based on this definition, to what extent do you think the Croton Police Department practices community policing?



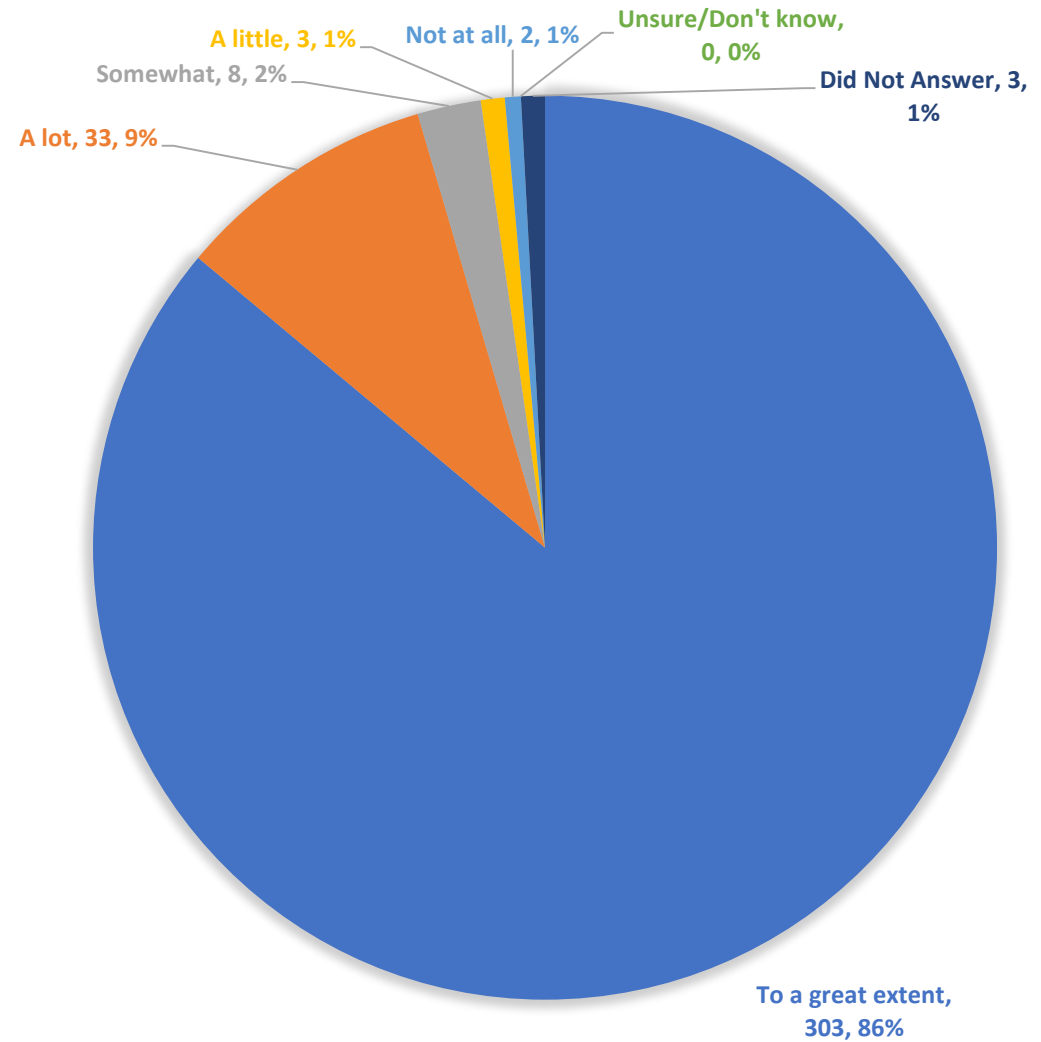
[Questions] Safety

SAFETY ISSUE IMPORTANCE



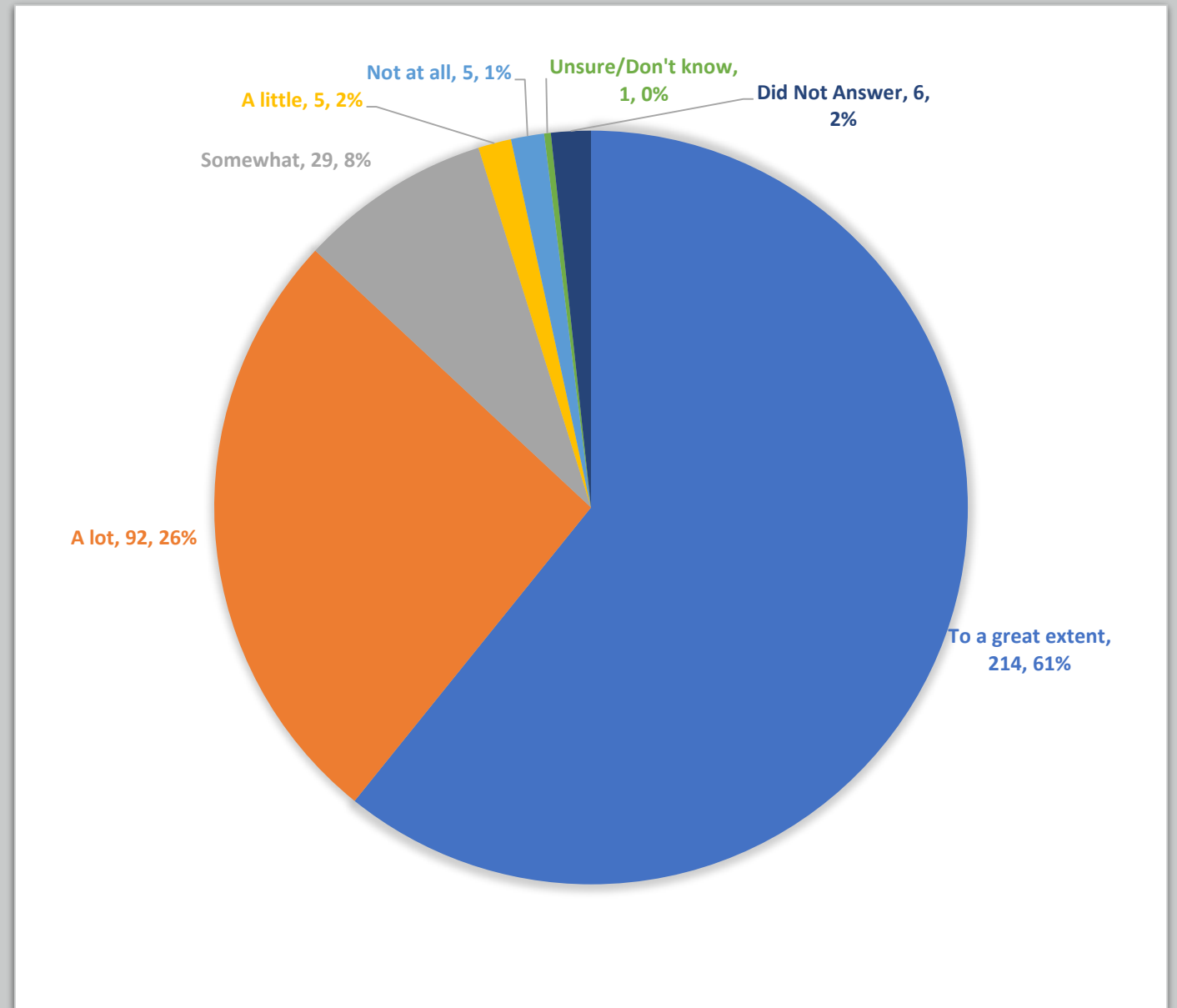
[Questions] Safety

7. To what extent do you feel safe in Croton-on-Hudson when you are outside alone during the day?



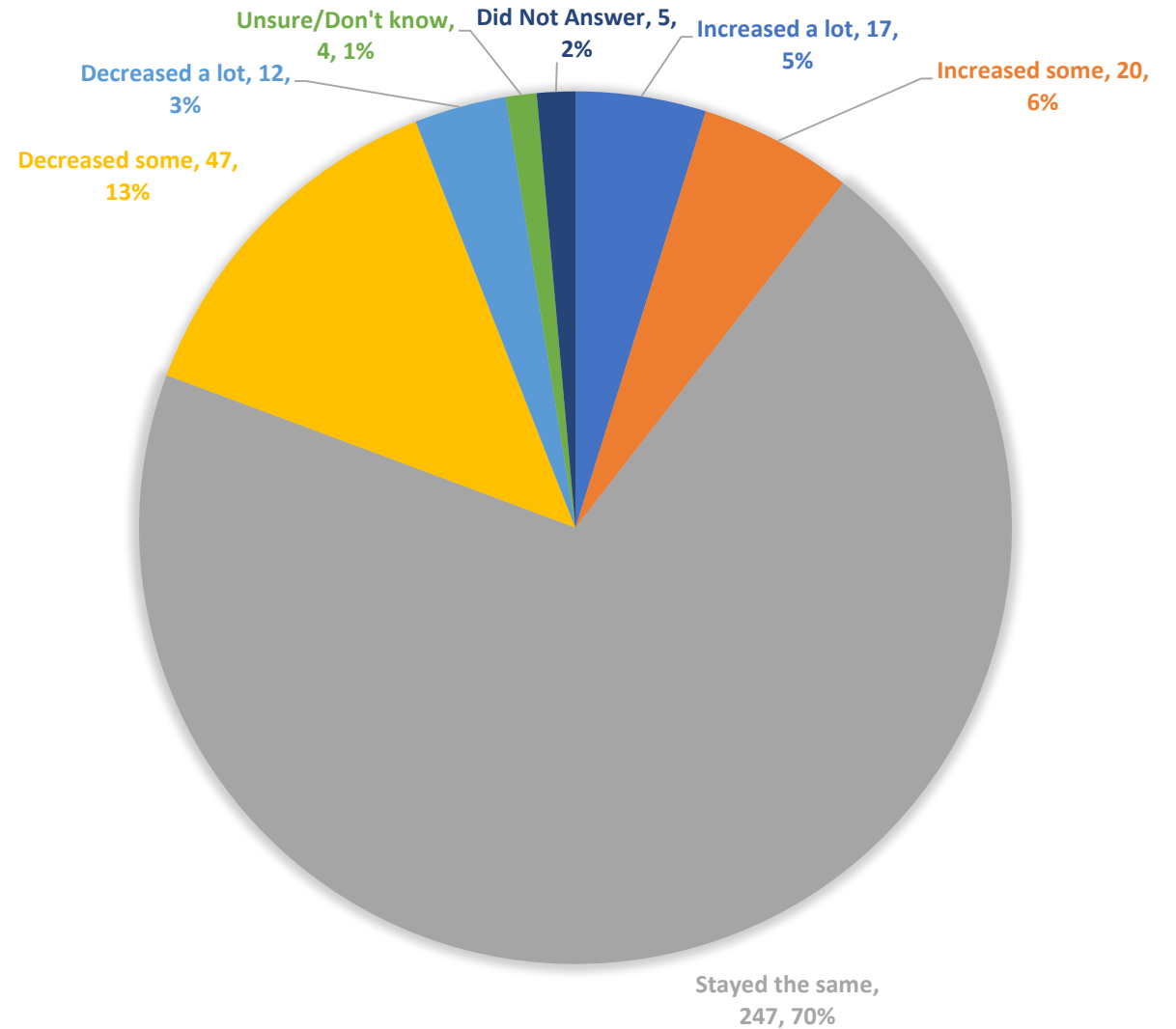
[Questions] Safety

8. To what extent do you feel safe in Croton-on-Hudson when you are outside alone at night?



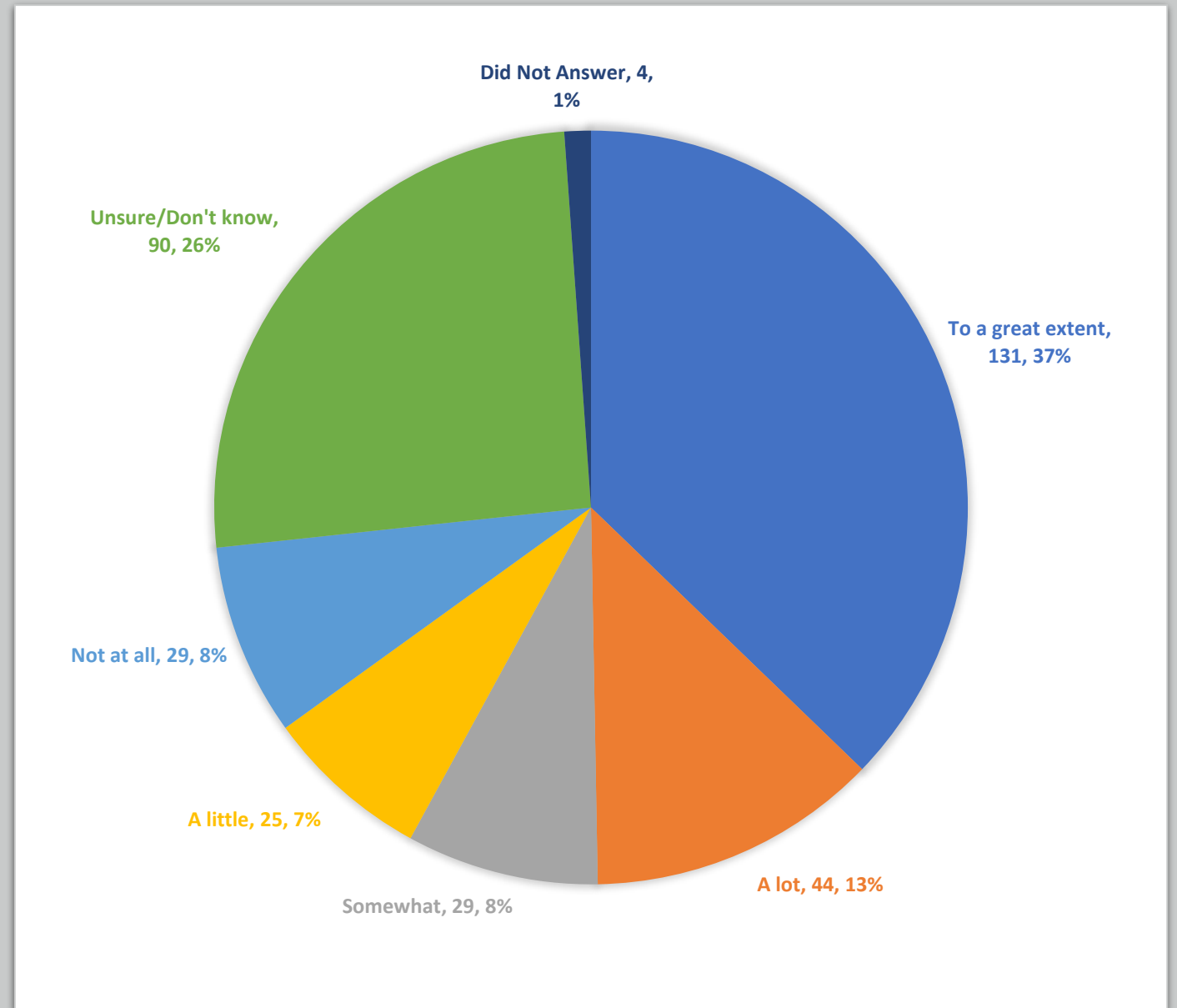
[Questions] Safety

9. Over the last 12 months, to what extent have your feelings of safety in your community increased, decreased, or stayed the same?



