



Ellenville Justice & Reform Commission

INTRODUCTION

This document was created by the Ellenville Justice and Reform Commission in response to [Governor Cuomo's Executive Order 203](#) which declared that every municipality with a police agency “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.” This Executive Order recognizes the systemic racism endemic to all American institutions, including policing, law enforcement and criminal justice.

With this directive in mind, we put together a commission comprised of diverse community members, advocates, elected officials, and law enforcement to work together to create a plan and a vision for what the Village of Ellenville would like their policing to look like moving forward. Given this directive, a commission was created to examine the racial disparities in our existing system and to ensure that disparate voices, often ignored, were heard. We gathered together a diverse group of citizens which included people of color, school district representatives, law enforcement, members of the clergy, business and village leaders, students, and Ulster County level members of the Human Rights Commission and the Center for Restorative Justice and Empowerment.

BACKGROUND

This document was created by the Ellenville Justice and Reform Commission in response to [Governor Cuomo's Executive Order 203](#) which declared that every municipality with a police agency "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."

With this directive in mind, we put together a commission of community members, advocates, elected officials, and law enforcement to work together to create a plan and a vision for what a plan for Ellenville would look like. And what the future of policing in Ellenville needs to be, moving forward. Given that this directive was to examine the racial disparities in our existing system, the Village Board assembled a diverse group of Ellenville citizens, the majority of whom were representative minorities in order to better address the reforms.



ELLENVILLE

COMMISSION MEMBERS:

Jeff Kaplan, Chair, Ellenville Mayor

Michael Warren, Village Manager

Phillip Mattracion, Ellenville Chief of Police

Maude Bruce, President Ellenville Chapter of the NAACP

Tamara Norman, NAACP

Madlyn Phelan NAACP

Gammy Singer, NAACP

Adriana Magaña, NAACP

Erica Stoltz, NAACP

William Doster, Jr., NAACP

Emma Augustine, Black Lives Matter

Patty Steinhof, Village Trustee

Frank Rivera, Pastor of Hosannah Assembly of God

Frank Mulhern, Ellenville School District

ATTENDEES:

Raymond Younger, Community-School Liaison

Alexandra Julson, Ulster County Youth Bureau

Maggie Veve, Citizen Action

Nina Dawson, Director Ulster County Youth Bureau, Restorative Justice Center

Juan Pagan, Security Officer Ellenville School District- Retired EPD

Jeff Rubin

Reverend Mary Gunther

Milo Warner

Tiffany Campbell

PRESENTERS:

Juan Figueroa, Ulster County Sheriff

Ruth Boyer, Ulster County Public Defender

Katherine Van Loan, Ulster County Assistant DA

Joe McDole, Building Contractor, Kingston, NY

Victor Blinov, SUNY Old Westbury College

Keveon Campbell, Ellenville HS Junior

Samantha Lopez, Ellenville HS Senior

Jaysiah Roig, Ellenville HS Junior

Angel Velez, Ellenville HS Senior

Sonia Placide, Ellenville HS Senior

Sanaa Carter, Ellenville HS Senior

Yahyness Brown, Ellenville HS Senior

Hasan Lewis, SUNY Ulster

ELLENVILLE FIRST STEPS:

The Village Board, in its own role is unanimously and wholly committed to a timely, thorough and complete review and reformation of police policies, protocols, practices, and funding where necessary to ensure that:

- All of our citizens are treated equally and fairly under the law, and that our law enforcement agency is trained in understanding and eliminating racism and injustice in all of our policing policies and practices.
- Our law enforcement agency's use-of-force practices are focused almost entirely on de-escalation strategies and that all officers are trained to utilize strategies that de-emphasize all forms of violence in carrying out their duties. **New Directive- "Conversation not Cuffs"**
- New concept: is a complete and thorough review of the form and function of our police commission by an independent group to ensure that oversight of Ellenville's law enforcement agency is led by a competent, trained and representative group of elected and/or appointed community members.
- Funding for the police and all Village of Ellenville social agencies is fully reviewed and reallocated as necessary to balance care and safety with an equal desire to eliminate and reverse all forms of systemic racism and oppression, so that we serve all of our citizens truly equitably
- Governor Cuomo's recent mandated executive order to "reinvent and modernize police strategies and programs with community input," in response; the Village Board is willing and wanting to do - to work closely and collaboratively with our community of diverse citizens to reform and transform our police and other municipal entities. Everything in our municipality is "on the table" for reformation and transformation. We are committed to drive racial equity and social justice throughout our community.

