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# HAMILTON COUNTY

## POLICE REFORM AND REINVENTION COLLABORATION PLAN

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**DRAFT**

## **Introduction:**

On June 12, 2020, Governor Andrew Cuomo issued Executive Order No 203 requiring each local government in New York 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. In accordance with this order, the Hamilton County Board of Supervisors put together a Police Reform and Reinvention Panel and began meeting, surveying the public and seeking input from the community on the current perspective of their relation with the Hamilton County Sheriff's Office.

## **Department Profile:**

Municipality – Hamilton County

Law Enforcement Agency – Hamilton County Sheriff's Office

Hamilton County Chairman of the Board – William G. Farber

Hamilton County Emergency Preparedness/Emergency Response Comm. Chair – Richard A. Wilt

Hamilton County Sheriff – Karl G. Abrams

Hamilton County Undersheriff – Kevin D. Braunius

## **Municipality Demographics:**

Hamilton County is located in the Adirondack Park in New York State. The County covers 1,808 square miles and has 9 Towns and 1 Village. As of 2019 American Community Survey, Hamilton County's Population is estimated to be 4,515, of which 50.1% are male and 49.9% are female. In the population, 98.6% identify as one race and 1.4% identify as two or more races. Of those, the racial breakdown is as follows; 95.9% White, 0.8% Black or African American, 1.7% Hispanic or Latino, 0.1% American Indian, 0.1% Asian, and 0.3% as other.

There are several police agencies that operate within Hamilton County along with the Sheriff's Office. New York State Troop B and Troop D, as well as Inlet Police Department.

## **Agency Demographics:**

The Hamilton County Sheriff's Office is made up of 25 employees, 16 full-time and 9 part-time. The Office consists of the Sheriff, Undersheriff, 4 full-time deputies, 1 full-time confidential secretary, 9 full-time corrections officers, 3 part-time deputies and 6 part-time corrections officers. The Hamilton County Sheriff's Office is located at the Lake Pleasant County Complex.

## **Hamilton County Sheriff's Office Mission Statement:**

It is the mission of the Office of the Sheriff to provide the most comprehensive civil, correction, police, and public safety services for the residents of and visitors to Hamilton County as mandated by New York State Law. These vital services are provided to our community within the fiscal appropriations provided by the County Board of Supervisors.

The Sheriff's Office will enforce the laws of New York State, the United States of America and all jurisdictions within Hamilton County to the best of our ability, without compromise. We will enforce those laws for the benefit of the public and society as a whole, never sacrificing the rights of any individual. We will ensure public safety through the lawful care and custody of inmates. Both citizens and public safety agencies will be provided a single point of access to full service, efficient public safety communications. The civil process function will be conducted with honesty and integrity towards all parties in an action.

The Sheriff's Office is committed to protecting and serving the residents of Hamilton County in an open and public manner. We will assist all people and agencies with no regard for promise, favor or remuneration. We will use force only when it is necessary to defend citizens and law enforcement officers or to overcome the resistance to the process of law.

Every member of the Sheriff's Office will accept the great responsibility of maintaining public order, offering assistance in times of need and enforcing laws with courage, dignity, ethics, and honor. A commitment to never discriminate in any situation or manner, coupled with commitment to using de-escalation in all situations will be hallmarks of the Hamilton County Sheriff's Office.

## **Overview of Change:**

"The New York State Police Reform and Reinvention Collaborative" requires local police agencies to develop a plan based on community input. Per the governor's report, "this executive order is intended to help rebuild the confidence and restore trust between police and the communities they serve by requiring localities to develop a new plan for policing in the community based on fact-finding and meaningful community input." The Hamilton County Sheriff's Office has already implemented and trained on the reforms passed by New York State which include, but are not limited to, the banning of chokeholds. It should be noted that chokeholds were never allowed or taught in the Hamilton County Sheriff's Office. Steps have also been taken to comply with recent New York State legislation such as the repealing of Civil Rights Law 50-a and the changes to the Criminal Procedure Law resulting from new enactment in the areas of bail and discovery.

