



INCORPORATED VILLAGE OF HEMPSTEAD POLICE REFORM PLAN

Don Ryan
Mayor

Paul R. Johnson
Chief of Police

PUBLIC COMMENT REQUEST

Pursuant to New York State Executive Order 203 (See Exhibit 1), the Village of Hempstead has formulated a draft Police Reform and Reinvention Collaborative Plan for public review and comment. Please take time to review the draft and provide us with any comments and/or suggestions you may have. We value your input. Please use the following methods to provide your input to the Village:

Email: policereform@villageofhempsteadny.gov

USPS addressed to: **Police Reform • P.O. Box 32 Hempstead, NY 11551-0032**

ACKNOWLEDGMENTS

Over the course of several months, the Mayor's Police Reform and Reinvention Committee (PRRC) convened on a bi-weekly basis to thoroughly review each of the thirteen policy areas as mandated by Governor Cuomo's Executive Order 203 (EO203). In response to stakeholder requests and a desire for more authentic dialog, the Hempstead Police Department ("HPD") relinquished committee meeting facilitation responsibilities in order for them to be led by the Village's stakeholders. Mayor Ryan especially thanks his PRRC Co-chair, Thurston O'Neal, Director, Hempstead Prevention Coalition, FCA, and the rest of the committee including NYS Senator Kevin Thomas; Nassau County Legislator Siela A. Bynoe; South Floral Park Mayor Geoffrey Prime, Esq., NYS 18-B Public Defender; Hempstead PD Chief Paul Johnson; Hempstead PD Asst. Chief Kevin Colgan; Hempstead PD Deputy Chief Richard Holland; Hempstead PBA President, Christopher Giardino; Rev. Isadoa Branch Jr., Sr. Pastor, Jackson Memorial A.M.E. Zion Church; Timothy Edwards, Hempstead resident; George Siberon, Executive Director, Hempstead Hispanic Civic Association; Donald Rollock, NYS 18-B Public Defender; Barbara Powell, President, NAACP; Victoria Moore, Hempstead Resident; Dennis Jones, Hempstead Resident; Scott Banks, Attorney-in-charge, Nassau County Legal Aid; Rashmia Zatar, S.T.R.O.N.G Youth; and Atlanta Cockrell, President, Terrace Avenue Tenant's Association.

Village of Hempstead's PRRC meetings were held on:

- October 28, 2020
- November 10, 2020
- November 24, 2020
- December 9, 2020
- December 23, 2020
- January 6, 2021
- January 20, 2021
- February 3, 2021

Over the course of 8 meetings, the PRRC consulted with various professionals providing information, recommendations, and expertise in a number of areas of consideration when reforming and reimagining policing. The following individuals presented on various topics:

Sgt. Robert Connolly, Nassau County Police Department – concept of CPTED
Det. Matthew Murphy, Hempstead Police Department - CPTED in Hempstead
Det. Lt. Derek Warner, Hempstead Police Department – Youth Police Initiative
Lt. Vincent Montera, Hempstead Police Department – Use of Force and De-escalation
Donna Raphael, Senior Director of Advocacy and Community Relations, FCA – SNUG
Lorraine Washburn-Baum, Deputy Commissioner, Nassau County Department Social Services
Alexandra Saint-Laurent, MSW – 911 Dispatch Reform and Alternate Responses to Behavioral Health Crisis
Dr. Carolyn McCummings, Commissioner, Nassau County Department of Human Services
Michael Ranalli, Program Manager II, Lexipol
Henry McClendon, Jr., Director of Community Engagement for the International Institute for Restorative Practice

In addition, the Village of Hempstead was represented by Garden City Police Commissioner Kenneth Jackson who participated in Nassau County’s Police and Community Trust Initiative (PACT). PACT is comprised of community stakeholders and representatives from throughout Nassau County. Meetings were held on:

- June 24, 2020
- July 14, 2020
- August 6, 2020
- September 17, 2020
- October 8, 2020
- October 22, 2020
- November 12, 2020
- November 19, 2020
- December 2, 2020
- December 7, 2020
- December 30, 2020
- January 14, 2021

Don Ryan, Mayor

PATRICIA PEREZ, Village Clerk
PETTUS, Trustee
CHERICE P. VANDERHALL, Village Attorney
ROSARIO, Trustee
JOE GILL, Treasurer
Trustee



CHARLES E. RENFROE, Deputy Mayor
JEFFERY DANIELS, Trustee
LaMONT JOHNSON, Trustee
WAYLYN HOBBS Jr., Trustee

February 24, 2021

Dear Residents and Community Members:

I have been a Village of Hempstead resident all of my life and could not be more proud of the work that our Village's Police Reform and Reinvention Committee (PRRC) has done to improve, reform, and reimagine policing in our community. While our current police administration (appointed in 2018) had already made great strides in updating the policies and procedures of the Hempstead Police Department, this collaboration between the Department and the Hempstead community was well overdue. As some of you may know, Governor Andrew Cuomo issued Executive Order no 203 (EO 203) in June 2019 mandating that all law enforcement agencies engage community members and stakeholders to conduct a comprehensive review of current police force deployments, strategies, policies, procedures, and practices, and develop a plan to improve those areas.

Unfortunately, there is a justifiable mistrust of the criminal justice system by Black and Latino communities. During the summer of 2020, Hempstead residents gathered on Main Street and painted "Black Lives Matter" on the roadway as both a statement to the world that all lives cannot matter until black lives matter, and as an affirmation to our residents that we have to matter to each other. The PRRC's plan is Hempstead's course of action to ensure that all lives matter including Black, Latino, and those in other protected classes such as the disabled, and homeless populations. Of course, the implementation of many of the PRRC's recommendations may require actions at higher levels of government, but we are committed to realizing the necessary improvements outlined in the plan. As the Mayor of the Village of Hempstead, I assure all that this plan is just the beginning of Hempstead's effort to continuously self-evaluate, expand and refine our efforts in the area of police reform. After your review, please do not hesitate to contact me at policereform@villageofhempsteadny.gov with any questions, comments, or concerns. I look forward to your participation in our public hearing on this matter on Thursday, March 18, 2021 at 6:00pm.

Don Ryan

Don Ryan
Mayor



Telephone (516) 483-6200
Fax (516) 489-5260

HEMPSTEAD

Police Department

99 James A. Garner Way
Post Office Box 32
Hempstead, New York 11551

PAUL JOHNSON
CHIEF OF POLICE
KEVIN COLGAN
ASSISTANT CHIEF, EXECUTIVE OFFICER
RICHARD HOLLAND
DEPUTY CHIEF, ADMINISTRATIVE OFFICER

To My Hempstead Community Residents,

For generations, our great nation has grappled with the continual struggle of Police and Community relations. Over the years there have been countless calls for systematic change to policing in America. I have been listening to our community, monitoring local and national events and have been actively engaged in reformative dialogue with my peers and many community stakeholders. Police reform and reinvention have rightfully become the predominant cry of our community. Unfortunately, without honest conversation and practical actions, change is impossible.

Building trust, embedding transparency and enforcing accountability has been, and remains at the core of Hempstead Police Department's mission. In 2018, prior to EO203, Hempstead Police Administration set out to implement long overdue comprehensive changes to department policies and training. Using drug related seized funds, HPD Administration was able to contract with Lexipol, the nationwide leading provider of public safety policies and training to implement a full-scale rewrite of our policy manual.

Lexipol's staff of public safety professionals with over 2000 years of collective experience, guided HPD Administration in updating policies to enhance personnel safety, increasing departmental transparency and reducing risk. HPD's legally vetted and up to date policies and trainings incorporate industry best practices and are now available to department personnel 24 hours a day - 7 days a week via an online platform and a mobile app.

The HPD Administration's comprehensive overhaul also included the purchase of the IA Pro (Internal Affairs Professional) tracking software to address an outdated data collection and data management system. The IA Pro Software is used to track, monitor and create a database of information including but not limited to, Citizen's Complaints, Administrative Investigations, Use of Force Incidents, Firearms Discharges, Training Records and Awards and Commendations. The implementation of the IA Pro software has helped HPD Administration bring the HPD up to date technologically and create a more efficient and transparent police department.

As you will read, our Police Reform Plan highlights current updated policies, procedures and trainings, in addition to reforms as recommended by community stakeholders, trusted experts and community residents.

Rest assured, we are committed to listening, learning, serving, protecting and standing up for justice, even within our own ranks. Finally, at the core of the Hempstead Police Department's oath, we ensure fairness to our community and our fellow officers as we partner for a safer and greater village.