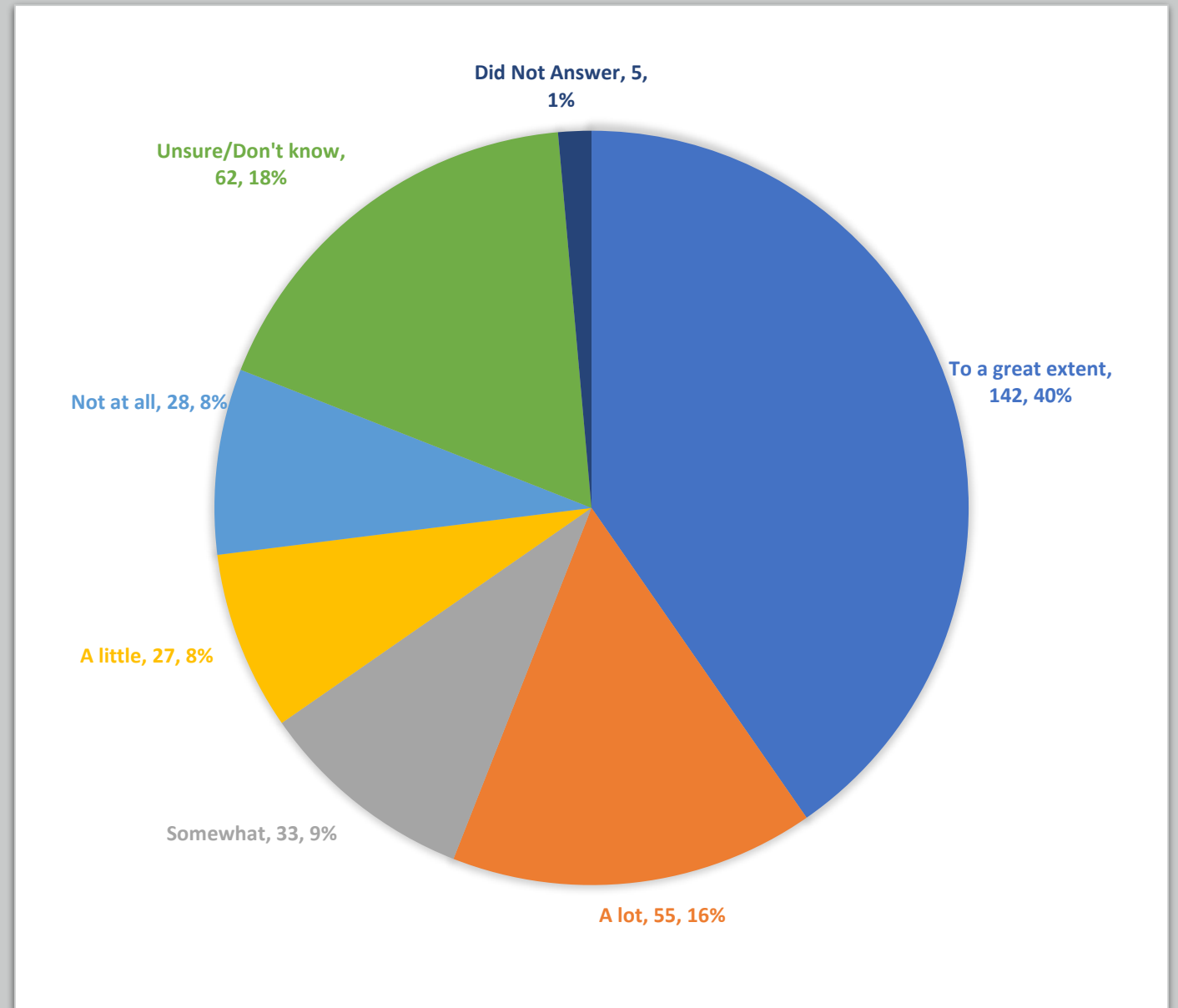
[Questions] Procedural Justice

10. To what extent do officers in the Croton Police Department treat people fairly?



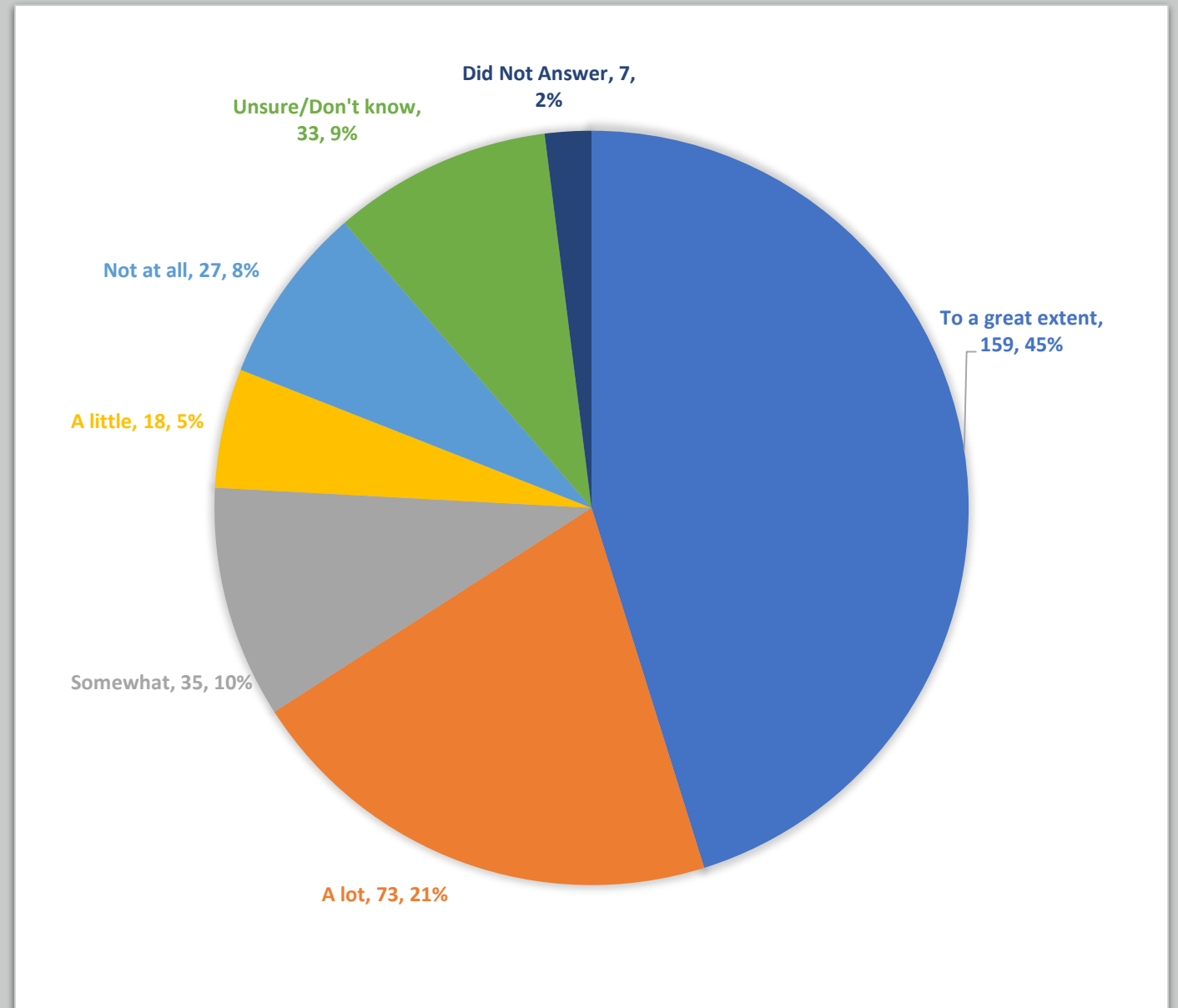
[Questions] Procedural Justice

11. To what extent do officers in the Croton Police Department show concern for community members?



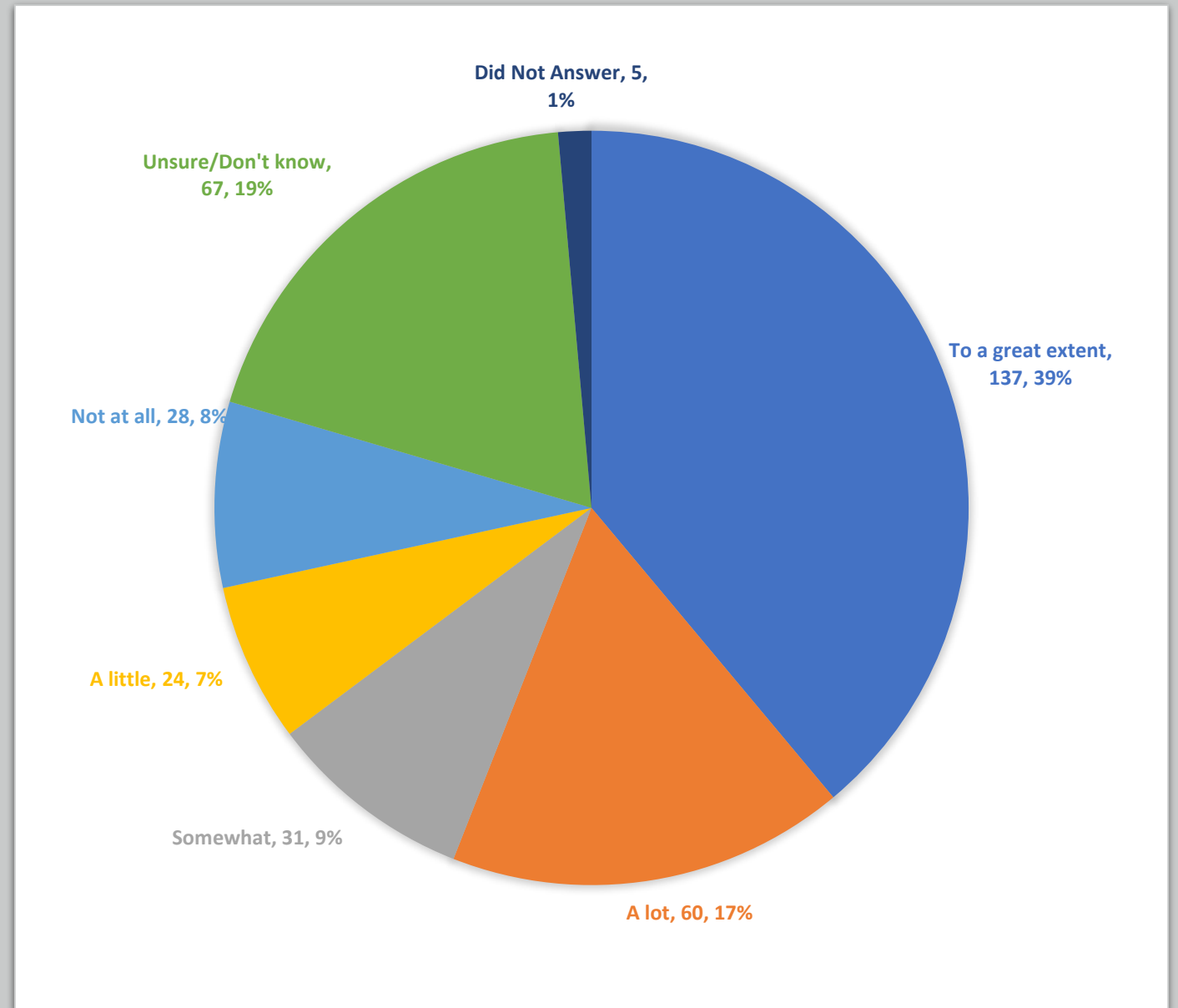
[Questions] Procedural Justice

12. To what extent are officers in the Croton Police Department respectful?



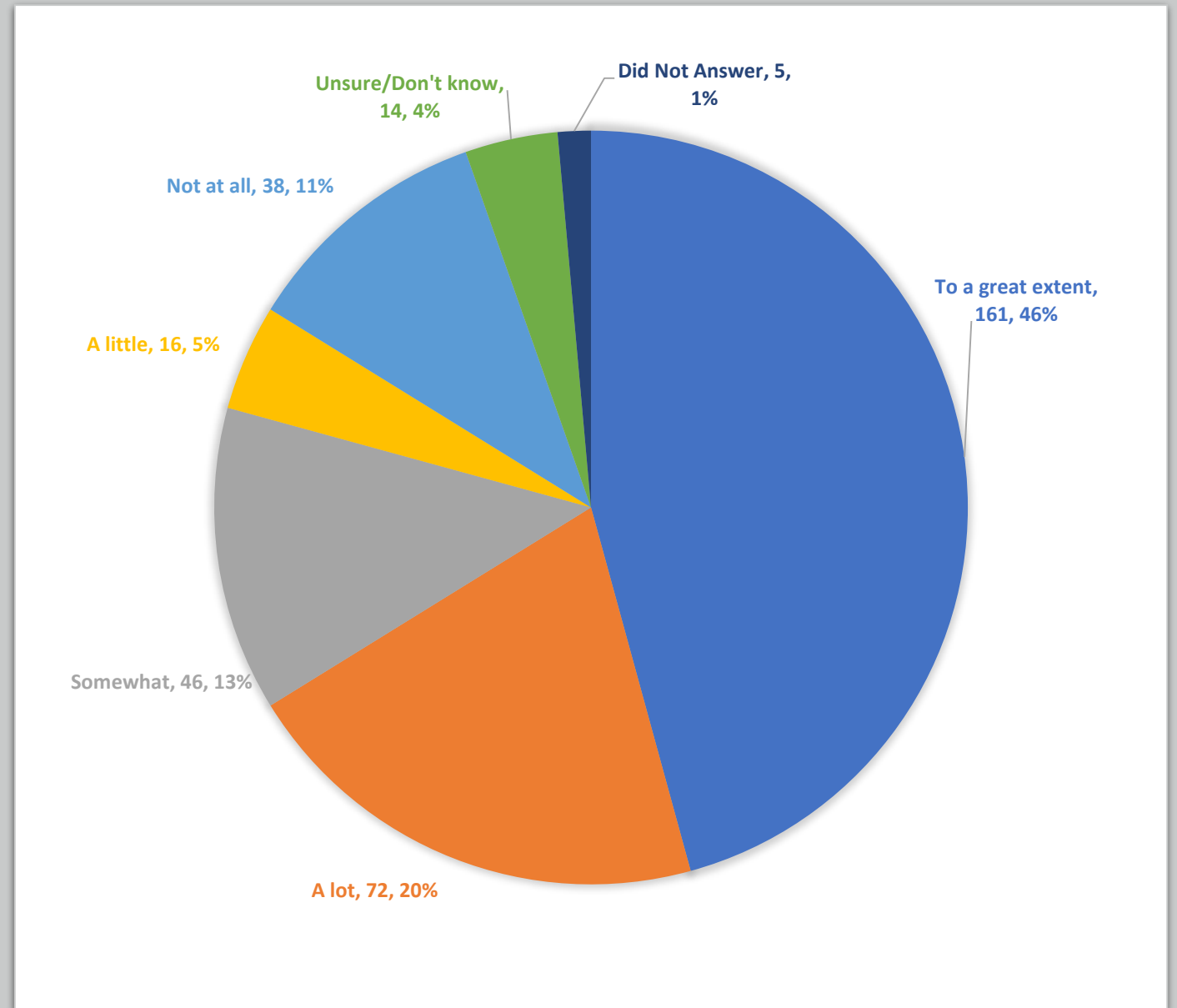
[Questions] Procedural Justice

13. To what extent is the Croton Police Department responsive to the concerns of community members?



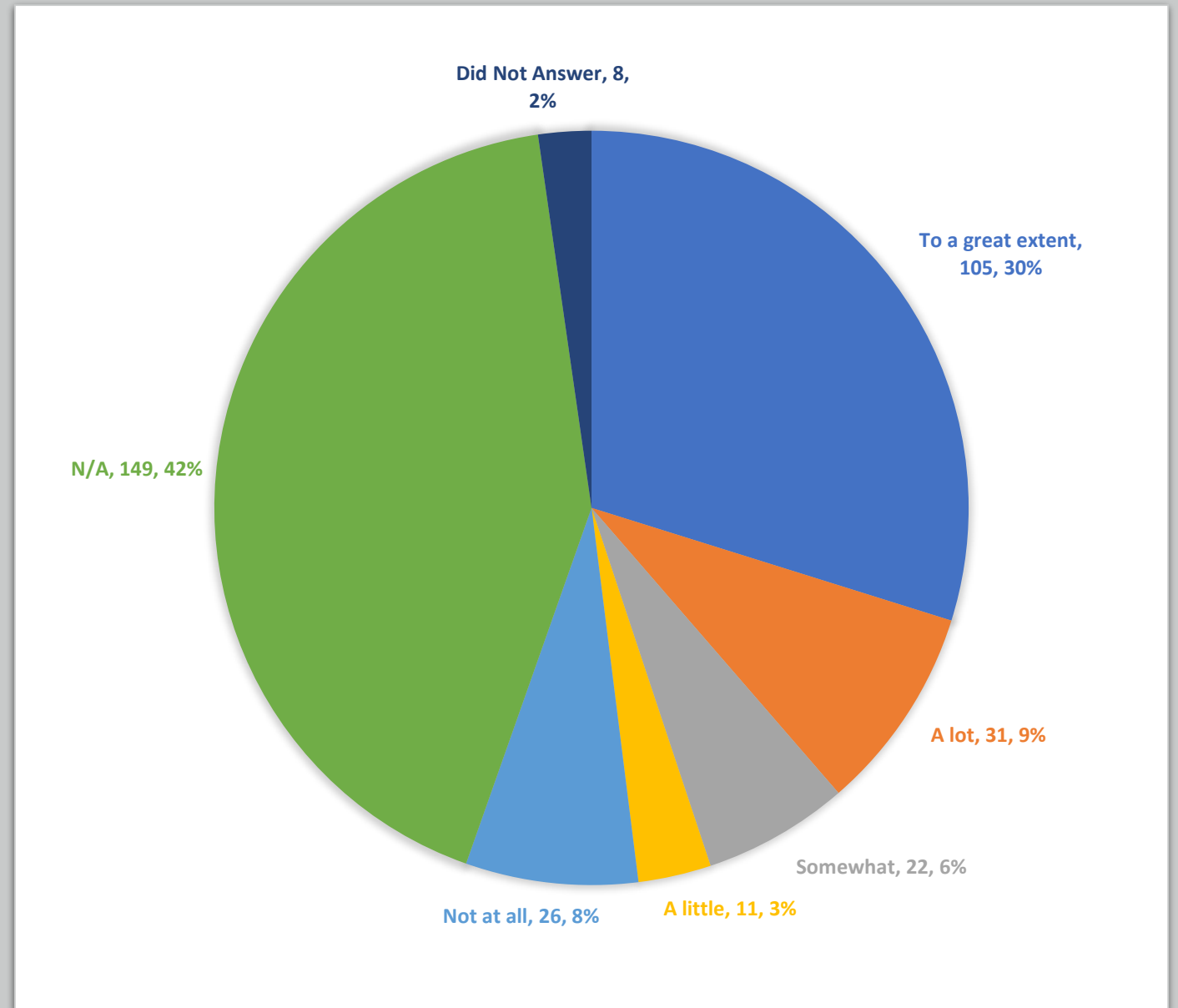
[Questions] Procedural Justice

14. To what extent do you trust the Croton Police Department?



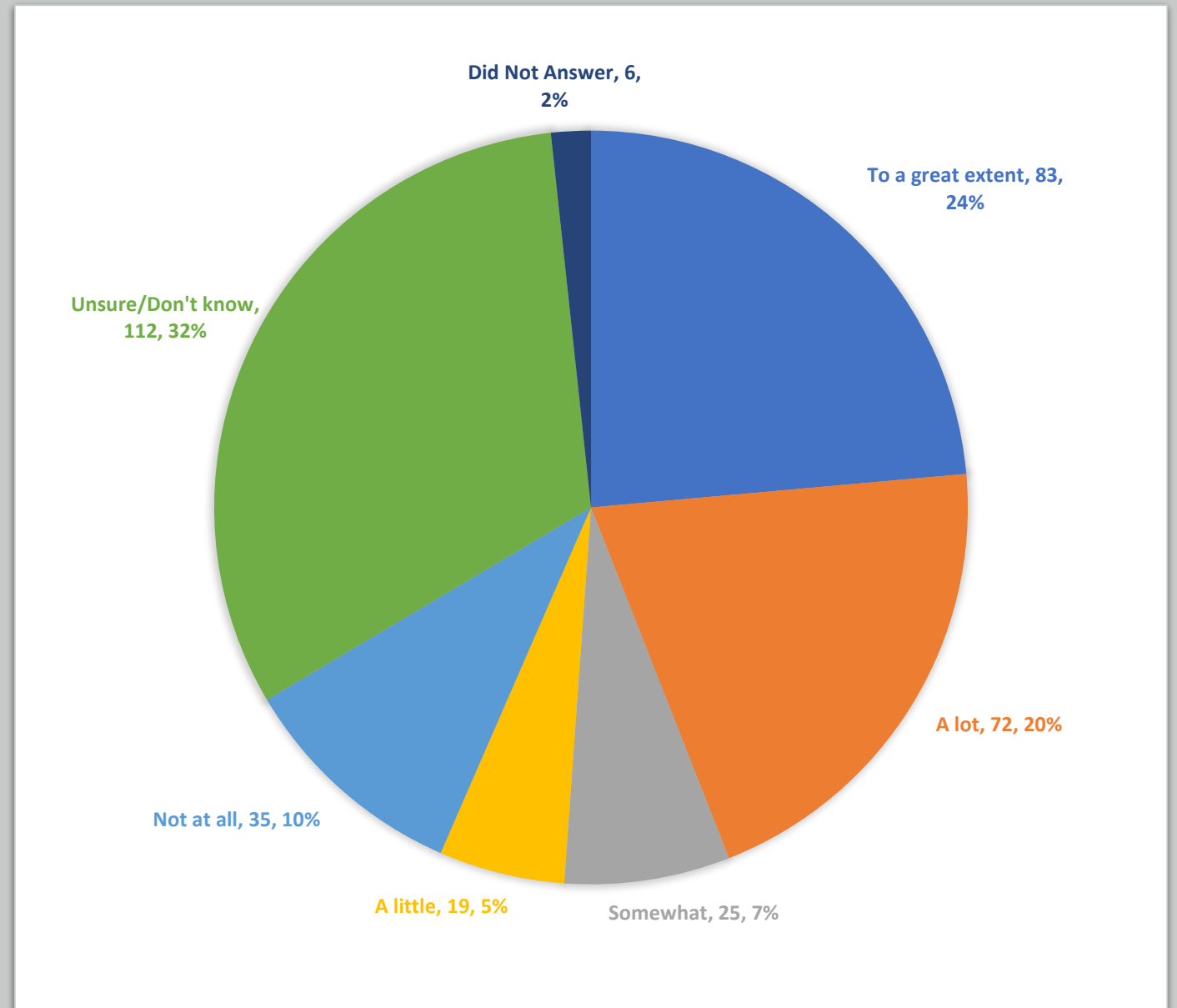
[Questions] Procedural Justice

15. If you had contact with an officer of the Croton Police Department during the last 12 months, to what extent did the officer sufficiently explain his or her actions and procedures?



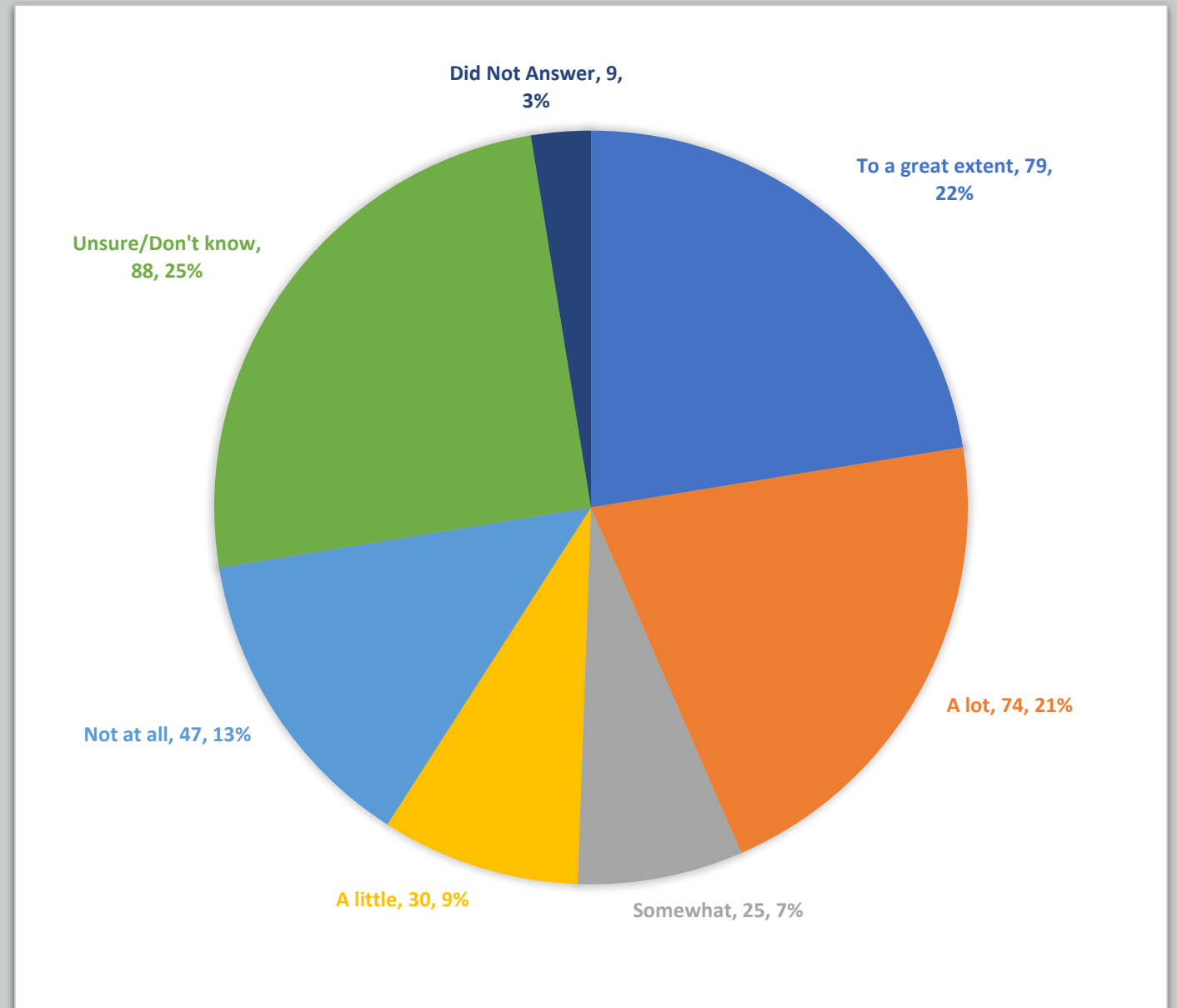
[Questions] Performance

16. To what extent is the Croton Police Department effective at proactively preventing crime?



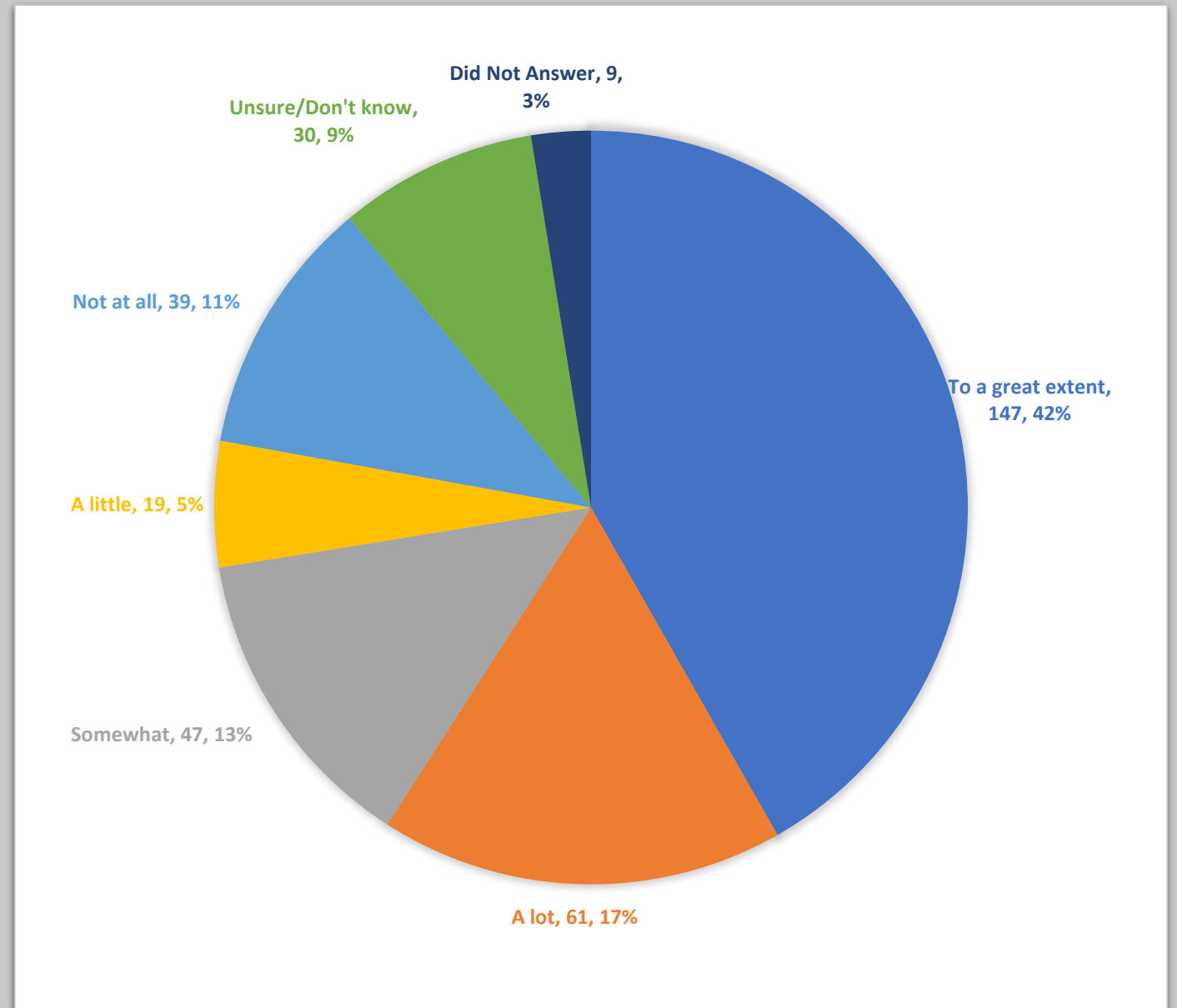
[Questions] Performance

17. To what extent is the Croton Police Department addressing the problems that really concern you?



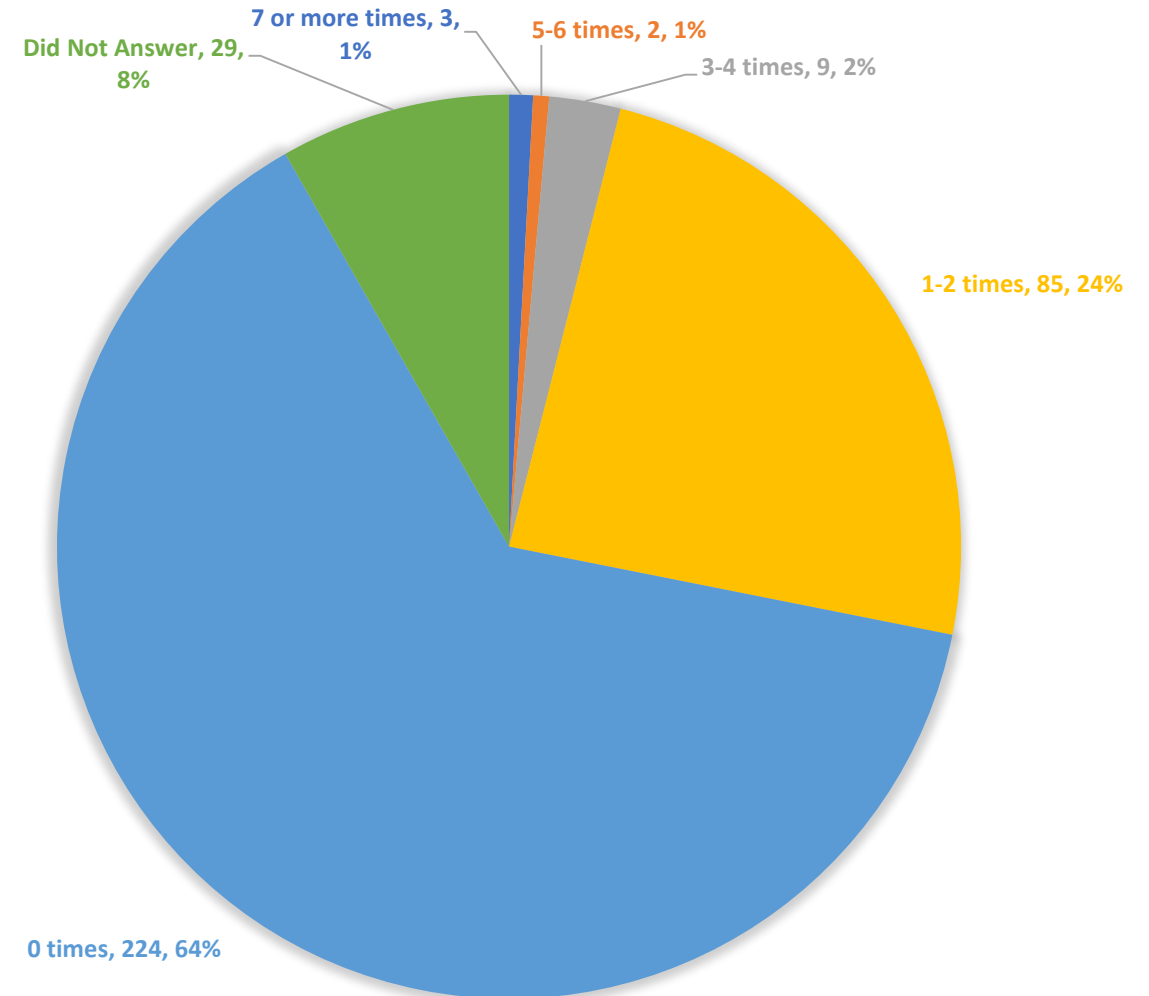
[Questions] Performance

18. To what extent are you satisfied with the overall performance of the Croton Police Department?



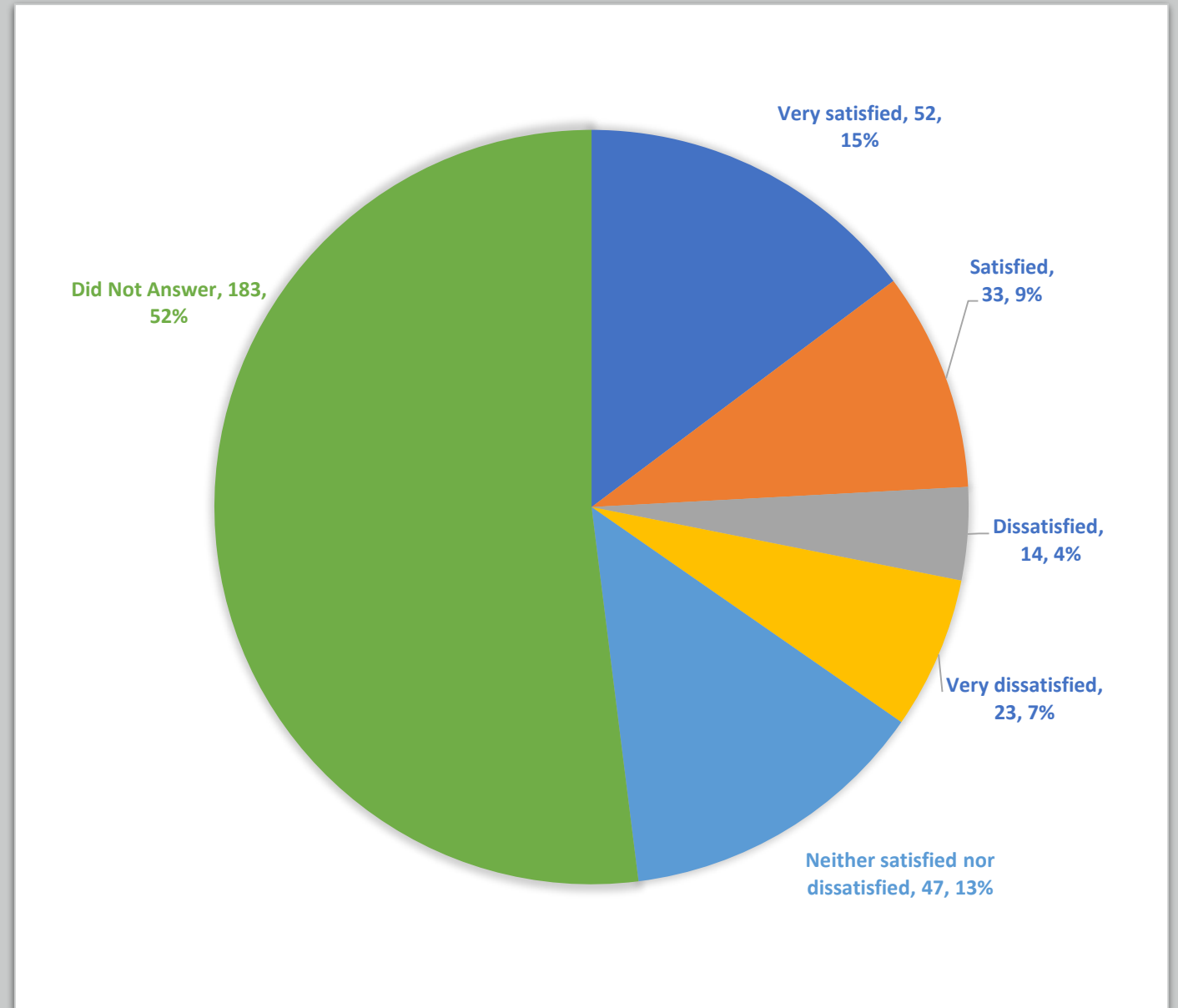
[Questions] Contact and Satisfaction

19a. How many times in the past 12 months have you had contact with the Croton Police Department for traffic issues (e.g., citation, warning or vehicle crash)? If 0 times, please go to question 20a.



