

CITY OF COHOES OFFICE OF THE MAYOR

WILLIAM T. KEELER
Mayor

City Hall
97 Mohawk Street
Cohoes, New York 12047



E-mail: mayor@ci.cohoes.ny.us

Telephone: (518) 233-2119
Facsimile: (518) 233-2159

Collaborative Members

Brenda Baddam
Adam Biggs
Francisco Calderon
Venessa Colon
William T. Keeler
Katherine Oliver
Joseph Sorel
Laura Tarlo
Todd Waldin
Benjamin Williams
Kizzy Williams
Robbin Williams
Kaitlyn Wood

BACKGROUND:

The 13-member Cohoes Police Reform and Reinvention Committee (CPRRC) was established in response to Governor Andrew Cuomo's Executive Order #203 of August 2020. That Order required each local government with a police department 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. Each chief executive of such local government was required to convene the head of the local police agency, and stakeholders in the community to develop a plan to address the above. The CPRRC has routinely met publically since last Fall in an effort to devise this plan. The Cohoes Common Council is required to ratify or adopt the plan by local law or resolution, as appropriate, no later than April 1, 2021, and subsequently transmit a certification to the Director of the Division of the Budget to affirm the process has been complied with and such local law or resolution has been adopted. The Director of the Budget is authorized to condition receipt of future appropriated state or federal funds upon filing of such certification for which the City of Cohoes would otherwise be eligible.

NAME OF SUBCOMMITTEE: *Community Involvement*

INTRODUCTION: After the death of George Floyd in Minneapolis and the resulting worldwide protests, Gov. Cuomo mandated that all of New York's 500 municipal police agencies must review their policies and procedures and enlist stakeholders in a collaborative effort to develop a plan for improvements. The collaborative sought to strengthen the relationship between our police department and the community it serves. A particular emphasis was placed on building trust with people of color, whose distrust of law-enforcement pre-dates the founding of our nation. Continuing fractures in those relationships perpetuate the disenfranchisement and disillusionment that drives people to the streets to protest.

Strong bonds of mutual trust between police agencies and the communities they serve are critical to maintaining public safety and effective policing. Police officials rely on the cooperation of community members to provide information about crime in their neighborhoods, and to work with the police to devise solutions to crime and disorder problems. Similarly, community members' willingness to trust the police depends on whether they believe that police actions reflect community values and incorporate the principles of procedural justice and legitimacy.

Improving police/community relationships is generally recognized as a top priority. The diversity within our community is among the reasons why the City of Cohoes is so great. As such, CPRRC sought input from the myriad voices in our community via in-person and virtual public meetings, social media commentary, as well as a community survey – the preliminary results of which are attached as an enclosure to this report. Furthermore, Chief Waldin advised that the department will produce (and publicly post) a quarterly report outlining the extent of significant police/community engagement during the period.

Goals/Recommendations: The CPRRC sought to appropriately update existing policy and departmental best practices based on the mandated points of interest outlined within the New York State Police Reform and Reinvention Collaborative: Resources & Guide for Public Officials and Citizens. The Community Involvement sub-committee specifically worked to review and address areas pertaining to the following:

- What Functions Should the Police Perform? (see below)
- Procedural Justice and Community Policing (reviewed, no recommendation)
- Staffing, Budgeting, and Equipping Your Police Department (see below)

- Community and Youth Engagement (see below)
- Department Oversight and Accountability (see below)
- Training and Continuing Education (see below)
- Data, Technology and Transparency (see below)

What Functions Should the Police Perform?

The Cohoes Police Department recognizes the importance of maintaining an atmosphere of openness with the community they serve. The department actively seeks to establish a cooperative relationship and to keep the community informed on matters of public interest.

- As the attached survey suggests, in addition to the emergency and criminal investigative functions, the community seeks closer ties with its police department. It is incumbent upon the latter to pro-actively establish and maintain those relationships based on mutual respect.

Staffing, Budgeting, and Equipping our Police Department:

The Police Department pro-actively engages the community in a variety of ways. Officers voluntarily walk the downtown area, business district, and high school to engage the community. Additionally, the Police Department participated in a Thanksgiving secret reader for the entire Cohoes School District, donated gifts to families during the holidays, and hosted a movie under the stars for children. The hope is that many activities postponed due to COVID will become available again, e.g. Neighborhood Watch and National Night Out, the Easter Egg Hunt. The Department also has a Detective who has been the dedicated community resource officer for 15 years.

Cohoes Police Department Budget: The committee seeks a committed effort to integrate the police department within the community and establish trust-based relationships with residents, business owners and visitors of our shared community.

The committee recommends that the Common Council and The City of Cohoes review current budget allocations and build in a line item in support of community-based policing activities. This funding allocation will allow the Cohoes Police department to plan and meet the needs of the community through community engagement activities and officer involved activities. It is suggested that a small amount (\$1k-\$5k) be redirected from the city's Recreation Department to establish a "Police Department Youth Fund", thus ensuring police officers interact positively with our youths.

Community and Youth Engagement:

Our youth are the promise for a better tomorrow in our community. We must provide opportunities for them to learn and grow within our community as well. We must create progressive plans that will meet the needs of our youth and reduce the instance of youth crime. The Cohoes Police department currently has a single Community Resource Officer (CRO) in Det. Matthew LaBombard, who is focused on youth related incidents and police interactions. The committee recommends that the Cohoes Police department expand the number of dedicated CROs to two or more. Police Chief Todd Waldin has committed to adding one or two additional CROs in the immediate future.

