

# CITY OF AUBURN COLLABORATIVE ON POLICE & COMMUNITY RELATIONS - NEW YORK STATE EXECUTIVE ORDER 203

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COMMUNITY PROCESS & PLAN RESPONSE TO NYS GOVERNOR CUOMO EXECUTIVE ORDER #203

PREPARED BY THE CITY OF AUBURN CORPORATION COUNSEL'S OFFICE

MARCH 4, 2021



# TABLE OF CONTENTS

Introduction .....	2
Mission Statement – Connecting Bridges .....	2
Vision .....	2
Partnership and the Public Outreach Plan.....	3
Plan Partnership: Cayuga County Sheriff’s Department and City of Auburn Police Department .....	3
Stakeholder Working Groups.....	3
Working Group Organization .....	3
Stakeholder Composition .....	4
Working Group Focus Areas .....	5
Working Group Meetings .....	8
Public Survey and Public Input.....	18
Public Input – Public Forums .....	18
Public Input – Draft Plan Report Comment Period.....	25
Public Input – Public Hearing .....	<b>Error! Bookmark not defined.</b>
Focus Areas and Policy Proposals .....	26
Police Structure.....	27
Police Training.....	27
Police and Community Relations .....	28
Police Response and Procedural Justice .....	30
Acknowledgements .....	31
ADDENDUM A: summary of public survey input .....	32
ADDENDUM B: Auburn Police Department Policies .....	35
ADDENDUM C: Working Group CV .....	38
ADDENDUM D: Glossary of Terms.....	39

## INTRODUCTION

New York State Governor Andrew Cuomo issued Executive Order #203 on June 12, 2020, requiring each municipality in New York State, including The City of Auburn, to prepare and adopt a Community Policing Plan by April 1, 2021. To build these plans on a foundation of inclusiveness and community participation, the Governor put forth the New York State Police Reform & Reinvention Collaborative to provide a framework for collective community effort when preparing the plan.

This document presents the City of Auburn's Community Policing Plan that was developed through a community-focused public participation process undertaken in partnership with the Cayuga County Sheriff's Office, and local Village Police Departments in Weedsport and Port Byron. In Cayuga County, there is a long and successful history of collaboration and mutual support between the State, City, County and Local law enforcement agencies. These strong working relationships informed and enhanced the development the Plan presented in the following pages.

## MISSION STATEMENT – CONNECTING BRIDGES

Continuing with the strategies and objectives that have been employed by the City of Auburn Police Department and the Cayuga County Sheriff's Office, this collaborative community effort seeks to perform a comprehensive review of current law enforcement deployments, strategies, policies, procedures, and practices in order to develop a plan that strives to improve upon them into the future. By utilizing the synergistic "Connecting Bridges" approach, our law enforcement agencies and the people they serve will seek to partner in building mutual trust and respect through understanding of one another while emphasizing the delivery of public safety in a professional, courteous, empathetic, and sensitive way. This will be accomplished if we collectively demand that human dignity for all is the intrinsic goal for the sustained success of these efforts.

## VISION

The City of Auburn "E.O. 203 Plan" will continually strive towards excellence in service through continued efforts to build strategic community partnerships that will foster and promote equitable community engagement, through policing that is focused on ensuring equitable policies and procedures built upon the foundation of Procedural Justice:

Fairness in process

Opportunity to be heard

Transparency in action

Impartiality in decision making

## PARTNERSHIP AND THE PUBLIC OUTREACH PLAN

### Plan Partnership: The City of Auburn and County of Cayuga

Shortly after the issuance of Executive Order #203 in June of 2020, The City of Auburn and Cayuga County elected and appointed leadership convened a meeting of senior staff at the departments, leveraging the close and collaborative working partnership between the departments to craft a collective public outreach plan to broadly inform development of their individual Community Policing Plan and bring them to the community they serve and protect. These initial working meetings resulted in a Public Outreach Plan comprised of three main components:

- Online and Anonymous Public Surveys on Current Police and Sheriff Practices and Public Sentiments of the Provided Services
- Creation of three Working Groups of Community Leaders with Strategic Focus Areas
- Community Public Forums on Police Practices and Community Relations

Although the City of Auburn and Cayuga County have prepared and are submitting individual Plans in response to Executive Order #203, the plan process and community outreach overall was a collaborative effort. The community input gathered via public forums, surveys and working groups added community voices and perspective to both plans. The following chapter discusses the convening of stakeholders and strategic focus working groups.

## STAKEHOLDER WORKING GROUPS

### Working Group Organization

Three (3) Working Groups were assembled with each Working Group assigned a focus on two strategic police practice areas. Each Working Group included two facilitators and eight to ten community members. In addition to the members of the Working Groups and Facilitators, select members of the Police Department and Sheriff's Office staffs attended each Working Group meeting to answer member questions, provide clarification or explanation on current practices or proposed policies and to share insights into their work in and with the communities they serve. In advance of the initial Working Group meetings, all members were provided extensive background materials on current police practice in the City and County, including copies of current and proposed police policies. Lastly, community survey responses broadly distributed online and on a parallel track with the Working Groups, were shared with members of the Working Groups before and between meetings.

