



TOWN OF SOMERS POLICE REFORM AND REINVENTION COLLABORATIVE

Draft of March 2, 2021



Note: This patch was designed by Chief Michael Driscoll in conjunction with former Town Historian Florence “Mickey” Oliver.



Town of Somers Police Department Reform Plan

Mission Statement

Our mission as a sub-committee of the Somers Community Council is to examine our local police department operations, make recommendations, and submit a report that the Town will forward to the State in compliance with Governor Andrew Cuomo's executive order. We must elevate trust, fairness, and legitimacy of the police and legal authorities through transparency and collaboration within the Somers community. In this capacity, we will be responsive and impartial without bias to our residents, and accountable for the character of our interactions in the fulfillment of our duties.

The Somers Community Council's goal is to provide a forum for participants and liaisons that includes our town's faith leaders, school leadership and counselors, police leadership, municipal leadership, charitable organizations, mental health professionals and elder care professionals to bring community issues to the forefront of our attention for remediation.

Our Task Force Contributors:

- Rick Morrissey, Supervisor, Town of Somers
- Anthony Ciriaco, Councilman, Town of Somers
- Chief Michael Driscoll, Town of Somers Police Department
- Officer David Burpee, Town of Somers Police Department
- Lieutenant Peter Healey, NY State Police
- Sharla St. Rose
- Susan Cody, Race Amity of Northern Westchester & Putnam, and Yorktown-Somers Interfaith Council
- Grace Zimmermann
- Rabbi Shoshana Leis, Yorktown-Somers Interfaith Council
- Jack Mattes
- The Somers Community Council

To help everyone in our community understand why the Police Reform Initiative is of importance to the Town of Somers, it stems from these excerpts from the letter below:

Letter from Governor Andrew Cuomo, August 17, 2020

“Dear Chief Executives, Police Chiefs, and Sheriffs:

Many communities all across the country are dealing with issues concerning their police departments. The millions of people who gathered in protest, even in the midst of a public health crisis, made that clear. The situation is unsustainable for all.

Maintaining public safety is imperative; it is one of the essential roles of government. In order to achieve that goal, there must be mutual trust and respect between police and the communities they serve. The success and safety of our society depends on restoring and strengthening mutual trust. With crime growing in many cities, we must seize this moment of crisis and turn it into an opportunity for transformation.

While the conflict is real and the issues are complicated, we know in New York that denial or avoidance is not a successful strategy. To that end, on June 12, 2020, I signed an Executive Order requiring each local government in the State to adopt a policing reform plan by April 1, 2021. The Order authorizes the Director of the Division of the Budget to condition State aid to localities on the adoption of such a plan.

To ensure these plans are developed through an inclusive process, I called for the New York State Police Reform and Reinvention Collaborative. With more than 500 law enforcement agencies in our large and diverse state, there is no "one size fits all" solution. **To rebuild the police-community relationship, each local government must convene stakeholders for a fact-based and honest dialogue about the public safety needs of their community. Each community must envision for itself the appropriate role of the police. Policies must be**

developed to allow the police to do their jobs to protect the public and these policies must meet with the local communities' acceptance.

"Collaborative" is the key word. It would be a mistake to frame these discussions as an adversarial process or an effort to impose top-down solutions. Issues must be aired but solutions must be crafted. The collaborative process should:

- Review the needs of the community served by its police agency, and evaluate the department's current policies and practices;
- Establish policies that allow police to effectively and safely perform their duties;
- Involve the entire community in the discussion;
- Develop policy recommendations resulting from this review;
- Offer a plan for public comment;
- Present the plan to the local legislative body to ratify or adopt it, and;
- Certify adoption of the plan to the State Budget Director on or before April 1, 2021.

I urge everyone to begin these discussions immediately. Restoring the relationship between the community and the police is in everyone's best interest, and conversation may be required to enable each stakeholder to understand others' points of view. Time is short.

Change is hard. But change is necessary if we are to grow. The tension must be resolved. Order and public safety must be ensured. I am excited by the possibilities and I am hopeful that this time of crisis will evolve into a moment of creativity and progress. It is normal to make adjustments to fit changing values and circumstances.

We are addressing the COVID crisis by acknowledging the problem, having productive dialogue and by working together. Let's do the same here.

This is an opportunity to reinvent law enforcement for the 21st century.