Throughout this plan, the Hamilton County Sheriff's Office is going to identify the programming and directives that address the issues outlined in the governor's order. We will do so by identifying our current polices and procedures, which help achieve these missions as well as identifying new programming and directives that have been developed or are in the process of being developed. These will be described and highlighted in each section as we progress through this plan.

In keeping with our mission statement, the Hamilton County Sheriff's Office polices and procedures are evaluated and updated on a regular basis.

This plan will address concerns and needs in the following areas:

- Policy and Procedures
- Department Training
- Use of Force
- Dealing with Mental Hygiene Situations
- Statistical Data Collection and Sharing
- Citizen and Internal Complaints
- Community Oriented Policing and Neighborhood Engagement

As a foundation for this initiative, there were three key areas where people universally identified that the Hamilton County Sheriff's Office excelled:

- The fact that to a person all staff are deeply embedded in and seen as community members
- De-escalation has always been a priority
- The levels of integration with mental health services

### **Police Reform & Reinvention Collaboration Panel:**

Hamilton County formed the Police Reform & Reinvention Plan Panel in September 2020. Due to the COVID-19 pandemic, the first meeting was held virtually on September 14, 2020.

### **Police Reform & Reinvention Panel Members:**

Hamilton County Sheriff Karl G. Abrams  
Hamilton County Chairman William G. Farber  
Hamilton County Attorney Charles R. Getty, Jr.  
Sterling Goodspeed  
Chris Shambo  
Amy Granger  
Bob Kleppang  
Abigail Eichler

Julie Wolfe  
Ron Johnston  
Ben Strader  
Rick Wilt  
John Frey  
John Stortecky  
Steve Tomlinson  
Nick Mauro  
Betsy Bain  
Brian Wells  
Clay Arsenault  
Roberta Bly  
Jeremy Siddon  
David Kahn  
Brenda Valentine  
Sue Montgomery Corey  
Erica Mahoney  
Jon Lane  
Tim Pine  
Jack Valentine  
Nate Towers

The Police Reform and Reinvention Panel has actively discussed and solicited public survey responses as well as public comments from September to October 2020. On October 30, 2020, the Panel held a meeting to review some of the questions and feedback from the community. The Hamilton County Board of Supervisors and the Sheriff's Office took this opportunity to review with the Panel members some of the agency's current practices, polices and collaborations. The survey is attached as Appendix A, as is a summary of comments as Appendix B.

The Police Reform Panel solicited public comments for a second time during the Panel meeting on December 16, 2020. It was held virtually due to the increasing number of cases of COVID-19 in our community at that time. We also sought input from specific community sectors on March 12, 2021.

### **Policy and Procedures:**

The Hamilton County Sheriff's Office has in place a comprehensive and updated policy and procedures manual. Upon employment, all officers are issued this manual, which provides structure, guidance and oversight to perform their duties. This manual is reviewed and updated as needed per New York State Division of Criminal Justice Services guidelines, change in laws or policies of New York State. At this time, this manual is available for review by any and all citizens, complainants, or government officials.

These policies and procedures encompass four principal goals:

- To increase the effectiveness and efficiency of law enforcement agencies utilizing existing personnel, equipment, and facilities to the extent possible;
- To promote increased cooperation and coordination among law enforcement agencies and other agencies that provide criminal justice services;
- To ensure the appropriate training of law enforcement personnel;
- To promote public confidence in law enforcement agencies.

A committee of the Panel led by Richard A. Wilt, Chair of the Emergency Preparedness/Emergency Response Committee also reviewed all of the above as part of the process.