ELLENVILLE NEXT STEPS:

- Over the next 9 months, we would review and take steps to reform policing, and much more, in our community. We welcomed community input and participation in the process every step of the way
- The Commissions goal was to hear from as many Ellenville area community members as possible and make sure that their views were reflected in the Communities plan. To achieve this goal, we began our process by hearing directly from the community through a Town Hall (where over 27 participants voiced their ideas and concerns) and the Commission collected approximately 40 comments.

COMMISSION MEETINGS:

The Justice and Reform Commission held meetings throughout the process to help guide our research and make sure that the Ellenville Village Board's direction was in line with the goals of our community.

The first Commission meeting open to the public was in June and its goal was to gather ideas to be used as a framework for the Commission's policy research.

Mayor Kaplan stated "that it is the Village Board's obligation and responsibility to serve as a bridge between the Police Department and the community".

District Attorney Clegg spoke about OPIOD use, drug addiction, the recent Bail Reform Act, and medical assistance for the incarcerated as well as a peer support group.

Chief Mattracino handed out the Executive Order from Governor Cuomo whereas any local government that has a police agency must perform a comprehensive review of current police policies and procedures with stakeholders of the community. Discussed briefly was the transparency of the police force as well as use of force, use of body cameras, pepper spray and tasers.

Goals and objectives of this committee were discussed

- *Focus on police "on probation"*
- *Include young people on this committee*
- *Creation of a Citizen Review/Advisory Board to handle civilian complaints*
- *Re-evaluate psych evaluation of police officers*
- *Hiring of personnel – people person, community minded and local applicants*

The second Commission meeting at Village Hall was in July. The Commission offered topics to be researched and explored with the intent to make sure that the public agreed with the direction that the Commission were headed.

- Chief Mattracino spoke about his department's hiring practices and sensitivity training for his staff. In addition, Chief Mattracino gave a copy of his department's policy on "Use of Force" and shared it with members in attendance. In addition, discussed was the Chain of Command in the Ellenville Police Department was explained to address the question of decisions that are made during any incident.
- NY Penal Law – Article 35- Justification for use of force – Chief Mattracino touched on some of the justifications and were to be handed out to the community at the next meeting.
- Priorities for police reform?

- What changes would the community like to see happen in Ellenville Police Department?
- How can the Ellenville Police Department improve relations with the community?

Below were all remarkably similar answers:

Question 1:

- Keep sensitivity training current as well as training to deal with someone with autism, ADHD, Drugs or a handicap person.
- Police on the streets of the Village should stop and talk with the residents and not only the business owners.

Question 2:

- Training for staff on how to interact with people that have Mental Health issues.
- Racial relations training for police personnel.
- Sponsor a “Know Your Rights” workshop.

Question 3:

- Safety in the Village at night,
- It is the duty of other officers to intervene if they feel a situation (use of force) is not being handled properly.

Gammy Singer, representing the NAACP presented the Chief with a questionnaire (attached) to be handed out.

GOALS FOR THE PLAN

Based on the feedback and guidance from the community, the Village Board wrote a plan that was to be visionary document that would outline the concrete steps we began writing our plan. The goal of this plan is to be a visionary document that outlines the concrete steps needed to create a criminal justice system and police department that reflected the beliefs and needs of the community. Each budget season the Village Board would check that it was on track for making the incremental steps needed to attain long-term goals and at the same time identifying immediate actions to take to change systems through resolutions , budgets amendments and village laws.

and needs of our community. We want to both lay out a plan so that in each budget season we can check that we are on track for making the incremental steps needed to attain our long-term goals, while at the same time identifying immediate actions, we can take to change our systems today through resolutions, budget amendments and Village Laws.