New York Governor Cuomo subsequently issued Executive Order #203 requiring each local government with a police agency to perform a comprehensive review of police policies, procedures and practices; and develop a plan to improve such protocols for the purposes of addressing particular needs of the communities served by such police agency.

The intent of the process is to be collaborative and transparent in ensuring ever-greater equity in local law enforcement. Public forums will be announced. As the Police Reform discussion and process moves forward to the April 1, 2021 deadline, public participation will be on-going, with all information posted to the Town's webpage for reference.

The Town of Somers is already at the regional forefront in promoting racial harmony by being the first town in the Hudson River Valley to proclaim an annual Race Amity Day, and the first to sponsor, along with our Somers Public Library, monthly Race Amity discussion meetings.

The Somers Town Police Department, located on Route 139 (100 Primrose St.), consists of one lieutenant, three sergeants and 14 police officers led by Chief Michael Driscoll. Among the services provided by the Department are vacant house checks, neighborhood watch, car etching and child-safe programs for the community. All officers are trained first responders in the use of automated defibrillators.

The Somers Town Police are dispatched by the New York State Police. To report an emergency dial 911. All 911 calls are answered at the New York State Police Communications Center (TMC) in Hawthorne NY. Either a Somers Town Police Officer, a New York State Trooper, or both, will respond to a call for assistance.

At this time all officers are recruited from highly qualified former Police offices from other departments. All have been well-trained and have served their departments until it was their decision to retire or simply to relocate. At their time the composition of the officers includes 10 from the NYPD, the others are from North Castle, White Plains and Mt. Vernon.

They include former detectives, sergeants and lieutenants. There is a single female officer with a background in de-escalating domestic disputes which are sadly, at this time, one of the most frequent types of calls this Department faces. The Department includes an officer whose responsibilities included training fellow officers, and serves that function for the SPD.

In situations encountered by the SPD requiring arrest of any alleged criminals or perpetrators the NY State Police respond and are responsible for such arrests.

The SPD was established in 1970. Chief Driscoll joined the Department in 1986. It would seem that it functions well in the role it poses for our community. While we all understand there is bias of many types in each of us, we must also understand overcoming these issues is critical for communal harmony and equitable law enforcement.

A review of **Policy 300 of the SPD Policy Manual** (available on the Somers Town website) indicates many of the objections referred to in reviews of Police Department interaction with the community have been dealt with in accordance with what would be logical solutions for the problems outlined. Kudos to those who have worked to create these policies. There is, however, always an opportunity to improve such policy items, which is what this Task Force is created for. Input from the stakeholders in the Town of Somers is requested toward making needed reforms possible.

The Goal

Specific goals are to develop an ongoing community engagement model and review process that conforms to best practices and policies assuring duties are performed without racial, ethnic, religious or gender bias. We must work to assure all “people of color” (Black or African American, American Indian/Native American or Alaska Native, Asian, Native Hawaiian and Pacific Islanders, other) equal treatment.

The plan is what our Task Force suggests for the Town of Somers and will be based on our locality’s needs specifically, accounting for past, present and

trending future shifts in the makeup of our community. It will be predicated on a review of our past practices, policing activity statistics and ongoing community input.

Recommendations for Reform Actions of the Town of Somers Police Department:

1. Continue preparing law enforcement personnel (civilian and uniformed) for consistent, positive community encounters and engagement, we recommend implicit bias training and intercultural competency training for all law enforcement personnel. Race, ethnicity or religion or gender should never play a role in how any individual is treated.

This recommendation is for all personnel, regardless of where and when they serve.

In-service trainings should be continued in the Westchester County Academy and similar programs throughout New York State.

2. Training facilitation should be a team approach between experts in these topics and law enforcement.

Trainings on implicit bias and intercultural and interracial competency should be in tandem with experts in the diversity, equity and inclusion field.

3. Create an environment that reinforces positive community engagement by identifying and valuing skills and competencies within police officers. These characteristics are essential for a successful officer-community engagement program to exist.

Identify skills and competencies needed for successful officer community engagement that can be recognized and valued in other officers.

4. There shall be a formal review of use of social media, and an analysis of how this medium could be used for branding and community outreach.

Electronic communications (the Town of Somers website, the Town's community cable channels and social media) shall be used to provide information to bridge the gap between law enforcement and the community by sharing information about SPD and ways the Department may collaborate with the community.