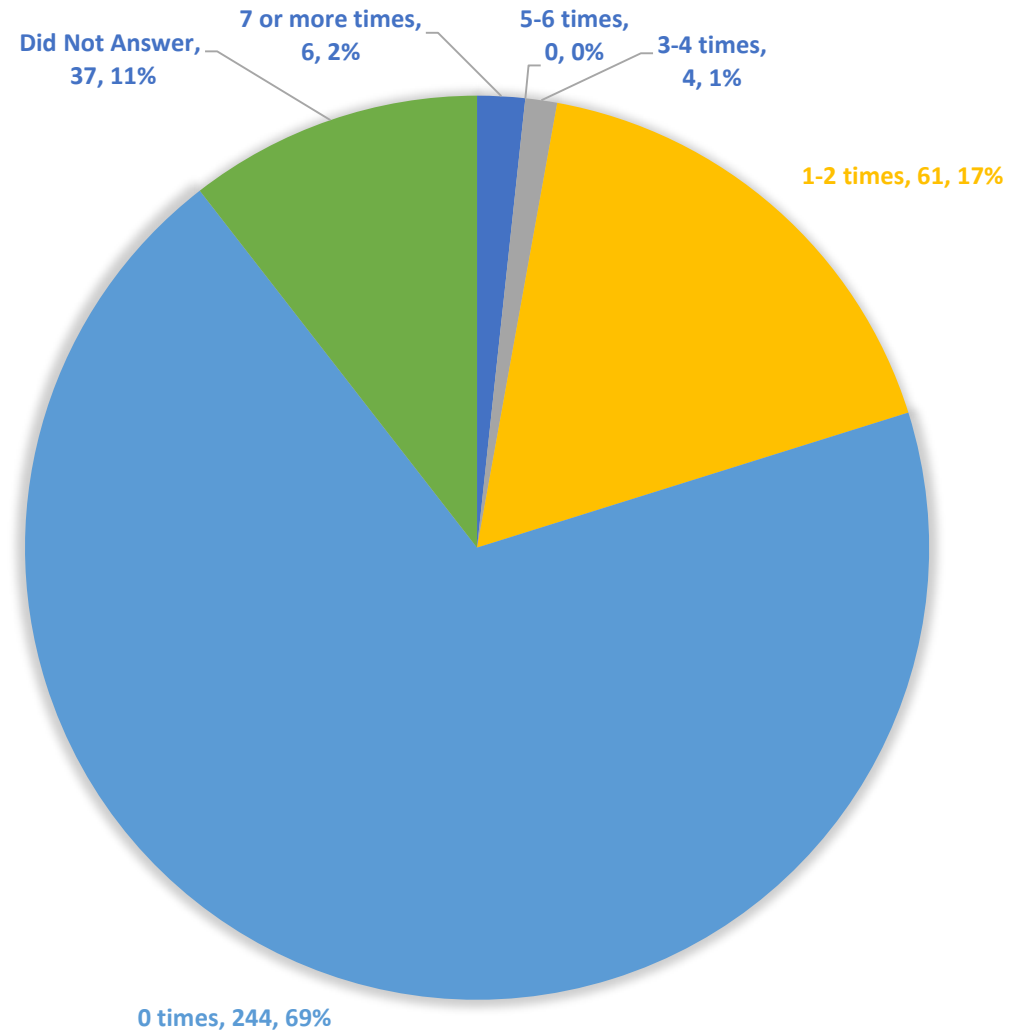
[Questions] Contact and Satisfaction

19b. To what extent are you satisfied with your interaction(s) with the Croton Police Department for traffic issues?



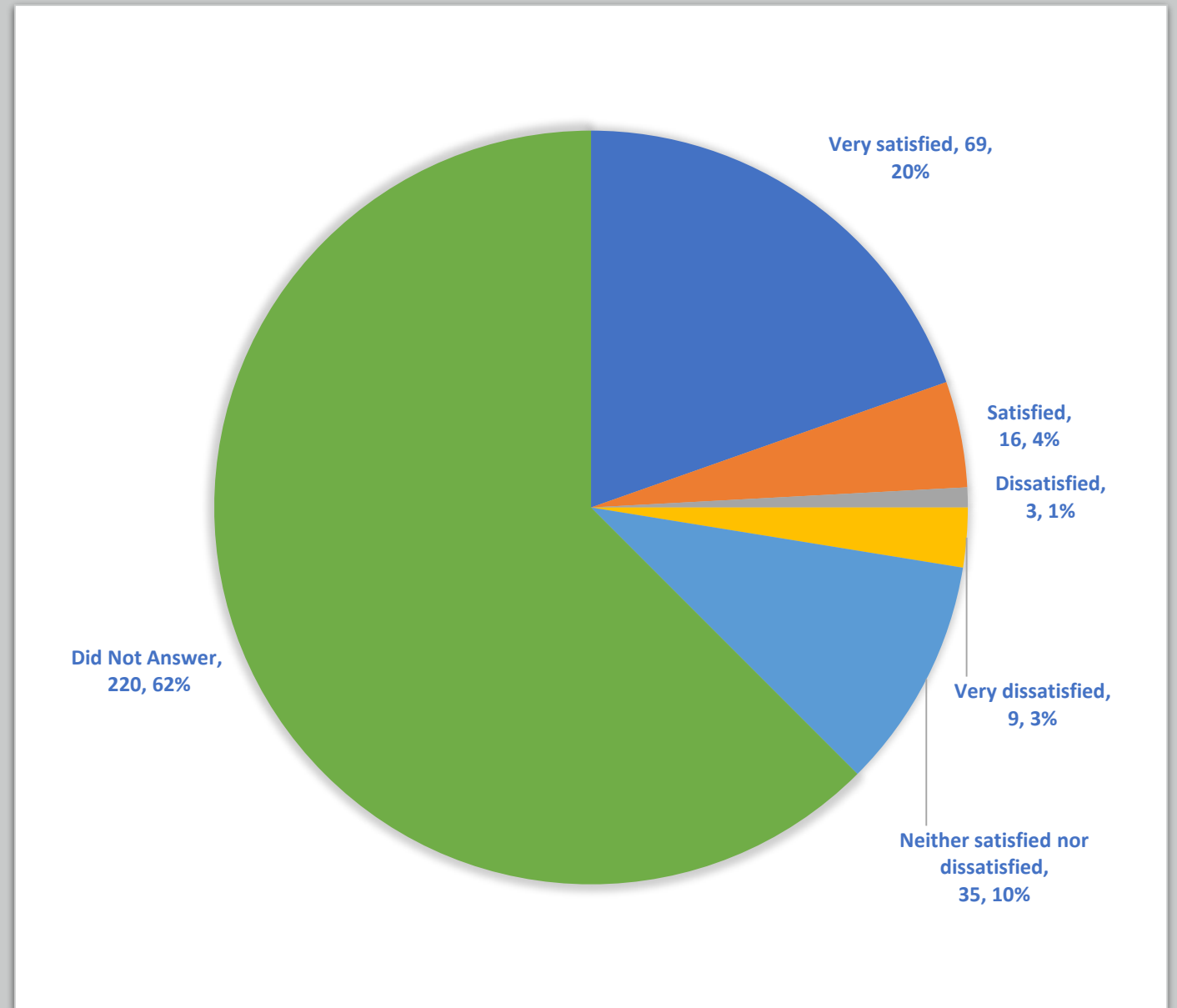
[Questions] Contact and Satisfaction

20a. How many times in the past 12 months have you had contact with the Croton Police Department for 911 emergency calls? If 0 times, please proceed to question 21a.



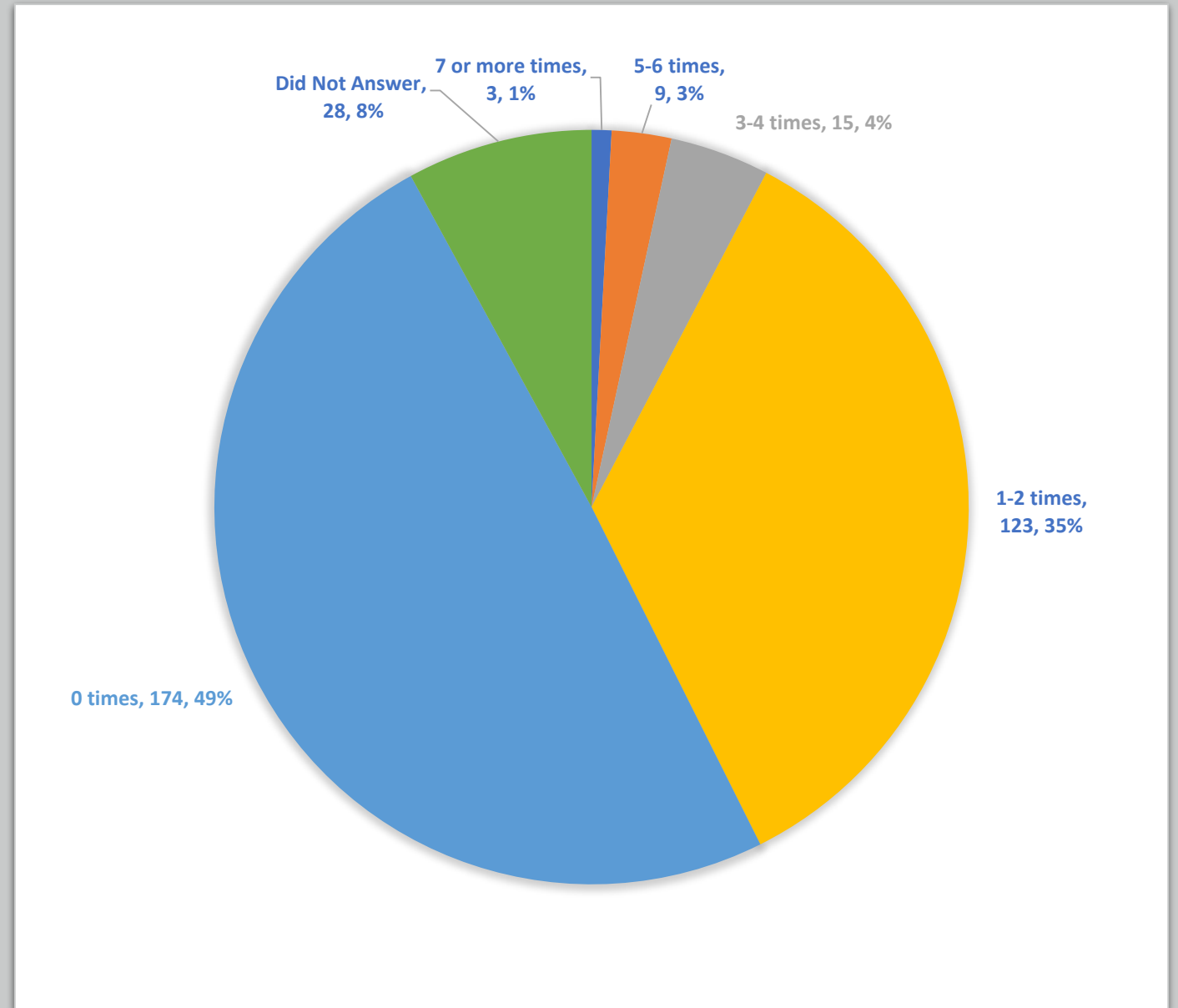
[Questions] Contact and Satisfaction

20b. To what extent are you satisfied with your interaction(s) with the Croton Police Department for 911 emergency calls?



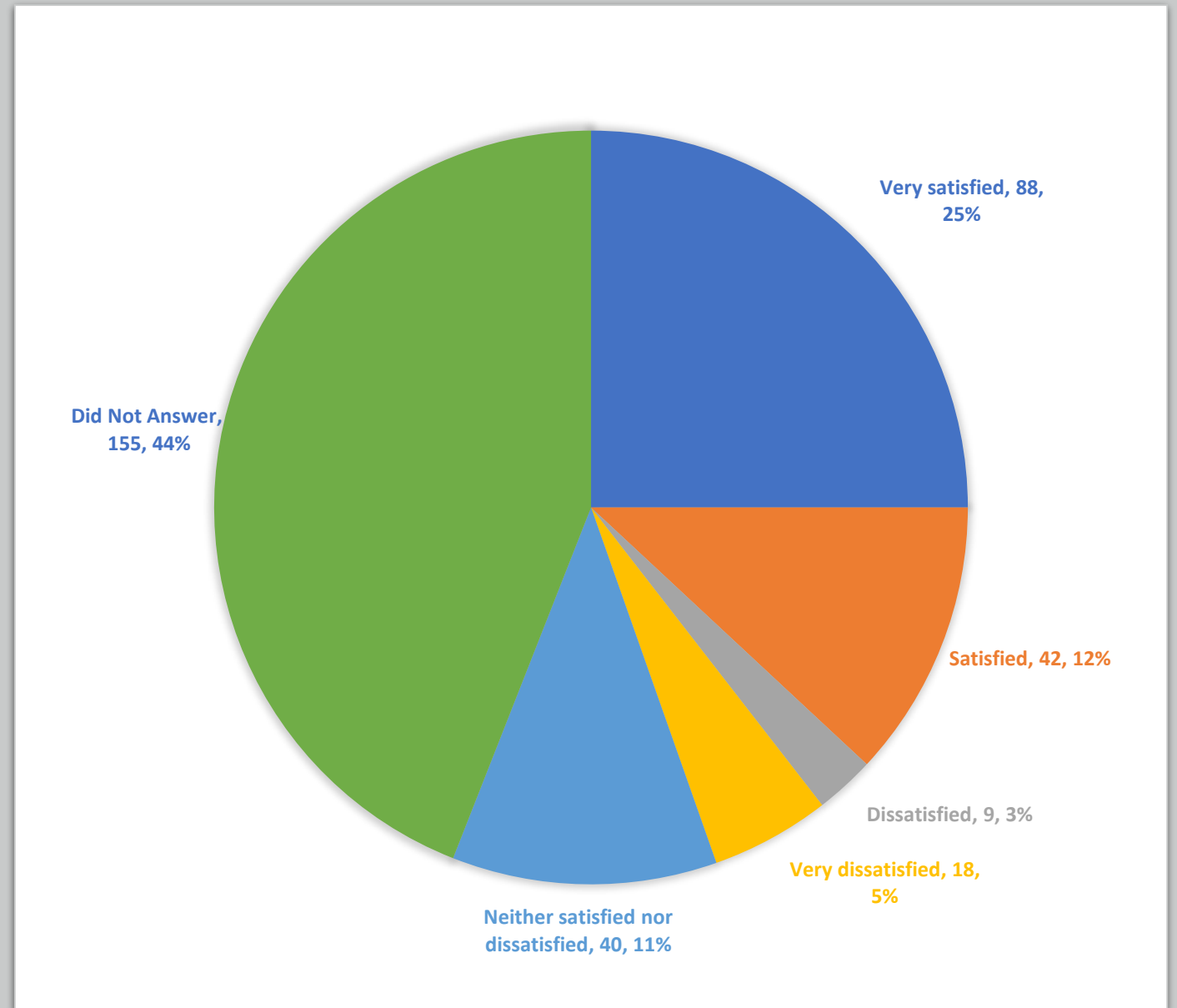
[Questions] Contact and Satisfaction

21a. How many times in the past 12 months have you had contact with the Croton Police Department for non-emergency calls (e.g., to report a crime or suspicious activity)? If 0 times, please proceed to question 22a.



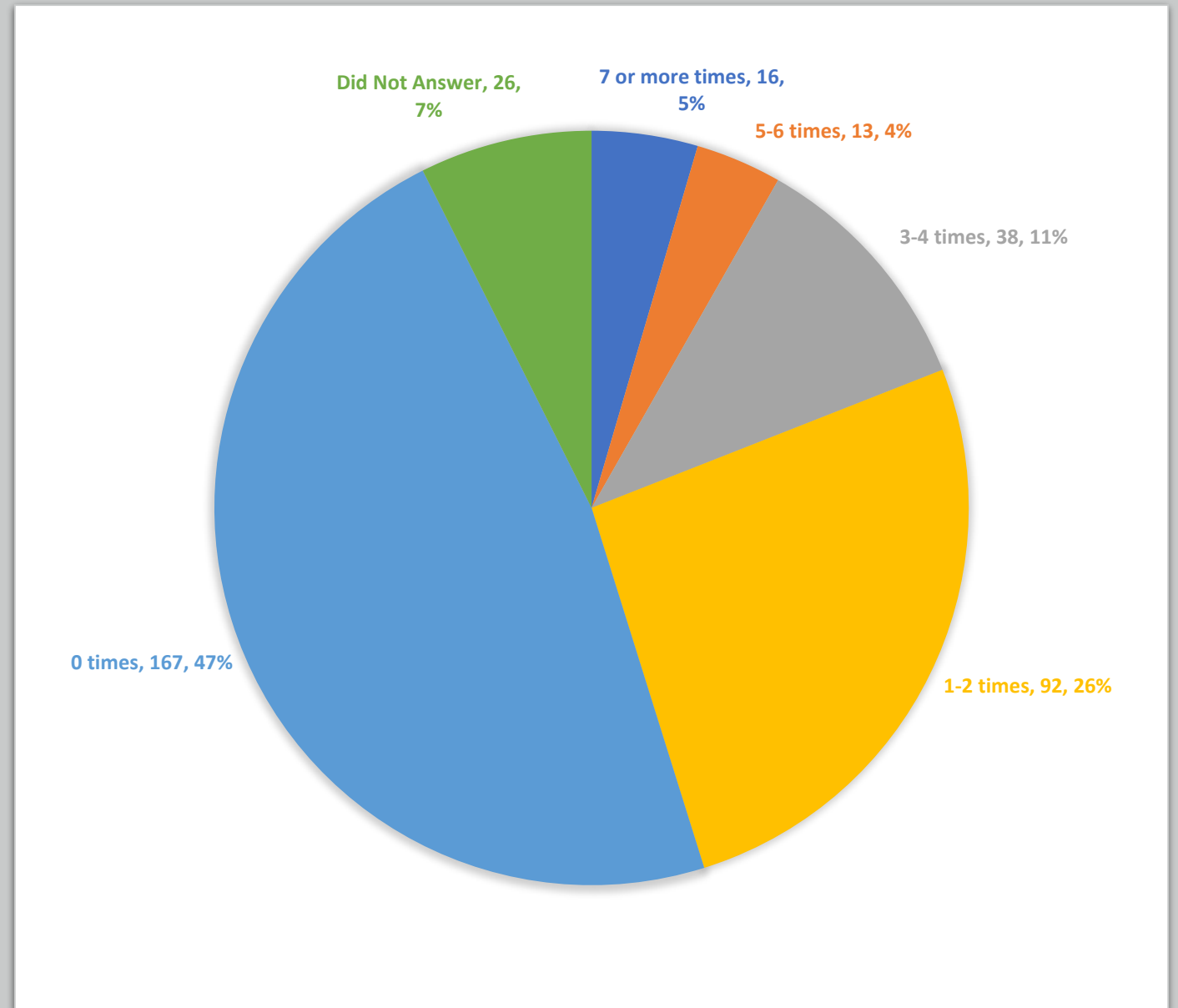
[Questions] Contact and Satisfaction

21b. To what extent are you satisfied with your interaction(s) with the Croton Police Department for non-emergency calls?



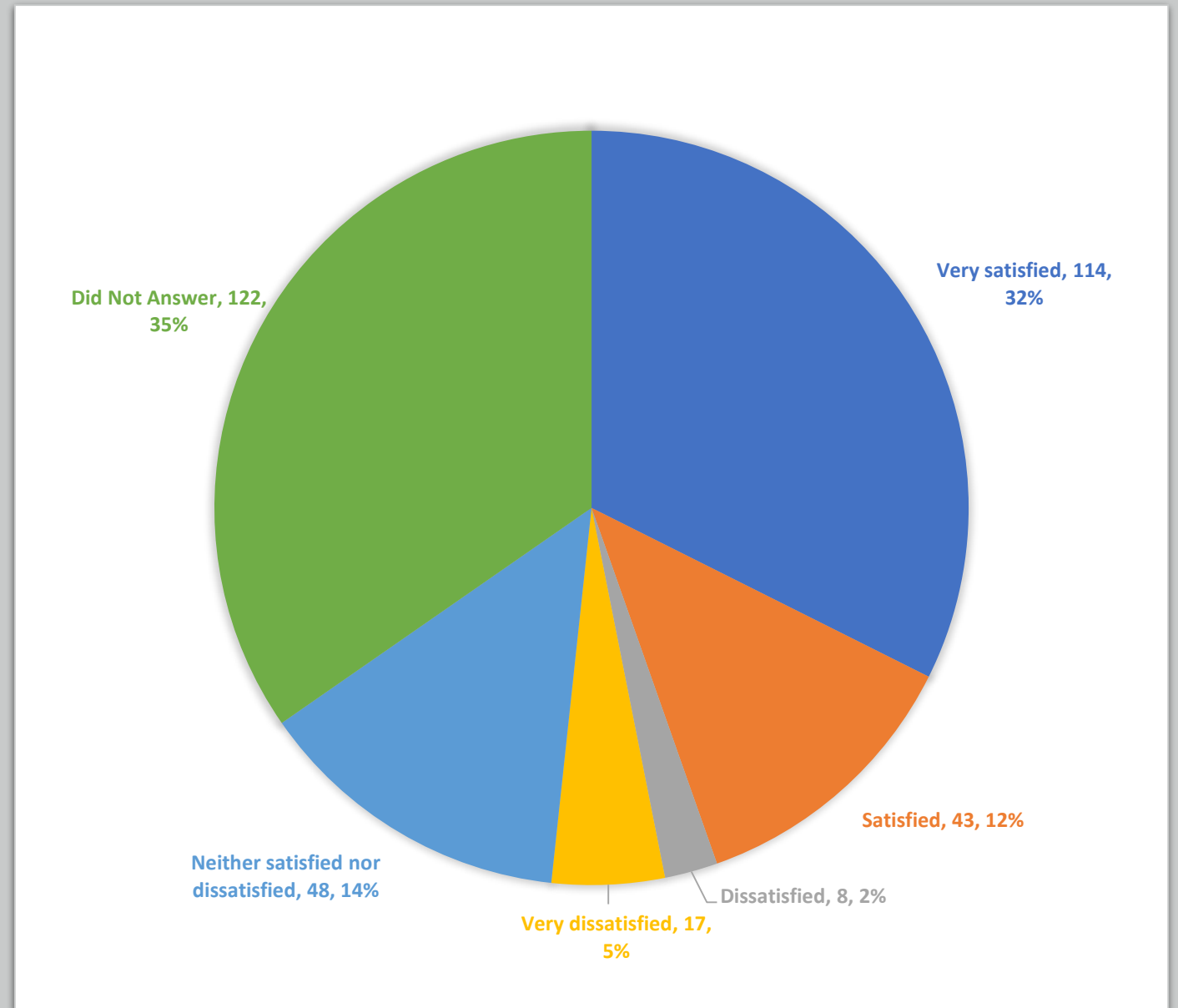
[Questions] Contact and Satisfaction

22a. How many times in the past 12 months have you had contact with the Croton Police Department for other contacts or interactions (e.g., attend a community meeting or talk to an officer on patrol)? If 0 times, please proceed to question 23.



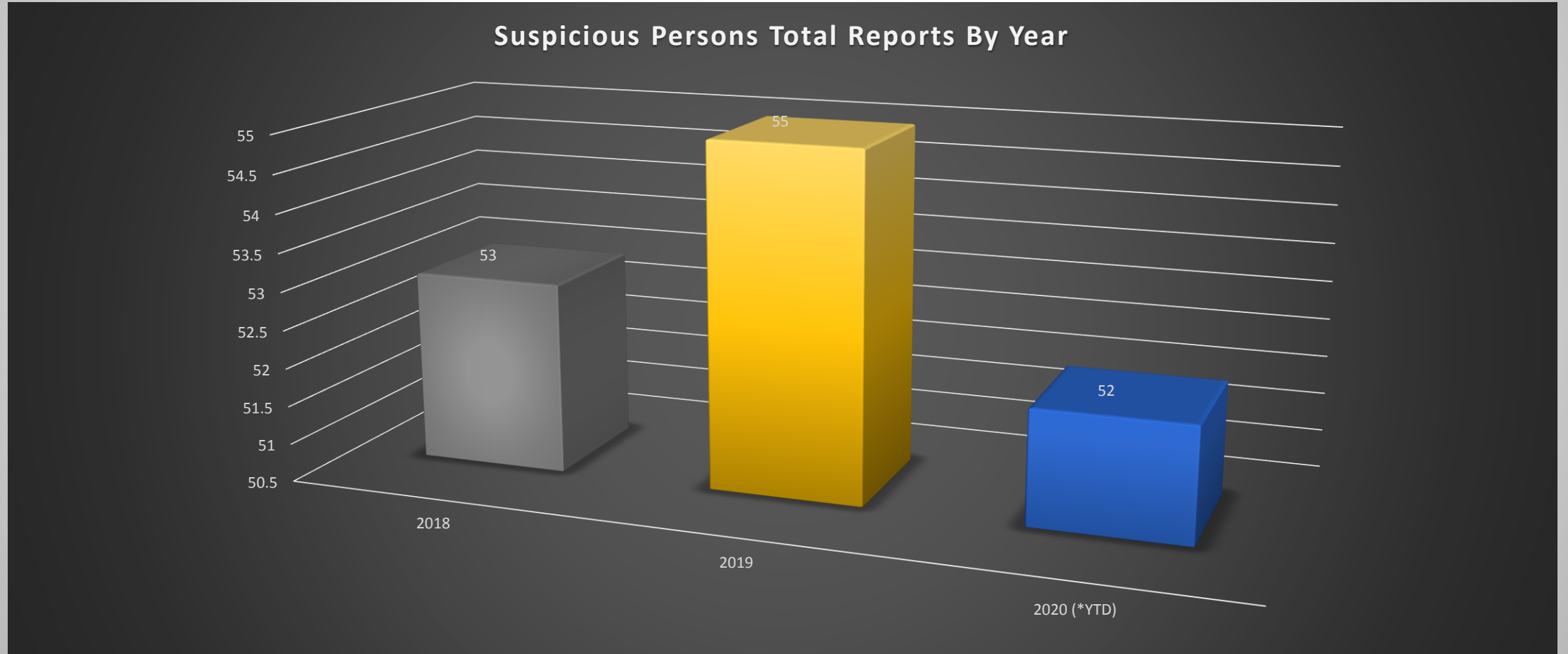
[Questions] Contact and Satisfaction

22b. To what extent are you satisfied with your interaction(s) with the Croton Police Department for other contacts or interactions?



