

VILLAGE OF MILLERTON

5933 N ELM AVENUE MILLERTON, NY 12546 PHONE 518-789-4489 FAX 518-789-6764 E-MAIL clerk@villageofmillerton.com

March 26, 2021

Robert Mujica, Director NYS Division of the Budget NY State Capitol 170 State Street Albany, NY 12224

Dear Mr. Mujica,

In response to Executive Order No. 203 issued on June 12, 2020, attached please find the Village of Millerton's Policy Reform as well as a copy of Resolution 2021-1 adopting the plan, and a signed "Appendix B".

To assist local leaders in responding to this order, Dutchess County brought together police leaders, community activists, elected officials, and concerned citizens to form the Dutchess county Police Reform and Modernization Collaborative. Representatives from the Village of Millerton including the Mayor and the Officer in Charge for the Millerton Police Department participated in this collaborative.

Please let us know if you have any questions or require any additional information.

Best Regards,

Debra Middlebrook

Debra Middlebrook Mayor Village of Millerton

APPENDIX B

NEW YORK STATE POLICE REFORM AND REINVENTION COLLABORATIVE PLAN CERTIFICATION FORM

Instructions: The Chief Executive of each local government must complete and submit this certification and a copy of their Plan to the Director of the New York State Division of the Budget on or before April 1, 2021 at E0203Certification@budget.ny.gov.

I, DEBRA MIDDLEBROOK, as the Chief Executive of the VILLAGE OF MILLERTON

(the "Local Government"), hereby certify the following pursuant to Executive

Order No. 203 issued by Governor Andrew M. Cuomo on June 12, 2020:

- The Local Government has performed a comprehensive review of current police force deployments, strategies, policies, procedures, and practices;
- The Local Government has developed a plan, attached hereto, to improve such deployments, strategies, policies, procedures, and practices (the "Plan");
- ☑ The Local Government has consulted with stakeholders (including but not limited to: membership and leadership of the local police force; members of the community, with emphasis in areas with high numbers of police and community interactions; interested non-profit and faith-based community groups; the local office of the district attorney; the local public defender; and local elected officials) regarding the Plan;
- The Local Government has offered the Plan in draft form for public comment to all citizens in the locality and, prior to adoption of the Plan by the local legislative body, has considered the comments submitted; and

The legislative body of the Local Government has ratified or adopted the Plan by local law or resolution.

NEBRA MIDDLEBROOK

Debra Middlebrook Signature

Mayor Title

<u>3/22/2021</u> Date

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POLICE DEPARTMENT 5933 N. ELM AVENUE MILLERTON, NY 12546 PHONE 518-789-4489 FAX 518-789-6764 E-MAIL clerk@villageofmillerton.com

Resolution No. 2021-01

At a meeting of the Village Board of Trustees of the Village of Millerton ("Village Board"), held remotely via Zoom on the 22nd day of March, 2021, at 6:00 p.m., Village Mayor, Debbie Middlebrook called the meeting to order, and

WHEREAS, on June 12, 2020, the New York State Governor issued Executive Order No. 203 ("Executive Order 203") which requires local law enforcement agencies 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; and

WHEREAS, Executive Order 203 further requires the chief executive of such local government containing a law enforcement agency to convene the head of the local police agency, and stakeholders in the community to develop such a plan which shall consider procedures, strategies, guidelines, policies, standards and types of training contained in the Executive Order; and

WHEREAS, Executive Order 203 further requires the local government to ratify or adopt such plan by local law or resolution by April 1, 2021; and

WEREAS, the Mayor of the Village of Millerton, in accordance with Executive Order 203, convened the joint Village of Millerton/Town of North East Police committee consisting of members of the Village Board of Trustees and the Town of North East Town Board ("Joint Committee") to conduct the review and develop such a plan ("the Plan"); and

WHEREAS, the Joint Committee met with and solicited input from the community and the Officer in Charge of the Village of Millerton Police Department on the Plan during the public hearings held on February 8, 2021 and March 11, 2021; and