Website enhancements for the SPD could include description of duties, contact information for the partnering law-enforcement agencies, policies and related forms for interacting with our Department.

SPD shall encourage its members to become an integral part of the community.

5. Somers police officers will continue to use force as a last resort and explore non-lethal technology.

The use of non-lethal technology such as net guns may be a possible alternative when dealing with unarmed people.

The use of non-lethal force (SPD Policy 300) should be reviewed as it pertains to any possible difference between its use with regard to color, race, ethnic or sexuality.

6. Consider the following:

Create a Resident's Advisory Board to hear issues/complaints from the community and act as a go-between for the neighborhoods, residents and police department.

Consider creating community liaisons to serve as ambassadors to various segments of the population, especially those that have traditionally been marginalized.

SPD and NYS Police should jointly hold community forums to explain their policies and practices when responding to regular police calls and to 911 calls, as well as update the public on any other issues that may arise. They should meet at least twice a year with the community.

Provide written reports to the local elected officials on a quarterly basis.

What kind of police calls do officers typically respond to?

What police actions are typically taken in response to calls?

What are interactions between individuals and the police like, and how do they proceed and resolve?

What are the race, color, ethnicity, or sexuality of the individuals involved?

7. Create and add a series of questions regarding an officer's interaction with the community they serve when considering promotions and/or annual evaluations including any disparity in interaction based on color, race, ethnicity or sexuality.

8. Establish a policy for peer-review error management training.

Engage in collaborative peer review to utilize real world scenarios in an effort to establish best practices. These can provide opportunity to put into practice learned anti-bias trainings.

9. SPD must commit to being transparent with the public, which means to embrace those principles and values that promote transparency in its internal and external policies and practices. This way, those principles will be ingrained in the culture of the current administration and hopefully for future administrations.

Some examples of those policies and practices include, but are not limited to:

- 1) establishing a culture of transparency to build community trust;
- 2) educating the public with respect to WCDPS's policies and procedures;
- 3) SPD policies, procedures, and law enforcement data should always be available to the public in English and Spanish
- 4) proactively engaging in positive non-enforcement activities

10. Promote and Engage in More Non-Investigatory Community Interaction.

Implement a program to encourage and support community engagement to build relationships. Examples of community engagement for police officers include, but are not limited to:

Engaging in youth activities/sports (for example, establish a Police Athletic League, sponsoring/coaching community teams).

Identifying and allowing police officers to engage in activities which are important to the community to build trust, and which have nothing to do with law enforcement. For example, collaborating with the community on a project or community event or bridging a gap with respect to a community need.

Continue creating community liaisons to serve as ambassadors to various segments of the population, especially those that have traditionally been considered marginalized.

11. Endeavor to provide a body-worn camera to every police officer, no matter their rank, and equip every police vehicle with dashboard cameras.

12. Enhance officer training.

Training should include implicit bias, interracial, intercultural and sensitivity issues.

Crisis Intervention Training (CIT).

Mental Health: Enhance training to identify when an individual involved with a police interaction is having a mental health crisis. Create protocols for responding to individuals dealing with mental illness or other non-neurological conditions.

Children: Develop a policy for managing interactions with minors. Work with experts to develop a policy including training to protect minors, community members and police officers.

13. When a library of training videos is available from the County, State or other sources, make use of videos on a wide range of relevant topics; not to be used in place of in-person interactive training but to make best practices available to all members of SPD.

14. Identify liaison officers who are trained to respond to domestic issues and bias or hate incidents.

Should be responsible for any reporting requirement to the Chief of Department and to any questions on incidents within the municipality.

15. Allow a broader base of persons to work as police officers. Will provide a more varied base of expertise and experience. Will make finding diverse candidates incrementally easier by increasing the pool of applicants. Expand recruiting efforts to include ads and listings in print publications, on-line publications and social media.

16. Evaluate the compensation made to the members of the SPD.

Are they paid fairly in relation to similar departments in our area of the Hudson Valley?

17. Ensure the department provides for mental health counseling with a Psychologist and ensure the Town's employee assistance program serves the needs of the department.