### **Operational Policy & Procedures and Training:**

It is the policy of the Hamilton County Sheriff's Office that all sworn officers in accordance with DCJS will receive at least, if not more than, twenty-one hours of in-service training annually. This is guided by the NYS Accreditation Program. Part of the twenty-one (21) hours must be devoted to the following areas:

- Firearms Training/Range
- Subject Management/Use of Force Review
- Use of Deadly Force Review
- Legal Updates
- Bloodborne Pathogens/Hepatitis Awareness Review/Radiological
- Taser Training
- Workplace Violence Prevention
- Collapsible Baton
- Oleoresin Capsicum Aerosol Training
- Reality based training
- Cultural Diversity
- Hate Crimes
- Anti-bias Training
- Crisis Intervention Team Training

The Sheriff's Office has met with representatives from the Adirondack Diversity Initiative and discussed the training services that can be provided by RENZ Consulting. The Sheriff's Office will be working with RENZ to take advantage of the training services they can provide.

### **Use of Force:**

The Governor's report addresses issues relating to the use of force. This is a constantly reviewed and updated policy. Currently, it is the policy of the Hamilton County Sheriff's Office members, in compliance with Article 35 of the New York State Penal Law and other applicable case law & federal statutes, use only the force that is reasonably necessary to effectively bring an incident under control, while protecting the lives of the members and others. The department policy outlines officer's ability to (includes, but not limited to):

### Use of Force:

Duty of intervene (which states: Any officer present and observing another officer using force that he/she reasonably believes to be clearly beyond that 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);

- Prohibited uses of forces;
- Less lethal procedures;
- Training requirements; and
- Reporting and documenting procedures.

The reporting process at the Hamilton County Sheriff's Office requires that all use of force events are documented and reviewed. The reports then go through a review process consisting of multiple steps. First, the report is reviewed by the first line supervisor. The report is then logged for statistical recording and overall review purposes. It is then reported to the state per NYS Executive Law 837-t. The following Use of Force incident must be reported per NYS:

- Display a chemical agent – To point a chemical agent at a person or persons.
- Use/Deploy a chemical agent – The operation of the chemical agent against a person or persons in a manner capable of causing physical injury as defined in Penal Law Article 10.
- Uses/Discharges a firearm – To discharge a firearm at or in the direction of a person or persons.
- Uses/Deploys electronic control weapon – The operation of an electronic control weapon against a person or persons in a manner capable of causing physical injury as defined in Penal Law Article 10.
- Uses/Deploys an impact weapon – The operation of an impact weapon against a person or person in a manner capable of causing physical injury as defined in Penal Law 10.
- Use of Force to gain control – The operation of using force to restrain or take down by hands, arms, feet or legs.
- Conduct which result in the death or serious bodily injury of another person
  - Serious bodily injury includes bodily injury that creates or causes:



- A substantial risk of death; or
- Unconsciousness; or
- Serious and protracted disfigurement; or
- Protracted loss or impairments of the function of any bodily member, organ or mental faculty.

Source: NYS Executive Law 837-t

The reporting process at the Hamilton County Sheriff's Office requires that all use of force incidents are documented and reviewed. If at any time in the review process deficiencies are identified, they are addressed appropriately. This can be in form of training, counseling, discipline or even termination. The statistical data recorded includes, but is not limited to: date, time, race, gender, ethnicity, age, tool/technique, application/display, reason for contact, whether there was an injury, if the person was treated by emergency medical services, and if resisting arrest was charged.

As stated, the Use of Force policy is consistently reviewed and updated to stay current with applicable laws and best practices. It should be noted that the use of chokeholds, obstructing breathing and/or carotid restraints has never been an approved use of force in the Hamilton County Sheriff's Office. This is not a trained technique and has further been outlawed by New York State.

### Dealing with Mental Hygiene Situations:

The Hamilton County Sheriff's Office recognizes the importance of mental health and wellness.

The Sheriff's Office respects the dignity of all people especially those in a mental health crisis. The Sheriff's Office has an excellent relationship with Community Services with the goal of getting people in crisis the help they need.

### Data Collection:

Hamilton County currently uses Impact for a records management system for documenting stops, call, and arrests.

The Hamilton County Sheriff's Office does currently complete an annual report that offers total of arrests, civil process, calls for service, tickets, accidents and average jail population.