Paul Johnson, Chief of Police
Hempstead Police Department

TABLE OF CONTENTS

Public Comment Request.....	2
Acknowledgements.....	2
Letter from the Mayor Don Ryan.....	4
Letter from the Chief of Police Paul Johnson.....	5
Introduction.....	7
Part I. Recruitment.....	9
A. HPD Staffing and Recruitment.....	9
B. HPD Demographics.....	9
Part II. Officer Training.....	10
A. Implicit Bias Awareness Training.....	11
B. Supporting Officer Well-Being.....	12
Part III. Training Policies.....	13
A. Use of Force Policies.....	13
1. Use of Physical Force.....	13
2. Use of Force Review Board.....	15
B. De-Escalation Training and Practices.....	15
C. Mental Health/Behavior Health Crisis Intervention.....	18
1. Engaging with persons in mental crisis.....	18
2. Engaging with Homeless Persons.....	19
D. Standards of Conduct.....	21
E. Complaint Policy.....	21
1. Complaint Process.....	22
2. Complaints made by HPD Members.....	23
F. Contacts and Temporary Detentions.....	24
G. Body Worn Cameras.....	25
H. Crowd Control.....	25
I. Communications Bureau and 911.....	26
Part IV. Policing in Hempstead.....	27
A. Community-Based Outreach and Conflict Resolution.....	27
B. Law Enforcement Diversion Programs (LEAD).....	29
C. Procedural Justice.....	30
D. Systemic Racial Bias and Racial Justice in Policing.....	31
E. Restorative Justice.....	32
F. Problem Oriented and Hot-Spot Policing.....	33
G. Focused Deterrence.....	36
H. Crime Prevention Through Environmental Design (CPTED).....	37
I. Violence Prevention and Reduction Interventions.....	38
Executive Summary.....	40
Conclusion.....	41
Exhibits.....	42

INTRODUCTION

The Mayor of the Village of Hempstead, along with the Board of Trustees, submit this plan pursuant to NYS Executive Order 203 (“EO203”). This plan was developed after a comprehensive review of police force deployments, strategies, policies, procedures and practices, and consultation with community stakeholders. This plan will enable the Hempstead Police Department to continue its robust community-oriented policing strategies while working towards further reducing racial disparities in policing.

In accordance with the mandates of EO203 and the guidance provided by NYS relating to the Executive Order, the Village engaged in a collaborative effort with community stakeholders through several different forums. Mayor Ryan established the Village of Hempstead Police Reform and Reinvention Committee, which met on a bi-weekly basis to discuss the mandated issues set forth in Executive Order 203. The discussions on the issues were meaningful and insightful and included ways in which the police department could better serve the needs of the residents of the Village of Hempstead.

The HPD participated in this collaborative effort while conducting a full review of HPD policies and procedures. As a result of changes in legislation and input from various community groups, the HPD made modifications to its policies and procedures as outlined herein. This plan reflects the Incorporated Village of Hempstead and the Police Department’s commitment to serving all the people of our community both equally and fairly. When applying the guidance presented by the state to the existing policies and procedures in effect, we were happy to realize that many of the improvements in standards and practices were already in place. The Village is committed to updating and improving this plan, and will continue to promote fairness, transparency, trust and legitimacy while working towards reducing racial disparities.

HPD will parallel many of the NCPD’s Reform Policies and Procedures. The police departments in Nassau County are integrated because village officers are recruited and trained by NCPD and each agency utilizes NCPD’s special services, such as the Police Academy (Recruit and In-Service Training), Firearms Training, Emergency Vehicle Operations Course Training, Crime Scene Section, Emergency Services, Specialized Detective Units, and more. In addition, similar policies may be required because all police departments within Nassau County utilize the same Criminal Court System and District Attorney’s Office.

The Hempstead Village Police Department was established in 1875 and serves the largest Incorporated Village in New York State. The Department has over 115 sworn members and 31 civilian members. Considered the largest of New York State’s village police agencies, the Hempstead Village Police Department safeguards a population of more than 55 thousand people. Founded on the ideals of integrity, loyalty, fairness, and excellence, the HPD is a service-oriented police department that places the concept of community policing at the heart of its philosophy.

The Hempstead Village Police Department continually seeks to strengthen and expand its partnership with the community it serves. Focused on maintaining and enhancing trust with the public, the Department effectively resolves community problems and continually reevaluates and modifies police policy. The HPD is made up of the following divisions: the Patrol Division, the Investigations Unit, the Community Policing Unit, the Traffic and Safety Unit, the Juvenile Aide Bureau, the Domestic Violence Unit and the Training Unit. The HPD upholds public safety while exemplifying a service-oriented approach.

I. RECRUITMENT

A. HPD Staffing and Recruitment

HPD Recruitment and Selection is outlined in Policy No. 100 entitled Recruitment and Selection (See Exhibit 2) and provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. It supplements the rules that govern employment practices for the HPD and that are promulgated and maintained by the Village.

Potential recruits are subject to the Nassau County Department of Civil Service process. The process requires that applicants sit for an exam offered only upon announcement and at the request of Nassau County. The applicants are scored and ranked based upon the number of questions answered correctly. Once ranked and placed on the recruit list, applicants must pass a medical exam and undergo a background investigation performed by Nassau County Police Department. Potential Recruits must then pass an agility test before being placed on the “established list,” which makes them eligible for an in-person interview with HPD conducted by the Department chiefs. After a successful interview, potential recruits must pass both a psychiatric and polygraph exam. While some departments require that the potential recruit obtain 60 college credits, prior to appointment, Hempstead requires 32 credits. After appointment by the Village Mayor and approval by the Board of Trustees, the recruit is sworn in as a police officer and enrolled in the Nassau County Police Academy (“NCPD Academy”) for both academic instruction and physical tests.

B. HPD’s Demographics are as follows:

RANK	BLACK	WHITE	HISPANIC	OTHER	TOTAL
CHIEF	1				1
ASST. CHIEF		1			1
DEP. CHIEF	1				1
LIEUTENANT	3	7			10
SERGEANTS	2	6			8
DETECTIVES	8	8	1		17
POLICE OFFICERS	22	43	10	2	77
TOTAL	37	65	11	2	115

Civilian Employees

COMMUNICATION OPERATORS	9
CLERICAL	5
CUSTODIAN	1
NEIGHBORHOOD AIDES	14
<i>Sub-Total Full-Time Employees</i>	29
Part-Time Employees	2
TOTAL CIVILIAN EMPLOYEES	31

There are 10 languages spoken in the Department. They are English, Spanish, Haitian Creole, French, Polish, American Sign Language, Pashto, Urdu, Punjabi, and Hindi.

RECOMMENDATIONS FOR REFORM

- 1) Implement positive youth engagement at the elementary School, high school or college level through mentoring.
- 2) Create a database of those interested in sitting for the NCPD exam, through pre-registration on the department web site, so the HPD can inform them of test dates and deadlines.
- 3) Establish a Recruitment Team that will attend cultural community events to educate minority groups about the opportunity to join HPD.
- 4) Work with minority based civic associations, advocacy groups, and houses of worship to promote employment by HPD.
- 5) Village of Hempstead to pay exam fee for village residents sitting for the NCPD exam.
- 6) HPD to mail postcards to residents stating the benefits of a career in law enforcement.
- 7) Encourage Village residents to use NCPD's Pre-Registration process.
- 8) Increase recruitment efforts to include targeting Hempstead residents who are already sworn NYPD members.

II. OFFICER TRAINING

Chief Paul Johnson assumed leadership of the Hempstead Police Department (HPD) in 2018 and the Hempstead Police Administration immediately set out to make major comprehensive changes, which were long overdue. Using drug related seized funds, HPD Administration was able

to retain Lexipol, a leading nationwide provider of public safety policies and training, to implement a full-scale rewrite of their policy manual. Chief Johnson, Assistant Chief Kevin Colgan, and Deputy Chief Richard Holland worked with Lexipol staff to update HPD's policies to enhance personnel safety, increase departmental transparency and reduce risks. HPD's current policies and trainings incorporate industry best practices and are now available to departmental personnel 24 hours a day - 7 days a week via an online platform and a mobile app.

HPD Training is outlined in Policy 203 (See Exhibit 3) and establishes the general guidelines for how training is to be identified, conducted and documented. This policy does not address all specific training endeavors, or identify every required training topic.

The Nassau County Police Academy ("NCPD Academy") is governed by the New York State Division of Criminal Justice Services Law Enforcement Agency Accreditation Program. The NCPD Academy requires approximately 1100 hours of training. NYS provides students with evidence-based curriculum and scenario training. All members must graduate from an accredited Police Academy.

HPD designates the Commanding Officer of the Firearms and Training Bureau as the HPD Training Supervisor. Currently, that person is Lt. Vincent Montera, a 28-year veteran of the HPD. He develops the HPD training plan, which includes mandated annual training for a minimum of 21 hours. It includes training in firearms, legal updates, and the use of force and deadly force, de-escalation, less lethal munitions, off-duty and plain clothes encounters. Lt. Montera supervises a training team that includes P.O. Daniel Larkin, a 17-year veteran of the HPD. P.O. Larkin is responsible for firearms training.

New recruits are assigned a field-training officer immediately after completion of the NCPD Academy. They receive a minimum of 160 hours of supervised field training with an HPD officer in the Village of Hempstead, and are trained on HPD's local practices.

In addition, all HPD members will participate in an annual 10-hour training block conducted at the NCPD Academy to include a use of force review, reaffirming the definition of reasonableness and necessity, misuse of force, use of force reporting, and priority of life discussion, de-escalation and maintaining control over one-self, procedural justice and benefits thereof, ethical and moral courage and the duty to intervene, fundamental crisis intervention, indicators of emotions stress communication and treatment and recovery resources, implicit bias and leadership.

RECOMMENDATIONS FOR REFORM

- 1) Implement a lessons-learned plan to review major incidents that occur not only in the Village of Hempstead but nation-wide. HPD will review video and critique officer's actions to ensure our members do not make the same mistakes/decisions. For example, a review of the George Floyd arrest.
- 2) Utilize Daily Training Bulletins to test members on their knowledge of the Policy Manual.