18. Develop policy regarding the investigation of non-fatal police involved shootings.

SPD shall issue a publicly available written policy ensuring that any non-fatal shooting involving a member of the SPD be investigated by an outside law enforcement agency and identifying that agency in advance of any incident. *To the knowledge of this task force there has never been a shooting of a suspect – fatal or non-fatal, by any officer of the SPD.*

19. Establish an Open Disciplinary Process.

Publish the procedures of disciplinary process on SPD's website.

Provide for anonymous and non-anonymous complaint procedures.

Provide procedure by which a member of the public may compliment a police officer or the department.

Implement a policy of providing for status updates to complainants on request.

Implement a policy of speaking with a complainant prior to a final determination.

20. In the ensuing months our newly-formed Resident's Advisory Board will gather additional statistics from the records of the SPD and evaluate the data on a quarterly or bi-annual basis. If any additional reforms are deemed necessary or desirable, we will endeavor to work with the Town Board and the SPD to make those reforms a reality. We realize this needs to be an on-going process as the complexion of our community, as well as the number of residents within our community, change with each passing year.

The following chart reflects all actions by the SPD for 2020

2020 Department Totals													
Category	Total	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Arrest	14	2	4	1	2	3	0	0	0	0	0	2	0
Summons-V&T	161	35	25	26	4	13	5	15	6	8	9	4	11
Summons-Parking	83	33	18	10	2	1	3	1	5	1	1	5	3
Summons-Town	13	2	0	3	6	1	0	1	0	0	0	0	0
911 Hang-Up	25	5	0	5	2	1	0	3	2	1	1	2	3
Abandoned Vehicle	2	0	0	0	2	0	0	0	0	0	0	0	0
Alarm-Burglar	300	15	29	27	26	22	23	43	22	25	27	22	19
Alarm-Panic/Robbery	18	0	1	3	0	1	1	2	1	0	5	4	0
Animal Complaint	95	2	10	7	10	8	11	13	6	8	6	10	4
Assault	11	4	3	2	0	0	0	0	0	0	0	2	0
Assist EMS	583	42	60	54	51	53	49	63	40	37	46	43	45
Assist Fire Department	123	10	15	7	10	16	10	5	15	8	12	6	9
Assist Other Agency	77	13	2	3	5	4	12	5	14	7	2	7	3
Assist Motorist	54	4	2	3	5	6	2	4	6	6	5	5	6
Burglary	13	2	0	1	2	0	4	0	1	3	0	0	0
Criminal Mischief	56	4	7	4	7	7	3	6	5	1	1	7	4
Detail-Court	88	10	8	8	0	0	0	0	14	13	12	18	5
Detail-School Crossing	301	64	39	20	0	0	0	0	0	49	61	34	34
Detail-Traffic Control	207	33	22	27	6	13	29	10	15	9	21	16	6
Disabled Vehicle	78	3	6	10	3	3	4	2	9	4	11	7	16
Dirt Bike/ATV	63	0	0	3	20	12	5	7	5	8	1	1	1
DOA	6	0	0	1	2	0	0	0	0	0	2	0	1
Domestic Dispute	74	6	3	8	7	9	7	10	10	6	3	4	1
DWI	2	0	0	0	0	1	0	0	0	1	0	0	0
Fraud	20	3	2	2	1	3	3	2	1	1	0	0	2
Harassment	63	3	3	1	5	5	5	8	7	6	2	11	7
Larceny	37	5	0	1	2	2	8	7	4	4	2	0	2
Littering/Dumping	11	0	1	0	2	3	1	0	1	0	1	2	0
Loitering	14	0	0	1	4	5	1	2	0	0	1	0	0
Mental Health Complaint	50	7	8	2	5	2	2	7	6	5	1	1	4
Missing Person	11	0	0	1	3	1	0	1	2	0	1	0	2
Noise Complaint	94	1	1	1	5	13	19	10	10	11	9	4	10
Order of Protection Served	17	2	1	2	0	0	0	5	1	0	6	0	0
Parking Complaint	33	2	3	3	3	0	4	0	8	4	3	2	1
Premise Check	2553	116	225	224	216	179	223	273	241	239	187	242	188
Property Found	11	1	1	0	0	1	2	1	4	1	0	0	0
Property Lost	5	1	0	0	0	0	0	2	0	0	1	0	1
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0
Shots Fired/Heard	11	0	1	3	1	0	2	0	0	0	3	1	0
Stolen Vehicle	6	0	1	0	0	1	0	2	0	1	1	0	0
Suspicious Person	141	3	8	14	10	13	10	16	23	10	13	8	13
Suspicious Vehicle	101	5	8	12	10	8	14	9	7	3	10	7	8
Traffic Complaint	187	4	6	10	35	5	25	27	36	5	21	5	8
Traffic Stop	357	51	48	37	27	24	29	23	15	20	26	33	24
Trespass	26	2	2	6	1	1	2	0	5	3	2	2	0
Traffic Accident	278	32	20	17	14	27	17	28	19	24	34	19	27
Welfare Check	114	4	6	8	8	8	8	16	13	11	13	11	8
Activity Per Year/Month:	6587	531	599	578	524	475	543	629	579	543	563	547	476