The Hamilton County Sheriff's Office currently collects data and monitors situations in a multitude of categories. At this current time specialty data is collected on:

- Calls for service (to include locations for hot spot problem addressing)

- Arrests (to include but not limited to: Race, Sex, Ethnicity, Age, Class of Main Offense, and Nature of Main Offense)
- Drug related cases (to included overdose investigations and the types of drugs involved)
- Community Oriented Policing/Neighborhood Engagement Activities
- Training (to include courses and topics completed)

### **Citizen and Internal Complaints:**

The Hamilton County Sheriff's Office takes all civilian, internal, and other law enforcement complaints about their department and staff seriously. Anyone can report a complaint to any deputy at any time with the assurance that it will be received, documented, and an internal investigation will be conducted.

We believe the image of the Hamilton County Sheriff's Office is dependent upon the personal integrity and discipline of all members. The public image of the Office is determined by the conduct of its members and the professional response to allegations of misconduct by members.

The Hamilton County Sheriff's Office shall:

- Promptly, competently, professionally and impartially investigate all complaints relative to the Office or its members' responses to community needs.
- Take appropriate corrective action, to include disciplinary action in all cases where an investigation substantiates a violation of law, orders, rules, regulations, policies, or procedures.
- Provide a monthly report to the Hamilton County Criminal Justice, Public Safety & Emergency Communications committee on complaints that are filed and their outcome.

The Hamilton County Sheriff's Office has always and continues to encourage citizens to bring forward legitimate complaints regarding misconduct by any of its members. The Office shall receive complaints courteously and will handle them efficiently.

### **Community and Neighborhood Engagement:**

The Hamilton County Sheriff's Office throughout the year participates in numerous events to build positive community relations.

Some of the community programs include:

- Operation Safe Child
- Project Lifesaver
- Yellow Dot Program

- Prescription Drug Take Back
- Firearm Safety Course
- Sheriffs' Camp
- Youth Bicycle Safety Training and Helmet giveaway
- Boater Safety
- K-9 Demonstrations
- Toys for Tots
- Family Fun Day
- Senior Safety Presentations
- Touch-a-Truck (Patrol Vehicles, Boats and Snowmobile)
- Nursing POD's

#### School Resource Officer

The School Resource Officer position was created through a cooperative agreement with Hamilton County Community Services and Department of Social Services. Contracts have been implemented with 3 of the 4 schools in Hamilton County. Hamilton County Sheriff's Office currently has one officer assigned to the following schools:

- Wells
- Indian Lake
- Lake Pleasant

The Hamilton County Sheriff's Office is also present in many community parades and at ceremonies within the County:

- Memorial Day
- 4<sup>th</sup> of July
- Old Homes Day

### **Conclusion:**

The Hamilton County Board of Supervisors appreciates the feedback they have received from the community over the past several months during this process. The Sheriff's Office Mission is "to serve the public with compassion, respect and courtesy while upholding the Constitution of the United States of America and New York State, and enforcing the Laws of New York in order to protect the lives and property of all." This mission can only be achieved by always looking for ways to improve and adapt policies. This document and its policies are just a beginning, the Board of Supervisors

and the Sheriff's Office looks forward to continuing to work with the community to modify and adapt over the coming years.