A. Implicit Bias Awareness Training

The HPD does not currently conduct implicit bias training.

RECOMMENDATION FOR REFORM

- 1) At a minimum, all HPD recruits will participate in the Nassau County Police Department's implicit bias training, which will include sixteen (16) hours of training.
 - Eight (8) hours are spent on decision making which incorporates concepts of implicit bias including how to reduce stereotypical ideology and subconscious biases.
 - Eight (8) hours of training are spent on cultural diversity.
 - Facilitate periodic refresher courses specifically for HPD members if/when needed.
 - All current members will participate in the NCPC in-service training program regarding implicit bias beginning spring 2021 and continue on an annual basis.

B. Supporting Officer Well-Being

As stated in the NYS Guidance, law enforcement is inherently a physically and emotionally dangerous job. The Village of Hempstead is committed to supporting and promoting the physical, emotional, and mental wellness of the men and women of the Hempstead Police Department. As such, the HPD will implement a policy addressing officer well-being.

- a. Confidential meetings and counseling with licensed social workers are available to members of the HPD through the NCPD Employee Assistance Office. At times, officers can be mandated to Employee Assistance by supervisors.
- b. The HPD Police Chaplain Program has trained counselors that are available to assist any member as needed (See Exhibit 4).
- c. During the course of a career in law enforcement, an officer will likely be exposed to a traumatic event (i.e. death of a child, mass casualty incident, etc.). Traumatic events are covered by the NCPD Peer Support Team who respond to scenes and/or hospitals and other locations as needed. This team is available twenty-four (24) hours a day, seven (7) days a week. In addition, HPD mandates that its officers meet with a certified peer counselor following a traumatic event.
- d. The Nassau Police Conference, which represents all police agencies within Nassau County (NCPD, Village and City departments included), also provide Peer Support programs, which are available to HPD officers.

RECOMMENDATIONS FOR REFORM

- 1) The HPD will begin utilizing the NCPD's Employee Assistance Program website, which is accessible on all department computers. All officers are encouraged to add the Nassau Cares application to their personal phones to have instant access to references for help with a variety of concerns.
- 2) HPD will implement a policy addressing officer well-being.

III. TRAINING POLICIES

A. Use of Force Policies

HPD's Use of Force Policy is outlined in Policy No. 300 (See Exhibit 5) and provides guidelines on the reasonable use of force. In addition, there is a Use of Force Review Board Policy No. 301 (See Exhibit 6), which HPD establishes to review the use of force by its members.

1) Use of Physical Force:

The use of force by members of law enforcement is a matter of utmost concern both to the public and the law enforcement community itself. When faced with a situation where the use of force is objectively reasonable under the circumstances, the guiding values of the members of the Hempstead Police Department shall be those principles set forth, as well as the paramount objective of reverence for the sanctity of human life. In all cases, the primary duty of all Members of the Department is to protect human life and provide for the safety of the community. Force is authorized when reasonably believed to be necessary:

- a. to effect a lawful arrest or detention;
- b. to prevent the escape of a person from custody;
- c. or in defense of one's self or another.

The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene. Whenever feasible and consistent with personal and public safety, members should de-escalate the use of force to dissipate a particular threat and/or resistance. Officers are trained to assess these fluid situations for totality of circumstances and determine the level of force necessary or appropriate for each instance and adjust the level of force accordingly.

- d. Every use of force incident, as defined by the NYS Department of Criminal Justice Services, requires a written Use of Force Report and monthly reporting to DCJS.
- e. These reports are to be reviewed and analyzed by Command Staff in order to

identify possible trends and/or areas where training may need to be expanded or supplemented.

f. HPD has prohibited the use of the Carotid Restraint as a compliance technique, and any application of pressure to the throat, windpipe, neck, or blocking the mouth or nose of a person in a manner that may hinder breathing or reduce intake of air is prohibited unless deadly physical force is authorized.

g. The NCPD Police Academy strictly adheres to the NYS DCJS curriculum for defensive tactics.

h. Members of the Department who observe another member using force that exceeds that which is objectively reasonable shall, when possible, intercede to prevent the use of unreasonable force and must promptly report these observations to his/her supervisor.

i. Medical attention shall be promptly obtained for any person who exhibits signs of physical distress, has sustained a visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious.

j. Individuals should not be placed on their stomachs for an extended period, as this could impair their ability to breathe.

2) Use of Deadly Physical Force:

A member of the Department is only justified in using deadly force in order to protect him/herself or another person from what the member reasonably believes is an imminent threat of serious physical injury or death:

- i. the member has probable cause to believe the suspect has committed or is about to commit a felony involving the infliction or threat of serious physical injury,
- ii. and the member reasonably believes that the suspect poses an imminent threat of serious physical injury to the member or to others.

The basis for such a determination depends on the totality of circumstances. A member of the Department must be able to clearly explain his or her reason(s) for the use of deadly force, the external circumstances that formulated his or her decision to utilize deadly force, as well as the factors that led to the conclusion that the member's life, the life of another member of the Department, or the lives of the public, were in imminent peril and the use of deadly force was reasonable and necessary. When feasible, members of the Department shall provide a verbal warning prior to the use of deadly physical force.

The HPD generally prohibits the firing of rounds at or from moving vehicles unless the

officer reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

3) Use of Force Review Board

HPD recently updated its policies to include a Review Board that includes a command staff officer, supervisory officer not involved in the incident, a police officer/detective not involved in the incident, a firearms training supervisor, and a department instructor for the type of weapon, device, or technique used. This Board convenes when there is the use of a firearm or the use of deadly physical force, serious physical injury to a police officer, arrestee, or another person, or circumstances, which cause or may cause significant community concern. This Board does not convene until any criminal investigation has concluded. It evaluates whether any policies were violated and identifies any further trainings that might be needed.

B. De-Escalation Training and Practices

De-escalation practices are integral to the HPD ideology and while de-escalation is addressed throughout the Policy Manual (Use of Force, Conducted Energy Device [TASER], Crisis Intervention Incidents, Emergency Admissions, and Civil Disputes) HPD has created an innovative stand-alone De-Escalation Policy and subsequent training program, which was enacted in 2020 in Policy No. 342 (See Exhibit 7). Through effective communication and techniques, HPD officers are expected to resolve situations which might otherwise escalate towards violence to a successful, non-violent conclusion. De-escalation enhances the safety of police officers and the public.

The HPD recognizes the importance of de-escalation in safeguarding citizens as well as officers. The department designates an eight (8) hour course on de-escalation techniques through the NC Police Academy curriculum. DCJS does not require the academy to have a specified de-escalation curriculum. In addition to the eight (8) hour course, de-escalation is interwoven into many topics covered throughout the NCPD Academy curriculum.

During the de-escalation course, recruits are taught Dr. George Thompson's Five Universal Truths of Human Interaction:

- a. People feel the need to be respected
- b. People would rather be asked than told
- c. People have a desire to know why
- d. People prefer to have options instead of threats
- e. People want to have a second chance

De-escalation requires the ability to not only be a persuasive speaker, but also an active and engaged listener. To be an active listener, an officer must:

- f. be open and unbiased,
- g. listen to all of what is conveyed (verbal and non-verbal),
- h. interpret the meaning,
- i. respond appropriately, free of judgment

De-escalating situations into successful interactions requires officers to assess, engage, and resolve.

- a. Assessment of a situation is one of the most vital aspects of response to a situation. Officers are given very limited information prior to responding to a call and therefore, the initial assessment is extremely important.
- b. Engaging in a situation is the most critical part of conflict resolution. Officers must control themselves and free their minds of anger, fear, judgment, and ego so they can respond without outside influence.
- c. Resolution is where the encounter will end, whether good or bad. If the officer can maintain control of the situation and themselves, a successful conclusion is a near guarantee. In all situations, it is imperative officers respond and not react.

RECOMMENDATIONS FOR REFORM

1) The HPD will cross reference collaboration with community stakeholders to learn about cultural differences that may inadvertently lead to escalation. This input will be incorporated into future de-escalation training which will also be provided to HPD officers.

2) HPD will supplement de-escalation training provided by NCPD with the newly created HPD training sessions, and Policy Manual Daily Training Bulletins.