Members of the Somers Community Council

Name	Affiliation
Rick Morrissey	Town of Somers
Tom Garrity	Town of Somers
Anthony Ciriaco	Town of Somers
Barbara Taberer	TOS - Senior Services
Steve Ralston	TOS - Parks and Recreation
Michael Driscoll	TOS - Police Dept.
Kim Maguire	TOS - Police Dept.
David Burpee	TOS - Police Dept.
Jonathan Mackey	TOS - Volunteer Fire Department
Emil Antonaccio	Somers Historical Society
Grace Zimmerman	Somers Historical Society
Rev. John Lagiovane	St. Joseph's Church
<u>Rev. Hal Rourke</u>	Church of Good Shepard
Rabbi Shoshana Leis	Hebrew Congregation of Somers
Marilyn Kaufman	Hebrew Congregation of Somers
Jeffrey Gilberg	Hebrew Congregation of Somers
Robert Fischer	Hebrew Congregation of Somers
Vicki Prusnofsky	Hebrew Congregation of Somers
Rev. Mark Vaillancourt	Kennedy Catholic HS
Paul Gehrmann	Affirmation Presbyterian Church
Father Michael Watson	St. Luke's Church
Raymond Blanch	Somers Central School District
Jennifer Spirelli	Somers Middle School
Roman Catalino	Somers High School
Marc Hattem	Somers High School
Elizabeth Turner	Somers Intermediate School
Katie Winter	Primrose Elementary School
Sarena Meyer	Somers Central School District
Heidi Cambareri	No Place For Hate Committee (SMS) / BOE Trustee
Lisa Cheatham	No Place For Hate Committee (SMS)
Carol Christiansen	Drug Crisis In Our Backyard
Kathy Cucchiarella	Somers Partners In Prevention
Dom Rubino	Heritage Hills Society
Jack Mattes	Heritage Hills Community Relations Committee
David Jacobsen	Heritage Hills Security
Gary Forbes	Somers Lions Club / Somers Angels
Ann Marie Demm	Somers Chamber of Commerce

Members of the Somers Community Council

Name	Affiliation
Kimberly Kristensen	Somers Chamber of Commerce
Carolyn Moss	Somers Chamber of Commerce
Donna Martone	Somers Chamber of Commerce
Amanda Casabona-Cohen	Somers Chamber / Little People of Somers
Steve Ucko	Somers Holocaust Memorial Commission
Katherine Quinn	Support Connection
Melissa Higgins	Support Connection
Scott Merrow	Lincoln Hall
Noble Varughese	Lincoln Hall
Barbara Morris	Lincoln Hall
Caroline Shenefield	Lincoln Hall Task Force / Opengate
Jane Fulton	Lincoln Hall Task Force
Sari Manza	Lincoln Hall Task Force
Judith Factor	Friends of Karen
Terri Sorrentino	Friends of Karen
Reverend Merle McJunkin	Antioch Baptist Church
Brian Hulten	Opengate
Patricia Gunderson	Opengate
Kristen Elkins	Opengate
Anthony John Messina	Knights of Columbus
Joseph Manna	Knights of Columbus
Mark Badolato	The Paramount
Soumya Thomas, RN	The Paramount
Kelly Mancini	Town of Somers
Michael O'Keefe	Somers Lake Sustainability Program Committee
Karen Barnes	2020 Census / Resident
Susan Cody	Race Amity
Katie Goldberg	BLM Rally
Sharla St. Rose	Somers Resident
Wendy Webb-Weber	Sharing Works / Licensed Clinical Social Worker
Keeva Young-Wright	Northern Westchester Hospital
Ronald San Jose	Somers Resident