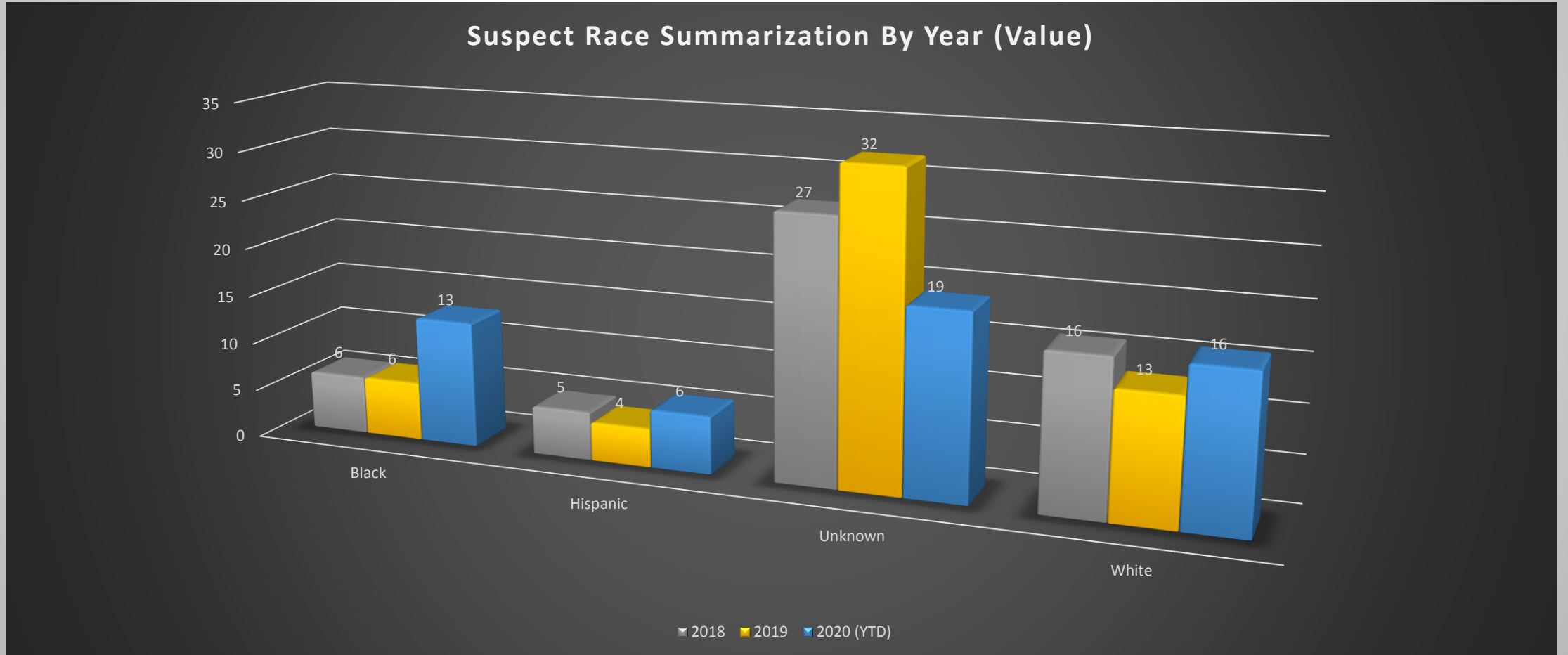
Croton Police Department
“Suspicious Person/s”
Reports Analysis