3) HPD will implement stand-alone duty to intervene training and policies to support and protect officers from repercussions,

4) HPD will investigate modifications to the Use of Force and De-escalation Policies, which require review and consultation with both NYS Division of Criminal Justice Services and Lexipol prior to implementation, that include the below:

- a broader definition of the word “force;”
- emphasis on the importance of any force being limited to what is reasonable, necessary and proportional;
- that force is to be used only when necessary, and that there is an ongoing duty to modulate levels of force and ensure that any force used is proportional to the circumstances;
- an expression of a clear and strong commitment to upholding the sanctity of human life, the equal value and worth for all human beings, and the value and dignity of all persons at all times;
- providing clarity on when the duty to intercede is activated;
- the use of restrictive rather than permissive language when possible in setting forth the circumstances when the use of force is permitted;
- The current Use of Force policy mentions permitting officers to use an improvised

device or method in response to a rapidly unfolding event. HPD is considering explaining what an officer needs to be mindful of in circumstances when they believe they must do something that the Use of Force Policy does not specifically address;

- Certain additions and deletions to section 300.3.2, including: (1) the feasibility of de-escalation; (2) any known physical or mental disability; and (3) the individual's ability to understand a command, and deleting the training and experience of the officer;
- Requiring that Pain Compliance Techniques be used only when necessary, and that it be reasonable and proportional to the threat, with an ongoing duty to modulate.
- Requiring officers to use non-violent strategies and techniques whenever circumstances permit;
- Specifying the circumstances under which officers may use force when an individual seeks to swallow evidence or otherwise hide evidence inside their body;
- Clarifying that shooting at or from a moving vehicle is prohibited unless it is absolutely necessary to preserve a human life'
- Including a section listing categorical prohibitions on the use of force;
- Requiring the notification of supervisors when an individual to whom force was applied indicated an intent to pursue litigation;
- Requiring supervisors to assess whether an individual to whom force was applied may pursue civil litigation;
- Adding a section to set forth policies for the use of TASERs and Oleoresin Capsicum (OC) Spray;
- That the definition of "Accountability" include a statement that members are expected to adhere to the de-escalation policies and those who fail to do so will be held accountable;
- That the definition of De-Escalation Techniques be broadened beyond just avoiding the use of force;
- Amend the definition of Duty to Intercede to be consistent with section 200.21 of the Use of Force Policy'
- Define "Retaliatory Force" more expansively so that it prohibits all retaliatory force and make clear that unreasonable and unnecessary force is prohibited in all situations, not just in circumstances where persons are engaged in First Amendment protected activity;
- Clarify that the level of resistance an officer encounters is a key factor in determining the proportional amount of force;
- Deleting section 342.5 dealing with decision to use force and section 342.5.2 dealing with pre-assault indicators;
- Reorganizing the structure of the De-Escalation Policy;

- Adding a clear statement that use of de-escalation techniques is mandatory in all situations, whenever possible;
- Including a more comprehensive list of techniques under de-escalation techniques; and
- Making the mandatory language in Members Responsibilities more clear.

C. Mental Health/Behavior Health Crisis Intervention

1) Engaging with persons in Mental Health Crisis

HPD Policy No. 408 Crisis Intervention Incidents and No. 409 Emergency Admissions/Emotionally Disturbed Persons (EDP) delineate how our officers are expected to provide aid in a sensitive manner to persons who appear to be suffering from mental illness or disability (See Exhibits 8 and 9 respectively). No 408 states: “The Hempstead Village Police Department is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Department will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members’ interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.”

In addition Policy No. 427 (Exhibit 10), Medial Aid and Response recognizes that members often encounter persons in need of medical air and establishes a law enforcement response to such situations.

HPD recruits that attend the Nassau County Police Academy undergo twenty (20) hours of NYS DCJS Mental Health curriculum. This course trains recruits in identifying behavioral signs of emotional distress, how to effectively communicate with an emotionally disturbed/mentally ill person and to help people with mental illnesses connect to resources. This curriculum uses role-play for reality-based training by simulating scenarios involving people in crisis.

In addition to the DCJS Mental Health course, the NCPD academy addresses mental health training in other courses such as: crisis intervention, de-escalation, professional communication, hostage negotiation, autism awareness, and interview and verbal skills.

The response to an emotionally disturbed person call includes two police officers, a patrol supervisor, and a Northwell Health Services Ambulance staffed by a Paramedic and an EMT. In situations where the aided person exhibits violent behavior and the situation is likely to result in serious harm, personnel from the NCPD Emergency Services Unit (ESU) may respond as well.

HPD officers are trained to assess situations involving individuals experiencing a mental health issue and obtain background information including:

- a. the individual's mental and medical history, prescription or illegal drug use;
- b. the circumstances which led to the call to 911;
- c. The individual's behavior prior to police arrival;
- d. The individual's past violent behavior.

Northwell Health Services ambulance personnel receive extensive training regarding emotionally disturbed persons and will usually take a lead role, when practical, in such incidents.

If the officers and medical personnel at the scene reach a determination that the individual is a threat to himself/herself or others, that person, as per the NYS Mental Hygiene Law, will be transported by ambulance, to a hospital for a medical evaluation and treatment.

If it is determined that the individual is not a threat to himself/herself or others, and transport to a hospital is not necessary, the officers at the scene may reach out to or provide referrals to resources such as Mobile Crisis Outreach Team (MCOT), the National Alliance on Mental Illness, 211, and the National Suicide Prevention Lifeline.

When an encounter with a mental aided involves a suicidal person, a barricaded individual, or persons held against their will, the Nassau County Police Department Hostage Negotiation Team (HNT) may be assigned. The HNT will respond when a trained negotiator is needed at a scene.

2) Engaging with Homeless Persons

The HPD has issued Policy Section 425, Homeless Persons designed to outline the department's response to the homeless community (See Exhibit 10).

HPD members are also trained on interacting with homeless persons and identifying those who require additional necessary assistance or treatment. HPD members are encouraged to seek assistance for homeless persons through Nassau County Department of Social Services (DSS). Members of the Community Policing Unit will closely monitor locations where the homeless are known to gather and distribute literature regarding available assistance while making periodic notifications to (DSS) for those who need assistance.

During the winter months, all department members are reminded of the Nassau County Department of Health and Human Services' "Warm Bed" project, which is an outreach program offering anyone without shelter housing for a night, without stipulation. Members are directed to apprise all homeless individuals they encounter of such services and, where appropriate, transport the homeless person to a shelter.

As Certified First Responders, HPD Police Officers are trained to respond to all opioid overdose requests for assistance. In most circumstances, our police officers are generally the first members to respond to the scene of an overdose. Pursuant to their training, if necessary, they will administer NARCAN until the ambulance arrives to the scene. All overdose calls require a supervisor to respond and an investigation to be conducted by a detective. Nassau County Health and Human Services is also apprised of each and every overdose call. It is worth noting that pursuant to New York's Good Samaritan Law (Penal Law § 220.78) all individuals and witnesses who request emergency assistance will not be arrested for possessing a controlled substance.

RECOMMENDATIONS FOR REFORM

1) It was suggested that police reform should include eliminating a police response to calls for individuals experiencing mental illness related distress. In actuality, many of these calls are received as some other type of call such as a suspicious person or a domestic incident. Further, many calls to HPD for assistance with an emotionally disturbed person are from a behavioral health services location, with the callers being mental health professionals.

2) The "Mobile Crisis Outreach Team" (MCOT) will be notified of all instances involving a situation where a person is experiencing a mental health crisis. MCOT is a unit composed of mental health professionals who provide on-site intervention and evaluation for community members and their families.

3) Communication Bureau Operators will receive additional training on fielding mental health calls for service. The Mobile Crisis Outreach Team will be providing 911 Call Takers with a script to utilize when caller appears to be under mental distress.

4) The value of having a mental health professional at these scenes is recognized by all parties involved, and the County is working on establishing a "dual response" model with the Mobile Crisis Unit in these cases. Northwell Health Services personnel have received extensive training in handling mental health incidents and will, as stated earlier, take the lead in most instances upon their arrival.

5) HPD will apply this procedure, initiated by NCPD, for calls of a mental health crisis, unless a qualified professional is already on scene.

6) When a 911 call is received regarding a person who acts in a manner consistent with a mental aided person; in addition to assigning two (2) police officers and a Northwell Health Services ambulance, the Police Communications Operator also assigns a Patrol Supervisor, if available. If the person is reported as violent or is barricaded, the NCPD Emergency Services Unit will also be notified to respond. The supervisor on the scene will contact MCOT and advise of

present situation and in turn, will receive guidance.

7) Expressing a commitment to uphold the sanctity of human life in Policy NO, 427: Medical Response Policy and emphasize that every member had a duty to ensure medical aid is offered to all people they encounter who need it, including those who may have been injured by them or another member of the department.

8) Amend the section dealing with the sick or injured to make clear that medical aid should be requested whenever the arrestee complains of injury or illness.

D. Standards of Conduct

HPD holds its members to a high standard of professionalism and conduct as reflected in Policy Section 319, Standards of Conduct (See Exhibit 10). HPD believes that multiple levels of active supervision ensure that its members maintain the standards the community expects and appreciates.

Members shall comply with lawful directives from any department supervisor or person of authority. There are various causes for discipline, including violations of laws, rules, orders, and violations of HPD ethics rules, discrimination and/or harassment, attendance issues, inefficient performance of duties, poor performance or conduct, and failure to observe safety standards.

RECOMMENDATION FOR REFORM

1. Develop a discipline matrix/structure that encourage adherence to HPD's standards of conduct. A Discipline matrix aims to achieve consistency in discipline and to provide clear penalties for officer discipline and misconduct.

E. Complaint Policy

All allegations of misconduct are investigated pursuant to Policy Section 1011 Personnel Complaints (See Exhibit 11). The office of the Assistant Chief of Police is ultimately responsible for all Personnel Complaints.

Civilian complaints may be filed in several ways:

- (i) through email to the Department or the Village;
- (ii) by phone to the Police Desk or to Village Hall;
- (iii) in person at HPD HQ, twenty-four (24) hours a day, seven (7) days a week;
- (iv) by mail.
- (v) Anonymous complaints are also accepted. Complaints are taken from anyone, with or without a connection or direct relationship to the incident.
- (vi) Through outside agencies such as the Nassau County District Attorney's Office, NCPD or NYPD Internal Affairs.

1. Complaint Process

(A) Complaints are entered into the IA Pro software (Internal Affairs software) and assigned a Personnel Complaint Number for tracking purposes. In January 2020, HPD acquired and implemented IA Pro as a way of tracking complaints.