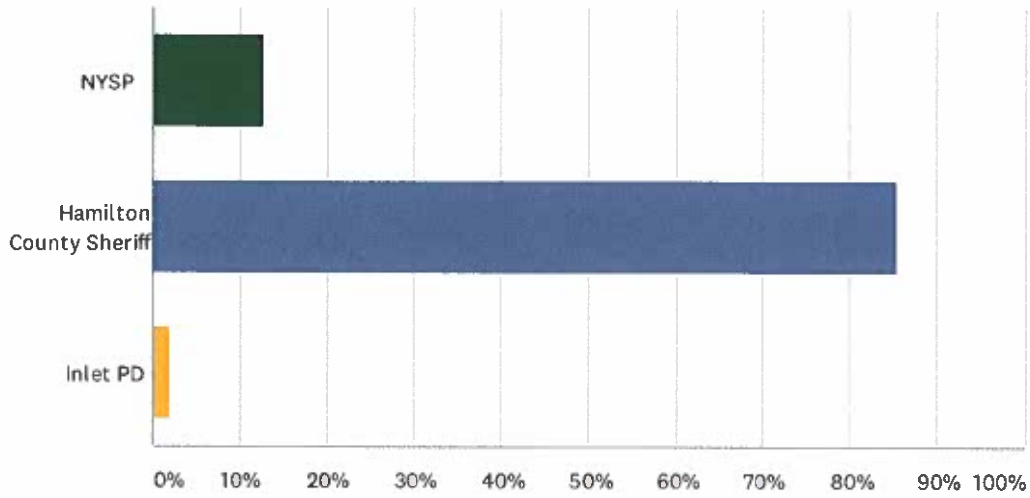
It should be noted, in almost six months of time the Hamilton County Police Reform Panel has solicited input from our residents, we have not received one report or instance of any racial or systematic racial complaints from any member of our community in their interactions with the Hamilton County Sheriff's Office. On top of that the community input survey reflects a law enforcement agency deeply respected and trusted by the community.

Unfortunately, we still live in a world where racism exists. In the ranks of the Hamilton County Sheriff's Office, there is no place for any type of racism. Deputies do not look at the color of someone's skin when they are assisting the public. Hamilton County is committed to addressing and identifying any systemic racism issues and working with our community to do so. Hamilton County and the Hamilton County Sheriff's Office has a zero tolerance for racism, plus we will all serve as leaders and role models against racism within the broader Hamilton County community.

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# Q1 What Law Enforcement Agency provides your primary response?

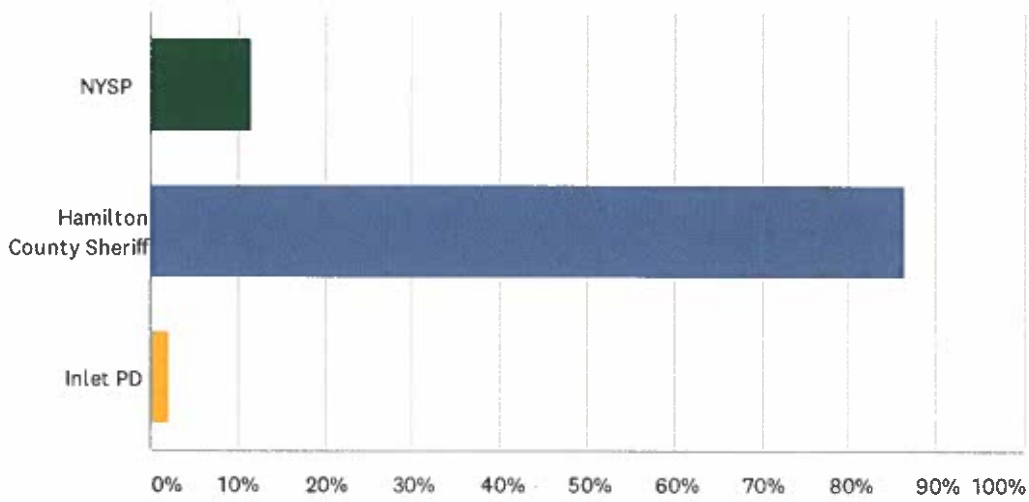
Answered: 102 Skipped: 0



ANSWER CHOICES	RESPONSES	
NYSP	12.75%	13
Hamilton County Sheriff	85.29%	87
Inlet PD	1.96%	2
TOTAL		102