Suspicious Person/s Reports

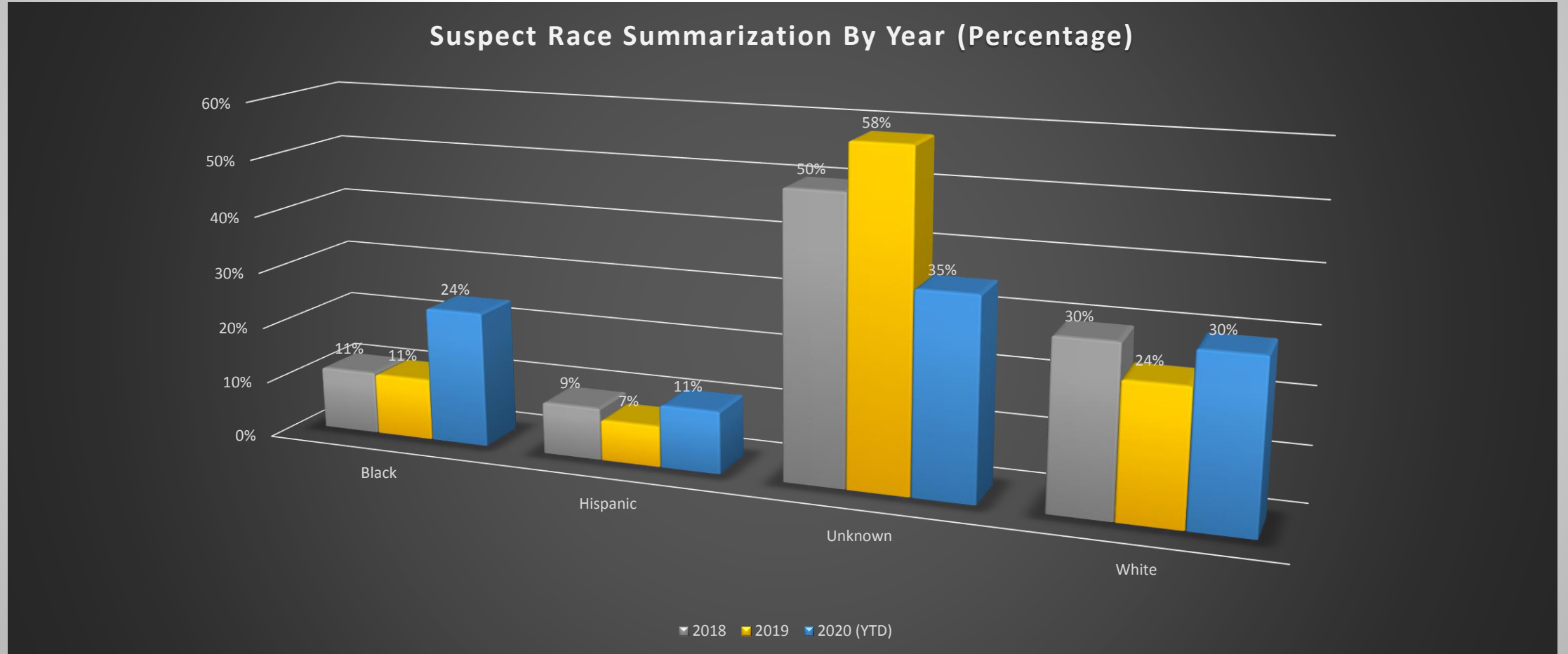


*YTD refers to 11/15/20

Suspicious Person/s Reports

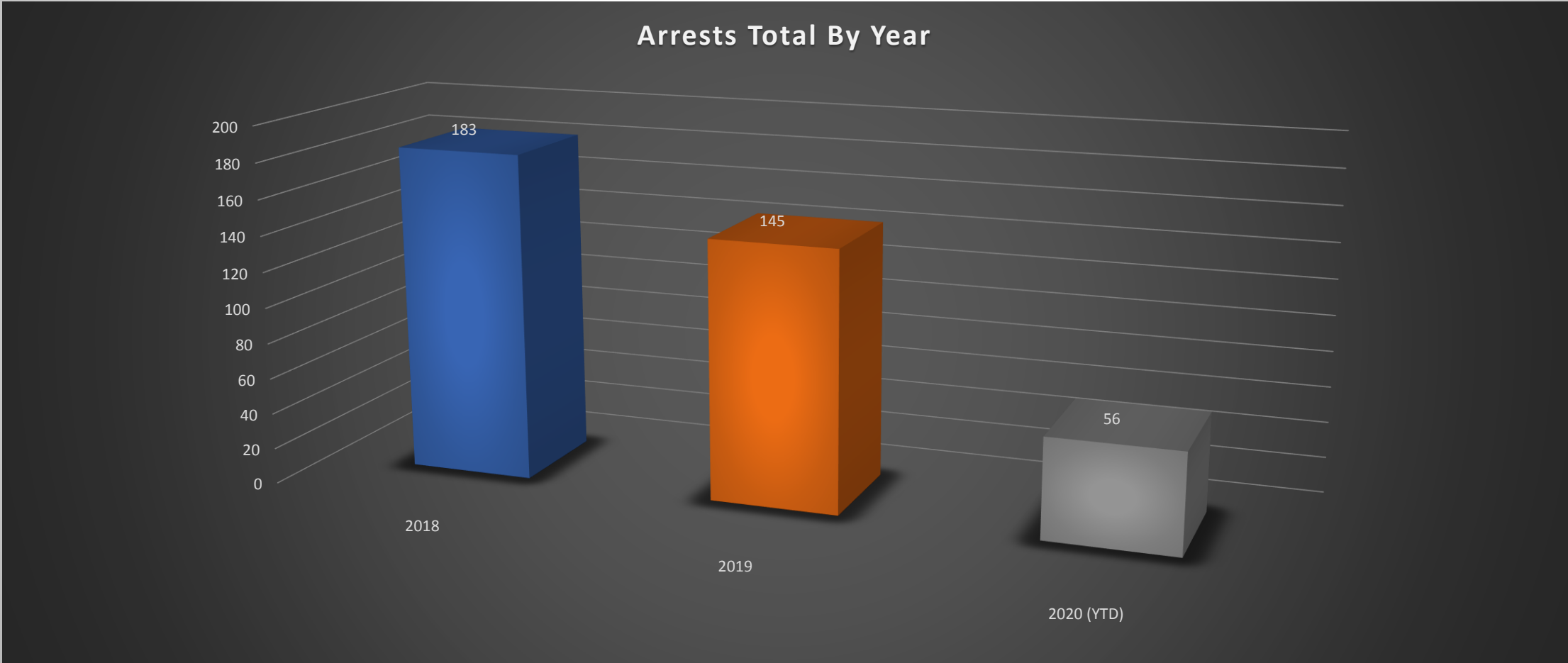


Suspicious Person/s Reports

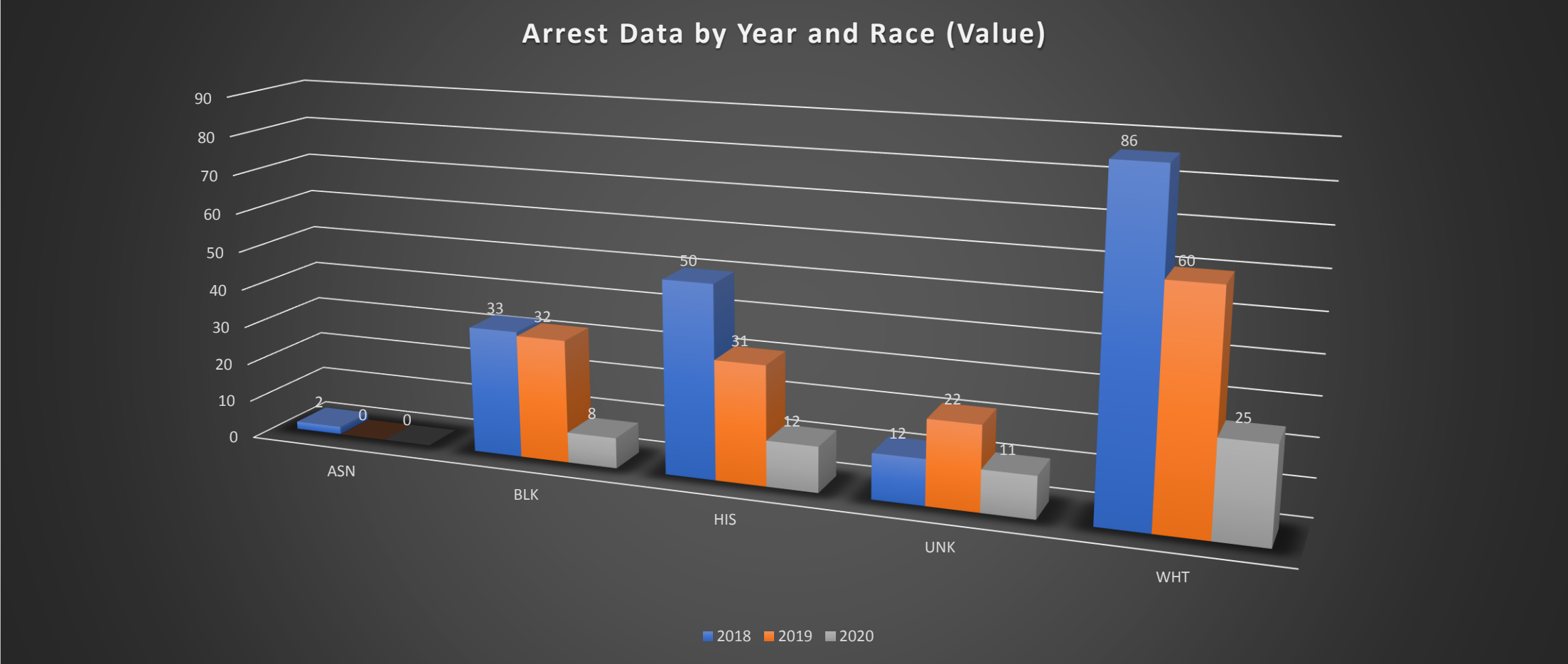


Croton Police Department “Arrest” Reports Analysis

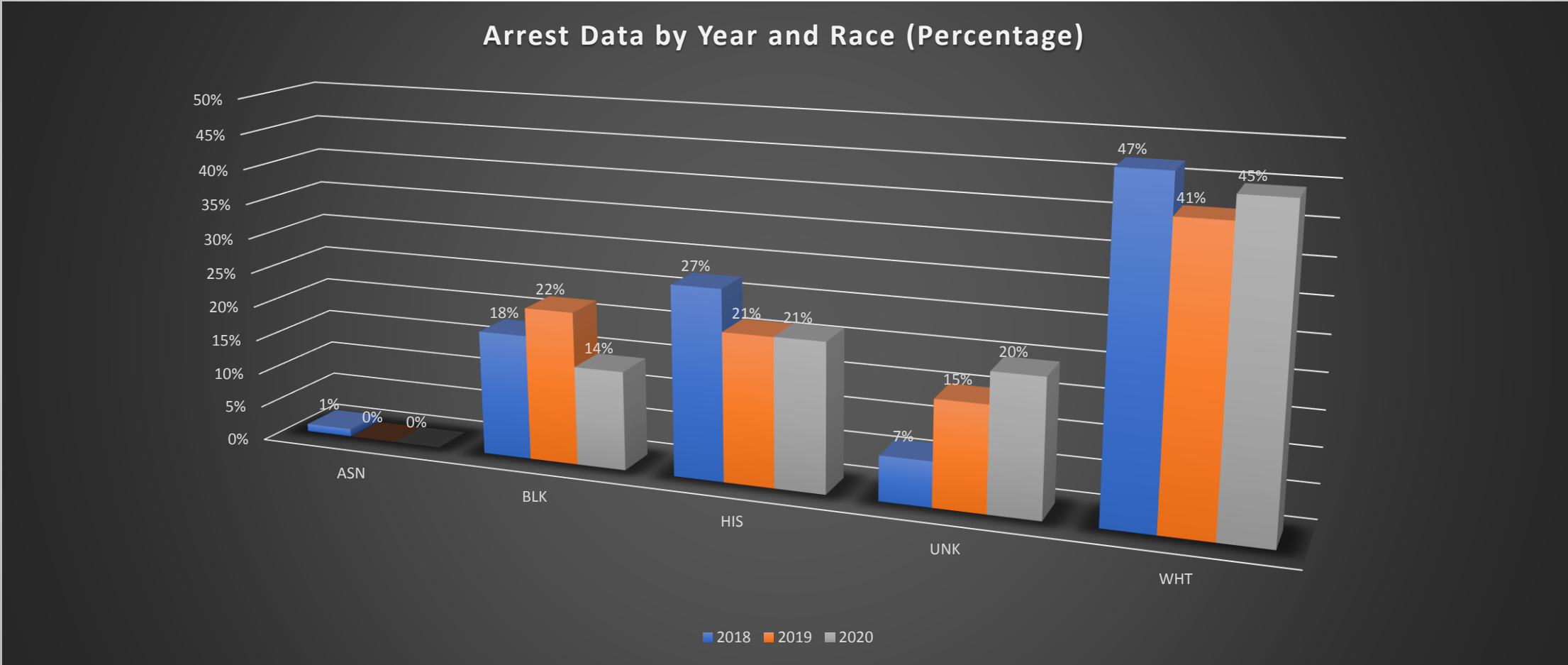
Arrests Reports



Arrests Reports

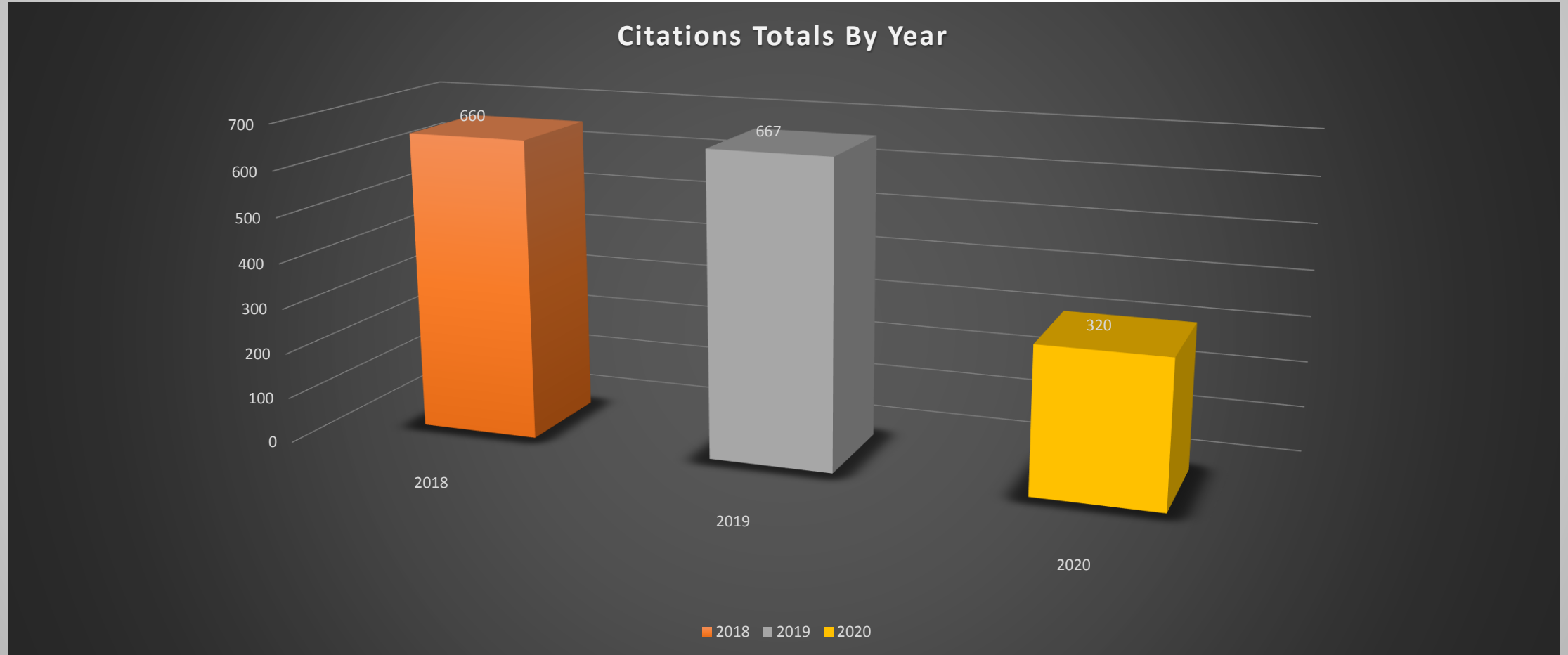


Arrests Reports

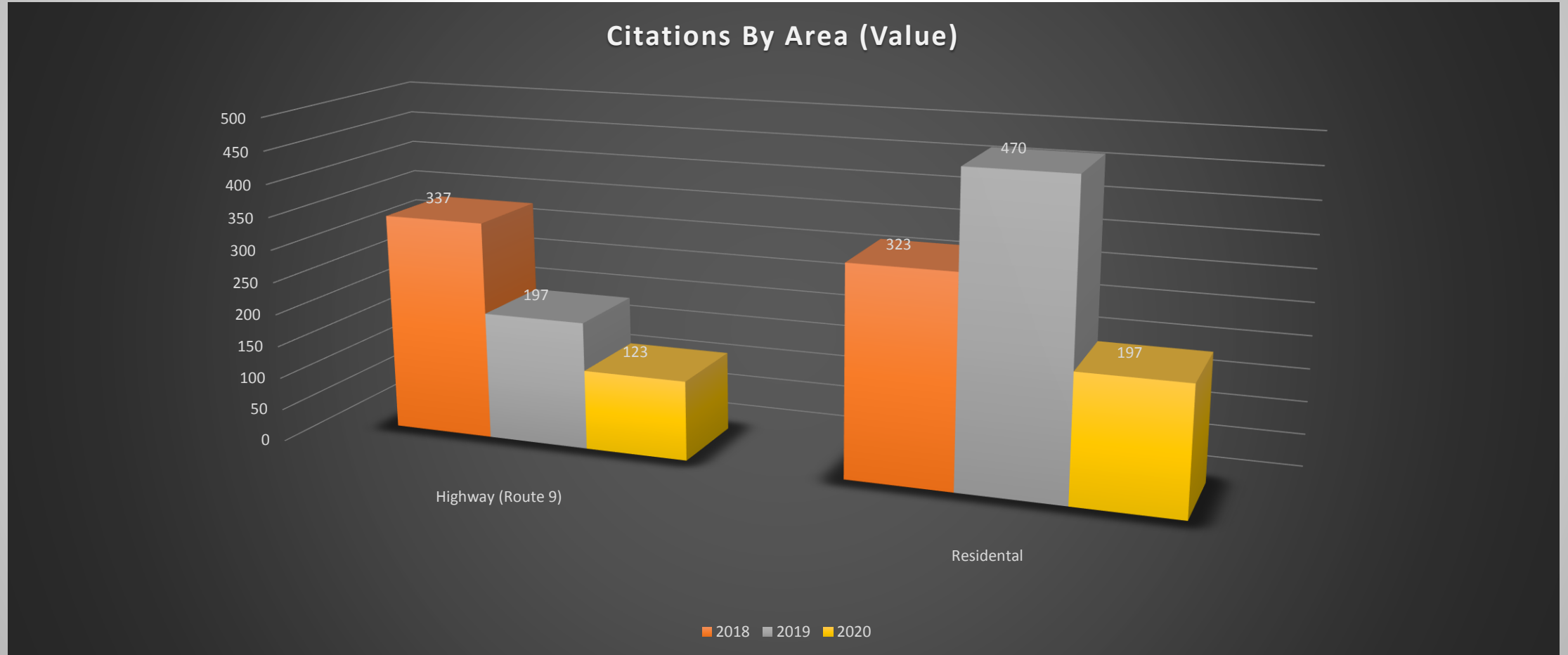


Croton Police Department “Vehicle and Traffic Citation” Reports Analysis

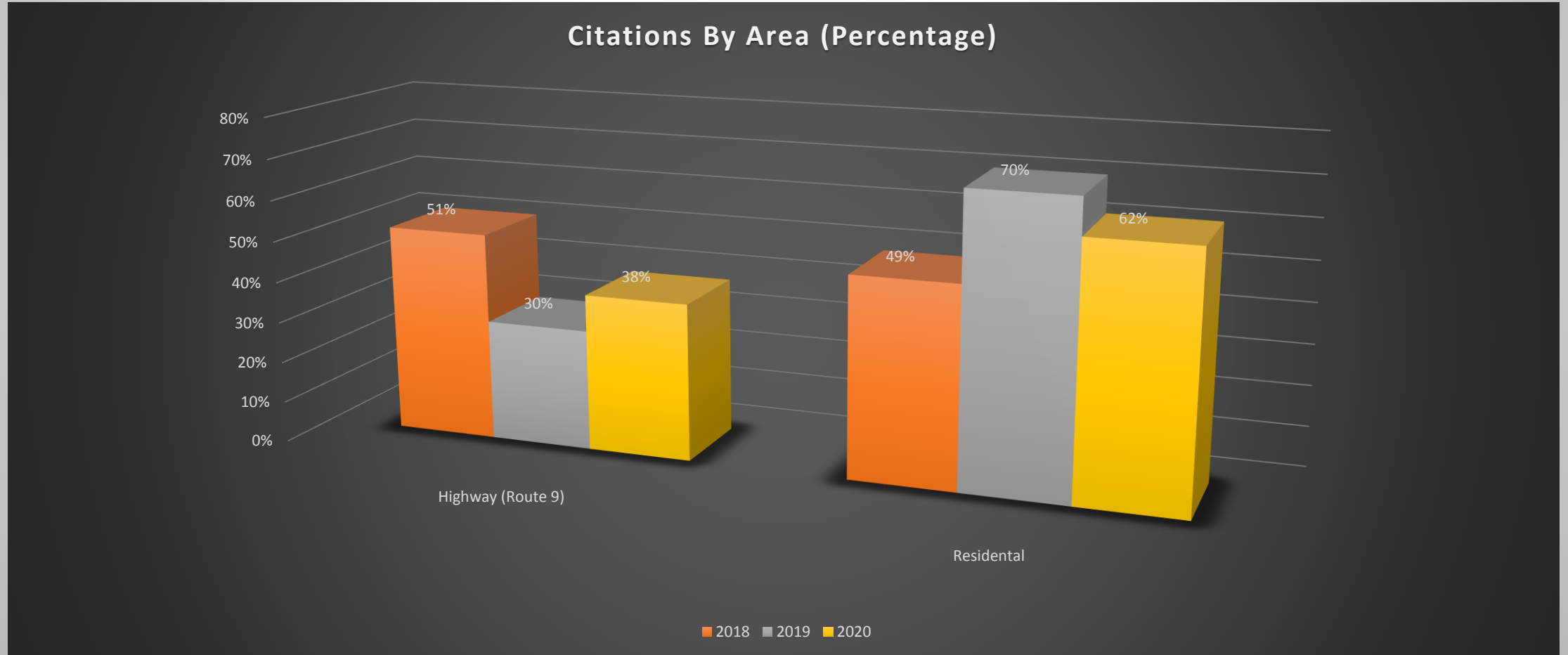
Vehicle and Traffic Citation Reports



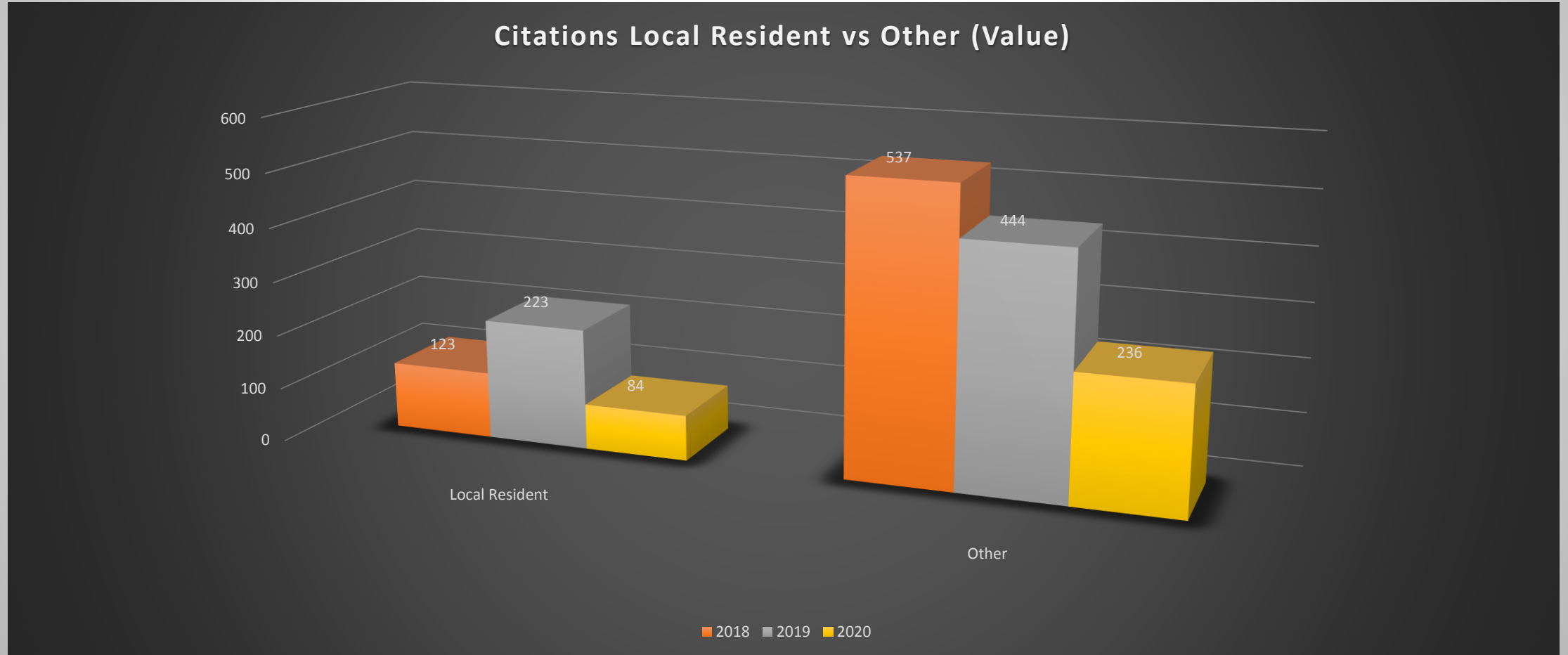
Vehicle and Traffic Citation Reports



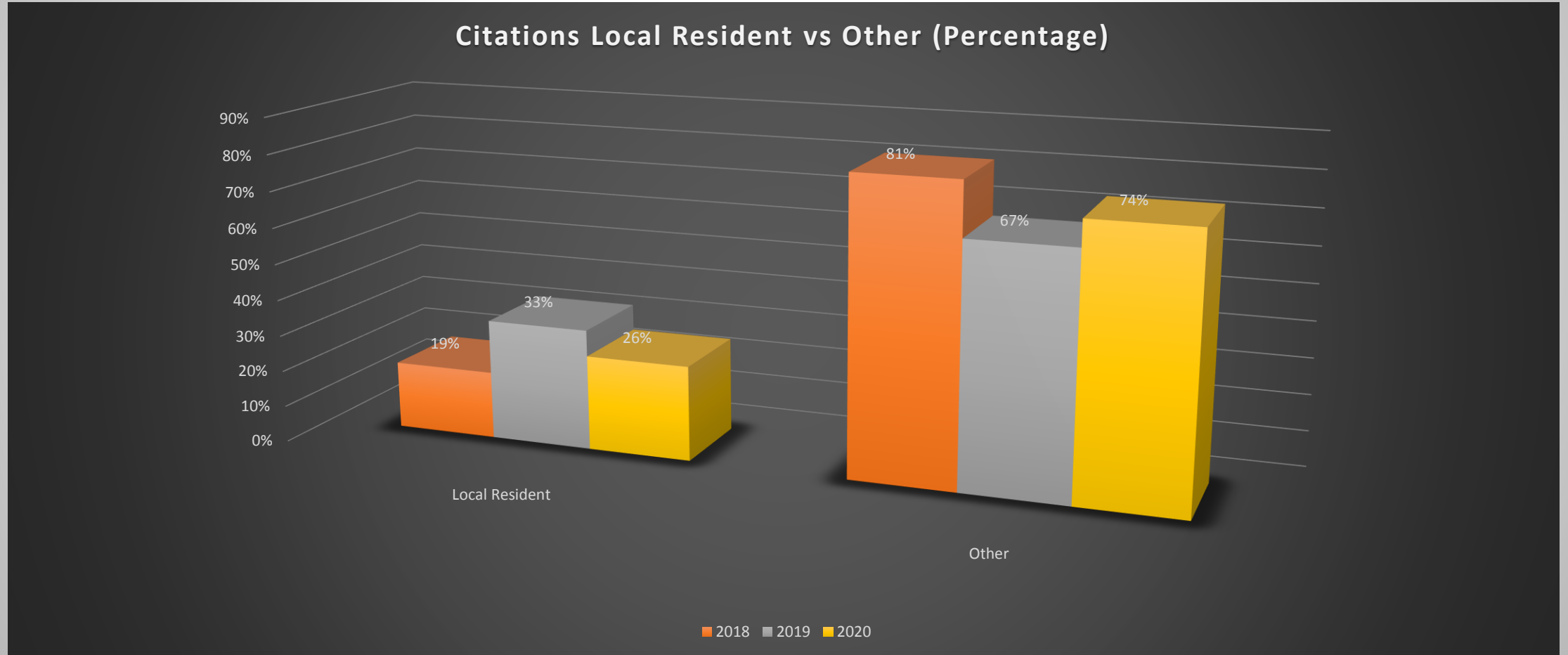
Vehicle and Traffic Citation Reports



Vehicle and Traffic Citation Reports



Vehicle and Traffic Citation Reports



The policy and procedure subcommittee consisted of Carolyn Whiting, Earl DePass, Marc Leuzzi and John Nikitopoulos, and the state guidance subcommittee consisted of Carolyn Whiting, Janine King, Bryan Healy, and John Nikitopoulos. These subcommittees of the Police Reform Task Force reviewed the New York State Police Reform and Reinvention Collaborative Resources and Guide for Public Officials and Citizens, August 2020 (“the Guidance”). All policy and procedure recommendations from the Guidance were reviewed to determine if they were applicable to Croton. The Croton Standard Operating Procedures were subsequently reviewed by the state guidance subcommittee to determine if they are in compliance with the suggestions outlined in the Guidance.

Over the past six months the Croton Chief of Police, with the support of his staff, has been working on reviewing and updating the entire Standard Operating Procedures (SOP) for the department to ensure that all procedures are in compliance with New York State law and guidelines. The Police Reform Task Force subcommittee was tasked with reviewing all SOP that related to the recommendations in the Guidance.

The outline below will identify the recommendation or suggestion from the Guidance and then identify the SOP that relates to these recommendations. A determination as to compliance or non-compliance with the Guidance is made.

Use of Force - From the Guidance: “Only the least amount of force as necessary should be utilized”.

The Croton Police Department is in full compliance with this directive. See SOP below:

Croton SOP Section 106-1 - Use of Force

It is the policy of the Croton-on-Hudson Police Department that officers may use only the level of physical force that is objectively reasonable and necessary in the performance of their duties within the limits established by the 4th Amendment of the Constitution, as held in *Graham v. Connor*, by article 35 of the New York State Penal Law, and consistent with the training and policies of the Croton-on-Hudson Police Department. The appropriateness of the force used is determined by the “totality of the circumstances” at the moment the force is exerted.

Every officer must be trained and understand the Use of Force Continuum. Specifically, that officers have at their disposal an escalating series of actions that may be taken to resolve a situation.

It is important to note that use-of-force policy of the Croton-n-Hudson Police Department is more restrictive than the limits established by the New York State Penal Law. Officers are expected to use the minimum amount of force necessary in any given situation. It is the responsibility of all members of the Croton-on-Hudson Police Department to be aware of the requirements as stated herein and to guide their actions based upon the above laws and department policy and training.

Progression of Force

- A. When the use of force is necessary and appropriate, members shall to the extent possible, utilize an escalating scale of options and will not use more forceful measure unless it is determined that a lower level of force is inadequate.
- B. If possible, the member should give the subject the opportunity to comply at each stage.
- C. Once compliance is achieved, the escalation ceases.
- D. A stage in the progression may be skipped due to the circumstance and progression is not always upward.
- E. The sworn member must continually assess the circumstances and, as appropriate, escalate or de-escalate the use of force.

Typical levels of force, which are available to officers are as follows.

- A) Verbal Direction: this is the least intrusive level of force and may vary from a simple request to an emphatic command. Verbal directions should be used when possible.
- B) Physical Direction: Frequently, subjects are reluctant to be taken into custody and offer some degree of physical resistance. Usually all that is required to overcome this resistance is physical strength and defensive tactics.
- C) Electronic Incapacitation Device: - Taser. Used when lesser levels of force are ineffective or inappropriate.
- D) Impact weapon: The actions of resisting subject may compel a member to use more intensive level of force, namely the Police Baton. This instrument when properly used, provides a control mechanism and can protect the member with defensive techniques.
- E) Less Lethal Munitions: If immediately available and as further outlined in Section 106-9.
- F) Firearm: The highest level of force available to a member. Firing a weapon at another person is restricted to those situations in which deadly physical force is justified.

Procedure

- A. Officers shall only carry such equipment that is issued or approved by the Department and, then, only when trained in the use of such equipment.
- B. Authorized Use of Force - Generally, officers may use such physical force which is the minimum amount of force necessary to safely overcome resistance in the performance of their duties given the totality of the circumstances known to them to;
 - a. In self-defense or the defense of another person
 - b. To effect a lawful arrest of a person resisting arrest or attempting to flee from custody.
 - c. To prevent a person from injuring him or herself
 - d. To prevent the commission of a breach of peace or unlawful act
- C. Whenever feasible and consistent with personal safety of the officer or a third party, a verbal warning should be given prior to using force that is reasonably likely to cause serious physical injury.
- D. Whenever feasible and consistent with personal safety of the officer or that of a third party, officers should give subjects the opportunity to comply with instructions prior to employing a higher degree of physical force.
- E. Whenever feasible and consistent with the safety of the officer or that of a third party, officers should use de-escalation techniques to safely gain voluntary compliance from a subject to reduce or eliminate the necessity to use force.

- F. Officers using physical force should continually assess the circumstances and, as appropriate, reevaluate the use of force given the totality of the circumstances as known to them.
- G. Officers authorized to use agency-approved, less lethal force techniques and issued equipment:
 - a. To protect the officer or others from immediate physical harm,
 - b. To restrain or subdue an individual who is actively resisting or evading arrest
 - c. To bring an unlawful situation safely and effectively under control
 - d. To prevent a person from injuring him or herself
- H. Officers may use deadly physical force to defend the officer or another person from what the officer reasonably believes to be the use, or imminent use of deadly physical force.
- I. Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others. Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle. Officers may not discharge firearms, rifles or shotguns from a moving vehicle unless deadly physical force is being used against them or other persons present, by means other than a moving vehicle.
- J. Officers may not fire warning shots.
- K. Officers may not discharge a firearm, rifle, or shotgun to summon assistance except in such instances when their safety or that of others is endangered and there is no reasonable alternative.
- L. The use of a chokehold is expressly prohibited unless the officer is authorized to use deadly physical force and no reasonable alternative exists.

Duty to Intercede:

- A. Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force.
- B. An officer who observes another employee use force that exceeds the degree of force permitted by law and/or policy should promptly report these observations to a supervisor.

Discharge of Firearm, Shotgun, or Rifle:

- A. Confrontation situations: To defend the officer or another as outlined in this order.
- B. Dangerous Animals: To kill a dangerous animal or an animal so seriously ill or injured that it should be destroyed to prevent further suffering. All other options should be exhausted, however and before shooting the animal all other department procedures governing same must be adhered to.
- C. Firearms Practice: For target practice at an approved range.

Reporting

- A. Reporting requirements will be triggered when, in the performance of their duties an officer uses physical force (other than guiding, escorting, or handcuffing/shackling where no injury occurs), including, but not limited to:

- a. Force that results in physical injury or serious physical injury,
 - b. Incidents where a Taser, less-lethal projectile was used, displayed, or discharged,
 - c. Incidents in which a tactical diversionary device was deployed,
 - d. Incidents in which an impact weapon was used, displayed, or deployed,
 - e. Incidents in which a firearm was used, displayed, or deployed,
 - f. Officers, whether on- or off-duty, shall report to the tour supervisor within six hours of the occurrence of the incident, any discharge of a firearm, rifle, or shotgun. Officers shall then complete and submit a written report of the incident within 48 hours of the occurrence of the incident.
 - g. Note: This requirement does not include recreational activities, including but not limited to, hunting or target shooting, unless shots were fired in the direction of a person, whether or not the act was intentional.
 - h. All incidents involving deadly physical force.
- B. Procedure: When an officer uses physical force (other than guiding, escorting or handcuffing/shackling where no injury occurs), including deadly physical force, in the performance of their official duties:
- a. They shall notify the Tour Supervisor and
 - b. Include the details of such use of physical force in the related department report.
- C. If such physical force is used by more than one officer, the assigned officer will relate the details of his or her use of such physical force in the report and each additional officer who used such physical force shall relate the details of same in a supplemental report.
- D. In the case of the euthanizing of an animal pursuant to department policy, the narrative relating the details of same shall be set forth in a blotter entry.
- E. At the responding Supervisor's discretion, the Supervisor should take, or cause to be taken, photographs of the subject of such physical force.
- a. Persons not in custody have the right to refuse to be photographed.
 - b. A photograph showing lack of injury may be as important as one that shows an injury.
- F. When the discharge of a firearm, rifle or shotgun, by an officer results in the physical injury or death of a person, the responding Supervisor shall remove all such weapons from the officer and provide the officer with a replacement duty weapon as soon as possible.
- G. Any incident where officers' actions result in injury or death of another person shall be investigated by the Detective Commander, and his/her findings forwarded to the Chief or his/her designee for final review.
- H. Any incident where an officer discharges a firearm, shotgun, or rifle in a confrontation situation described in this order, or where an officers' actions result in serious physical injury or death the Tour Supervisor shall take steps to preserve the scene until the arrival of the Detective Commander or his designee.
- I. For incidents resulting in Serious Physical Injury or Death, the Detective Commander shall notify the Office of the Westchester County District Attorney to determine whether an outside agency or special prosecutor is required.

Use of Force Reporting Incidents

Below is the list of definitions for Use of Force Reporting. The Division of Criminal Justice Services online reporting tool utilizes the following categories below:

- A. Display a chemical agent – To point a chemical agent at a subject.

- B. Use/Deploy a chemical agent – The operation of the chemical agent against a person in a manner capable of causing physical injury.
- C. Brandishes/Uses/Discharges a firearm – The operation of a firearm against a person in a manner capable of causing physical injury.
- D. Brandishes/Uses/Deploys an impact weapon or electronic control weapon – The operation of an impact weapon or electronic control weapon against a person in a manner capable of causing physical injury.
- E. Use a chokehold or other similar restraint – Any application of sustained pressure to the throat or windpipe of a person in a manner that may hinder breathing or reduce intake of air.
- F. Conduct that Resulted in Death
- G. Serious bodily injury –Bodily injury that creates or causes:
 1. A substantial risk of death; or
 2. Unconsciousness; or
 3. Serious and protracted disfigurement; or
 4. Protracted loss or impairment of the function of any bodily member, organ or mental faculty.

Medical Aid

- A. In the event a physical injury is inflicted upon a person by a member(s) of the Department or a physical injury is alleged to have been inflicted upon a person by a member(s) of the Department, the member(s) involved shall immediately evaluate the need for medical assistance, and if necessary, arrange such attention.
- B. In the event a physical injury is inflicted upon a person by a member(s) of the Department or a physical injury is alleged to have been inflicted upon a person by a member(s) of the Department, the member(s) involved shall immediately notify the Tour Supervisor.
- C. If in custody, cause photographs to be taken of injury. In the event the injured party is not in custody request for permission to have photographs taken of the injured area.
- D. In the event a member is unable to prepare a report at the time of the incident, the report shall be completed as soon as the member is physically able to do so and such report shall be submitted to a Tour Supervisor.
- E. Any officer present and observing another officer using force that is clearly beyond which is objectively reasonable under the circumstances shall intercede to prevent the use of unreasonable force, if and when the officer has a realistic opportunity to prevent harm. An officer who observes another employee use force that exceeds the degree of force permitted by law and/or policy should promptly report these observations to a supervisor.

Review of the Use of Force

- A. The Chief of Police or his assigned designee shall review all reports of the Use of Force by members of the Department to insure:
 - a. The force used was lawful and in accordance with Department Rules, Regulations and Procedures;
 - b. The incident is properly documented;
 - c. No training deficiencies exist.

Evaluation

- A. If the Chief of Police determines that there was an improper Use of Force, the incident was not properly documented or training deficiencies exist, he/she shall prepare an Inter-Departmental memorandum documenting his/her findings as well as corrective actions.
 - B. The Chief of Police or the assigned designee shall be tasked with completing periodic reporting of data related to use of force as may be required by New York State Law.
-

Chokeholds: From the Guidance: “The New York State, “Say Their Name” Reform package includes a ban on chokeholds”.

Croton Police Department is in full compliance with this directive as follows:

Croton SOP Section 106-1-M

Use of Force/ Weapons

The use of a chokehold is expressly prohibited unless the officer is authorized to use deadly physical force and no reasonable alternative exists.

Other forms of restricting breathing - From the Guidance: “Other forms of force that may not currently be banned can also restrict breathing. For example, positioning someone on their stomach while in restraints restricts breathing. So too does the application of pressure on someone’s back while face down. Use of force against individuals who are already handcuffed increases risk of injury.”

Croton’s current SOP does not specifically address this issue. It does require medical aid to be administered when needed.

Croton SOP Use of Force/Weapons Section 106-1

Medical Aid

- A. In the event a physical injury is inflicted upon a person by a member(s) of the Department or physical injury is alleged to have been inflicted upon a person by a member(s) of the Department, the member(s) involved shall immediately evaluate the need for medical assistance, and if necessary, arrange such attention.
-

De-Escalation training - From the Guidance: “De-escalation tactics, including both verbal and non-verbal communication strategies, can slow down an evolving situation and reduce the risk that a situation will become violent. De-escalation is tied to the principle that an officer should exhaust all available methods of resolving a situation before using force.”

All members of the Croton Police Department have been trained in de-escalation. In 2020 all members were required to complete the NYMIR Online University course in de-escalation. Hard copies of certificates are filed and maintained in each officer's training folders. The training records in the department software program includes the title of the training course,

including date of course, date completed, course provided by what authority, online or in person training, certificate issued, re-certify date, & hours of course.

Use of Tasers and Pepper Spray – From the Guidance: “Tasers may cause serious injury or death. “In 2008, the NYPD was called to an apartment building in Brooklyn after a mentally disturbed man, Iman Morales, did not answer his apartment door and his mother asked someone to call 911. After police arrived Mr. Morales, who was naked, left his third-floor apartment through the fire escape descended to the second-floor landing and ultimately jabbed at another officer with a fluorescent light tube. An officer on the street then fired his taser at Mr. Morales, who fell head first to the ground and died from his head injuries.”

The Croton Police Department does not issue or use pepper spray. The department is in full compliance with the Use of Tasers directive.

Croton SOP for Taser Use, Section 106-10

PURPOSE:

To establish clear guidelines for the use of the Taser Weapon by members of the Village of Croton-on-Hudson Police Department who have been trained and certified in the weapons usage.

POLICY:

It is the policy of this department to use only that level of force that reasonably appears necessary to control or otherwise subdue violent or potentially violent individuals. Authorized and trained personnel in accordance with this use-of-force policy and additional guidelines established herein may use Electronic Control Weapons.

The intended use of the Taser X2 is to be reserved for those instances where lesser means of restraint have failed or are not appropriate, or when lesser means would result in a substantially greater risk of injury to the suspect, officer or a third party. The use of this weapon should be regarded as an escalation in the use of force to the level less than that of an impact weapon, and equal to that of Oleoresin Capsicum spray.

DEFINITIONS:

Taser - A Department approved Electronic Incapacitation Device used as a defensive weapon that transmits electrical pulses to override the central nervous system and control the skeletal muscles.

PROCEDURE:

1. **Authorized Use of the Taser:**
 - A. To subdue or gain control of a violent individual who resists being taken into custody.
 - B. To protect the officer or a third party from infliction of physical injury.
 - C. To prevent or stop a party from injuring himself or herself.

2. Restrictions:

- A. The effective range of the Taser is from three (3) to twenty-one (21) feet. Do not use the Taser for distances greater than 21 feet.
- B. When **using the Projectile Darts/Probes option**, the Taser should only be used when the Taser operator can approach within twenty-one (21) feet of the suspect with reasonable safety. The ideal distance is seven (7) to ten (10) feet from the suspect.
- C. An option of the Taser X2 model allows for the tip of the Taser to be used as a stun gun as well as a conventional Taser.
- D. When **using the Direct Contact/Stun option**, the Taser should only be used when the Taser operator can approach within a distance where he can safely touch the suspect's body with the weapon.
- E. **The dart and stun contacts should not be aimed or placed at the head, neck or genital areas.**

3. Training:

- A. All Taser training shall be done under the supervision of a certified Taser instructor. **NO** member of this department will be authorized to carry or use the Taser without proper training and "certification" as provided or confirmed by the Training Coordinator.
- B. Members certified in the use of the Taser shall attend an annual refresher course, which will include but not be limited to review of course material, updates and practice firing.

4. Taser Operations:

- A. The Taser will be carried and used only by the following personnel who have completed and maintained their certification in its use.
 - 1. Lieutenants
 - 2. Sergeants
 - 3. Officers
 - 4. Detectives,
 - 5. Other members as may be directed by the Chief of Police.
- B. All officers are to be made aware of the operation of the Taser, its basic functions and how to take a person into custody after the subject has been subdued by the Taser, as well as safety precautions such as not touching the wires, contacts or probes, or placing any part of your body between contact points.

The Taser will be placed within the Department's Use of Force Policy at the level of introduction of various less lethal devices that Officers have been trained to utilize.

- C. The Taser will be used in compliance and consistent with the guidelines set forth:
 - 1. NYS Penal Law Article 35; and
 - 2. Applicable state and federal case law; and
 - 3. Department policy and training
- D. Uses of Taser- Officer controlled compliance:
 - 1. Probe Mode- preferred method of Taser deployment
 - a. More effective (causes incapacitation)
 - b. Can tactically be used at a safer distance
 - c. Less chance of injuries to subject and officers
 - d. Generally requires fewer applications than direct contact mode

E. Carrying of Taser:

1. Taser will be carried in a holster on the support side of an officer's duty belt.

F. Application Points:

1. Taser should be applied to large muscle groups which are generally easier targets for aim.
2. When deploying the Taser, center mass on the subjects back should be the primary target when reasonably possible. This will increase the chances of a two probe hit while targeting the large muscle group and minimizing the chances of hitting a subject in the head (eyes), neck (throat), groin and chest area which may cause serious injuries. Encounters are often dynamic in nature and may not permit an officer to gain a suitable position behind a subject. An appropriate alternative aiming point is to aim center body mass of the subject's torso or legs. **It should be noted that the chest area is not a primary target and should be avoided if possible.**
3. When using the Taser in **Direct Contact /Stun** mode as a last resort when probe mode is impossible, inappropriate, or ineffective, the user should attempt to avoid the following:
 - a. Trachea
 - b. Back of Neck
 - c. Cervical portion of spine (neck region)
 - d. Pelvic region
 - e. Base of sternum (may cause a contraction of the diaphragm- can affect breathing)
 - f. Head
 - g. Chest area
 - h. Special care should be taken not to hit a subject in the face; blindness in one or both eyes may likely occur.

G. Heightened Taser Application risks:

1. Running- Subject exposed to Taser while running may fall at a greater momentum resulting in possible secondary injuries
2. In an elevated position- a fall resulting from a Taser application may cause substantial injury or death.
3. Operating machinery (i.e. Automobiles, trucks, motorcycles, ATVS, bicycles, scooters, etc.) Loss of control of machinery may cause substantial injury or death.
4. Positioned in a flammable or explosive environment or reasonably perceived by officers to have come in contact with flammable liquids/fumes (i.e. Natural gas, propane, petroleum) – may result in secondary injuries or burns.

Note: Potential for ignitibility may exist if a Taser is used on a subject who has been sprayed with an alcohol based chemical /pepper spray. If alcohol-based spray has been deployed on a subject prior to Taser application, the Taser user should not deploy the Taser and instead use another appropriate force option.

5. In or around water- Subject could possibly fall into a body of water or pool and may not be able to prevent oneself from drowning as a result of the Taser application. All environmental factors should be considered prior to Taser application.

H. Verbal Commands

1. When tactically safe, a warning should be given to an individual prior to activating the Taser and before any additional application to allow the subject an opportunity to voluntarily comply. Be aware that an announcement of imminent deployment of a Taser may cause the subject to attack officers, flee, inflict self-injury or attempt to injure others and care must be taken to avoid placing others at risk.
 2. When applicable, an announcement to other officers that a Taser is going to be activated should be made.
- I. Multiple Taser applications
1. Taser users should be aware that the associated risks of multiple exposures to a Taser are unknown and the role of Tasers causing death in these cases is unclear. Caution should be used in using multiple activations to subdue a subject.
 2. Officers are reminded to use only the appropriate amount of force necessary to accomplish the necessary purpose intended. If more than three (3) consecutive cycles are required, officers should reassess the situation and consider transitioning to another applicable force option.
 3. Officers should be mindful that direct contact mode creates pain compliance ONLY and may not stop a subject from struggling with an officer and pulling away from the electrodes as the officer attempts to apply the Taser in direct contact mode. As a result of the struggle, multiple contact marks may be left on the subject's skin indicative of multiple cycles being applied by an officer as he/she attempts to subdue the subject. Downloaded data should be checked to verify the actual number of cycles used during the incident.
 4. Generally, only one Taser should be used on a subject at a time, absent reasonable appearance that one of the devices is malfunctioning.

5. Loading and Unloading of the Taser:

- A. The Taser shall be stored loaded at headquarters or at a place designated by the Chief of Police.
- B. The Taser shall be unloaded prior to the installation or removal of the battery.
- C. The safety on the Taser shall be kept in the safe position at all times except when it is going to be discharged as outlined in this policy or during a department training session under the supervision of a certified instructor.
- D. The Taser will be loaded and unloaded in the same manner as a firearm, using the same safety procedures, always keeping it pointed in a safe direction away from the operator and other persons in the area.