WHEREAS, following such public comment and input, the Joint Committee presented the final version of the Plan to the Village Board, a copy of which is annexed hereto; and

NOW, THEREFORE, BE IT RESOLVED, by the Village Board that the Plan developed by the Joint Committee, a copy of which is annexed hereto, and presented to the Village Board with the recommendation of adoption, is hereby duly adopted by the Village Board; and

BE IT FURTHER RESOLVED, that the Village Board hereby directs the Village Clerk to transmit to the New York State Director of the Division of the Budget a certified copy of this Resolution along with a statement that the process required by Executive Order 203 has been complied with and the Plan adopted by this Resolution.

MOTION MADE BY: Trustee Matthew Hartzog

SECONDED BY: Trustee Joshua Schultz

The Question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Roll Call:

Debra Middlebrook:	AYE
Jen Najdek :	AYE
Alicia Sartori:	AYE
Matthew Hartzog:	AYE
Joshua Schultz:	AYE

The resolution was thereupon duly adopted.

DATE: March 22nd, 2021

SIGNED BY: Kelly Kilmer, Village Clerk



WCORPORATED. 1875

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The Village of Millerton Police Department Reform and Revitalization Plan Millerton, NY 12546

On June 12, 2020, the Governor issued Executive Order No. 203: New York State Police Reform and Reinvention Collaborative. The order mandates a process by which local law enforcement agencies must adopt a plan to develop practices to better address the needs of communities of color, promote public safety, improved community engagement, and foster trust.

On June 16, 2020, the Executive Branch of the US Government issued an Executive Order on Safe Policing for Safe Communities.

In response to these Executive Orders and, more crucially, the tragedies occurring through-out our nation and to help guide the process, Dutchess County, in conjunction with the Dutchess County Sheriff's Office, brought together groups from across Dutchess County to collaborate on this issue. The Village of Millerton Police Department participated in the collaboration. The Village of Millerton participated in community forums held by the County.

The joint Village of Millerton/Town of North East Police committee made up of members of the Village Board of Trustees and the Town Council met with the Officer in Charge (via Zoom) to review the current policies. All meetings were open to the public and the public was given an opportunity to express ideas at the meetings.

The Village of Millerton held a public listening meeting on Monday, February 8, 2021, to solicit input from the community to assist in preparing the reform policy. The Village held an additional public meeting on March 11, 2021, to again request public comment.

Our Community:

The community served by the Village of Millerton Police Department is comprised of the Village of Millerton and the Town of North East located in the northeastern corner of Dutchess County. The combined community covers approximately forty-four (44) square miles of land. It includes approximately eighty-five (85) miles of road including Village, Town, County, and State roads. It is home to a combined Village of Millerton and Town of North East population of approximately 3,800 individuals. As of the 2020 census, approximately 75 percent are White, 19 percent are Hispanic, and 3 percent are African American.

Village of Millerton Police Department:

The Village of Millerton Police Department is a small, part-time force comprised of nine (9) part-time officers. While the force provides year-round service to the residents of the Village of Millerton and the Town of North East, it does not provide 24/7 coverage. Anyone in need of emergency assistance should dial 911. The call will be dispatched to the closest available unit whether that be the Millerton Police Department, the Dutchess County Sheriff's Department or the New York State Police force. Since Millerton's Police Department is a part-time force, back-up service is provided by both the Dutchess County Sheriff's Department and the New York State Police for non-covered hours. Generally, there is one officer on at a time doing vehicle, foot and bicycle patrols. The officers are currently equipped with body cameras, and the vehicles are equipped with dash cameras.

Mission Statement:

The mission of the Village of Millerton Police Department is to provide professional, proactive, community-oriented policing with a focus on integrity and service. The Department strives to work hand in hand with the community to enhance trust, promote safety, preserve peace, reduce the fear of crime and maintain order while protecting individual rights. A further goal of the Department is to provide for public safety, law, and order with fairness and transparency to all citizens and visitors to the community.