What is IA Pro?

IA Pro is a software solution that helps agencies keep track of a multitude of information such as citizen complaints, administrative investigations, use of force incidents, firearm discharges, training records awards and commendations. It creates a database which allows administrators to monitor the actions of their members in a more efficient and transparent manner. IA Pro contains a broad range of proactive early intervention features. IA Pro also contains analytical interfaces with threshold based alerts, peer group analysis and a variety of ranking and comparison reports. IA Pro's early intervention features have been reviewed by CALEA (The Commission on Accreditation for Law Enforcement Agencies, Inc.) accreditation assessment teams during visits to customer's sites, and have been found to fully support CALEA requirements in this regard.

(B) A supervisor interviews the Complainant at the time the complaint is made. If the Complainant cannot be interviewed at that time, the person is contacted by a supervisor within 24 hours.

NOTE: If the complaint is of such a nature that investigation by HPD personnel may not be appropriate, the complaint is referred to NCPD Internal Affairs or to the District Attorney's Investigation Bureau. In addition, if the complaint involves alleged criminality, the matter is referred to the District Attorney's Office for an investigation and possible prosecution.

(C) The Assistant Chief will interview the parties involved in the complaint, and review relevant documents, video, or photographs, if any regarding the complaint.

(D) The Assistant Chief in consultation with the Chief and Deputy Chief will make an investigative finding regarding the complaint. Investigative findings are defined as follows:

- Sustained - Substantial evidence exists to corroborate the allegations against an officer.
- Unfounded - Witnesses and evidence, clearly and unequivocally, establishes that the allegation by the complainant is untrue, fabricated, or a distortion of the facts.
- Not Sustained - Insufficient evidence is available to either prove or disprove the allegation.
- Exonerated - The incident did occur; however, the actions of the member were justified, lawful and proper.

(E) Investigative findings are provided to complainants who choose to provide their contact information.

2. Complaints made by HPD members

Complaints may also be initiated internally, by a member of the department. Policy Section 1005 Anti-Retaliation prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members (See Exhibit 12). In addition, Policy No. 319 mandates that officers report colleagues for any misconduct. (See Exhibit 10).

RECOMMENDATIONS FOR REFORM

- 1) Civilian Complaint forms will be accessible through the HPD website, so a Complainant will not be required to interact with the police in order to file a complaint. The department's website will be updated to facilitate file uploads to accompany complaints.
- 2) HPD will provide the complaint form in a variety of languages so that person with limited English proficiency can submit a civilian complaint without limitations due to a language barrier.
- 3) A complainant will be contacted by a member of the Chief's Office within five business days of receipt and updates being provided no less frequently than one hundred and twenty-days.
- 4) Complainants will be notified of a disposition of their complaint in writing by the Chief, Assistant Chief, or Deputy Chief.
- 5) The Village of Hempstead will notify residents and the community at large of the newly formed Board of Ethics, so complaints regarding police misconduct may also be reported to the Village Attorney's office.
- 6) In accordance with the repeal of section 50-a of the New York Civil Rights Law and the amendments to Article 6 of the New York State Public Officers Law (FOIL), founded complaints and dispositions thereof will be made available to the public as required by law.
- 7) HPD will issue a bi-annual report on civilian complaints to include the number of complaints and allegations, with dispositions, broken down by the nature of the complaint and the gender and/or race of the complainant, when available.
- 8) The Village is exploring contracting with a third-party call center to receive complaints from the public. This vendor should be tasked with operating a toll-free hotline twenty-four hours a day, on a seven-day week basis to log and assign a complaint number to each complaint. Complaints should be forwarded to the Chief of Police, the Mayor's designated official, and the newly formed Board of Ethics no later than two business days after receipt.)
- 9) The Village is considering researching and implementing through an outside agency, a Customer Service Survey model similar to that which has been employed by the Suffolk County Police Department designed to receive feedback from the public regarding their interactions with the Police.

- 10) The Village will establish time frames for the steps in the investigative process and these time frames should be explained as part of the publicly available information on the Police Department's website.
- 11) The Village will expand upon the current Board of Ethics to include that members will be trained on police policies and procedures, review all complaints regarding violations of those policies and procedures, and receive reports on all final determinations of discipline, if any.

F. Contacts and Temporary Detentions

HPD implemented Policy No. 418 entitled Contacts and Temporary Detentions to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews and pat-down searches, and the taking and disposition of photographs (See Exhibit 13).

- There is a recognition of the right of the public to be free from unreasonable searches or seizures.
- Field interview reports must be completed to include a narrative of the circumstances for the stop and identification of all persons involved.
- HPD does not keep demographic data on field interviews and searches

1. Vehicle Stops

Traffic enforcement and vehicle stops are an important part of public safety. The purpose of vehicle stops is to improve safety conditions for all motorists and pedestrians. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group. Bias-based policing is prohibited.

2. Pretextual Car Stops

HPD issued to its members NCPD Legal Bulletin 09-006 (See Exhibit 19) which provides an overview of car stops, including pretextual stops. This bulletin advises that pretextual car stops are held to be constitutional, but officers must have probable cause of a Vehicle and Traffic Law (VTL) violation to do so.

NOTE: The Hempstead Police Department does not hold its members to any sort of quota, informal or otherwise. Quotas are illegal.

RECOMMENDATIONS FOR REFORM

- 1) Field interview reports to include demographic data such as race, gender, and/or ethnicity and include the disposition of same
- 2) HPD will release an annual statistical report on summonses to include data on summons issued by location, top charges, gender, and race/ethnicity.
- 3) HPD will assess whether further implicit bias training is necessary depending on whether the demographic data for summonses indicated disparities in field interviews and/or pat-down searches.

- 4) The HPD has recently began transitioning to using the NYS TraCS system when issuing traffic tickets. The previous system of issuing traffic tickets did not provide the necessary fields to record and collect demographic data. The system NYS TraCS system has been modified in order for the system to now capture race and ethnicity data.

G. Body Worn Cameras

The HPD does not currently use body worn cameras.

RECOMMENDATION FOR REFORM

- 1) It is anticipated that the HPD will explore implementing a body worn camera program in the future. We will use the NCPD program as a resource, once it is established, for the purpose of implementing shared services with local partners for procurement as well as establishing consistent policy. The Department will review all best practices provided by resources such as the International Association of Chiefs of Police and adapt those practices to implement a program that best serves the Police Department and the residents of Hempstead.
- 2) The HPD will utilize partnering agencies experience regarding how such a program will be impacted by the newly enacted discovery reform laws and evaluate the additional manpower necessary to be in compliance.
- 3) The HPD will engage in impactful negotiations with the Hempstead PBA to accomplish appropriate policy regarding the implementation of a body-worn camera program as required by established P.E.R.B. rulings.
- 4) The PRRC strongly recommends that the Hempstead Police Department implements a body worn camera program.

H. Crowd Control

It is the policy of the HPD to protect individual rights related to assembly and free speech, effectively manage crowds to prevent loss of life, injury, or property damage; and minimize disruption to persons who are not involved. In the summer of 2020, in the wake of George Floyd's death, Nassau County experience unprecedented protests. There were close to 300 protests that took place with several occurring in Hempstead. The HPD was responsible for ensuring and respecting protestors' First Amendment rights while maintaining public safety. The leadership of the HPD reached out to all protest organizers and informed them of the measures that the HPD would take to ensure their safety and expressed the HPD's commitment to keeping an open line of communication should the organizers experience any issues. This cooperative environment allowed the HPD to handle these protests involving thousands of protestors with no arrests or

intentional property damage.

HPD members assigned to the protests exhibited professionalism and restraint due to their understanding and application of de-escalation techniques, utilizing verbal judo, active listening, and persuasive speaking to maintain control. The Department requested assistance from other agencies with overlapping jurisdictions, such as the NCPD, and utilized their resources, such as Highway Patrol, where necessary or prudent, to provide further support and help keep protestors safe on public highways. The HPD worked with NCPD intel to coordinate manpower and responses as well as to estimate crowd sizes and protest routes. The ability to plan aided the effort to keep protestors safe and demonstration orderly. The HPD does not utilize surplus military equipment for crowd control nor does it have a specific policy for crowd control, however, it has implemented Policy No. 428 First Amendment Assemblies (See Exhibit 14).

RECOMMENDATIONS FOR REFORM

- 1) Maintain and enhance the confidence and trust of the people we serve by meeting with event organizers to set expectations and set ground rules.
- 2) Continually strengthen and expand the partnerships between the police and the community.
- 3) Maximize community participation between the police and the community.
- 4) Strive to effectively resolve problems of the community we serve while protecting life and property

I. Communications Bureau and 911

As a service-oriented department, the HPD responds to any, and all requests for assistance.

- a. In 2019, the Hempstead Police Department received over 35,000 calls for service, including but not limited to, medical assistance (including request for ambulance, aided calls and wellness checks), auto accidents, crimes in progress, disturbances and mental health issues, domestic incidents, investigations, and weather events.
- b. The HPD Communications Bureau receives and dispatches calls for service relating to medical emergencies. As noted previously, the Village of Hempstead has contracted with Northwell Health Services to provide ambulance services.
- c. Oftentimes, our police officers are the first ones to arrive at the scene of a medical emergency and are tasked with providing life-saving measures until

the paramedic can arrive and the patient can be safely transported to a hospital.