6. Inspection, Maintenance and Deployment:

- A. At the completion of his/her tour, the outgoing officer shall personally transfer possession of the Taser unit to the oncoming officer. The member of service carrying the unit upon the commencement of his or her tour shall make an inspection of the Taser unit.
- B. Officers assigned on the road shall have a properly deployed Taser unit on their person provided they have the proper training and certification.
- C. The battery status and inspection shall be conducted as follows:

When the safety is activated, the Taser automatically checks the battery to ensure it is fully charged. The charging units have three (3) indicator lights visible. The YELLOW

indicator should be illuminated and steady. This indicates there is power going to the unit. The RED indicator will illuminate when there is a battery pack in the unit charging. When a battery pack is first inserted, the RED indicator will flash for a few seconds, and then become steady. This indicates that the battery pack is charging. The GREEN indicator will illuminate and the RED one will turn off once the battery pack is fully charged.

Charging times for the battery packs vary according to the power left in it. To fully charge a completely dead battery pack takes four (4) hours. The charging units are called "smart chargers". Once a battery pack is fully charged, regardless of how long it is in the charger, the unit will stop charging the battery (GREEN indicator will stay on - RED indicator will be off).

- D. In the event there is only one road supervisor he or she shall conduct the inspection of all Taser units replacing batteries as needed.
- E. Any damage to the unit shall be immediately reported to the **Training Coordinator**. Any damaged unit shall be immediately taken out of service.
- F. The **Training Coordinator** shall conduct monthly inspections of the Taser and keep a maintenance log on each unit.

7. Precautions to be taken when using the Taser:

- A. Do not discharge the Taser probe pack against large metal objects longer than 10 seconds at a time.
- B. All Taser training shall be done under the supervision of a certified Taser instructor.
- C. Do not become entangled in the wires attached to the darts after you fire.
- D. Always have a back-up plan in effect to protect the Taser operator.
- E. Never use the Taser for purposes other than those described in this procedure.
- F. Keep hands away from the front of the Taser and don't become entangled in the lines to avoid a shock and to prevent shooting a dart into your hand.
- G. Firing at less than 3 feet may not give enough dart separation to control the subject.
- H. The Taser should never be used as a club or a baton.
- I. Members certified to carry the Taser shall familiarize themselves with the contents of the operation and Instruction Manual, provided by the Training Coordinator prior to using this weapon.
- J. Special care should be taken not to hit a subject in the face; blindness in one or both eyes may likely occur.
- K. Never fire warning shots.
- L. Avoid using the Taser on:
 - a. ***People in control of a vehicle***
 - b. ***People with diseased or weak hearts.***
 - c. ***People with debilitating illness or elderly***
 - d. ***Pregnant Women***
 - e. ***Individuals in handcuffs***
- M. Do not carry loose cartridges in your pocket. Static electricity can set them off.
- N. Except when there is no choice in a life-threatening situation, never compete with a firearm or equally deadly weapon.
- O. Do not leave the weapon exposed to direct sunlight for long periods of time.

8. Post Taser Deployment:

- A. The operator using the Taser shall immediately request EMS and provide medical assistance for the person upon whom the Taser was used. **Darts that remain embedded in the flesh of the person will only be removed at the direction of ambulance personnel (EMT or Paramedic) or by medical personnel at a hospital emergency department.** Medical Treatment of persons subjected to the Taser must always be offered. Persons may be injured from many sources including but not limited to falls, electrical impulses, blunt and penetrating trauma. The operator shall have a paramedic respond to examine each person the Taser has been used on. Hospital treatment shall be offered to each individual and a **CASE REPORT** shall be prepared whether the patient is transported or Refuses Medical Attention (RMA). If the subject is not transported to a hospital they should sign an **R.M.A.** form provided by the responding EMS unit.
- B. The operator shall file a **CASE REPORT / Use of Force Report (UFR)** for all discharges of the Taser (this includes all hits, misses & misfires but excludes firing during authorized training exercises). The following information must be included in the CASE REPORT.
1. Name of the subject who the Taser was used on.
 2. Date and time of use.
 3. Operator of Taser and names of persons present.
 4. Taser serial number and serial number of dart pack which should then be placed into evidence.
 5. Describe other attempts to control the suspect or reasons why lesser levels of force were inappropriate.
 6. System used- Darts, stun option, or both.
 7. Approx. length of shock needed to control the subject, and number of shocks required.
 8. Location of dart penetration or probe contact.
 9. Approximate distance from subject when deployed
 10. Overall effectiveness of the device
 11. Document the AFID (anti-felon identification) number that is on the AFID tags.
- Note: Dart or Probe contacts must be photographed (if no injury can be seen at the point of contact that should be documented in a photograph).**
- C. Evidence/Vouchering: The air cartridges and probes must be placed into evidence using the following procedure. It should be noted that the probes are likely to contain blood and therefore must be treated as a biohazard when handling.
1. Probes should be inverted into portals to secure probes in the cartridge.
 2. Secure the probes in the cartridge.
 3. Secure at least two AFID (anti-felon ID) tags and include in evidence.
 4. Place all above items in evidence bag and voucher as per department rules.
- D. Taser Video Evidence:
1. When a Taser is deployed the device will be transported back to headquarters at its earliest convenience and the recorded data will be downloaded to a designated storage folder on the department's computer system.
 2. The Patrol Commander will review all audio/video evidence captured by the TaserCam, regardless of whether or not the device was deployed to determine if the device was used within departmental guidelines.
-

Tracking and reviewing use of force and identifying misconduct – From the Guidance:
“Governor Cuomo recently signed legislation requiring that law enforcement officers report all firearm discharges in circumstances where a person could have been injured, whether or not any injury occurred.”

SOP 106-8 Use of Force/Weapons

PURPOSE

To establish guidelines for the review of all incidents in which member(s) of the Department take action which result in or is alleged to result in injury or death or when a member discharges a firearm.

POLICY

It is the policy of the Croton-on-Hudson Police Department to promptly and thoroughly investigate all incidents in which a member of the Police Department discharges his/her firearm.

DEFINITION

For all purposes of this Section, a firearm is defined as a pistol, revolver, shotgun or rifle.

PROCEDURE

Use of Deadly Physical Force/Discharge of Firearms

1. When a member of the department discharges a firearm, either accidentally or in the performance of duty, whether on or off-duty, he/she shall immediately notify the Tour Supervisor.

Note: If the notification to the on-duty Tour Supervisor is predicated on the authorized destruction of an animal, the following procedural steps do not apply.

Tour Supervisor

2. If the discharge occurs within the confines of the Village of Croton-on-Hudson, the Tour Supervisor is to:
 - a. Go directly to the scene;
 - b. Take command of the scene, protect evidence and detain all witnesses;
 - c. Immediately evaluate the need for medical assistance and if necessary, arrange for same;
 - d. Notify the Chief of Police;
 - e. Notify the Division Commander of member involved;
 - f. Notify the members of the Special Investigating Unit.

It is the policy of the Croton-on-Hudson Police Department to promptly and thoroughly investigate all incidents in which a member of the Police Department discharges his/her firearm.

Duty to intercede and report – From the Guidance: “Is there a duty for officers to report misconduct or excessive use of force by another officer?”

The Croton Police Department is in full compliance with this directive.

SOP 106-1

Duty to Intercede:

- B. Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force.
 - C. An officer who observes another employee use force that exceeds the degree of force permitted by law and/or policy should promptly report these observations to a supervisor.
-

Investigating misconduct – From the Guidance: “Does the department have a clear and transparent procedure for investigating reports of misconduct? Are policies in place to correct behavior through constructive and non-punitive means? Is the misconduct complaint process transparent and easy to use? What cases are referred to the District Attorney? Is the complainant notified of the outcome and given an opportunity to appeal?”

The Croton Police Department does not have a policy to notify the complainant of the outcome nor an opportunity or process to appeal the outcome of a complaint. The following operating procedure will be changed to improve the transparency of the complaint process.

SOP Section 108-1 – Discipline

PURPOSE

The purpose of this order is to define the authority and responsibility delegated to Departmental Supervisors for the maintenance of discipline and to describe a progressive disciplinary process.

BACKGROUND

Historically the need for high standards of discipline from Police Department employees are well established, and only through a well-disciplined Department can the integrity of the agency be maintained.

POLICY

The Croton-on-Hudson Police Department promotes effective discipline and believes this is a positive procedure. The Department manual specifies rules of conduct for all employees,

each discipline with both positive (training) and negative sanctions are vital to the effective performance and the morale of its employee. Furthermore, the Police Department will utilize a progressive discipline approach that attempts to correct in a constructive, non-punitive manner when possible.

Procedure

Supervisory Responsibilities.

1. Supervisors are responsible for ensuring that Department members and employees perform their duties in accordance with policies, procedures, rules and regulations.
2. Supervisors are required to initiate action(s) in response to the acts or omissions of personnel who are either assigned to their command, under their supervision or which otherwise come to their attention.”

Training

1. In minor disciplinary cases or where remedial training is indicated, training will be utilized as a corrective method of positive discipline.
2. Remedial training shall be recorded and documented in a Supervisor’s internal report, (Inter-Departmental Memorandum) who delivers the training.

Counseling

1. Counseling’s purpose is to point out a member’s unacceptable behavior, job performance or failure to comply with directives.
2. Counseling interviews are often the second step in the disciplinary process; however, depending on the severity of the incident, counseling interviews may be required in lieu of re-training.
3. The Commanding Officer of the Division to which the offending member is assigned or the Chief of Police shall prepare and serve upon the offending member, a Notice of Counseling.
4. A Notice of Counseling is not meant to be a form of discipline.
5. The purpose of a Notice of Counseling is to provide a record of instruction, training or other corrective action taken to maintain the standards, efficiency and quality of work of this Department and its employees.
6. The member receiving the Notice of Counseling shall acknowledge receipt by signing the end of the document as indicated.

Deficiencies in Report Writing

1. Deficiencies in report writing may result in a reviewing Supervisor returning the report to the member who prepared the report or a Supervisor who has reviewed and approved a Deficient Report.
2. Any report returned due to a deficiency may be accompanied by a Notice of Report Deficiency which will identify the elements of the report that were omitted or sub-standard and document the notification of members involved.
3. A copy of all notices of report deficiency will be made part of the involved member(s) training file.

Punitive Action

1. When a Department Supervisor becomes aware of any misconduct, which should be addressed by punitive discipline, he/she shall prepare a detailed Inter-Departmental memorandum outlining the facts and circumstances surrounding the misconduct.
2. The Inter-Departmental memorandum must be then transmitted to his/her Division Commanding Officer and the Chief of Police for further action.
3. All punitive actions taken by the Department in the interest of discipline, including all reprimands, written reprimands, reductions of leave, suspensions, demotions or dismissals will be in accord with the Unconsolidated Laws of New York State, Section 5711Q, any other applicable law, Collective Bargaining Agreements and written directives.

Disciplinary Charges

1. Disciplinary charges in most instances will be initiated after counseling and/or re-training have failed to correct the problem or when the nature of the misconduct dictates it should be addressed by punitive discipline. When it has been determined necessary, charges will be preferred against the member pursuant to Section 5711 Q of the Unconsolidated Laws of New York State or command discipline, when appropriate, may be offered to the member in lieu of formal charges.
 - a. In those situation where the severity of the violation warrants, the Chief of Police may find it necessary to initiate formal departmental charges against a member in lieu of re-training or counseling;
 - b. If a member is dismissed as a result of a hearing conducted by the Village Board, the member will be provided the following information:
 - i. The decision, which includes the reason for dismissal;
 - ii. The effective date of the dismissal;
 - iii. A statement of the status of fringe and retirement benefits after dismissal;
 - iv. A statement as to the content of the member's employment record relating to the dismissal.
 - c. The officer may elect to appeal the decision of the formal charges proceeding pursuant to Section 5711 Q of the Unconsolidated Laws of New York State or any other applicable law.

Command Discipline

1. In those situations where the member and the Chief of Police agree, command discipline may be accepted in lieu of formal charges under Section 5711 Q.

Disciplinary Records

1. Whenever a member of the Department is the subject of punitive disciplinary action, a written record, e.g., Stipulation of Disposition, will be made of all circumstances and determinations in the matter.
2. Stipulations and Dispositions will be maintained in the individual member's personnel file as a permanent part of such file and may be considered when evaluating the member for promotion or reassignment.

3. A unit member shall have the right to answer any material placed in their personnel file by the Village, provided such written response is submitted within fifteen calendar (15) days of receipt; the employees answer shall be attached to the file copy and placed in their personnel file.

SOP Section 125-5 Civilian Complaints

PURPOSE

To specify Departmental procedures for the reception, investigation and disposition of complaints against members of the Department by members of the community.

BACKGROUND

It is essential that the community have confidence in the administrative procedures of the Department designed to supervise the exercise of police power. If the integrity and efficiency of the Department are to be maintained, allegations of misconduct against members of the Department must be thoroughly and expeditiously investigated. At the same time, the Department recognizes that members are often subjected to intense pressures in the discharge of their duties. They are frequently required to remain neutral under circumstances that are likely to generate considerable tension, excitement and emotion. In such situations, words, actions and events occasionally result in misunderstandings and confusion. It is to the advantage of each member that the Department has sound internal procedures for the investigation of allegations arising out of such circumstances. The expeditious resolution of complaints fairly and impartially will ensure that the high level of integrity and efficiency enjoyed by the Department is maintained.

POLICY

It is the policy of the Croton-on-Hudson Police Department to investigate all complaints of alleged officer misconduct, determine the validity of complaints promptly and impartially and to take appropriate action based on such a determination.

DEFINITION

1. Civilian Complaint: A civilian complaint is defined as an act of expressed dissatisfaction, which relates to Department expectations, personnel conduct or unlawful acts reported by a civilian.

Note: While it is generally obvious when a complainant alleges misconduct on the part of any employee, complaints concerning lack of service or improper procedures are sometimes more difficult to categorize. In many instances a citizen may be merely requesting information or clarification of a policy or procedure. In such cases, the citizen should be given a thorough explanation of the procedure of the legal issues involved in the situation that initiated the inquiry. Because of the fine line that occasionally exists between

complaints and inquiries, if there is any question, it should be considered a complaint and forwarded for further action.

2. Category One (1) Civilian Complaints include all allegations by civilians that a member of the Department has:
 - a. Used unnecessary force;
 - b. Violated a specific criminal statute;
 - c. Committed an act(s) that amounts to corruption, including but not limited to:
 - i. Bribery;
 - ii. Receiving unlawful gratuities.
 - d. Any other allegation, which in the opinion of the receiving Supervisor, amounts to serious misconduct.
3. Category Two (2) Civilian Complaints include all complaints by civilians relating to:
 - a. Inadequate service;
 - b. Discourtesy;
 - c. Improper procedure;
 - d. Any other allegations involving members of the Department that are not included in Category 1.

PROCEDURE

Receiving a Civilian Complaint

(This procedure will be updated)

1. Members of the Department shall encourage citizens to bring forward legitimate grievances regarding improper procedures, inadequate service or member misconduct.
2. Members of the Department shall assist in the expeditious and impartial processing of citizen complaints.
3. Complaints shall be received courteously and processed without delay.
4. Complaints, regardless of their nature, can be lodged in person, by mail or by telephone at any time.
5. Anonymous complaints shall be accepted.
6. The on-duty Tour Supervisor shall receive all Civilian Complaints, unless he/she is the subject of the complaint. In such instance, he/she will summon his/her Division Commanding Officer.
7. Non-Supervisory members receiving a Civilian Complaint shall immediately notify the on-duty Tour Supervisor.

Tour Supervisors

1. The Tour Supervisor receiving a Civilian Complaint shall be responsible for assisting the complaining party by providing a Civilian Complaint Report so the civilian may prepare the Civilian Complaint Report which is to be forwarded to the Chief of Police.

Receiving Civilian Complaints

1. If a Civilian Complaint is made in person, the Tour Supervisor shall:
 - a. Interview complainant;
 - b. Give complainant a Civilian Complaint Report to be prepared in complainant's own handwriting;

- c. Furnish assistance or allow other person(s) to assist in preparing the form. Enter under narrative section indicating assistance was given;
 - d. Have complainant sign form in the presence of a notary public under appropriate caption and have representative or person assisting, if any, sign form under narrative section.
2. If the complainant is apparently under the influence of alcohol or drugs, suffering from a mental disorder or of questionable credibility, indicate same on the rear of the Civilian Complaint Report.

Received by Mail

1. If a Civilian Complaint is received by mail, the Tour Supervisor shall review the Civilian Complaint Report and verify form has been signed by complainant and properly notarized and attach the original letter.
2. Both documents will be forwarded to the Lieutenant.

Received by Telephone

1. If a Civilian Complaint is received by telephone, the Tour Supervisor shall prepare a blotter event including the following:
 - a. All captions must be completed;
 - b. If requested information is not provided, indicate such in narrative section of the blotter report.
2. Request the complainant to make themselves available to complete a Civilian Complaint report and sign the report before a notary public; if not possible, so indicate.

In Person (Does Not Want to Immediately Make Complaint)

1. When a complainant is present and does not want to immediately make a complaint or furnish the member of service receiving the complaint with details of the incident:
 - a. Provide the complainant with a copy of a Civilian Complaint Report;
 - b. Advise complainant that the complaint may be delivered in person or mailed to the Department.

Category One (1) Civilian Complaints

1. Upon receipt of a Category One (1) Complaint, the following notifications will be made immediately and documented in the Blotter Event:
 - a. Chief of Police;
 - b. Patrol Division Commanding Officer;
 - c. Detective Division Commanding Officer.
2. Category One (1) Civilian Complaints will be investigated by the Department's Special Investigations Unit.

Category Two (2) Civilian Complaints

1. Category Two (2) Civilian Complaints shall be forwarded to the Patrol Division Commanding Officer for investigative assignment.
2. Category Two (2) Civilian Complaints will generally be assigned to one Department Supervisor for investigation; however, may be assigned to the Department's Special Investigations Unit for investigation.

Note: Category Two (2) Civilian Complaints may be assigned to Special Investigations Unit when personnel of more than one Division are involved or the investigation would be too time-consuming or complex for line Supervisors to become involved.

Investigating Civilian Complaints

1. All investigative steps including but not limited to the following shall be fully documented on an Inter-Departmental memorandum:
 - a. Re-interview of the complainant;
 - b. Interview of witnesses;
 - c. Interview of the involved member;
 - d. Searches;
 - e. Chemical testing;
 - f. Lab analysis;
 - g. Photography;
 - h. Identifications.

Disposition

1. Upon completion of his/her investigation, the assigned Supervisor will forward all reports and his/her findings including a recommendation of disposition on Inter-Departmental memorandum to the Chief of Police.
2. Disposition will be classified as follows:
 - a. Substantiated – the accused member committed all or part of the alleged acts of misconduct;
 - b. Misconduct Noted – acts of misconduct were discovered during the investigation that were not alleged in the original complaint.
 - c. Unsubstantiated – the investigation produced insufficient information to clearly prove or disprove the allegations;
 - d. Exonerated – the alleged act occurred, but was justified, legal and proper;
 - e. Unfounded – the alleged act did not occur.

Chief of Police

1. Upon receipt of the investigating Supervisors Inter-Departmental memorandum, the Chief of Police will determine if disciplinary action should follow in accordance with related procedures or the complaints should be closed.

Record Storage

1. Records of Civilian Complaints and related investigative reports will be stored in the Civilian Complaint File located in the office of the Chief of Police.

Off duty conduct – From the Guidance: “Does the department have a policy to ensure officers maintain the department values and culture when off duty? A social media policy?”

Although the Croton Police Department does not have an off-duty social media policy, all off-duty behavior is expected to conform to the SOP as follows:

Croton policy: Section 105-1 – Standards of Performance and Conduct
(relevant sections included)

Fitness for Duty

12. Be fit for duty at all times, except on sick leave.
13. Do not consume intoxicants to the extent that member becomes unfit for duty.

Prohibited Conduct

14. From violating any law of the United States and of any state and local jurisdiction in which officers are present.
Note: A conviction of any law shall be prima facia evidence of a violation of this Section.
15. From engaging in conduct both on and off duty in any matter that does not reflect favorably on the Department.
Note: Conduct unbecoming an officer shall include that which brings the Department into disrepute or reflects discredit upon the officer as a member of the Department or that, which impairs the operation or efficiency of the Department or officer.
16. Making false official statement.
17. Knowingly make a false report, written or oral.

Performance on Duty – Prohibited Conduct

48. Wearing any item of apparel, which contains a Department logo or shield, or in any way identifies its wearer with the Croton-on-Hudson Police Department, unless approved by the Chief of Police, prior to being worn by a member of the service, on or off duty.
49. Engaging in card games or other games of chance in a Department Facility.
50. Engaging in illegal gambling anywhere except in performance of duty.
51. Using Department letterhead, personnel, equipment, resources, or supplies for any non-Departmental purpose or non-village purpose.

Public Contact – Prohibited Conduct

70. Using discourteous or disrespectful remarks regarding another person's ethnicity, race, religion, gender or sexual orientation.
71. Knowingly associate with any person or organization:
 - a. Advocating hatred, oppression or prejudice base on race, religion, gender, or sexual orientation;
 - b. Disseminating defamatory material;
 - c. Reasonably believed to be engaged in, likely to engage in, or to have engaged in criminal activities;
 - d. Preventing or interfering with performance of police duty.
72. Divulging or discussing official Department business, except when authorized.
73. Engaging in conduct prejudicial to good order, efficiency or discipline of the Department.
76. Having an interest in or association with premises engaged in illegal gambling operations, smoke shops, after hours clubs or similar illegal activities, except in performance of duty.
77. Patronizing unlicensed premises (social clubs, after hours clubs, etc.) where there is illegal sale of alcoholic beverages and/or use of drugs, except in performance of duty.
82. Using personal card describing police business, address, telephone number or title except when authorized by the Chief of Police.

- 83. Rendering any service for private interest, which interferes with performance of duty.
- 84. Possessing or displaying a Non-Department issued shield, Identification Card or similar object except as authorized by the Chief of Police.

Financial Restrictions

85. Member shall upon the order of the Chief of Police, submit financial disclosure statements in connection with a complaint in which this information is material to an investigation.

Note: The information shall only be used for an internal investigation and will not be made public.

Financial Restrictions – Prohibited Acts

86. Use a photograph in uniform or mention rank, title or membership in the Department for commercial advertising.

87. Accept a testimonial award or gift, loan or thing of value to defray or reimburse any fine or penalty or reward for police service except:

- a. Award of Departmental recognition;
- b. Award from a metropolitan newspaper to a member of officer’s family for a brave or meritorious act.

88. Purchase or acquire property of another, without approval of the Chief of Police, knowing or having reason to know, that such property was held in custody of this Department.

89. Solicit, contribute or pay, directly or indirectly, or otherwise aid another to solicit, contribute or pay any money or other valuable consideration that will be used in connection with a matter affecting the Department or member of the Department without permission of the Chief of Police.

90. Undertake any financial obligation that they know they will be unable to meet.

Videotaping and photo identification – From the Guidance: “The New York State, “Say Their Name” Reform package includes the requirement of videotaping of interrogations and permitted photo identifications into evidence.”

The Croton Police Department is following this directive but the operating procedures need to be updated.

SOP Section 113-2. Arrest Processing:

PURPOSE

To establish the policy of the Croton-on-Hudson Police Department and to clearly define responsibilities and procedures for its members to follow when involved with the processing of arrested persons.

BACKGROUND

The arrest and detention of individuals is one of the most important and complex responsibilities a police officer performs. However, this responsibility does not end with the taking into custody of the individual. The subsequent procedures and filing of paperwork all

serve as a formalization process with respect to the arrest, and generate other components of the criminal justice system. Some of these functions are constitutionally mandated and others are administrative in nature. These combined functions have as their goal the successful prosecution and conviction of the individual.

POLICY

It shall be the policy of the Police Department that all necessary paperwork and procedures incidental to an arrest be prepared and performed in a proper and timely manner.

PROCEDURE

1. Upon arrival at Headquarters, the defendant shall be immediately taken to the booking area, where he/she is to be searched. Any contraband or personal property, including shoelaces, belts, chains, etc. that is taken from the defendant shall be inventoried and secured in compliance with related Department procedures.
2. After the defendant has been searched, the arresting member shall record the defendant's name, address, date of birth, offense committed and any other pedigree or pertinent information and forward same to the Desk/Communications Officer.
3. The Desk/Communications Officer shall then send a "Want Inquiry" via e-JUSTICE Portal to determine if the defendant is wanted by other agencies.
4. Arresting officers will then execute the Constitutional Rights form as prescribed by Department procedures.
5. If the defendant is to be interviewed, it shall be conducted, if practical, in the booking area unless it is determined the interview is to be videotaped. In such cases members shall comply with Department Order 121-9 Videotaping interviews."

SOP Section 121-9 – Videotaping of Interviews

PURPOSE

To establish specific policy and procedure, with regard to the videotaping of interviews, to be followed when a police officer is assigned to interview individuals who are suspected of committing certain criminal acts.

BACKGROUND

The purpose of electronically recording the interviews of suspects is to protect the rights of the person being interviewed, enhance the investigative process, assist in the prosecution of criminal cases, assist in the defending against civil litigation and allegations of officer misconduct.

DEFINITIONS

(1) Custodial Interview: An interview in which a reasonable person in the defendant's position, innocent of any crime, would not feel free to leave.

(2) Electronic Recording: A digital, electronic, audio and video recording.

Policy

1. It shall be the policy of the Village of Croton on Hudson Police Department to record interviews with suspects in all A, B & C felonies, excluding drug cases, where the suspect being interviewed is a target of the interview and is being interviewed in a custodial setting. The preferred method for recording these interviews will be via a Digital Video Recorder (DVR). In other cases and/or situations, the decision to record an interview shall be at the discretion of the officer and the approval of his or her supervisor.
2. The interview shall take place in the room(s) designated for video recording located within the Croton on Hudson Police Department.
3. The entire interview shall be recorded commencing with the subject being placed in the interview room. The suspect need not be informed that he/she is being video recorded, and the topic of recording should not be discussed unless the suspect asks whether the interview is being recorded. In this case, the interviewing officer should answer truthfully and attempt to continue the interview.
 - a. In conducting the interview, all existing departmental policies and procedures shall be adhered to. In addition, the interviewer shall abide by all federal and state statutes governing custodial interviews
 - b. It is recognized that in order to conduct a successful interview, an officer may have to use foul language and or "street talk" in order to build a rapport with, or extract information from the suspect. In addition, current laws allow for the interviewer to utilize deceit and/or trickery when attempting to gain a confession from a suspect.
4. When the law requires that a person be given his/her Miranda Warning, such warning should be administered, and the accompanying waiver of said warning shall be recorded electronically. If a Miranda Warning has previously been given, and a valid waiver obtained, the interviewer should attempt to have the suspect reiterate or acknowledge the waiver during the taped interview.
5. Recording shall be continuous and uninterrupted during the interview process. Should the need arise for either the subject or the interviewing officer to leave the room, the DVR shall continue to operate without interruption. Once the recording has commenced, it **MUST** stay on. The exception to this rule shall occur when the subject and his/her attorney request to be alone in the interrogation room, or if the suspect being interviewed requests the recording be terminated. This request **MUST** be honored and recorded.
6. The interview room shall be equipped with one camera situated to face the suspect being interviewed. A clock should be situated behind the suspect and be within the scope of the camera. In addition, a microphone shall be within the room, which is capable of recording the interview.
7. After the initial interview is completed, the officer shall attempt to secure a written and signed statement from the suspect. The written statement shall be recorded as well.
8. Once the interview has been concluded, the suspect shall be led from the room prior to stopping of the DVR. The original DVR shall be removed from the DVR and labeled with

the date, case number, suspect's name and officer's names. The original CD shall be handled as evidence and vouchered accordingly.