By having a document with both a short term and long-term action plan, all of the stakeholders (the Village Board, Ellenville Police Department, Sheriff's Office, the District Attorney, Public Defender, local non-profits, and the community at large) all have access to the same plan. At each step along the way the Village Board would reference this plan and ask: Does this action bring us closer to achieving the goals of our community adopted plan?

Building a community means the Village Board should address the divisions within that community. Racism is a distortion of the community. To wit, what has been seen in Ellenville of that distortion

Major Goals: For all to be treated equally with the focus on racism, training, discipline, probation.

“Everyone Treated Equal”

Reforms – New Procedures- Committee

1. [Citizen Advisory/Review Board](#) – Needs to be established- proposal
5 Person Board, knowledgeable about police matters, a Police Liaison, Authority/Procedure, Hiring review
2. [Data Recommendations](#):
More Data, including race, ethnicity and disposition of arrests and stops, needed to be collected to ensure vital information is captured to better identify bias policing. with each and every stop and arrest, to insure we capture the vital information to identify bias policing. The Ellenville PD should consult with other police departments and counties to obtain information regarding their reporting.

All arrest data and analysis of the data should be posted for public view on the Ellenville website, including data from the NYS TRACS system.

The data should be analyzed by an independent body with statistical and data analysis expertise. An annual report should be produced with a focus on identifying disparate policing practices, including any implicit or overt bias in our town by local, county or state law enforcement. Ideally, there should be a statewide mandate regarding data collection and analysis to ensure continuity within jurisdictions and law enforcement agencies.

3. [Alternative policing](#)

Like most police agencies across the country, the Ellenville Police Department is called upon to respond to psychiatric issues, substance abuse and certain offences that may be better suited for a noncriminal justice solution. Alternative policing, and in some cases alternatives to policing, can free up police for true criminal investigations, relieve officers from responsibilities that belong to mental health, substance abuse or family therapists, and could result in may better outcomes for individuals and the community. Additionally, police themselves that respond to calls

may be similarly affected by mental health issues, substance abuse and domestic violence themselves, further complicating situations fraught with danger. It should be noted that mental illness, substance abuse and domestic violence are not more prevalent among the Black population in Ellenville and these factors do not directly address the issue of bias and over-policing in communities of color. However, alternative policing makes it less likely for deadly encounters to occur.

MENTAL HEALTH/SUBSTANCE ABUSE/AUTISM/ADHD

Nationally, it is estimated that people with disabilities who are having mental illness episodes make up between one third and one half of police killings. Black Americans generally are particularly at risk, according to racial justice and disability rights advocates. This is not only a law enforcement issue but also a mental health system issue. Black people are less likely to have access to mental health services or receive a diagnosis of mental illness, leaving police officers to be social workers/psychologists of last resort. And even without the extra burden of racism, people with mental illness are 10 times more likely to be in prison than in a psychiatric facility. And 90% of repeat offenders are people with mental illness.

When families look to police to respond to an “Emotionally Disturbed Persons” call, it can be deadly. This is particularly true in small Villages and mid-sized towns, where a deadly shooting of a mentally ill person is 39% more likely to occur, than in a large city or rural area.

And older Black men experiencing a mental health crisis are more likely to be killed by police than a white man with mental illness.

While nationally there has been a call for better training of police, including crisis intervention training (CIT), is it fair to law enforcement or ethical for society to expect a police officer with 40 hours of training or less rather than professionals with years of education to respond effectively to someone experiencing a mental health crisis?

Further, there is little evidence that CIT reduces lethal encounters between police and people with mental illness. The only measurable positive effects of CIT, according to a study in the *American Academy of Psychiatry and the Law*, are police officer self-satisfaction and self-perception in reducing violence and an increase in the use of diversion programs.

Although police training is essential, communities must ensure that police are not asked to perform tasks that are meant for other agencies.

People on the autism spectrum are especially vulnerable to being misunderstood by law enforcement because of behaviors and sensitivities beyond their control. Echolalia--an involuntary repetition of other people’s vocalizations--may be interpreted as being sarcastic or disrespectful. The inability to maintain eye contact can be misinterpreted to mean guilt. Sensitivity to touch and sound may cause an uncontrollable outburst. One in five young adults

with autism are stopped by the police before age 21, and 5% are arrested. This is an important and often ignored police issue that requires training and specialized techniques.