## Q2 Have you ever been involved in or observed a police interaction involving

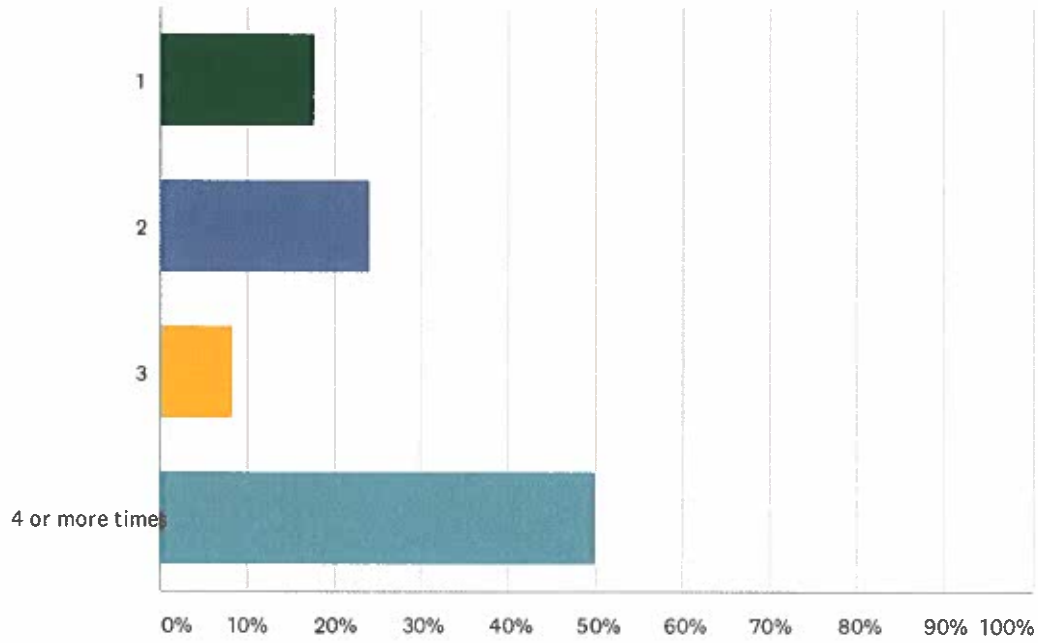
Answered: 96 Skipped: 6



ANSWER CHOICES	RESPONSES	
NYSP	11.46%	11
Hamilton County Sheriff	86.46%	83
Inlet PD	2.08%	2
<b>TOTAL</b>		<b>96</b>

### Q3 How many times have you seen or been involved with such an interaction

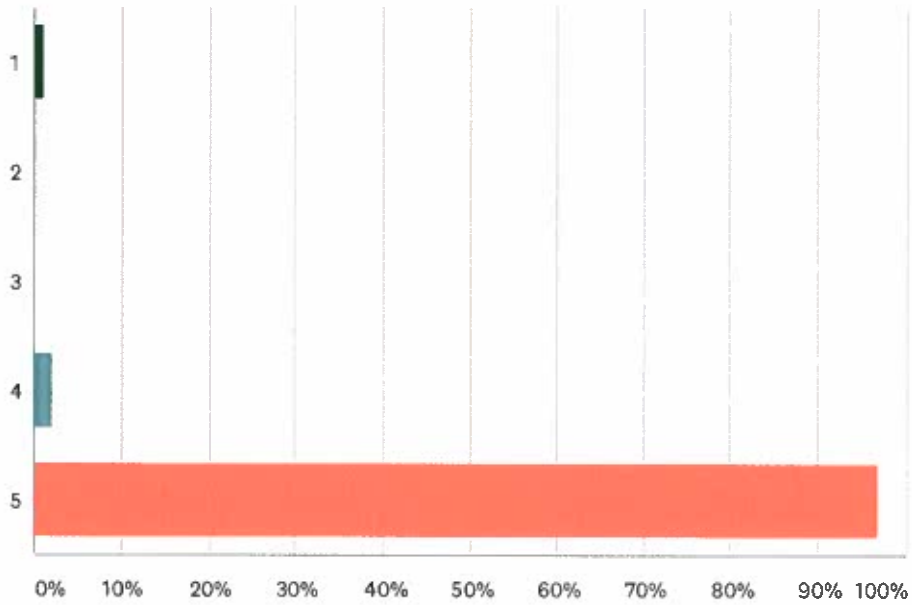
Answered: 96 Skipped: 6



ANSWER CHOICES	RESPONSES	
1	17.71%	17
2	23.96%	23
3	8.33%	8
4 or more times	50.00%	48
<b>TOTAL</b>		<b>96</b>