9. Notice **MUST** be given to the prosecution about the existence of the recorded statement, so that the prosecution can provide adequate notice under CPL Section 710.30. Failure to notify the prosecution of the recorded interview could result in a court ruling prohibiting the use of the defendant's statement.
10. A copy of the interview (DVD) shall be made for the District Attorney Office upon their request.

Stop and Frisk. From the Guidance: "NYPD's use of "Stop and Frisk", which "adopted a policy of temporarily detaining individuals on the street based upon a "reasonable suspicion" of minor crimes and performed a pat-down search of these individuals looking for more serious criminal conduct, such as possession of contraband or weapons." "... was determined to be unconstitutional by a federal judge in 2013", see Floyd et al. v. City of New York, 959 F. Supp.2d 540 (S.D.N.Y. 2013)."

Croton Police Department is in full compliance with this directive.

SOP Section 121-2 Constitutional Guidelines During Criminal Investigations.

PURPOSE

To ensure that all members of this Department comply with all constitutional and statutory requirements while conducting criminal investigations.

BACKGROUND

The United States Constitution guarantees every citizen safeguards from government intrusion into their lives. These safeguards have become the cornerstone for the application of criminal justice in America. Consequently, these safeguards have placed limitations on the authority of police to enforce the laws of the nation, State and Village of Croton-on-Hudson.

POLICY

It is the policy of the Croton-on-Hudson Police Department to comply with the U.S. Constitution and the laws of the State of New York as they relate to stopping, questioning, frisking, arresting and searching persons suspected of being involved in criminal activity."

Procedure

Stop, Question and Frisk

1. When a member of the Department reasonably suspects a person has committed, is committing or is about to commit a felony or misdemeanor as defined in the Penal Law, the member should:
 - a. Stop person and request identification and explanation of conduct;
Note: If not in uniform, identify him/herself as a police officer.
 - b. Frisk, if he/she reasonably suspects he/she or others are in danger of physical injury;
 - c. Search, if frisk reveals object that may be a weapon;
 - d. Search only that portion of the suspect's clothing where object was felt.
2. Detain suspect while conducting investigation to determine whether there is probable cause to believe an offense has been committed by the suspect.
 - a. Suspect may be detained for a period of time reasonably related to the facts that initially justified the stop or are discovered during the stop;
 - b. Complete investigation as expeditiously as possible.
3. Release suspect immediately after completing the investigation if probable cause to arrest does not exist.
4. Prepare entry on daily activity report for each person stopped, if:
 - a. Person is stopped by use of force;
 - b. Person stopped is frisked or frisked and searched;
 - c. Person is arrested;
 - d. Person stopped refused to identify him/herself;
 - e. For the entries done pursuant to a-d, officers shall document the demographic information of the subject stopped including sex, race, & ethnicity for statistical purposes.

Quotas – From the Guidance: “Formal or informal quotas are discouraged because they encourage arrests and tickets when such might not be warranted, necessary, or wise. Such quotas cast doubt on all arrests and tickets, often have a greater impact on minorities, and can erode community relationships.”

Croton Police Department is in full compliance with this directive.

Croton Evaluation Guidelines - Although all members of the Department are expected to protect the Village of Croton and issue summonses and arrests as appropriate, quotas or suggested numbers for arrests and summonses are not stated nor implied.

Croton policy Section 107-9 Performance Evaluations

PURPOSE

To establish a formal continuing process of evaluating the performance of members of this Department.

BACKGROUND

In order for the Department to achieve the maximum efficiency in its operations, it is necessary to examine and evaluate each member's contributing effort toward that goal in order to identify deficiencies in training and assignments.

POLICY

Every member of the Croton-on-Hudson Police Department below the rank of Lieutenant and all non-sworn members will be evaluated a minimum of once a year by his/her immediate Supervisor. Every effort will be made to perform two evaluations of personnel under the rank of Sergeant each year.

PROCEDURE

Rating Period

1. Performance evaluations will generally be conducted during the months of July and January of each year.
2. The rating period will cover the preceding six months of the calendar year prior to the July and January evaluations.
3. In addition to being evaluated under this Section, probationary members will be evaluated as set forth in Section 109-2 of the Department Manual Field Training.

Rater Training

1. All raters must complete the Department's in-service training program titled Performance Evaluations prior to participating in the rating process.
2. All raters must review the Croton-on-Hudson Police Department employee performance evaluation manual and evaluations guidelines manual prior to the commencement of the annual evaluation process.

Criteria

1. Evaluations of members will be performed by a designated immediate Supervisor based on the member's performance since the last evaluation, utilizing the following criteria.
 - a. Knowledge and Patrol of Assigned Areas.
 - b. Investigative Skills.
 - c. Knowledge/Application of Laws, Rules, Regulations, Policy & Procedure.
 - d. Professional Work Ethic.
 - e. Public Professional Relationships.
 - f. Administrative Responsibilities.
 - g. Productivity Arrests-Penal Law, Vehicle & Traffic, Village Ordinances.
 - h. Productivity Summonses – Vehicle & Traffic, Parking, Other.
 - i. Time & Attendance
 - j. Safety and Employee Well Being
 - k. Overall Performance Rating

Method

1. Each criterion will be completed in narrative form, addressing each appropriate specific within the criterion that is applicable to the member being evaluated; this narrative must

include qualifying information to support either "**Greatly Exceeds Standards**" or "**Below Standard**" evaluations.

2. Within the narrative, each criterion will be evaluated as follows:
 - a. Below Standard / Not Progressing
 - b. Does Not Yet Meet Standard
 - c. Meets All Standards
 - d. Above Standards
 - e. Greatly Exceeds Standards

Rater Responsibility

1. At the beginning of each calendar year after the squads for upcoming year are finalized, Supervisors who are responsible for the evaluation of subordinate members must meet with the subordinate to be evaluated and advise the subordinate that he/she is to be evaluated, the basis for the evaluation, and ensure that the subordinate is fully aware of what duties he/she is to be evaluated on and has full knowledge of how to perform those duties.
2. Raters must be cognizant of the fact that while evaluation of job performance may only be documented annually, the process of performance evaluation is a continual process, and involves every level of supervision.

Review of Performance Evaluation with Subordinate

1. After completing the performance evaluation, the rater will review the evaluation with his/her subordinate.
2. At this time, the rater will engage in constructive criticism when appropriate to assist in the development of the subordinate.
3. After the evaluation interview the subordinate/employee will sign the performance evaluation indicating that he/she has read and understand the evaluation. The signature does not indicate agreement or disagreement with the evaluation. The signature only that the supervisor/rater and employee have discussed the evaluation.
4. The rater will supply every evaluated subordinate with a copy of his/her evaluation.

Review of Performance Evaluated by Rater Supervisor

1. Every evaluation will be reviewed by the Patrol Division Commander to ensure fairness, consistency, and conformance to Department guidelines by the rater. The Patrol Commander will review the evaluations, ensuring uniform application of the criteria by Supervisors/raters, checking for the possibility of any rating errors in order to assist subordinate supervisors and to identify training needs.

Appeals

1. A member who disagrees with an unsatisfactory evaluation may submit a written disagreement to the rater's immediate Supervisor; such written disagreement must be accomplished within a reasonable time period, not exceeding 30 days of the evaluation interview.
2. The Chief of Police shall be advised of all such appeals and will serve as final authority on disputed evaluations.
3. Regardless of disposition, the member's written disagreement will be permanently filed, with the evaluation, in the member's Personnel Evaluation file.

See Appendix A for 2021 Performance Evaluation form.

Officer evaluations - From the Guidance: “it is important that departments modify CompStat implementations” ... Officer evaluations promote “...structures to ensure officer evaluation metrics reduce crime and promote public safety while promoting larger reform goals including improved community relationships and police legitimacy.”

Croton Police Department is in full compliance with this directive. Note that while overall productivity numbers are examined, there are no specific or implied target numbers. Croton does not utilize a quota or CompStat system. An Officer may have additional assignments that may occupy more of the Officer’s patrol time. If this is a factor in the Officer’s productivity, it must be explained in the narrative section of the Evaluation Form.

See Appendix B for full text of the Evaluation Guidelines

Shooting at moving vehicles and warning shots. From the Guidance: “This practice can cause risks and unintended injury to innocent bystanders. “Experts have proposed either prohibiting shooting at a moving vehicle or permitting the tactic only when the driver or passenger poses an imminent risk of lethal force against an officer or another individual.”

The Croton Police Department is in full compliance with this directive.

SOP Section 106-1 Use of Force

- I. Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others. Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle. Officers may not discharge firearms, rifles, or shotguns from a moving vehicle unless deadly physical force is being used against them or other persons present, by means other than a moving vehicle.
- J. Officers may not fire warning shots.

Summons vs warrantless arrests – From the Guidance: Consideration of “summonses rather than conducting warrantless arrests for specified offenses or under specified circumstances.”

Croton Police Department is in full compliance with this directive.

SOP Section 112-2 Summonses: Uniform Traffic Tickets

PURPOSE

To establish guidelines for members in the use and issuance of Uniform Traffic Tickets.

BACKGROUND

The Uniform Traffic Ticket (UTT) is a multipurpose document that expedites the processing of traffic law violators.

POLICY

The Uniform Traffic Ticket shall be used in charging persons for offenses classified in the New York State Vehicle and Traffic Law, the Croton-on-Hudson Village Code or any other applicable law, regulation or ordinance as it relates to moving vehicles.

PROCEDURE

Distribution

1. All members assigned to the Patrol Division shall maintain a supply of Uniform Traffic Tickets and carry them while performing patrol and/or traffic duty.
2. Members shall draw a book of 20 Uniform Traffic Tickets from the supply draw in patrol work area and file one copy of the attached "Receipt for Uniform Traffic Tickets" with the Traffic Ticket Control Officer and keep the other copy for their records.

Note: It is recommended that a member draw a new book of UTTs when down to a supply of five.

Issuance

1. Members shall be familiar with the NYS Vehicle and Traffic Law and the Croton-on-Hudson Village Code as it relates to vehicles.
2. Members shall utilize the Uniform Traffic Tickets provided to this agency by the New York State Department of Motor Vehicles (DMV) when charging persons with moving traffic violations.
 - a. Members shall complete Uniform Traffic Tickets in accordance with the Traffic Safety Law Enforcement and Disposition (TSLE&D) Program Officer's Handbook (UT-24). Members shall only use black ink when completing same.

Note: The location code for Croton is 6021.
3. Members may use Uniform Traffic Tickets for any violation of the New York State Vehicle and Traffic Law and/or the Croton-on-Hudson Village Code as it relates to moving vehicles.
4. If a violation is covered in the Village Code and the Vehicle and Traffic Law, members should cite both the Vehicle and Traffic Law section and the Village Code section on the UTT.
5. No person under the age of 16 can be issued a Uniform Traffic Ticket.
6. In the event the defendant had diplomatic/consular privileges and/or immunities, handle as outlined in Section 109-7 of this Manual.
7. Pursuant to the Constitution of the United States, if the violator is a member of the United States Senate or House of Representatives, he/she shall in all cases, except treason, felony

or breach of the peace, be privileged from arrest during his/her attendance at the session of his/her speech or debate in either House.

8. All other resident and non-resident motorists shall be treated in the normal manner, pursuant to existing vehicle and traffic laws.
9. Uniform Traffic Tickets should be made returnable to the Village Court, Village of Croton-on-Hudson, 1 Van Wyck Street, Croton, New York, 10520, and the return date should be on a Wednesday no less than two weeks from the date of violation. Traffic infractions should be scheduled for 1030 hours (10:30 a.m.) and misdemeanors should be scheduled for 0900 hours (9:00 a.m.) a list of available court dates shall be maintained at the Desk/Communications Area.
10. Uniform Traffic Tickets (simplified traffic information) cannot be used to charge a person with a felony (a long form Information must be filed). However, for tracking purposes, a UTT shall be filed with the case. **Do not give the defendant the yellow copy-instead a Standard Appearance Ticket (if applicable) should be issued.**

Arrest in Lieu of Issuance on Scene

1. The vast majority of traffic offenses can and should be processed at the scene of the traffic stop through the issuance of a UTT to the defendant. However, in certain cases the physical arrest and processing at Headquarters may be necessary using the following Department guidelines:

Must Arrest

- a. Any Felony.
 - b. DWI/DWAI/DWAID violations.
 - c. Aggravated Unlicensed Operation – When three or more suspensions and/or revocations are placed against the defendant’s license or operating privileges.
Note: Relates to New York State licenses only. If an operator is suspended or revoked in another state, he/she is considered unlicensed in this state.
 - d. When the defendant has no identification and identity cannot be verified from another source.
2. In the following situations the member may consider effecting an arrest with the permission of the Tour Supervisor.
 - a. Aggravated Unlicensed Operation Second or Third degree (misdemeanor).
 - b. An out-of-state driver whose state is not a member of the Non-Resident Violator Compact.
Note: This Department will comply with sections 516B and 517 of the New York State Vehicle and Traffic Law and treat non-resident traffic violators as if they were residents of New York State.
 - c. A serious traffic offense by an out of state driver, e.g., speeding 40 mph or more over the posted speed limit.
 - d. Any other traffic offense classified as a misdemeanor.
 - e. Aggravated Unlicensed Operation Third when three or more suspensions or revocations have been placed against the defendant’s license or operating privileges.
 - f. An uncooperative defendant.
 - g. Any other situation where it is not practicable to issue on scene.
-

Hate Crimes – From the Guidance: “Does the department have the ability to identify, investigate and prosecute hate crimes?”

Croton Police Department is in full compliance with this directive.

SOP 111-4 Complaints Bias Motivated

PURPOSE

To institute policy and procedures for the initial response and investigation of bias-related incidents.

BACKGROUND

Bias crime, whether violent or non-violent, has no place in our society. Criminal acts motivated by prejudice create fear, anger and suspicion in the mind of the victim towards a community.

Policy

It is the policy of the Croton-on-Hudson Police Department to safeguard the rights of all individuals regardless of one’s race, religion, ethnic, national origin or sexual orientation. When these rights are infringed upon by violence, threats, or other criminal acts, the Department will vigorously investigate these complaints to make arrests when probable cause is established.

DEFINITION

1. A “bias-related” crime is defined as any offense or unlawful act committed by an individual or group against another person, group or property, which is motivated by the race, religion, ethnicity, national origin or sexual orientation of the victim, and includes but is not limited to:
 - a. Hate mail;
 - b. Harassment;
 - c. Physical Assaults;
 - d. Criminal Mischief;
 - e. Cross Burning;
 - f. Fire Bombings;
 - g. Destruction of Religious Symbols.

FACTORS FOR CONSIDERATION

1. The following criteria may be applied alone or in combination, to determine whether probable cause exists to classify an incident as bias-related:
 - a. Were words, symbols or acts, which may be offensive to an identifiable group used by the perpetrator or are present as evidence?

- b. Are the victim and suspected perpetrator(s) of different racial, religious or ethnic groups?
- c. Has the victim or victim's group been subjected to prior incidents of a similar nature?
- d. Was the victim a member of a group, which is overwhelmingly out numbered by members of another group within the neighborhood or location of incident?
- e. Were there any indications that a hate group was involved?
- f. Was the victim engaged in activities promoting his/her racial, religious, ethnic, national origin or sexual orientation group?
- g. Was the crime similar to other known or documented cases of hate in the area?
- h. Has the perpetrator been previously suspected of engaging in this behavior?
- i. Did the incident occur on a holiday or other day of significance to the victim or suspect's group?
- j. Has the victim been involved in recent public activity that would make the victim a target?

Procedure

Desk/Communications Officer

1. The Desk/Communications Officer, upon receiving a report or complaint of a bias-related incident, shall:
 - a. Obtain all necessary information in detail, including information of caller, victim(s) and perpetrator(s).
 - b. Immediately notify the Tour Supervisor, dispatch a member to the scene of the incident and notify the Detective Division.

Assigned Members

1. An assigned member who responds to a bias-incident or a routine call for service and determines that it may have been a bias-related incident shall:
 - a. Notify the Tour Supervisor;
 - b. Take appropriate police action to stabilize the situation;
 - c. Protect the crime scene, if necessary;
 - d. Canvass area for witnesses;
 - e. Prepare a comprehensive case report.

Tour Supervisors

1. The Tour Supervisor who responds directly to a reported or suspected bias-related incident shall:
 - a. Determine what is necessary to stabilize the situation;
 - b. Ascertain if the incident is bias-related;
 - c. Ensure that the crime scene or evidence is secure;
 - d. Ensure that all Departmental notifications are made in accordance with Section 110-3 of the Department Manual.

Detective Division Commanding Officer

1. It shall be the responsibility of the Detective Division to review all bias-related crimes reported on Incident/Complaint Reports and to extract the data from said report and record the data on the New York State Division of Criminal Justice Services Form DCJS-1852.
 2. Original reports shall be forwarded on a monthly basis to the Westchester County Department of Public Safety, Crime Analysis Unit (or in the event the Crime Analysis Unit no longer accepts the report to: New York State Division of Criminal Justice Services, Bureau of Statistical Services, Executive Park Tower, Stuyvesant Plaza, Albany, New York 12203).
 3. A copy of the Incident/Complaint Report will be forwarded together with the State Report.
 4. A copy of the State form shall be retained in the case folder.
 5. Notify the department e-JUSTICE Terminal Agency Coordinator (TAC) or Sub-TAC in the event a Hate Crime has been committed in the village. The TAC or Sub-TAC will then be required to file the monthly Hate Crime Report via the portal.
-

Officer identification – From the Guidance: “Does the department require officers to identify themselves by name, rank, and badge number with each interaction with the public? Do officers give out business cards with each interaction?”

While the directive has been established in Department protocols, it is not part of the formal procedures and needs to be updated.

SOP Section 110-7 – Traffic Stops

Traffic Stops:

- a. Maintain a professional image, dress, grooming, language, bearing and demeanor;
- b. Be certain of the observations of the traffic violation;
- c. Greet the motorist with appropriate title and in a courteous manner; Identify him or herself providing their position Police Officer _____ or Sergeant _____ (stating their last name) of the Croton Police Department.
- d. Inform the motorist why the stop is being made;

SOP Section 105-1 – Standards of Performance and Conduct (relevant sections included)

Public Contact

34. Answer telephone promptly, stating in a courteous manner, command, rank or title, surname, and “May I help you?”
35. Give name and shield number to anyone requesting them.
36. Be courteous and respectful.

Prohibited Conduct

82. Using personal card describing police business, address, telephone number or title except when authorized by the Chief of Police.
-

Public demonstrations and First Amendment right to record police officers in public,

Crowd control – From the Guidance: “Should the police be demilitarized? “... Prioritize citizens’ First Amendment rights and effective communication with demonstrators, avoid the use of provocative tactics.” “Your community should review police policies and practices concerning stops, searches, arrests, and public protests/ demonstrations...”

The following procedure outlines the department’s response to major incidents including protests/demonstrations. Croton does not have armored vehicles, grenade launchers, bayonets, water cannons, rubber pellets, or acoustic weapons. Croton does have riot helmets.

Croton Policy Section 120-3 – Responding to Major Incidents

PURPOSE

To establish guidelines for members to utilize when responding to major incidents.

BACKGROUND

It is the responsibility of the police to be prepared and guided when dealing with major incidents whether they are criminal in nature or natural disasters. Rapid response and sound planning can often prevent loss of life, damage to property and prevent an incident from escalating.

POLICY

It is the policy of the Croton-on-Hudson Police Department to promptly respond to all occurrences of an unusual or emergency nature and to provide for the orderly and efficient assembly of manpower, supplies and equipment necessary to handle, control and safely terminate any such occurrence.

DEFINITIONS

1. Major incidents means any event, generally of an emergency nature, that involves actual or potential personal injury or property damage arising from a natural disaster, manmade disaster, civil disturbance or terrorist action.
2. Natural Disaster means those incidents in which the forces of nature threaten the lives, safety, or property of numerous persons; i.e., floods, hurricanes, earthquakes, explosions, tornadoes, landslides, drought, infestation or significant snowfall/blizzard.
3. Manmade Disaster means incidents in which the forces of man threaten the lives, safety, or property of numerous persons; i.e., nuclear/radiological accidents, chemical spills, major railroad accidents, or aircraft crashes.
4. Civil Disturbance means an action by any group that poses a substantial threat to peace, life, or property or any tumultuous or violent activity that creates a grave risk of causing public alarm.
5. Terrorist Action is defined as a politically motivated, hostile action taken by a person or group whose intent is the commission of violent acts designed to instill fear, communicate a message and/or demand some governmental action.

Civil Demonstrations/ Disorders

1. It is the responsibility of this Department to preserve the peace while protecting the rights of demonstrators to assemble peacefully and exercise free speech.
2. Members will make reasonable efforts to employ non-arrest methods of crowd control, but as required, shall make arrests for violations of the law.
3. Members will display an attitude of neutrality and will not engage in demonstration-related conversation with participants.
4. If crowd dispersal is necessary, supervisors will utilize the following order:
 - a. Verbal persuasion to request dispersal;
 - b. Issuance of warnings;
 - c. Physical attempts to move the crowd and/or effect arrests;
 - d. Use of chemical agents.
5. The decision to deploy chemical agents, other than Cap-Stun, will be made by the Incident Commander.
6. Upon dispersal of the crowd and if practical, the Incident Commander will direct de-escalation procedures to members.

De-escalation Procedures

1. Evacuation: A decision shall be made whether to evacuate the area, and if required, to what extent.
2. Traffic patterns should be established and controlled around the disaster site through the use of street barricades and/or personnel manually directing traffic.
3. Crowd control of the site perimeters may be maintained by establishing artificial barriers, and/or using natural barriers around the disaster site.

Note: This action may help to prevent onlookers, for their own safety, from entering the area and the effectiveness of rescue operations.
4. Patrols should be established in the area in an attempt to prevent looting, and/or other criminal acts.
5. Body recovery and identification shall be performed.

SOP 113-2 - Arrest Processing

POLICY

It shall be the policy of the Police Department that all necessary paperwork and procedures incidental to an arrest be prepared and performed in a proper and timely manner.

PROCEDURE

1. Upon arrival at Headquarters, the defendant shall be immediately taken to the booking area, where he/she is to be searched. Any contraband or personal property, including shoelaces, belts, chains, etc. that is taken from the defendant shall be inventoried and secured in compliance with related Department procedures.

2. After the defendant has been searched, the arresting member shall record the defendant's name, address, date of birth, offense committed and any other pedigree or pertinent information and forward same to the Desk/Communications Officer.
 3. The Desk/Communications Officer shall then send a "Want Inquiry" via e-JUSTICE Portal to determine if the defendant is wanted by other agencies.
 4. Arresting officers will then execute the Constitutional Rights form as prescribed by Department procedures.
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Emotionally disturbed persons – From the Guidance: "What training is in place to assist officers with emotionally disturbed persons or persons with addiction?"

Training is provided to recruits at the Police Academy. The Department is investigating further Crisis Intervention Training and 911 Diversion training with Westchester County.

SOP Section 117-3 – Emotionally Disturbed Persons

PURPOSE

To establish guidelines for handling of a mentally ill or emotionally disturbed person who does not voluntarily seek medical assistance.

POLICY

The safety of all persons is paramount in a situation involving an emotionally disturbed person. If such person is dangerous to him/herself or other, necessary force may be used to prevent serious physical injury or death. Physical force will be used only to the extent necessary to restrain the subject until delivered to a hospital or detention facility. Deadly physical force will be used only as a last resort to protect the life of a member of the Department or any other person present. If an emotionally disturbed person is not dangerous, the person should be contained until assistance arrives. In any case, when there is time to negotiate, all the time necessary to ensure the safety of all individuals concerned will be used.

LEGAL REFERENCES:

1. Section 9.41 of the New York State Mental Hygiene Law empowers members to take into custody any person who appears to be mentally ill and is conducting him/herself in a manner that is likely to result in serious harm to him/herself or others.
2. Section 9.39 of the Mental Hygiene Law provides emergency admissions for immediate observation, care and treatment at such institutions as the Psychiatric Institute, Westchester County Medical Center.

Procedure

Assigned Members:

1. Evaluate the situation, including:
 - a. Mental or emotional conditions of the person;
 - b. Whether or not the mentally ill or disturbed person has used or threatened the use of any weapon or dangerous instrument;
 - c. Whether or not the mentally ill or emotionally disturbed person is conducting him/herself in a manner that is likely to result in serious physical harm to him/herself or others;
 - d. Determine if an ambulance or other medical assistance is required.
2. Inform the Tour Supervisor of the situation as soon as practical.
3. Ensure the safety of others in the area.
4. Advise when scene is secure for EMS personnel to respond in.
5. Ensure the security of any firearm or other dangerous instrument at the scene.
6. The Tour Supervisor shall:
 - a. Respond to the scene if available, soon as possible and take command of the situation;
 - b. Attempt to isolate and contain the mentally ill or emotionally disturbed person;
 - c. Attempt to obtain the identity of the mentally ill or emotionally disturbed person in order to determine if the individual is listed as missing (File 6) or wanted (File 5);
 - d. Arrange for the assistance of Crisis Intervention;
 - e. Ensure that an adequate number of personnel remain available to respond to other calls for service;
 - f. Formulate a plan of action to handle the situation;
 - g. Arrange for a hostage negotiator to respond if the circumstances require.
7. When the mentally ill or emotionally disturbed person has been taken into custody he/she will be transported to Headquarters if an arrest is to be made, or taken to a medical/psychiatric facility if no charges are to be filed.
8. The Tour Supervisor will assign a member to ride within the ambulance if the mentally ill or emotionally disturbed person is transported by such conveyance.
9. Upon arrival at the medical/psychiatric facility, the member will safeguard all persons involved until the mentally ill or emotionally disturbed person has been delivered to a member of the hospital staff.

Reporting

1. The assigned member shall obtain all pertinent information, including the name and title of the member of the hospital staff to whom the mentally ill or emotionally disturbed person was delivered and advise the Desk Officer so information can be documented in an event blotter.

In the event a supervisor believes a specific case report is needed the assigned officer will cause one to be prepared.

Policy of maintenance of training records for each officer – From the Guidance: “It is recommended that records be maintained for all training curricula, materials, and attendance. All officers should have an annual minimum of 21 hours of training.”

Croton Police Department is in full compliance with this directive.

SOP Section 109-3 In-Service Training

PURPOSE

The purpose of this order is to ensure that training remains a continuous process throughout every member's career with the Croton-on-Hudson Police Department.