Another mental health issue that must be addressed is post-traumatic stress disorder (PTSD) and police involvement. Generally speaking, PTSD is a reaction to experiencing or witnessing a terrifying event, best understood as a survival skill (a normal reaction) to an abnormal situation. This is a common diagnosis among survivors of sexual assault, ongoing violence, and combat. But it can also be a reaction to witnessing terrifying acts. People with PTSD often experience startle reactions, hypervigilance, depression, anxiety, and arousal and reactivity, especially when they are confronted with triggers that replicate the traumatic experience. Research shows that Black children and adults can experience race-based trauma, especially as it relates to experiencing or witnessing police brutality and discrimination.

Police encounters, which are generally anxiety producing, can be more dangerous when the civilian, the police officer or both suffer from PTSD. Startle reactions, fear, flight or fight, and other symptoms, which when looked through a psychological lens are understandable survival skills, can cause police encounters to turn deadly.

Finally, confidentiality must be honored when dealing with mental health crises and overdoses among the public and mental health issues and treatment among police officers. While the EPD does not publish names of people involved with a mental health or substance abuse call, concern about confidentiality by police has been reported in our public survey.

There are primarily two approaches to alternatives to direct policing—co-responders (police and mental health worker) and non-police teams (mental health workers). **A co-responder program is recommended.**

In addition to concerns of mental health and substance abuse services for the public, society needs to make sure that our police officers are taken care of when it comes to their physical and mental health. Recent studies found that nearly 26% of police engage in “hazardous drinking” and one in seven experience PTSD or depression. A 2020 study found that 12% of police officers had a mental health diagnosis and 26% reported current mental health issues, but few sought out mental health services. Nationally, police have a 69% increased risk of suicide than the general population. Untreated mental health issues are not only detrimental to the police but also to the communities they protect and serve. Under the Law Enforcement Mental Health and Wellness Act, passed in 2019 by Congress, funding is available to set up mental health programs for law enforcement.

MENTAL HEALTH DISORDERS/SUBSTANCE ABUSE RECOMMENDATIONS

- Training: Police need a) de-escalation and mental health crises training and appropriate resources for people experiencing psychiatric episodes; b) training on ADHD and autism and ways to identify and approach a person on the autism spectrum) training on PTSD and trauma-informed policing.
- Mobile Mental Health Team: The EPD must be able to fully utilize Ulster County services including the mobile mental health team. The Ellenville Village Board should pass a

memorializing resolution calling for the county mobile mental health team to be a 24/7 resource as mental health crises do not follow regular business hours.

- **Stabilization Center:** The Ellenville Village Board should pass a memorializing resolution for Ulster County to create a walk-in, 24/7 crisis center similar to the Dutchess County initiative, where individuals and families can seek help when someone may not require hospitalization but is too unstable to return home.
- **Village Mental Health Team:** This could be a co-respondent team, a stand-alone mental health team, perhaps in partnership with Family of Woodstock, or a countywide initiative.

DOMESTIC VIOLENCE

Domestic violence is “the willful intimidation, physical assault, battery, sexual assault, and/or other abusive behavior as part of a systematic pattern of power and control perpetrated by one intimate partner against another. It includes physical violence, sexual violence, threats, and emotional abuse.” In New York State, 32% of women and 29% of men experience intimate partner violence. Nationally, at least 40% of law enforcement families experience domestic violence as opposed to 10% of non-law enforcement families.

The EPD receives many domestic violence calls and the Covid-19 has doubled these calls. In New York, police are required to make a domestic violence arrest if there is probable cause that a misdemeanor or felony has been committed. They are not required to make an arrest if it’s deemed to be a criminal violation (e.g., harassment 2nd or disorderly conduct), but should advise the victim of her/his right to press charges or proceed to Family Court.

Unlike mental health crises or addiction, domestic violence is a crime. And while it may be the result of mental illness, alcohol or drugs, domestic violence requires police involvement. Responding to domestic violence is considered to be the most dangerous call for police officers, often with deadly consequences. Domestic violence requires alternative police strategies and proactive community prevention interventions.