Department Oversight and Accountability:

The CPRRC is satisfied that there is satisfactory civilian oversight of the police department via the democratically elected mayor and Common Council. Furthermore, significant internal controls are in place to ensure civilian complaints against members of the department are properly received, thoroughly investigated and appropriately adjudicated. There is a comprehensive Citizen Complaint-Internal Affairs Policy which clearly states how these cases are investigated and handled. A lack of Notice of Claims and lawsuits against the city tends to support the legitimacy of the established procedures.

Training and Continuing Education:

Based on the documentation provided, Cohoes Police are currently trained based on New York State Division of Criminal Justice Services guidelines. The Committee recognizes that members of the department receive Cultural Diversity, Implicit Bias, and Mental Health Crisis/De-Escalation training during Basic School at the Zone 5 Academy. The department also collaborates with the Albany County Department of Health as it pertains to Mental Health issues. That said, CPRRC makes the recommendation that the Cohoes Police department add refresher courses on these topics during periodic In-Service training throughout an officer's career. Chief Waldin is in agreement and will ensure compliance with the committee's request.

Data, Technology and Transparency:

The committee was not provided with any analytic data or documentation that identified where the police interactions and arrests occur within the City of Cohoes. The committee was advised that the Cohoes Police department does not currently capture this detail. The committee also was not provided with documentation to review what the arrest forms currently capture in order to determine if the current documentation does not allow for the capture of this demographic detail or if the form does currently capture this information but the policy that governs the form does not provide a process in which:

- mandates the capture of demographic detail;
- ensures the data integrity by ensuring electronic storage of that information;
- the demographic detail can be analyzed for potential trends of over policing, racial bias as well as potential for additional funding based on policing needs.

Chief Waldin indicated the department does not have the capability to compile the requested information. The New York State Office of Court Administration is mandated to report traffic ticket demographics through the STAT Act. The department is required to report the demographics of certain Use of Force situations, which are then publicly accessible via DCJS. We are fully compliant with this mandate. Chief Waldin suggests leaving this type of information gathering to outside agencies is to insure impartiality.

NAME OF SUBCOMMITTEE: *Recruitment*

Goals/Recommendations: Many police departments across the country have committed to diversifying their workforce to more accurately reflect the changing demographics of the communities they serve. Such diversity helps promote better understanding and improves the police-community relationship. The sworn membership of the Cohoes Police Department is currently (and historically) comprised of white males. CPRRC recommends recruitment outreach to secure the interest of minority and female candidates. Chief Waldin said he would formally assign recruitment duties to the office of the Assistant Chief, so to ensure a dedicated recruitment effort. Chief Waldin committed to personally hosting “open-house” recruiting events, both virtually and in-person. Recruiting efforts would include social media, military and college liaisons and would specifically include minority and female audiences.

NAME OF SUBCOMMITTEE: *Internal Affairs/Personnel Matters/Use of Force*

This subcommittee was created to fully review the rules, regulations, policies and procedures of the Cohoes Police Department.

Goals/Recommendations: Several policy changes were recommended and subsequently implemented:

- 1) Establish a Social Media Policy that prohibits unprofessional social media posting that reflects bias on the part of the individual which could reasonably be interpreted as an inability or unwillingness to perform his/her job in an impartial manner. Prohibited posting would be of the kind likely to impeach the individual as well as discredit the department and profession. Chief Waldin has updated the existing **Social Media policy** to include **Section 4**, which addresses the matter.
- 2) **Use of Force, section 6 sub-B** stated, “An officer who observes another officer use force that exceeds the degree of force as described in subdivision A of this section *should* promptly report these observations to a supervisor”. Proposed change was to update the policy to state “shall” to mandate such reporting. This improves accountability of the officers to the department and also better protects citizens from a similar occurrence in the future. Chief Waldin has implemented the recommended policy change;
- 3) **Use of Force, section 7** discusses Chokeholds and Obstruction of Breathing or Blood Circulation. The addition of this section explains what constitutes an obstruction of breathing and prohibits any type of force that causes such a change in breathing condition – unless deadly physical force is authorized by law.

CONCLUSION:

In sum, the CPRRC recommended the following:

- That the Cohoes Police Department continue recent efforts to get the agency designated as a New York State Accredited Law Enforcement agency;
- That the Cohoes Police Department increase the training of its members. Emphasis was recommended in the area of force de-escalation, particularly in calls involving youths and emotionally disturbed adults. Additionally, Implicit Bias and Racial Sensitivity training was encouraged;
- That the Cohoes Police Department increase their engagement with the community they serve. Suggestions included hosting “open-house” at the station, continue assigning officers to Community Watch meetings, increasing foot patrols, and creating liaisons to the various (business/schools/religious/minority) groups that exist in the city;
- That the Cohoes Police Department increase transparency via widely publishing its Annual Report, making public its Use of Force Policy, and posting statistics addressing arrests involving the use of force;
- That the Cohoes Police Department should immediately seek to diversify the sworn membership by actively recruiting minority and female applicants and subsequently hiring qualified candidates as they become eligible on the Police Officer Entrance Exam. The effort should remain ongoing and involve recruitment efforts by not only the newly designated Recruitment Officer (Assistant Chief) but by every member of the department on a routine basis;
- That the Cohoes Police Department should increase accountability by establishing Citizen Satisfaction Surveys and by continually updating policies such as those amended during the course of this endeavor;
- That the City of Cohoes purchase Body Cameras and Dashboard Cameras to increase accountability and thus protect the safety of the citizenry and the integrity of our police officers.