POLICY

Every member of the Croton-on-Hudson Police Department will receive a minimum of 21 hours annual in-service training. This training will include field firearms training, use of force, use of deadly physical force, and Article 35 of PLNYS, Legal Updates and any other subject matter as directed by the Chief of Police.

PROCEDURE

Course Content

1. The course content for all segments of this Department's In-Service Training Program will equal or exceed the prevailing standards as set by the Municipal Police Training Council.

Instructors

1. All instructors participating in In-Service Training must be certified in accordance with Instructor Standards and Qualifications as set forth in Part 6023, 6024, or 6025 of New York State Codes, Rules and Regulations.
2. Department instructors shall prepare a written lesson plan for in-service training courses or other courses sponsored by this Department they intend to present.
3. Lesson plans will be submitted to the Chief of Police for approval before the course is presented.

Members Attending Training

1. Every time a member attends Department sponsored training he/she has the duty and responsibility to sign the related training roster and file an individual training record and forward same to the Commanding Officer of the Patrol Division and Patrol Sergeant assigned to Training records.

Commanding Officer of The Patrol Division

1. The Commanding Officer of the Patrol Division will be responsible for supervising and scheduling all members for annual in-service training
2. The Commanding Officer of the Patrol Division will maintain, review, and approve all training records of courses sponsored by the Croton-on-Hudson Police Department.

Training Outside the Department

1. Every time a member attends authorized training outside the Department, he/she has the duty and responsibility to file an individual training record and forward same to the Commanding Officer of the Patrol Division. Members receiving certificates for training shall forward copies of same to Patrol Commander & Sergeant in charge of Department training records.

Records Retention

1. All lesson plans and course curriculums will be kept on file indefinitely.
2. All training rosters and individual training records, whether the course is Department sponsored or training outside the Department will be maintained indefinitely.

Reporting of race and sex for all traffic stops and arrests – From the Guidance: “All traffic stops and arrests should record the race and sex of the driver.”

Croton is in full compliance with this directive. Data will be collected as possible, using the judgement of officers or the self-reporting of the person as to the race and sex, if not available on legal documents.

SOP Section 110-7 – Traffic Stops

POLICY

Uniform traffic enforcement supports the ultimate goal of traffic law enforcement, which is to achieve voluntary compliance with traffic laws and regulations. It is the policy of the Croton-on-Hudson Police Department to provide for the safe and orderly flow of traffic through its jurisdiction by public compliance with traffic laws. To this end, the Department shall enforce all state and local vehicle and traffic law in a uniform manner, while allowing for the use of the member’s discretion.

Traffic Stop Data Collection

(relevant sections included)

23. In accordance with the New York State Police Reform, the department is required to collect and document traffic stop data. The data required to be collected and documented shall include the operator’s race, ethnicity and gender.
24. The member initiating the traffic stop shall collect and document the following information on the daily activity report;
 - a. Date;
 - b. Time;
 - c. Registration;
 - d. Location;
 - e. Race;
 - f. Ethnicity;
 - g. Gender;
 - h. Reason for stop; ie; VTL 1180-B, DWI, Reckless Driver;
 - i. Summons or Warning issued;

- j. Any associated blotter event; Any blotter generated from a caller, Arrest made...
25. The officer initiating the stop shall make data entries into the Car Stop Tracker electronic spreadsheet. This shall include all of the information collected and documented upon the daily activity report concerning the stop. This information is to be collected and documented regardless of whether the officer initiating the traffic stop issues a summons or warning to the operator / driver.
 26. The collection of this data will be utilized to maintain accurate records of traffic stops conducted by members of service.
 27. The information will track traffic stop activity which can contribute to the effectiveness of department policing.
 28. Analysis of the Stop Tracker spreadsheets may identify potential biases and allow the department to better implement police strategies to address any concerns.
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Civilian overview of misconduct and policy reform – From the Guidance: “Is there a civilian review board of misconduct complaints and policy review?”

Croton does not have civilian oversight of misconduct complaints or policy review.

Pretextual stops – From the Guidance: “Pretextual stops, which involve stopping someone for a minor violation in an effort to investigate a more serious crime. This can lead to community distrust.”

Croton does not currently have a Pretextual Stop procedure and is working to establish such procedure.

Use of SWAT and No-Knock warrants – From the Guidance: “Over-use of SWAT teams is not advisable. Use of No-Knock warrants should be limited”.

Croton is in full compliance with this policy as it pertains to this Department.

Croton does not have a SWAT team and relies on the mutual aid of the County Police if SWAT is needed. Croton follows all rules as set forth by the court for obtaining and carrying out all warrants.

Restorative Justice Programs: From the Guidance: “Restorative justice programs offer people a meaningful chance to respond to conflict outside of the traditional courtroom process.” The goal of restorative justice is “healing rather than punishment...”

The Croton Police Department makes reasonable efforts to help mediate disputes in an effort to resolve conflict outside the traditional courtroom process.

Hot-Spot policing and focused deterrence – From the Guidance: “Some departments have used data analysis to identify crime spikes or “hot spots” in specific neighborhoods or even particular street blocks and increased the visible police presence in these areas, with the purpose of deterring crime. Relatedly, some departments have implemented a strategy of “focused deterrence,” in which officers engage directly with offenders or groups of offenders based on their prior history, sometimes in partnership with community members.” This can lead to unequal policing of minority neighborhoods.”

Croton is in full compliance with this directive as it can apply to a Village the size of Croton. Croton does not employ hot-spot policing or focused deterrence due to the small size and low crime rate within the Village. Specific areas or streets of concern are focused on for the short time needed. For example, larcenies from vehicles might elicit extra patrols in the impacted neighborhoods but for only as long as needed.

Technology – From the Guidance: “Does the department have policies for new technologies to include “biometric technologies, surveillance system, unmanned aerial systems, data mining tools, geofencing tools, resource allocation tools, and body cameras.”

The Croton Police Department does not have or employ any of the listed technology.

Drug and alcohol rehabilitation and mental illness diversion (NYS PR): Croton Police Department is not in compliance with this directive.

The department is currently investigating all additional avenues, to include Crisis Intervention Training, 911 diversion, and Hope Instead of Handcuffs. As noted under Emotionally Disturbed Persons section, Crisis Intervention professionals are utilized when possible.

Community policing rewards: From the Guidance: “Departments may want to consider offering awards, prizes, or other recognition to officers who advance reform goals.”

The Croton Police Department intends to formulate a method for recognizing officers who advance reform goals in the upcoming year. There is an existing SOP which recognizes officers’ other achievements, 107-11.

Early Intervention system for problematic behavior – From the Guidance: “An EIS is a system that electronically tracks officer performance in an attempt to identify abnormal patterns indicative of problematic behavior. EIS’s are used across many disciplines, to identify potential issues before they fully manifest.”

Croton is not in compliance with this directive. Croton is a small Department and such a system is not necessary or useful. There is no Early Intervention System. Supervisors work with their officers daily, know their officers well, and notice minute changes in attitude and personality,

and would intercede if need be. There is no formal Employee assistance program. There is no formal policy or procedure for a supervisor to follow to assist an officer in seeking and obtaining assistance. The SOP 108-1 on discipline outlines procedures for counseling officers.

Officer wellness – From the Guidance: “What policies are in place to ensure officers are engaged in professional organizations? Smarter scheduling? Peer support networks? Are there programs to address officer stress after a traumatic event? Are the employee assistance programs? Are there yearly surveys of officer morale, concerns, and suggestions?”

Members of the Croton Police Department are eligible to join professional organizations in which the Village will pay for participation. Members of the Department also have access to a fitness room in police headquarters to maintain physical wellness. The Department conducted a survey of officers’ morale, concerns and suggestions as part of the reform process, and intends to continue doing so on a yearly basis.

Croton-on-Hudson Police Department Evaluation Guidelines

The following ratings are to be used when rating a Police Officer's behavior in each of the following categories on the Evaluation Report. Below standard / not progressing, Does not yet meet standard, Meets all standards, Above standard, & Greatly exceeds standards.

Attitude

1. Acceptance of Criticism

Below Standard/Not Progressing: Rationalizes mistakes, denies that errors were made, is argumentative, refuses to, or does not attempt to make corrective actions. Considers criticism as a personal attack.

Meets All Standards: Accepts criticism in a positive manner and applies it to improve performance. Attempts to further learning.

Greatly Exceeds Standard: Actively solicits criticism/feedback in order to further improve performance and further learning.

2. Attitude Toward Police Work

Below Standard/Not Progressing: Sees career as only a job, uses job to boost ego, abuses his/her authority, demonstrates little dedication to the principles of the profession.

Meets All Standards: Demonstrates an active interest in new career and in police responsibilities.

Greatly Exceeds Standards: Utilizes off-duty time to further professional knowledge, actively soliciting assistance from others to increase knowledge and improve skills. Demonstrates concern for the fair and equitable enforcement of the law, maintains high ideals in terms of professional responsibilities.

Knowledge of Department Procedures & Policies

3. Reflected by Verbal / Written

Below Standard/Not Progressing: Fails to display knowledge of the department policies/regulations or violates same.

Meets All Standards: Familiar with most commonly applied policies and regulations, complying with same.

Greatly Exceeds Standards: Has an excellent working knowledge of department policies/regulations.

4. Reflected by Field Performance

Below Standard/Not Progressing: Has no knowledge of departmental policies and procedures. Makes no attempt to learn them.

Meets All Standards: Familiar with most commonly applied departmental policies and procedures and adheres to them.

Greatly Exceeds Standards: Exceptional working knowledge of departmental policies and procedures.

Knowledge of Penal Law

5. Reflected by Verbal/Written

Below Standard/Not Progressing: Does not know the basic elements of basic sections of Penal Law. Does not recognize criminal offenses when encountered or makes mistakes relative to whether or not crimes have been committed and, if so, which crimes.

Meets All Standards: Recognizes commonly encountered criminal offenses and applied appropriate charge. Knows the difference between criminal and non-criminal activity.

Greatly Exceeds Standards: Has outstanding knowledge of criminal law and properly applies that knowledge to complex and unusual criminal activity.

6. Reflected by Field Performance

Below Standard/Not Progressing: Has no knowledge of elements of basic sections of the Penal Law. Not able to learn; no attempt at improvement.

Meets All Standards: Applies appropriate charge. Working knowledge of commonly used sections; relates elements to observed criminal activity.

Greatly Exceeds Standards: Outstanding knowledge of Penal Law, and ability to apply it to both normal and unusual criminal activity.

Knowledge Of Village Code

7. Reflected by Verbal/Written

Below Standard/Not Progressing: Does not know the elements of basic sections of Village Code. Does not recognize Code violations when encountered or makes mistakes relative to whether or not Codes have been violated and, if so, which Codes.

Meets All Standards: Recognizes commonly encountered Code Violations and applies appropriate charge. Knows the difference between a Code violation and no violation.

Greatly Exceeds Standards: Has outstanding knowledge of the Village Codes and properly applies that knowledge to complex and unusual incidents.

8. Reflected by Field Performance

Below Standard/Not Progressing: Has no knowledge of Village Code sections. Makes no attempts to learn them.

Meets All Standards: Working knowledge of commonly used sections; relates elements to observed/reported activity; and applies appropriate charge.

Greatly Exceeds Standards: Outstanding knowledge of Village Code sections, and applies it to both normal and unusual activity.

Knowledge of Vehicle & Traffic Law/Accident Investigation

9. Reflected by Verbal/Written

Below Standard/Not Progressing: Does not know basic sections of the Vehicle & Traffic Law. Makes mistakes relative to which sections of the law are applicable.

Meets All Standards: Recognizes commonly encountered traffic violations and applies appropriate charge. Knows the basic elements to support the charge.

Greatly Exceeds Standards: Has outstanding knowledge of the Vehicle & Traffic Law and properly applies that knowledge to complex and unusual traffic investigations.

10. Reflected by Field Performance

Below Standard/Not Progressing: Does not know the most used sections of the Law. Does not recognize violations when committed in presence or incorrectly identifies violation. Apprehensive about stopping violators. Unable to issue a complete UTT and conduct a satisfactory accident investigation.

Meets All Standards: Knows and recognizes common violations. Can apply appropriate sections; can locate less known sections in V&T book when required. Performs routine car stops and issues UTT's properly. Has good application skills of an accident investigation.

Greatly Exceeds Standards: Recognizes and vigorously enforces traffic violations, including those seldom encountered, with outstanding efficiency. Can quickly and effectively issue UTT's to motorists and is able to handle a complete accident investigation.

Knowledge of Criminal Procedure Law

11. Reflected by Verbal/Written

Below Standard/Not Progressing: Does not know basic sections of the Criminal Procedure Law. Does not recognize common criminal procedure and processing. Makes no attempt to learn them.

Meets All Standards: Recognizes and adheres to commonly applied criminal procedure and processing.

Greatly Exceeds Standards: Has outstanding knowledge of criminal procedure and properly applies that knowledge to complex criminal activity.

12. Reflected by Field Performance

Below Standard/Not Progressing: Does not know most often used sections of the law. Attempts to conduct unlawful arrests or searches. Fails to make arrests when observing criminal activity. Knowingly violates procedural requirements. Unable to conduct a basic criminal investigation within procedure.

Meets All Standards: Has a working knowledge of criminal procedure and applies to commonly encountered situations. Makes arrests within legal guidelines. Able to conduct legal searches knows how to seize evidence.

Greatly Exceeds Standards: Makes outstanding arrests, which exhibit high level of criminal law knowledge and investigative ability. Does not require any assistance in court processing or arrest paperwork.

Driving Skills

13. Normal Conditions

Below Standard/Not Progressing: Frequently violates traffic laws. Involved in chargeable accidents. Fails to maintain control of vehicle or displays poor manipulative skills in vehicle operation. Exceeds posted speed limits without cause and does not drive defensively.

Meets All Standards: Obeys traffic laws. Maintains control of vehicle. Performs vehicle operation while maintaining an alertness to surrounding activity.

Greatly Exceeds Standards: Sets an example for lawful, courteous driving. Maintains complete control of the vehicle while operating radio or performing other tasks.

14. Stress Conditions

Below Standard/Not Progressing: Involved in preventable accidents. Uses red lights and sirens unnecessarily or improperly. Drives too fast or too slow for the situation. Loses control of the vehicle. Drives recklessly.

Meets All Standards: Maintains control of the vehicle and evaluates driving situations properly. Exercises necessary control under stress situations.

Greatly Exceeds Standards: Displays a high degree of reflex ability and driving competence. Anticipates driving situations in advance and acts accordingly. Practices

defensive driving techniques at all times. Responds very well to degree of stress present.

15. Response Time To Calls

Below Standard/Not Progressing: Unaware of location or direction while on patrol. Does not properly use a Village map. Unable to relate location to destination. Gets lost. Expends too much time getting to destination.

Meets All Standards: is aware of location and direction while on patrol. Properly uses Village map. Can relate location to destination. Arrives within reasonable amount of time.

Greatly Exceeds Standards: Remembers locations from previous visits and does not need to use Village map. Is aware of shortcuts and utilizes them to save time. High level of orientation to the assigned sector.

Forms

16. Accurate and Complete

Below Standard/Not Progressing: Is unaware that a form must be completed and / or is unable to complete the proper form for the given situation. Forms are incomplete, inaccurate, or improperly used.

Meets All Standards: Knows the commonly used forms and understands their use. Completes them with reasonable accuracy and thoroughness.

Greatly Exceeds Standards: Consistently makes accurate form selections and rapidly completes detailed forms without assistance. Displays high degree of accuracy.

Report Writing

17. Report Writing/Organization

Below Standard/Not Progressing: Unable to organize information and reduce it to writing.

Meets All Standards: Completes reports, organizing information in a logical manner.

Greatly Exceeds Standards: Reports are a complete accounting of events from beginning to end, written and organized so that any reader understands what occurred.

18. Details Included In Report

Below Standard/Not Progressing: Leaves out pertinent details in report necessary for understanding the incident.

Meets All Standards: Reports contain the required information and details.

Greatly Exceeds Standards: Reports are a detailed accounting of events from beginning to end, written so that *any reader* understands what occurred.

19. Grammar and Spelling

Below Standard/Not Progressing: Reports contain excessive number of misspelled words. Sentence structure or word usage is improper or incomplete.

Meets All Standards: Grammar is at an acceptable level. Spelling is acceptable and errors are rare. Errors, if present, do not impair an understanding of the report.

Greatly Exceeds Standards: Reports contain no spelling or grammar errors.

20. Neatness & Legible

Below Standard/Not Progressing: Reports are illegible.

Meets All Standards: Reports are legible and neat.

Greatly Exceeds Standards: Reports are very neat and legible.

21. Expended Time On Report

Below Standard/Not Progressing: Requires an excessive amount of time to complete a report. Takes three or more times the amount of time an average officer would take to complete the report.

Meets All Standards: Completes the report in a reasonable amount of time.

Greatly Exceeds Standards: Completes reports very quickly, as would a skilled veteran Officer.

Field Performance

22. Field Performance Non-Stress

Below Standard/Not Progressing: When confronted with a routine task, becomes confused and disorientated. Unable to determine course of action or takes wrong course of action. Avoids taking action.

Meets All Standards: Properly assesses routine situations, determines appropriate action and takes same.

Greatly Exceeds Standards: Properly assesses situations including unusual or complex ones. Determines most appropriate course of action and takes same.

23. Performance Under Stress

Below Standard/Not Progressing: Becomes emotional, is panic stricken, can't function, loses temper. Overreacts.

Meets All Standards: Exhibits calm and self control, determines acceptable course of action and takes it. Does not allow the situation to further deteriorate.

Greatly Exceeds Standards: Maintains calm and self control in even the most extreme situations. Quickly restores control in the situation and takes command. Determines best course of action and takes it.

Investigative Skills

24. Ability To Relate To Interviewee

Below Standard/Not Progressing: Does not plan an investigative strategy. Cannot define his/her investigative goals and priorities. Does not follow legal and departmental guidelines. Cannot coordinate aspects of investigation.

Meets All Standards: Maintains a controlling command presence at scene. Able to establish priorities and conduct each aspect of the investigation. Requires minimal supervision for routine scenes.

Greatly Exceeds Standards: Requires little or no supervision at complex or unusual scenes. Coordinates and performs all aspects of scene with high efficiency.

25. Interview & Interrogation Skills

Below Standard/Not Progressing: Fails to use proper questioning techniques. Does not elicit and/or record available information. Unable to establish proper rapport. Unable to control interview. Unable to take legally sufficient deposition or statement.

Meets All Standards: Generally uses proper questioning techniques. Elicits most available information and is able to properly record same. Establishes proper rapport with citizens/victims/arrestees. Able to take a legally sufficient deposition or statement.

Greatly Exceeds Standards: Always uses proper questioning techniques. Establishes rapport with citizens/victims/arrestees. Controls the interrogation or interview of even the most difficult suspects. Has outstanding knowledge of body language.

Self-Initiated Field Work

26. Initiates Field Work

Below Standard/Not Progressing: Does not see or avoids activity. Does not follow up on situations. Rationalizes suspicious circumstances. Does not have a broad orientation to the job.

Meets All Standards: Recognizes and identifies Police related activity. Has a broad orientation to the job including low priority activity. Develops cases from observed activity. Displays inquisitiveness.

Greatly Exceeds Standards: Seldom misses observable activity. Maintains and catalogs information at roll call and uses that information as “probable cause.” Makes high quality arrests and/or dispositions from observed activity. Thinks well “on his feet.”

Problem Solving/Decision Making

27. Ability To Solve Problems and Make Decisions

Below Standard/Not Progressing: Acts without thought or good reason. Is indecisive, naive. Is unable to reason through a problem and come to a conclusion. Can't recall previous solutions and apply them in like situations.

Meets All Standards: Able to reason through a problem and come to an acceptable conclusion in routine situations. Makes reasonable decisions based on information available. Perceives situations as they really are. Makes decisions without undue assistance.

Greatly Exceeds Standards: Able to reason through even the most complex situations and is able to make appropriate conclusions. Has excellent perception. Anticipates problems and prepares solutions in advance. Relates past solutions to present situations.

Radio

28. Uses Appropriate Radio Codes & Procedures

Below Standard/Not Progressing: Misinterprets communication codes, definitions or fails to use it in accordance with policy; fails or refuses to improve.

Meets All Standards: Has good working knowledge of majority of communication codes and definitions.

Greatly Exceeds Standards: Uses communication codes with ease in all receiving and sending situations.

29. Listens and Comprehends

Below Standard/Not Progressing: repeatedly misses own call sign and is unaware of traffic in adjoining sectors. Requires dispatcher to repeat radio transmissions or does not accurately comprehend transmissions.

Meets All Standards: Copies own radio transmission and is generally aware of radio traffic directed to adjoining sectors.

Greatly Exceeds Standards: Is aware of own radio traffic and traffic in surrounding sectors. Is aware of traffic in other parts of the Village and uses previously transmitted information to advantage. Is aware of traffic in neighboring communities.

Relationships/Teamwork

30. With the Public

Below Standard/Not Progressing: Abrupt, belligerent, overbearing, arrogant, uncommunicative. Overlooks or avoids “service” aspects of the job. Introverted, insensitive, or uncaring.

Meets All Standards: Courteous, friendly and empathetic. Communicates in a professional, unbiased manner. Is service oriented.

Greatly Exceeds Standards: Is very much at ease with citizen contacts. Quickly establishes rapport and leaves people with feeling that the Officer was interested in serving them. Is objective in all contacts.

31. With Supervisors

Below Standard/Not Progressing: Patronizes superiors, or is antagonistic towards them. Gossips. Is insubordinate, argumentative, sarcastic. Resists instruction.

Meets All Standards: Adheres to the chain of command and accepts role in organization. Respects authority. Follows instructions and behavior is supportive of agency goals or tasks at hand.

Greatly Exceeds Standards: Is at ease in contacts with superiors. Understands superior’s responsibilities, respects and supports their position.

32. With Co-Workers

Below Standard/Not Progressing: Abrupt, belligerent, overbearing, arrogant, uncommunicative. Introverted, insensitive, or uncaring.

Meets All Standards: Courteous, friendly and empathetic. Communicates in a professional, unbiased manner.

Greatly Exceeds Standards: Quickly establishes rapport and leaves people with a friendly feeling that he/she was interested and concerned with the co-worker. Is objective in all contacts.

Attendance

33. Is On Time For Work

Below Standard/Not Progressing: Is not in full uniform ready for roll call at the scheduled start of his/her tour. This would include being one or two minutes late for the start of the tour.

Meets All Standards: Is in full uniform and ready for roll call at the starting time of his/her tour.

Greatly Exceeds Standards: Is in full uniform ready for roll call fifteen or more minutes before the start of his/her tour. Readily accepts calls for service before the start of his/her tour.

34. Does Not Abuse Sick Leave

Below Standard/Not Progressing: Has used five or more sick days in the proceeding six months, that may indicate abuse of sick leave policy.

Meets All Standards: Has used three or four sick days in the proceeding six months.

Greatly Exceeds Standards: Has used one or less sick days in the proceeding six months.

Productivity

An Officer may have additional assignments that may occupy more of the Officer's patrol time. If this is a factor in the Officer's productivity, it must be explained in the narrative section of the Evaluation Form. *The productivity numbers below, do not include the productivity for the D.A.R.E. Officer(s) or Detective.*

35. Penal Law Arrests (*Felony, Misdemeanor, Violation, Custody arrests*)

Total number ____

36. Village Code Arrests

Total Number ____

37. Vehicle and Traffic Arrests (*Includes Felony, Misdemeanor and D.W.I. arrests*)

Total Number ____

38. Issued Speeding Summonses

Total Number ____

39. Issued other Traffic Summonses

Total Number ____

40. Issued Parking Summonses

Total Number ____

41. Leadership

Leadership Ability/Command Presence

Below Standard/Not Progressing:

Meets All Standards:

Greatly Exceeds Standards:

42. Desk Duties/Communications

Below Standard/Not Progressing:

Meets All Standards:

Greatly Exceeds Standards:

43. Appearance/Uniform/Gear

Below Standard/Not Progressing:

Meets All Standards:

Greatly Exceeds Standards:

44. Officer Safety Protocols

Below Standard/Not Progressing:

Meets All Standards:

Greatly Exceeds Standards:

CROTON ON HUDSON POLICE DEPARTMENT PERSONNEL PERFORMANCE EVALUATION REPORT

This form is to be completed as prescribed by Section 107-9 of this Manual and utilizing the Department Rater's Guide.

Employee Name
Choose an item.

Rank or Title
Choose an item.

Unit
Choose an item.

Rater Name
Choose an item.

Rater's Rank or Title
Choose an item.

Date
Click here to enter a date.

1. Knowledge and Patrol of Assigned Areas:

Consider employee knowledge and performance in planning, coordination and execution of patrol duties. Consider ability to identify law enforcement related activities, to develop information sources and to respond to enforcement needs of assigned area(s).

Strength(s):

Improvement(s):

2. Investigative Skills:

Evaluate ability to conduct a proper investigation. Consider employee's ability to use proper questioning techniques, to vary techniques to fit constitutional guidelines.

Strength(s):

Improvement(s):

3. Knowledge/Application of Laws, Rules, Regulations, Policy and Procedure:

Consider knowledge of relevant laws, rules, and regulations required in the performance of assigned duties and judgment used in their application.

Strength(s):

Improvements(s):

4. Professional Work Ethic:

Consider self-motivation, adaptability and willingness to accept responsibility when authorized. As well as acceptance of criticism and use of comments to further the learning process and improvement performance.

Strengths:

Improvements:

5. Public Professional Relationships:

Consider the employee's performance in communicating, interacting and cooperating with other agency members, the public and other agencies and constituent groups.

Strength(s):

Improvement(s):

6. Administrative Responsibilities:

Consider performance to include the preparation and submission of required reports, forms, and correspondences.

Strength(s):

Improvements(s):

7. Time and Attendance:

Consider adherence to duty schedule, attendance and punctuality record in relation to generally accepted rules and regulations.

Strength(s):

Improvements(s):

8. Safety and Employee Well Being:

Consider performance tasks without injury to self or others, or exposing self or others to unnecessary danger/risks.

Strength(s):

Improvement(s):

7. Performed productivity on patrol for Arrests-Penal Law, Vehicle & Traffic Law, Custody Arrests and Village Ordinance:

- a. NYS Penal Law-
- b. Vehicle & Traffic Law-
- c. Village Ordinance-
- d. Warrant/Custody Arrests-

Strength(s):

Improvement(s):

8. Performed productivity for Summonses-Vehicle & Traffic, Speeding, and Parking:

- a. Vehicle & Traffic-
- b. Speeding-
- c. Parking-

Strength(s):

Improvement(s):

Overall Performance Rating:

Supervisor's overall performance comments.

Demonstrated Strength(s):

Areas of Improvement:

Signatures:

RATER: _____ **DATE:** _____

EMPLOYEE: _____ **DATE:** _____

DIVISION C.O.: _____ **DATE:** _____