Q4 Specific to the Hamilton County Sheriff's Office how would you rate the interactions for each (1 being unfair and unprofessional - 5 being fair and professional)

Answered: 96 Skipped: 6

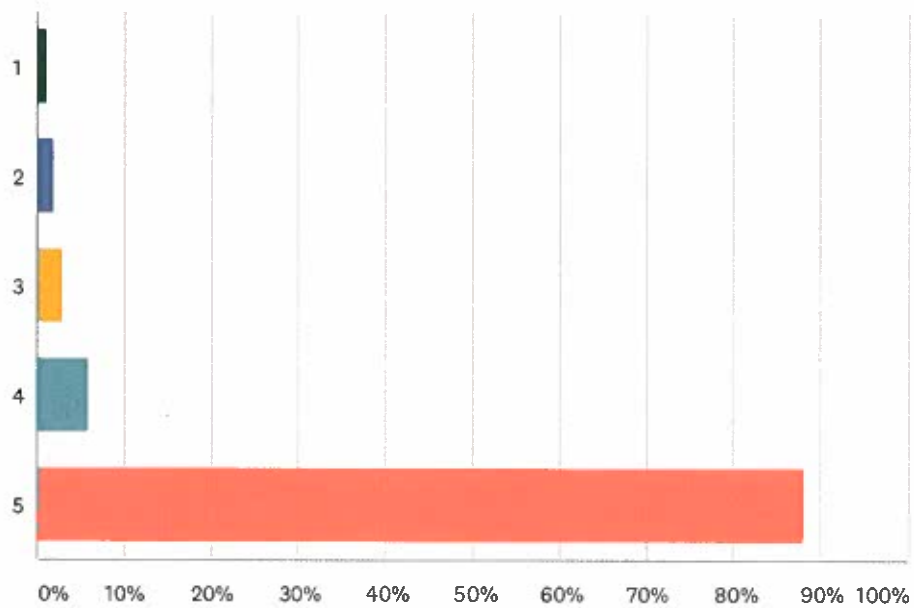


ANSWER CHOICES	RESPONSES	
1	1.04%	1
2	0.00%	0
3	0.00%	0
4	2.08%	2
5	96.88%	93
<b>TOTAL</b>		<b>96</b>



### Q5 What is your level of trust in the Hamilton County Sheriff's Office (1 being distrust - 5 being complete trust)

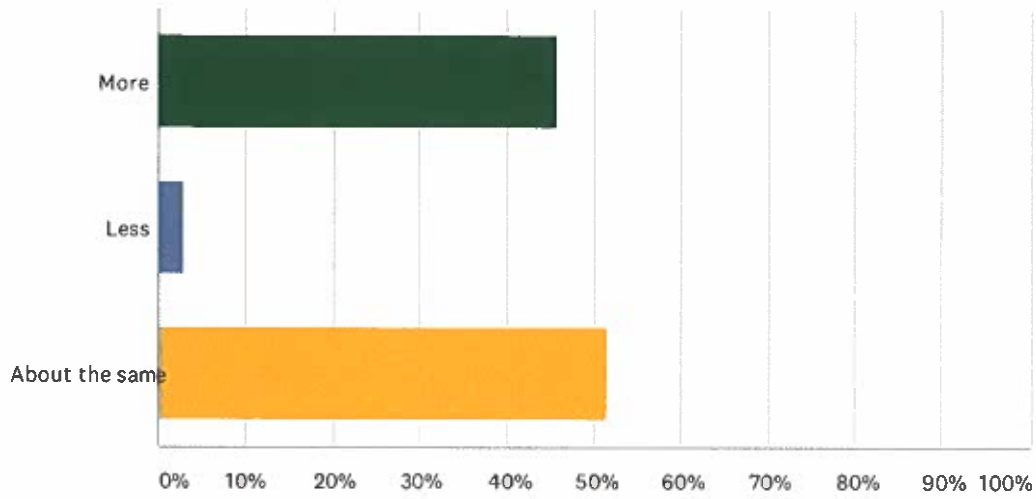
Answered: 101 Skipped: 1



ANSWER CHOICES	RESPONSES	
1	0.99%	1
2	1.98%	2
3	2.97%	3
4	5.94%	6
5	88.12%	89
<b>TOTAL</b>		<b>101</b>