DOMESTIC VIOLENCE RECOMMENDATIONS

- Robust data collection for domestic violence calls, including number of felonies, misdemeanors, violations and demographics (sex, age and race of both the perpetrator and the victim), and relationship, if any, to the responding police officer;
- Training on de-escalation, interviewing children, PTSD;
- Identify grants to fund prevention and intervention programs on officer-involved domestic violence.

COMMUNITY EDUCATION AND OUTREACH

The foundation of a mutually trusting and respectful relationship between the police and the public is a shared understanding of police functions, community expectations and a commitment that all community members will be treated fairly and justly by EPD. For some community members the only interactions they have with EPD are for law enforcement issues (traffic ticket, accident, victim of a crime, being arrested) and medical or mental health emergencies. With only these types of interactions, negative police associations can develop. Not necessarily because the officers were unprofessional but because these situations can be negative, stressful and traumatic. Community partnerships, seeing officers in non-law enforcement situations, may help reduce some of these negative associations. Community education, engagement and outreach will hopefully counter the negative or traumatic experiences related to policing. To that end, we researched community initiatives that help cultivate positive, successful, and sustainable changes and improvements. The survey included opportunities for comments and suggestions. The survey narrative supported the need for ongoing police-community forums and included numerous suggestions and questions that showed people are interested in the EPD and would like to provide feedback and engage in dialogue. This would be one responsibility of the community liaison, not only making certain these forums regularly occur but also scheduling meetings quickly in response to takeaways from having his/her finger on the pulse of the various neighborhoods.

The EPD is reviewing several current initiatives in support of community education and outreach, including local TV channel 23 and radio spots and the EPD website, to update the public on department activities, training and statistics.

The EPD is reviewing several current initiatives in support of community education and outreach, including local TV and radio spots and the EPD website, to update the public on department activities, training and statistics.

The ongoing reports of police brutality and nationwide demonstrations weigh heavily on police officers, who are doing essential work for the community. Therefore, positive interactions between police officers and residents need to be publicized. Positive recognition not only shows police officers in a favorable light but also boosts morale and motivation in what can be a stressful job.

RACIAL BIAS AWARENESS

Policing and race are inextricably linked in the United States. During slavery, patrols were established to control black majority populations in the South. After the abolition of slavery, these patrols began to police, particularly focusing on the control of black people. As the country moved into Reconstruction and even the period of Jim Crow, these groups continued much like the slave patrols, in essence, controlling the lives and movement of black people. The city of Boston created the first publicly funded and supported police force in the 1830s with various moments in history, in the 19th century and early 20th century, resulting in the

evolution of policing as a profession. Fast forward to the 1960s when training shifted to address issues of urban poverty. Without a national standard, however, policing continues to vary from locale to locale, linked to demographics, resources, and class dynamics.

Improvement and progress in the community-police relations of Ellenville cannot be separated from the history of this country; as mentioned in the introduction to this report, racial bias is a part of the American DNA and no municipality, including Ellenville, is immune to that bias. It would behoove every citizen to take the Harvard Bias Test or to read the results of the Clark Doll Test to see, firsthand, how we all have internalized bias, particularly against those with darker skin. In light of recent events (January 6, 2021), it bears repeating that the Ellenville Community accepts no less than a zero-tolerance for any employee or prospective employee involvement with groups affiliated with hate speech of any kind, white supremacy, or any groups on the FBI terrorist list.

Ellenville's charge is to confront bias honestly and work as officers and civilians to create the kind of community that prizes justice, equity, and compassion, a community of which each member is proud to be a part.

(The History Of Policing And Race In The U.S. Are Deeply Intertwined.

[choice.npr.org/index.html?origin=https://www.npr.org/2020/06/13/876628302/the-history-of-policing-and-race-in-the-u-s-are-deeply-intertwined.\)](https://www.npr.org/2020/06/13/876628302/the-history-of-policing-and-race-in-the-u-s-are-deeply-intertwined.)