- d. HPD is staffed by 9 full-time Police Communications Operators (Dispatchers) who receive a minimum of 40 hours classroom training and extensive on-the-job training. HPD Dispatchers also receive calls to the department's non-emergency telephone lines and are the first line of reception at Hempstead Police Headquarters.

RECOMMENDATION FOR REFORM

1) HPD intends to utilize the NCPD training resource to provide additional training for our Communications Bureau personnel.

IV. POLICING IN HEMPSTEAD

A. Community-Based Outreach and Conflict Resolution

As defined by the NYS guidance, community-based outreach and violence interruption programs aim to curb violence by working with high risk individuals and connecting them with services, programs and other community engagement initiatives, so as to interrupt the cycle of crime. When the Police Department proactively collaborates with the community to address its needs, it fosters a sense of trust, fairness, and legitimacy. HPD has implemented Policy No. 340: Community Relations to provide guidelines for community relationship-building. HPD's Community Policing Unit ("CPOP") has fostered relationships with members of the community, including businesses, houses of worship and other civic organizations (See Exhibit 15).

HPD demonstrates its commitment to residents and participates in Community-Based Outreach that includes:

- National Night Out activities
- Holiday Food and Toy Drives
- Participation in No shave November to raise awareness and funding for cancer prevention, research and education
- Holiday caravan for gifting toys to village youth
- Engagement in Hempstead Police Activity League (PAL) to operate youth clubs and provide team sports, crafts, educational and other programs for all children in the Village of Hempstead.
- The Hempstead Police Department participates the Police Youth Academy (PYA) hosted by the Nassau County Police Department. The PYA is an eight (8) hour course geared towards at-risk high school students. The PYA seeks to stop gang recruitment in high risk communities through education.

- Juvenile Detectives provide Conflict Resolution Services and other various safety lectures to all Hempstead Schools.
- GREAT Program (Gang Resistance Education and Training) in the schools.
- Anti-Bullying/Cyber Bullying presentations
- Other various crime prevention presentations such as internet safety, identity theft, child safety, senior citizen safety, and scams targeting the elderly.
- HPD also participates in an “Adopt a Cop” program where 4th grade students interact with Detectives to build positive relationships between the police and the youth.
- Youth Police Initiative (YPI): This program is run by the Hempstead Police Department’s Juvenile Aide Bureau and designed to build trust between the officers and at-risk youth who may have a negative perception of police. The goal of this program is to engage in an open dialogue and to allow the at-risk youth to express their concerns with policing in their community and to expose them to positive role models.
- Participation and appearance at civic association meetings
- Attendance at Board of Trustee meetings
- “Coffee with a Cop, ” which is a national program where police officers engage with community members and dialogue with residents at local businesses

The Hempstead Police Department follows Policy No. 340: Community Relations to provide guidelines for community relationship-building. Additional guidance on community relations and outreach can also be found in the HPD’s Hate Crimes Policy, Limited English Proficiency Services Policy, Communications with Persons with Disabilities Policy, Chaplains Policy, Patrol Policy, and Suspicious Activity Reporting Policy.

RECOMMENDATIONS FOR REFORM

1) Create a Chief’s Community Council. The council will include representatives of HPD, the clergy, counselors, Village business owners and interested members of the community. This council will meet multiple times a year to address community concerns including crime, quality of life issues and transparency.

2) Revise the HPD website to include biographies and contact information of Chiefs, and a list of all supervisory staff.

3) HPD members will explore giving members personalized business cards to give to citizens that they interact with.

4) HPD plans to adopt a community relations program encouraging police officers to engage with all members of the community through “Park, Walk, and Talk.” “Park, Walk, and Talk” is when an officer exits their post car and walks though the community they patrol to get to know the members of that community and their concerns.

5) The policy should include specific information regarding how community members would participate in strategy development and how relevant policy and operations information would be shared.

6) Adding a provision in section 340.7 Law Enforcement Operations Educations that a the community relations coordinator will develop joint police and community trainings on community problem-solving.

7) Amending section 304.7 to provide for instructional information to explain to community members their rights when stopped by the police.

8) The OAG recommends in section 340.8, Safety and Other Considerations, re-evaluating the background investigation requirement for community members to ensure these requirements only occur when strictly required.

B. Law Enforcement Assisted Diversion Programs (LEAD)

Diversion programs recognize that incarceration or establishment of a criminal record may not be the most appropriate mechanism to address certain conduct. Indeed, education and/or drug or mental health treatment may provide a better alternative for both the individual and the community.

The HPD endorses and will participate with the Nassau County District Attorney's Office regarding alternative prosecutions and resources. Currently those programs are mental health court, misdemeanor drug treatment court, Treatment Alternative Plea Part (TAPP), Drug Treatment Alternative to Prison (DTAP) and Veterans' treatment court.

HPD Community Policing Unit and Juvenile Aide Bureau provide programs to the community, such as:

- (1) GREAT Program (Gang Resistance Education and Training) in the schools.
- (2) Anti-Bullying/Cyber Bullying presentations.
- (3) Other various crime prevention presentations such as internet safety, identity theft, child safety, senior citizen safety, and scams targeting the elderly.
- (4) HPD also participates in an "Adopt a Cop" program.
- (5) HPD participates in the Youth Police Initiative (YPI) program run by the Hempstead Police Department's Juvenile Aide Bureau and designed to build trust between the officers and at-risk youth who may have a negative perception of police. The goal of this program is to engage in an open dialogue and to allow the at-risk youth to express their concerns with policing in their community and to expose them to positive role models.
- (6) HPD initiated a program where detectives follow up on all reported drug overdose incidents. The goal is to provide assistance to the victim and the affected family

members, not prosecution. Referrals are made to available assistance programs and counselors. Should the victim wish to provide information, every effort is made to investigate and prosecute drug dealers preying on the community.

This program focuses on:

- Education: informing the public about the ways they can protect themselves, how to recognize the signs of drug abuse, and what treatment resources are available
- Enforcement: deploying resources to areas experiencing the effects of the opioid crisis and increased property crime
- Diversion: coordinating with the District Attorney's Office to find comprehensive alternative-prosecution options for individuals who are arrested and suffer from substance abuse
- Treatment: providing residents with a list of county resources as well as access to treatment and recovery specialists
- After Care Visits: following up with individuals who have suffered an overdose and providing them the opportunity to directly connect with treatment services.

(7) HPD will encourage participation in NCPD's Young Adult Council (YAC). Each council will contain a minimum of six (6) members between the ages of seventeen (17) and twenty-three (23) with different social views such as community leaders, law enforcement explorers and other influencers who impact other young adults in their communities. These YACs contain members from a cross section of each of the diverse communities that make up each of Nassau's eight (8) precincts. The selection of the YAC guest speakers is determined at the precinct level. Members of the community who are invited to speak adequately represents the demographics of those precincts' respective jurisdictions. The YAC has been meeting monthly since October. These meetings will continue to aid the NCPD in understanding the needs of these individuals and how the NCPD can meet those needs. The YAC members are the future of our County and our country, and it is imperative their voice is heard. The Village of Hempstead lies within the confines of the NCPD's Third Precinct.

C. Procedural Justice

In 2019, the Department of Criminal Justice Services trained 3 HPD members to be certified Procedural Justice Instructors. Members are now trained in Procedural Justice. HPD understands that procedural justice and police legitimacy play an essential role in establishing a positive relationship with the community partnerships to foster public confidence in the police and in its ability to safeguard the communities it serves.

HPD acknowledges:

- Police legitimacy exists when the public views the police as authorized to exercise power

to maintain social order, manage conflicts, and solve problems in the community.

- The ability to maintain procedural justice directly impacts the public’s willingness to defer to the authority of law enforcement and reaffirms their belief that police actions are morally justified and appropriate.
- When officers are perceived as legitimate, there is less resistance to their actions and greater potential for cooperation, making officers more effective at policing.
- Officers reduce racial disparities and build trust by promoting engagement over enforcement.

Respect is an active process of engaging people from all backgrounds in a non-judgmental manner. Individuals are sensitive to whether they are treated with dignity and politeness and to whether their rights are being respected. People may not remember the details of their encounter with law enforcement, but they will remember how they felt about the officer’s demeanor and actions.

RECOMMENDATIONS FOR REFORMS

1. HPD has drafted Policy No. 331 Limited English Proficiency Services (See Exhibit 16) to ensure members of our community with limited English proficiency have equal access to all services provided by the Department. The Department has expanded its use of Language Line services by installing the Language Line Phone. The Language Line Application allows any individual an opportunity to video conference with an interpreter to ensure both parties can properly articulate themselves and understand each other. Language Line also provides an option for those who are hard of hearing to use sign language.

2. The NCPD is also in the process of introducing a text-to-911 program and an InSight Video Interpreting application. As HPD utilizes the County’s e911 system and hardware, it is anticipated that the text-to-911 feature will be available for the Village as well.

D. Systemic Racial Bias and Racial Justice in Policing

HPD Department Policy 401 (See Exhibit 17), prohibits Bias-Based Policing. The Department has a zero-tolerance policy with respect to racial profiling.

Beginning April 2021, Officers will be trained in the inherent dangers of conscious and unconscious bias and prejudice that could affect decision-making. Discriminatory or bias-based stops, searches and arrests are strictly prohibited.