Recruiting a Diverse Workforce:

The Village of Millerton Police Department will strive to recruit and hire well-qualified candidates to perform the many tasks associated with community-based law enforcement. In doing so, all local, state, and federal laws and regulations will be complied with fully. The preliminary methods of recruitment for the position of Police Officer within the Village of Millerton Police Department is through the Dutchess County Civil Service Commission and to accept applications for sponsorship from qualified candidates entering the New York State Police Academy. A background investigation is completed on all applicants.

Once hired, all Village of Millerton Officers are informed of and must abide by General Rules of Conduct as outlined in the Millerton Police Department's Policies and Procedures, which are in accordance with the standards of the New York State Division of Criminal Justice Services.

All appointees will be on probation for a five-year period commencing with the date of appointment.

Training:

Officers must complete training through the New York State Police Academy prior to hiring. Annual training is done for Firearms, Use of Force, Bias, and EMS (first aid).

Officers are schooled in the correct traffic stop procedures and are trained to identify themselves and state the reason for the stop.

Officers are trained to render first aid during traffic accidents before the arrival of Emergency Services.

Annual Officer evaluations will be added to Department's current policies and will be conducted by the Officer in Charge.

Supporting Officers Wellness and Well-Being:

The Village of Millerton Police Department will investigate and evaluate programs to address the wellness and well-being of officers and consider implementing counseling programs for officers in need.

Use of Force:

It is the mission of the Village of Millerton Police Department to protect the people of the Village of Millerton and the Town of North East.

De-escalation of incidents is always to be the top priority. Force will only be used when the welfare of those involved is at stake and as a last resort.

New York State Law prohibits the use of a technique commonly referred to as the "chokehold." This practice is prohibited for use by law enforcement agencies within the State of New York.

The Department is currently analyzing its "Use of Force Policy" to update it with all the new guidelines and changes to New York State law.

Records of all incidents, including but not limited to "Use of Force," are maintained and are reported to NYS DCJS monthly.

Hate Crimes:

On March 2, 2021, a policy to address "Hate Crimes" was added to the Village of Millerton's Police Department Policy. The policy is designed to assist officers in identifying and investigating hate crimes and assisting victimized individuals and communities. A swift and strong response by law enforcement can help stabilize and calm the community as well as aid in a victim's recovery.

Any acts or threats of violence, property damage, harassment, intimidation, or other crimes motivated by hate and bias and designed to infringe upon the rights of individuals are viewed very seriously by this agency and will be given high priority.

The complete policy is available for review.

Accreditation:

The Village of Millerton Police Department is pursuing accreditation through the NY DCJS and began the process in 2020.

New York State Accreditation states a minimum of twenty-one hours of documented annual training per officer, not limited to the following: De-escalation, Use of Force, Firearms, EMS, Bias Training, Procedural Justice, Situational Awareness.

The New York State program became operational in 1989 and encompassed four principles. Goals:

1. To increase the effectiveness and efficiency of law enforcement agencies utilizing existing personnel, equipment, and facilities to the extent possible;

2. To promote increased cooperation and coordination among law enforcement agencies and other agencies of the criminal justice services;

3. To ensure the appropriate training of law enforcement personnel; and

4. To promote public confidence in law enforcement agencies.

The Accreditation Program is a set of standards developed to further enhance the capabilities of an agency, and is divided into three categories:

 Standards in the Administrative section have provisions for such topics as agency organization, fiscal management, personnel practices, and records management.
Training standards encompass basic and in-service instruction, as well as training for supervisors and specialized or technical assignments.

3. Operations standards deal with such critical and litigious topics as high-speed pursuits, roadblocks, patrol, and unusual occurrences.