RACIAL BIAS RECOMMENDATIONS- SUPPLEMENT TO TRAINING SECTION

- Create protocols for engagement that move toward reducing the number of stops of people not committing serious crimes. A simple approach used by the Oakland, California Police Department has officers ask themselves, "Is this stop intelligence-led," that is, "Do I have prior information that ties this particular person to a specific crime?"
 - (<https://uk.finance.yahoo.com/news/social-psychologist-dr-jennifer-eberhardt-on-how-to-manage-racial-bias>)
- All current EPD employees as well as future hires must receive racial bias training that explores implicit and subconscious bias and at least once in each of the succeeding two years, unless the need for further training after the first three years is determined to be warranted by an independent consultant. To the degree possible, training needs to address nuances in racial bias, for example, responding to autistic persons of color and avoiding the tendency to view and treat children of color as adults.
- The trainers should include people of color with expertise on this subject and have law enforcement experience or related relevant experience. Companies should be vetted for the efficacy of their training.

- There should be a record of the time, date, place and name of the trainer(s) maintained in the Department's yearly training loose-leaf binder that includes the name of participant(s).
- Outside auditors should evaluate the effectiveness of the training through analysis of data on disparities in arrests, appearance tickets, warnings and stops.
- All training should be as timely as possible to accommodate the changing needs of the community.

TRAINING AND RECRUITMENT

The NY State Department of Criminal Justice Accreditation requires all sworn personnel, both full and part-time, to receive a minimum of 21 hours of in-service training annually. The current policies of the EPD faithfully adhere to these accreditation standards and regularly document their officer training and proficiency. However, the need for further training was discussed and agreed upon by the Ellenville Police Reform Committee, including handling people with autism and ADHD, training which explores implicit and explicit bias in order to raise bias consciousness, and mental health issues, domestic violence, substance abuse, de-escalation as well as officer interaction with young people. This training does not obviate the need for professional assistance in crisis intervention, and in dealing with situations that the police are ill-equipped or should not be forced to handle.

According to EPD's Chief Mattracion, an officer has since the organization of the Commission, been trained and certified in Crisis Intervention and that officer is currently in the process of training others. Training for other EPD officers is also in the process of being implemented, in the categories of Handling People with Autism, and dealing with People in Crisis.

Changes to the Ellenville Police Manual training are listed below: Policy Number 80, page 8 of the Police Manual now contains:

TRAINING

- In addition to training required for firearms qualification, officers shall receive agency-authorized training designed to simulate actual shooting situations and conditions and, as otherwise necessary, to enhance officers' discretion and judgment in using deadly and non-deadly physical force in accordance with this policy.
- Training topics will include use of force, conflict prevention, conflict resolution and negotiation, and de-escalation techniques and strategies, including but not

limited to interacting with persons presenting in an agitated condition as well as duty to intervene and prohibited conduct.

TRAINING RECOMMENDATIONS

- That training hours be increased and expanded to include areas of concern promulgated by the Police Reform Committee, with emphasis on intervention techniques and appropriate responses.
- That Chief Mattracion's policy of "Communication, not cuffs," and the idea of "police as guardians and not warriors" be effectuated into every training and become actual goals of the EPD and included as part of the EPD's Police Manual for future chiefs and future EPD officers.
- That the Ellenville Police department continues to be a source of community and not a military force.
- That current training and practices be annually reviewed by both Ellenville's police officers and the Community Review Board.
- That the training program for minorities mentioned previously become a formal proposal and the details reported to the Village Board.
- That social workers, psychologists, or other professionals be part of an intervention team when a fraught situation demands it, and that avenues for the funding and assistance of these additional personnel be explored and activated by the Village Board, Mayor, and Village Manager as soon as possible.
- That Civil Service requirements are not appropriate to the hiring of police officers and likewise often hinder the possible hiring of otherwise capable candidates who may have difficulty with a written test, but who may possess the wisdom, common sense, people skills, and empathy necessary for the job and which can never be measured by a civil service exam. That government agencies, NY State representatives and community leaders lobby to change the civil service requirements that pertain to police departments everywhere.