Currently, members are to:

- Give their name, rank, and shield number when requested

- Give the rank, name, shield number, of another member of the Department to any person who appears personally and can demonstrate a legitimate interest in obtaining the same.

RECOMMENDATIONS FOR REFORM

1) When the data shows unwarranted disparate impacts, the Department will consult with neighborhoods, businesses community groups and other stakeholders to explore equally effective alternative practices that would result in less disproportionate impact.

E. Restorative Justice

Restorative justice seeks to change an offender's behavior by educating him/her on the serious consequences that his/her actions have on the community and the victim. In this model, a meeting is generally had between the offender and the victim with members of the community providing oversight of the meeting. The goal of this meeting is to allow the offender to both see and hear the harm his/her actions have had on the victim and community and to allow the offender to both apologize to the victim and make amends for his/her actions.

Restorative justice can be achieved by utilizing diversion courts such as alcohol and drug diversion as well as after care visits and the SAFE program and center for victims of abuse. HPD notifies and utilizes NCPD Special Victims Squad resources when appropriate. While, Restorative justice largely appears to be a practice that would be utilized during the post-arrest, prosecution phase, which is in the realm of the District Attorney's Office. HPD endorses, and is open to participating in, restorative justice programs. When appropriate, HPD will release defendants arrested for minor offenses on an appearance ticket at the scene of arrest, minimizing time in custody. In addition, HPD may use the Village Code to charge minor infractions, directing offenders to Village Court as opposed to criminal court, thereby avoiding a criminal record and potentially costly defenses.

In juvenile situations, HPD Juvenile Aide Bureau may, when appropriate, intervene and conduct youth conferences and mediate between parties in lieu of a Juvenile Custodial Arrest. In addition, HPD members are trained on alternative dispute resolutions. Although never formally labeled as restorative justice in training segments or discussed as such, the HPD engages in restorative justice on a daily basis by acting as an arbitrator between parties, particularly in dispute cases. For example, the HPD regularly receives calls for disputes involving neighbors. When arriving at the scene of the dispute, our officers are trained to defuse the situation and interview both neighbors separately to investigate what transpired and determine if any crime was committed. During the investigation, we make sure to inform both parties of the allegations each have made against each other and the harm each of their corresponding actions are having on one another. A solution is then devised to avoid further

disputes. Officers often recommend that neighbors participate in the Long Island Dispute Resolution Center Conflict Resolution Program. Although not always successful, this type of mediation is generally beneficial in avoiding future conflict between the neighbors. HPD Community Policing officers will follow up on such ongoing disputes in an effort to minimize or eliminate the need for continued police involvement.

NOTE:

- The HPD is an active participant in the NYS DCJS Gun Violence Elimination (GIVE) Program and Grant Incentive. One of the many GIVE initiatives is to assist in reintegrating individuals into society.
- HPD, as a GIVE partner, refers at-risk youth and individuals who are integrating into society after involvement in gang and gun violence to local community outreach programs such as SNUG. With the assistance of a social worker, these individuals will be aware of the availability and accessibility of services (educational, vocational, social and mental health) as well as the support needed to navigate through these services. Social workers will advocate for these individuals, supporting, protecting and encouraging them through times when they may feel vulnerable and alone.
- HPD participates in the Drug Enforcement Agency's "Drug Takeback Day." Drugs, including illegally possessed drugs are accepted without question. No charges will be brought against any person turning in illicit drugs and they may be turned in anonymously.

F. Problem-Oriented and Hot-Spot Policing

Problem-Oriented Policing (POP) replaces primarily reactive, incident-driven policies with strategies that proactively identify underlying issues that can be targeted to alleviate crime at its roots. In many cases, Problem Oriented Policing focuses on a wide range of community concerns (traffic issues, noise complaints, general ongoing mischief complaints), identifies solutions, and implements a response to address the issue, and in many cases without enforcement.

The concept of Problem-Oriented Policing (POP) is naturally integrated into HPD policing strategies. HPD Community Policing Officers and Patrol Officers work with the community to identify and coordinate a response to problems that range from minor public nuisances and quality-of-life issues to serious criminal actions.

Strategy and Planning

- In 2002, the NCPD initiated "Nass-Stat", which is based on the "CompStat" model used and created by the New York City Police Department. In 2012, Nass-Stat became Strat-Com (Strategic Communication). Strat-Com is an evidence-based approach to crime fighting and

addressing community conditions and quality-of-life concerns. This model incorporates many tenets of the Problem Oriented Policing evidence-based approach, as it looks at large scale problems rather than individual crimes. It also directly correlates to the integration of other evidence-based approaches, which allows the Detectives and civilian intelligence analysts to complete comprehensive in-depth analysis of the underlying problems and people involved in criminal activity. Analysis conducted on a daily, weekly, and monthly basis allows for focused strategic planning rather than general unfocused enforcement, which is often intrusive to the involved communities. HPD executive officers attend each Strat-Com meeting.

- Since 2007, Hempstead Police Department has employed an Intelligence Analyst who is an expert in recognizing crime patterns and designating “Hot Spots” within the Village of Hempstead and identifying persons of interest and creation of a “Top Offenders” list. Said list assists Police Administrators in allocating manpower into the correct areas within the village, utilizing mapping and identifying trends.
- Weekly intelligence briefings have been held where Administration and Commanding Officers share the information compiled by the Intelligence Analyst who also acts as a liaison with outside agencies and their Intelligence Analysts.
- At this time, HPD officers do not have a permanent presence in schools, however, they are available to the district and are in frequent and constant contact. At the beginning of each school year, Juvenile Aide Bureau Detectives and police officers, meet with administrators at each school and offer their services with any matter wherein the school may require assistance. These officers generally wear soft uniforms when engaging in these interactions or assisting the schools. Officers will frequently conduct “Park, Walk and Talks” on school grounds.
- HPD has also partnered with the school district regarding implementation of security and safety measures.

Hot Spot Policing

Hot Spot Policing is a process wherein police presence is intensified in small geographic areas that are experiencing high volumes of crime. The Village of Hempstead is itself a small geographic area that has a higher police presence due to having its own police department. Hot Spot Policing practices can still be utilized to saturate an area that is experiencing an increase in criminal activity, or even quality of life issues.

- The identification of “hot-spots” is done through intelligence gathering and crime analysis. HPD engages with the community to obtain the information required to

identify “hot-spots”. Examples of how information is gathered from the community include:

- Community meetings
 - 911 and landline calls
 - Engaging the public on social media platforms
 - Park, Walk, and Talk
 - Confidential informants
 - Community complaints
- The type of resources utilized may change depending on the type of incidents. Some available resources are:
 - intensified patrol assignments,
 - the use of license plate readers,
 - electronic signage,
 - vehicle and traffic law enforcement,
 - licensed premise checks,
 - social media notifications,
 - Closed-Circuit Camera System

Broken Windows and Stop, Question and Possibly Frisk

HPD has a long history of community policing. One of the most important components of community policing is promoting a high standard for quality of life. HPD utilizes the Village Code to maintain the standards the community expects. Officers are trained on the laws regarding conducting an investigative stop in accordance with the provisions provided in the Criminal Procedure Law (CPL) § 140.50.

Hempstead Police Department officers conduct investigative field stops based the standard of proof of reasonable suspicion. Reasonable suspicion is defined as a quantum of knowledge sufficient to induce an ordinary prudent and cautious person, under the circumstances, to believe criminal activity is at hand. This standard is reached through an officer’s training and experience and is based on a number of factors that are observed by the officer to get him/her to conduct a field stop. Factors to establish suspicion for an evidence-based stop are:

- high crime area,
- time of day,
- day of week,
- season,
- sights and sounds,

- proximity to scene,
- presence at scene,
- carrying objects associated with criminal activity,
- clothing or disguises,
- description,
- furtive gestures,
- change of direction or flight,
- unusual nervousness,
- independent knowledge,
- training and experience,
- evasive, false and/or inconsistent statements

In order for an officer to frisk a person at a field stop, the officer must reasonably suspect he/she is in danger of physical injury. Officers can only frisk for weapons and or items which may be used to cause harm during this encounter unless the subject gives consent to search for evidence. Frisk of an individual is never automatic and only undertaken to pat down for items that can harm officers.

RECOMMENDATIONS FOR REFORM

(1) HPD reformed its Community Policing Unit to include a Crime Suppression Unit to take a more proactive approach in preventing crimes by focusing on hot-spot policing and knowing top offenders in the Village.

(2) HPD executive officers attend NCPD Strat-Com meetings, which were described in the Problem-Oriented Policing section. HPD participates in NCPD Intel briefings where information on crime trends and patterns are shared.

G. Focused Deterrence

The state’s guidance defines “focused deterrence” as a strategy whereby officers engage directly with offenders or groups of offenders based on their prior history, sometimes in partnership with community members. The purpose of focused deterrence is to alter the opportunities for crime in order to deter motivated offenders.

- HPD Detectives along with the HPD Intelligence Analyst and NCPD Intelligence Unit, work together to identify known offenders for each area. An analysis of persistent offenders in high crime areas is considered along with other factors such as numerous

and/or recent felony arrests, major crime arrests, arrests for crimes including weapons and reckless endangerment, gang affiliations and drug offenders. Individuals who meet the criteria are designated top offenders for each jurisdiction. When appropriate, this information is shared with other members of the Nassau County Intel community.