### Q6 Are you in favor of more, less, or about the same police presence in your community

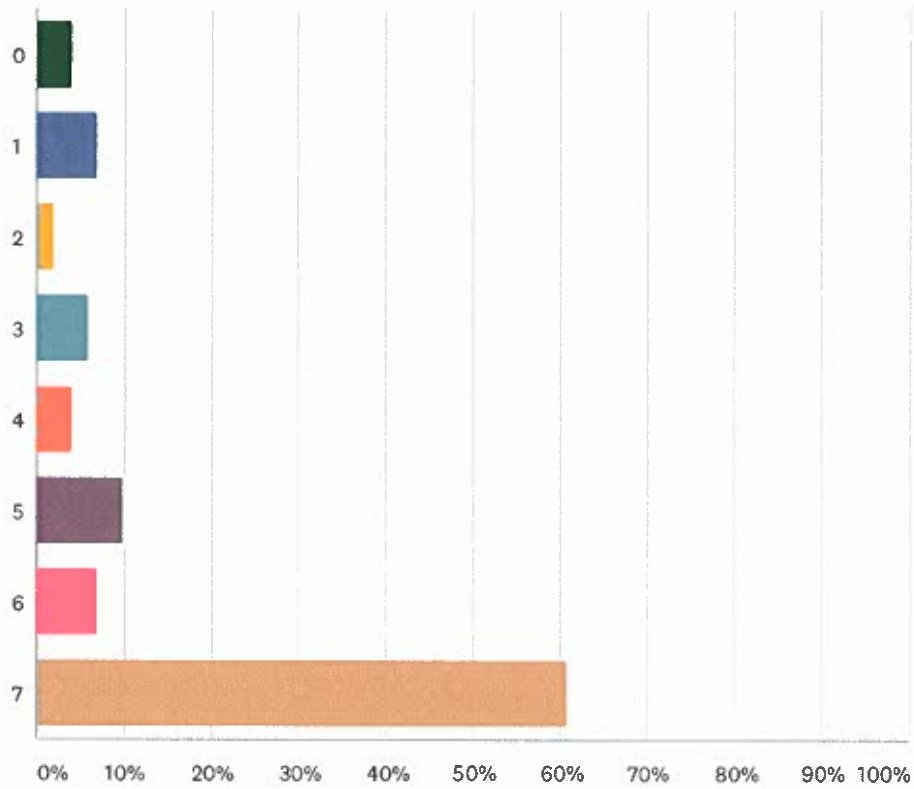
Answered: 101 Skipped: 1



ANSWER CHOICES	RESPONSES	
More	45.54%	46
Less	2.97%	3
About the same	51.49%	52
<b>TOTAL</b>		<b>101</b>

### Q7 How many of the following programs involving the Hamilton County Sheriff's Office are you aware of: Bike safety, Child safety seats, K-9, School Resource Officer, Prevention Programming, Toys for Tots, Safety Training programs

Answered: 102 Skipped: 0



ANSWER CHOICES	RESPONSES	
0	3.92%	4
1	6.86%	7
2	1.96%	2
3	5.88%	6
4	3.92%	4
5	9.80%	10
6	6.86%	7
7	60.78%	62
<b>TOTAL</b>		<b>102</b>

## Appendix B - Comments