RECRUITMENT

Law enforcement can only improve if the police force looks like the community, and includes more people of color and women. The Ellenville Police Chief explained to the Commission that Ellenville has an exhaustive interview process and reviews prospective applicant's backgrounds thoroughly. The EPD has also recently instituted requirements for the dispatcher position which requires that applicants be a local resident. This gives the EPD a dispatcher who possesses insight into the diverse community and "local" intel. An example is Ellenville's newest hire is a

person of color and is a recent graduate of Ellenville High School and who possesses the ability to understand local issues and is able to provide responding officers with insight which can assist officers with possible life saving information.

Finally, the EPD's current intention, according to the Chief, is to focus on the hiring of local young minorities while at the same time continue to benefit from the practice of hiring retired officers with exemplary records and who are found free from bias. Per the Chief, retired officers contribute their wisdom and assist in mentoring and guiding the newest officers. The Chief further intends to promote and qualify minority employees to supervisory positions by means of a training program created solely for that purpose.

RECRUITMENT RECOMMENDATIONS

- Community outreach to encourage local people to enter the police force.
- The Village Board will both initiate hiring and will support the EPD's final determinations with the goal of achieving the hiring of the best and most appropriate candidates with adherence to 203 mandates.

- In addition to department-level accountability, the EPD reports to the Village Mayor, Village Manager and Village Board. Despite all the layers of investigative bodies, the EPD is not directly accountable to the public. And while there has been no major incident that has made it to the public's attention, the optics suggest the department is policing itself when complaints are filed.

ACCOUNTABILITY AND TRANSPARENCY

Throughout the country, legislation has been proposed and laws enacted to make police departments more accountable to the public. Body-worn cameras (BWC) have become standard in many departments.

EPD has used body cameras for several years, but recently purchased the latest state-of-the-art BWCs, police mobile video car systems and full video cameras which were installed in the entire police facility and replaces all old systems. The new system is not under user control and has continual video and audio operation, complemented by a wide view angle and backup to the patrol car. BWC also functions during any civilian interaction.

EPD's current levels of accountability:

- a) A first-line supervisor sergeant on every shift whose job it is to oversee and monitor all in-coming calls to the dispatcher for police responses to calls.
- b) Functional BWCs and timely video footage can be released to public in cases of reported police misconduct, except in cases, according to the Chief, where witnesses might be endangered or the footage might compromise police investigations.
- c) Internal Affairs Investigations are comprised of the Police Chief, Captain and Lieutenant, who are the only people who have received the necessary training, according to the Police Chief, and can investigate and review complaints.
- d) With the repeal of 50-a, the law that shielded police personnel records from disclosure, the public is now able to use the Freedom of Information Law (FOIL) to obtain individual police officer records.
- e) Departmental guidelines are explicit and require all police officers to meet the moral integrity clause stipulated in their initial application to the EPD.
- f) The last level of accountability is monthly reporting from the Police Chief to the Village Board, Mayor and Village Manager.
- g) For Officer accountability, the EPD is in the process of formulating a tracking system to identify by Race, Gender, Age, and Officer, all arrestees and those who are issued traffic tickets or warnings. This tracking system will be reviewed monthly to ensure identification of Officers that may be exhibiting biased behavior. The Department has already begun the process and has issued an order to its officers that there will be no

acceptable excuse for non-compliance and that officers will be disciplined for failure to follow the order. This data must be turned over to the Community Oversight Committee and is part of the Governor's mandate and Police Reform Initiatives.

ACCOUNTABILITY AND TRANSPARENCY RECOMMENDATIONS:

1. Since the attack on the Capitol in Washington, D.C., members of the Police Reform Committee have raised concerns about officers who might be involved in or are members of radical white supremacy groups. The police manual integrity clause should include a no-tolerance policy that states clearly and explicitly that police officers will be summarily terminated for any instance of proven blatant officer misconduct of a racist nature during, as well as outside, work hours. They will also be terminated if the department finds evidence of any social media post which supports or defends any white supremacy organization. The department should commit to researching how media oversight can be achieved.
2. The Department should schedule public town halls and forums to regularly update the community about the work of the police department, answer questions, and foster transparency.
3. Implement the Ulster County "Right to Know" law and use "Right to Know" cards during all police and public interactions. Police must explain and report all stops and encounters.
4. All officers must carry business cards with the following information: Name, Police Chief's EPD phone number and email, Complaint Review Board's contact number.
5. Maintain an up-to-date website for PR and public information, including contact information of the Department.