New York State Accreditation from the NYS Division of Criminal Justice Services (DCJS) states that a minimum of twenty-one hours of documented annual training per officer is required annually and is not limited to the list below. Local Millerton Police Department (MPD) policy will follow entirely NYS and Dutchess County guidance regarding:

- 1. De-escalation of an on-site incident,
- 2. Potentially excessive Use of Force in an on-site incident,
- 3. Firearms Training; as to when a firearm should be used,
- 4. Following directives as to when EMS training should be used to save any life,
- 5. Fully incorporating NYS and Dutchess County guidance pertaining to Bias Training,
- 6. Fully incorporating NYS and Dutchess County guidance pertaining to Procedural Justice,

7. Fully incorporating NYS and Dutchess County guidance pertaining to Situational Awareness.

Transparency and Accountability:

The Village of Millerton Police Department summarizes all its incidents at the end of each month and presents this report to both the Village Board of Trustees and the Town Council. Following the presentation, this report is currently posted on the Village website but will now be posted on the Town of North East website as well. It is replaced each month with the most current report.

As required under a contract between the Village of Millerton and the Town of North East, a joint Village of Millerton/Town of North East "Police Committee" was formed made up of members of the Village Board of Trustees and Town of North East Council. The Committee is charged with serving as a conduit between the community and the Police Department. The Committee will hear issues brought forth from the community as well as serve to assist the

Police Department in a review of its policies and practices. The Committee conducted three public meetings to receive suggestions from community members regarding the Village's Reform and Revitalization Plan. The Committee incorporated those suggestions, ideas from fellow Village and Town Board members, and elements from the plans of similarly sized Dutchess County towns in a draft submitted to the Village Board.

Contact information for the current members of the joint Village of Millerton/Town of North East Police Committee can be found on both the Village of Millerton and Town of North East websites and will be updated as necessary.

Community Outreach:

While the Village of Millerton Police Force is only a part-time force, efforts will be made to pursue additional community outreach. The Officers currently spend time on the weekends in the Village handing out masks and bike helmets. Additional visits to local merchants will be added to their schedule as well as additional foot and bicycle patrols as weather permits.

Once restrictions due to Covid are lifted, additional community outreach programs will be added, such as a child car seat safety check.

Citizen Complaints:

It is the policy of the Village of Millerton Police Department that Officers shall courteously and promptly record in writing any complaint made by a citizen against any Officer or the Agency and forward the complaint to their supervisor.

Citizens may also directly file a complaint in writing by completing a "complaint form." These forms are available at the office of the Village of Millerton and on the Village of Millerton website.

Written complaints will be acknowledged upon receipt and will be investigated promptly. The joint Village of Millerton/Town of North East Police Committee will be notified of complaints upon receipt of the formal complaint form by the Village of Millerton Police Department Officer in Charge.

Individuals hesitant to have their complaint submitted directly to the Officer in Charge, may request the formal, written complaint be sent directly to the Mayor.

Once the investigation is completed, findings will be presented to the Village Board of Trustees and the joint Village of Millerton and Town of North East Police Committee.

Community Resources Available to the Public:

To help aid the community contact the appropriate agency for assistance in time of need, a current list of resources with contact information will be made available on the Village of Millerton and Town of North East websites. Resources will be updated and added as they become available.

The Village of Millerton Police Department and the joint Village of Millerton/Town of North East Police Committee will continue to review existing polices related to accreditation and to ensure policies are enacted in a way that encourages community policing with a sensitivity towards how those policies may affect different populations ensuring fair and safe policing. The Joint Committee has been asked by the Village and Town Boards to continue its work going forward, with the goal of improving and adding to the reform Plan, and is committed to a robust, inclusive and meaningful process for receiving feedback and suggestions from the entire Millerton/North East community, including people of color and those without documentation. The Committee intends to conduct this process in good faith and with transparency.

In closing, the Village of Millerton Police Department, the Village Board of Trustees, the Town of North East Town Council, and the joint Village of Millerton/Town of North East Police Committee is committed to the continuing review of police policies, to strengthen and modernize a department that meets the needs of all its constituents.