- In order to ensure focused deterrence practices are enforced equally and fairly, supervisors will regularly review each officer's interactions with the community.
- Civilian complaint tracking may be used to determine if an officer has engaged in the improper application of focused deterrence.
- To involve the community in the HPD and NCPD's focused deterrence efforts, strategies will be added to the Civilian Police Academy and the Youth Police Academy. Any feedback from attendees will be incorporated into the focused deterrence segment of in-service training.
- To affirm that officers exercise the best practices in implementing proper focused deterrence, this topic will be covered during the newly expanded yearly in-service training outlined in the Training Section.

H. Crime Prevention through Environmental Design (CPTED)

The concept of crime prevention through environmental design (CPTED) is that crime is a man-made hazard, which can be resisted through quality design. This strategy addresses the relationship between the physical environment and the incidence of crime. Crime prevention through environmental design considers the themes of visibility, territoriality, cohesion, accessibility, attractiveness, connectivity, and community culture and their impact on crime. This strategy prevents crime by designing a physical environment which deters offenders.

CPTED in Hempstead

The Village of Hempstead, through the Police, Public Works, Parks/Recreation and Building Department address the principals of CPTED: Natural Surveillance, Access Control, Territorial Reinforcement and Maintenance.

- The Village has transitioned to LED streetlights for good visibility and safe movement of vehicles and pedestrians.
- Parking fields are open and well-lit, minimizing opportunities for persons to hide near parked cars, or to approach a person without being seen.
- Village Ordinances regarding upkeep of property, both commercial and residential, ensure maintenance of sight lines at intersections and property lines. Keeping garbage pails behind the front line of the house minimizes the appearance of the home being unoccupied.

- Overnight parking restrictions and commercial vehicle parking restrictions help to make suspicious vehicles more obvious to residents and patrol
- The HPD Investigations Unit has developed a CPTED program to assist property owners, residential and commercial, in creating a physical environment designed to decrease a person's ability to commit crime and increase the likelihood that crime will be observed. To achieve this goal, a security handbook has been created for use by all property owners (attached). In addition, when requested, Investigations Unit Members will conduct surveys to assist property owners in determining their property's ability to deter and reduce crime by reviewing the quality of the following property factors:
 - Natural Surveillance – Keep premise well-lit and windows clear from obstruction to increase visibility of outside property.
 - Territorial Reinforcement – The use of buildings, hedges and other items to clearly delineate the transition of public space to private space.
 - Access Control – Window and door locks, alarms, bollards.
 - Maintenance – Remove physical hazards. Trim bushes and grass. Limit storage of cars and other items from front of property to maximize visibility.
- The Department will continue to collaborate with the Village Board and the other village departments to review Village Code and conditions within the village in order to enhance and maximize the safety of the Village's physical environment.

Most recently, CPTED was used to decrease crime on Terrace Avenue by working with the owners of the 100 Terrace Avenue apartment building to make changes to exits and entrances, lighting, and landscaping. As a result, 100 Terrace Avenue has seen an approximate 30% decrease in crime.

RECOMMENDATION FOR REFORM

- 1) HPD will send a member of the Department to the Southern Police Institute for a nationally recognized course of study in CPTED.

I. Violence Prevention and Reduction Interventions

Violence prevention and reduction interventions is the theory that focusing on prevention, intervention, and suppression reduces crime. This model calls for police departments to proactively address potential criminal activity by facilitating or participating in community programs and connecting high-risk individuals with needed services and other forms of community engagement.

The HPD believes one of the most effective ways to prevent violence is to address it with the youth in our community. By guiding and mentoring the youth into becoming upstanding citizens who positively impact our society, we successfully avert them from the possibility of a delinquent

future, hence preventing violence.

- HPD Juvenile Aide Bureau and Community Policing Unit perform youth and family conferences educating parties involved in incidents, some of which include criminal offenses, of the consequences of their actions.
- The PRIDE (Peer Resistance Instruction Drug Education) program is taught to both public and private school students.
- Anti-Bullying and Cyber-Bullying workshops are held for students and adults.
- HPD also utilizes NCPD youth-oriented initiatives in place which provide an avenue for mentorship and guidance, which are available to the Village, many of which have been previously referenced in this plan:
 - Gang Resistance Education and Training Program (GREAT),
 - Law Enforcement Explorers
 - Hempstead Police Activities League
- The HPD understands that victims of domestic violence are a vulnerable population who are susceptible to greater levels of violence in the future at the hands of their loved ones. As such, the HPD has a zero-tolerance policy for any and all instances of domestic violence. Indeed, if it is determined that any crime has been committed in a domestic situation, an arrest must be made regardless of whether the victim requests such arrest. This policy is more restrictive than state law requires under Criminal Procedure Law § 140.10. It is also worth noting that even in situations that do not arise to a level of arrest, any guns, including rifles and shotguns that are possessed in the residence are temporarily removed by the HPD until a full investigation can determine if it is safe to return them.
- This proactive gun removal policy is also used in situations where a student makes a threat of violence in a school setting.

EXECUTIVE SUMMARY

In 2018, the Hempstead Police Department began an effort to update its policies and procedures. In January 2019 it contracted with Lexipol to update various policies including but not limited to Use of Force, Use of Force Review Boards, De-escalation, Domestic Violence, Crisis Intervention, Bias-Based Policing, Recruitment and Selection, First Amendment Assemblies, Civil Disputes, Internal Affairs and Personnel Complaints, Training, Emergency Admissions/Emotionally Disturbed Persons (EDP), Medical Aid and Response, and Community Relations. As a result of Executive Order 203, the Incorporated Village of Hempstead formed the Police Reform and Reinvention Committee and made several recommendations outlined below:

- Continue the partnership with Lexipol and seek accreditation from the New York State Department of Criminal Justice Services
- Create a Stand-alone training to address an officer's duty to intervene in use of force situations
- Adopt a training model for 911 operators where they would be better able to recognize persons in mental crisis and make the proper referrals.
- Adopt Nassau County's use of its Mobile Crisis Outreach Team for response and referrals during mental health calls for service.
- Form a Chief's Community Counsel to create, foster, and maintain an open dialogue with the community regarding crime statistics, quality of life concerns, and to work cooperatively on police related problems.
- Redesign the HPD website to increase transparency by (1) providing information and access to Department leadership, (2) to streamline the civilian complaint process and provide information in multiple languages, and (3) make training policies available online.
- Implement data collection procedures on stops, arrests, and field interviews to track and assess bias in policing.
- Engage in a top-down department implicit bias training with periodic refresher courses
- Increase diversity by active recruitment and explore absorbing the costs for police exams for Village residents.
- Monitor, review, and evaluate the Nassau County Police Department Body-Worn Camera program
- Implement a Limited English Proficiency Services Policy to ensure meaningful access to law enforcement services, programs and activities for individuals with limited English proficiency services.
- Utilize youth and adult referral programs, as well as Community Outreach

programs, to avoid unnecessary prosecution.

- Institute a year-round Drug Take-Back program allowing individuals to turn in illegal drugs without fear of arrest.
- Share crime prevention strategies such as Crime Prevention through Environmental Design with residents.
- Support and utilize all available officer well-being initiatives.

Conclusion

The NYS Executive Order 203 provided the Village of Hempstead and the Hempstead Police Department an opportunity to have meaningful internal reviews and conversations, along with collaboration with the community stakeholders and other interested parties. With some sense of pride, we have realized that much of what may have been termed “Reform” is already in practice, reaffirming the belief that policing has been progressing with the times and meeting and matching the community’s needs and expectations to a great degree. We are proud to report that we have begun the process of Accreditation through the New York State Division of Criminal Justice Services Accreditation Program. That program is a set of 133 standards developed to further engage the capabilities of law enforcement agencies and certify those departments that meet or exceed best policing practices as defined by New York State. The standards are broken down into three categories: Administrative standards management, Training standards, which encompass basic and in-service instruction, as well as training for supervisors and specialized or technical assignments; and Operations standards which address critical and litigious topics as his-speed pursuits, roadblocks, patrol, and unusual occurrences. Only 3 other agencies in Nassau County have been accredited. HPD will complete and submit its application to NYS Division of Criminal Justice Services for review by the end of 2021.

Exhibits

Exhibit	1	NYS Executive Order 203
Exhibit	2	Recruitment and Selection Policy No. 100
Exhibit	3	Training Policy No. 203
Exhibit	4	Chaplain Policy No. 334
Exhibit	5	Use of Force Policy No. 300
Exhibit	6	Use of Force Review Board Policy No. 301
Exhibit	7	De-Escalation Policy No. 342
Exhibit	8	Crisis Intervention Incidents Policy No. 408
Exhibit	9	Emergency Admissions/Emotionally Disturbed Persons Policy No. 409
Exhibit	10	Medial Aid and Response
Exhibit	11	Internal Affairs and Personnel Complaints Policy No. 1011
Exhibit	12	Anti-Retaliation Policy No. 1005
Exhibit	13	Contacts and Temporary Detentions Policy No. 418
Exhibit	14	First Amendment Assemblies Policy No. 428
Exhibit	15	Community Relations Policy No. 340
Exhibit	16	Limited English Proficiency Services Policy No. 331
Exhibit	17	Bias-Based Policing Policy No. 401
Exhibit	18	Crime Prevention through Environmental Design (CPTED) Surveys
Exhibit	19	Legal Bulletins