Currently, the idea of a Review or Civilian Complaint Board has not been defined or agreed upon by the Police Reform Committee nor duties or responsibilities defined as there is disagreement what this committee should be. It is hoped that this "Board" whatever it's called) will be more cogently defined by the Police Reform Committee and an agreement reached as to who, how many, how long serving, or what kind of community member should comprise this committee, (legal representatives, religious leaders, NAACP, etc.) and whether subpoena power will be necessary in reviewing complaints. The Police Reform Committee should complete its job and create and outline the parameters of this "Board" for final acceptance by the Village Board, which should subsequently see to it that it is put into operation.

DATA

Members of the commission were proactive with early requests for both policing data and EPD training manual. The local branch of the NAACP drafted a police survey that 40 +/- members of the community participated in. Delays in posting it to the Village of Ellenville's website resulted in little meaningful engagement from the 4000+ residents of the Village. With more cooperation in distributing the survey, the commission would have gotten more information to be able to draw a more reliable conclusion about community members' opinions of and experiences with Ellenville Police Department.

Chief Phillip Mattracion was quoted by Hudson Valley News on July 1, 2021 saying, "Transparency is the biggest thing when you are talking about police agencies and the more transparent, the less problems you will have, and certainly the trainings are important – you talk about implicit bias and sensitivity training – we are going to be conducting those," he said. "It is good for everybody to see what we do on a daily basis and how you can make an impact and a difference on what we do on a regular workday."

Most businesses and governmental agencies have expanded their collection, management, and use of data, but police departments have not kept up with these contemporary data reporting standards. Transparency builds trust and the commission looks forward to seeing EPD expand their collection of necessary policing data as well as provide it to the public in a form that is easy to both read and interpret. Just as companies are required to provide accurate information on their annual reports, police departments should be required to report certain information. Prioritizing and standardizing data reporting is crucial for any real police reform. It must be stated that gathering policing data should not devolve into unnecessary surveillance and data-driven stereotyping. Data should be used as an accountability tool and not a police performance metric. Many police departments in the U.S. have been experimenting with predictive policing which attempts to forecast crime via algorithms. Civil rights and civil liberties proponents are concerned that racial biases present in policing could be reinforced.

RE-IMAGINING FUNDING

In this time of economic downturn, Ellenville is protective of taxpayer's money yet recognizes that Governor Cuomo may have given the Village a once-in-a-lifetime window to create substantive and sustainable change. Many of our recommendations cannot be implemented without a financial investment. Based on the community's clear message that a change is needed and that this Commission's work was not just a dog and pony show, the Village Board is proposing innovative ways to find resources.

RECOMMENDATIONS

1. Establish a task force specifically charged with finding resources, such as federal, state, foundation grants;
2. Partner with other towns to implement cooperative initiatives;
3. Collaborate with universities in establishing MSW internships, specialized law student clinics, communication internships, graduate student-led antiracism training, etc.,
4. Negotiate a buy-in to Family of Woodstock services, Ulster County Mental Health; and others
5. Work with the high school to help students learn civil service test-taking skills in preparing candidates to the EPD.;
6. **The following needs further review and cooperation from the Ulster County Health Department. **The Village Board should pass a memorializing resolution, requesting the County to provide 24/7 Mobile Mental Health services to the Village.**

CONCLUSION

The recommendations in this report reflect what the Commission discovered through its research and review of Ellenville Police Department policies and procedures with input from the community. The Commission took our mission seriously, investing countless hours discussing and analyzing findings, rehashing what was learned from the community via town halls, or from personal emails which described citizen's experiences with law enforcement and the sharing and debating of individual stories as it related to such areas as policing, bias, privilege and more. Interactions were lively, passionate, sometimes heated, but always respectful. The Village Board, the Mayor, the Commission, the EPD and the community are committed to seeing these recommendations implemented we owe it to the members of the community (this includes the many students who participated) and who trusted us with their stories, vulnerabilities, advice, and belief in creating a more just and fair community to see this process through its fruition.