## Stakeholder Composition

The Stakeholders making up the three Working Groups were selected from among broad sectors of the community and included leaders, professional staff and community organizers within the City of Auburn and Cayuga County community:

- City of Auburn Elected Officials, Appointed Officials and Staff
- Cayuga County Elected Officials, Appointed Officials and Staff
- Elected Village Officials throughout Cayuga County
- Auburn Police Department Leadership
- Cayuga County Sheriff's Office Leadership
- Religious and Faith-Based Leaders
- Social Justice Advocates
- Education and Academic Sectors
- Assigned Counsel Program Personnel
- Social Services and Mental Health Providers
- Victim Advocacy Leaders
- Addiction and Peer Advocacy Leaders
- Local Business Owners
- Not-for-Profit Organizations
- Migrant Population Advocates
- Police Union Representatives
- Public at Large Members

**Biographical information regarding individual Working Group Members is available Addendum C**

## Working Group Focus Areas

### WORKING GROUP I

Members of Working Group I were given the focus area of Police Structure and Training that included the following topics:

#### Police Structure:

- Use of Force Policies
- Body Worn Camera Policy
- No-Knock Search Warrant Procedures
- General Model Policies and Accreditation Process
- Chokehold Law/Policy

#### Police Training:

- Racial Bias Training
- De-escalation Training
- Duty to Intervene
- Mental Health Intervention
- Officer Mental Health and Wellness

Working Group I were designated two group facilitators representing the City and the County: Councilmember Debby McCormick and Cayuga County Legislator Elane Daly. The eight Committee Members represented a cross section of community leaders and residents including academics, health department personnel, educators, school administrators and command staff from various law enforcement agencies.

## WORKING GROUP II

The dedicated focus area for Working Group II centered on Police Community Relations and Crime Prevention. Specific topics in these related focus group areas included:

Police Community Relations:

- Outreach Programs
- Right to Know Law
- School Safety and Security – SRO – SPO Programs
- Police and Law Enforcement Hiring Process
- Community Collaboration

Crime Prevention:

- Problem Oriented Policing
- Policing Hot Spots
- Focused Deterrence
- Environmental Design & Policing
- Community Policing Initiatives
- Violence Prevention

The two facilitators assigned to assist Working Group II included Chair of the Cayuga County Legislature, Aileen McNabb-Coleman and City of Auburn Assistant Corporation Counsel, Nate Garland. The Working Group members included three mayors, a clergy member, leaders of organizations providing of public housing and social services to the community, law enforcement command staff and law enforcement union leadership.

### WORKING GROUP III

Working Group III were given the focus area of Alternatives to Police Response and Procedural Justice that included the following topics:

Alternatives to Police Response:

- Proper Response to Non-Criminal Calls
- Diversionary Programs and Courts-Alternative to Arrest/Incarceration
- Community Court
- Community Partners
- Expectations from our Community: What kind of Police Force/Response do we want/expect

Procedural Justice:

- Implicit Bias
- De-escalation
- Transparency in Media and Public Communications
- Complaint Process
- Community Input – Having a Voice to ensure trust, fairness and accountability.

Working Group III were also designated two group facilitators representing the City and the County: City Manager Jeff Dygert and Cayuga County Planning and Economic Development Director Steve Lynch. As with the other Working Groups, this group was made up of a cross section of community leaders and active residents including an Auburn City Council Member, an expert in the juvenile justice system, the executive director of a leading human services agency, a parent of victims of domestic violence and drug addiction, the director of the County's assigned counsel plan and three detectives from local law enforcement agencies.



# Working Group Meetings

## WORKING GROUP I MEETINGS

### **Meeting Summary: 11/24/20**

The meeting opened with introductions and a discussion of Group goals and expectations in relation to the overall objective of Executive Order No. 203. Working Group I was charged with reviewing Police Structure and Training. It was noted that the Group received copies of policies, training information, and other records from both APD and CCSO to guide and inform its discussions.

#### **Duty to Intervene, Use of Force, Body Worn Cameras and No Knock Search Warrants**

Representatives from both The Auburn Police Department and the Cayuga County Sheriff's Office discussed policy and procedures. It was noted that both agencies ban choke holds. (For a detailed look at the Auburn Police Department's policy of the Use of Force, click here: [0300 Use of Force](#) ). It was noted that any use of force beyond handcuffing requires a use of force report to be completed, which is then reviewed internally. As a point of reference, APD reported to the group that as of the date of this meeting the Auburn Police Department had documented 100 instances whereby a use of force was used during this current calendar year. The Group then moved on to discuss whether there would be consequences if required intervention and reporting did not happen. How serious is this violation was and is there disciplinary action in accordance with policy?

Turning next to the issue of Body Worn Cameras, it was noted that neither APD nor CCSO use this technology. Currently, Law Enforcement Leadership reported the expense of data management, equipment, record keeping, available personnel and that as of the time of this report the Auburn Police Department has not been allocated funding to implement the technology.

APD staff reported that no knock judicially approved search warrants are more frequently used for such reasons as officer safety and the efficacious securing of evidence (typically drugs). Additionally, APD Staff noted, a threat matrix is used to evaluate the need for a no knock warrant. APD leadership noted that no knock warrants were avoided when children are known to be in home, and that alternate methods, such as breach and hold could be used. (Further information on the APD's warrant policies can be found here [0600 Search Warrants](#) as well as [0606 Warrant Service](#).) The Group wrapped up this topic by discussion on whether a no knock warrant places officers in a position where they are more apt to use deadly force simply by fact that they are breaking down door.

#### **Training, Implicit Bias and De-Escalation**

Implicit Bias Training is ongoing in this area in both agencies. Training occurs at the academy for new officers and annually as part of other ongoing in-service training. The Cayuga/Onondaga BOCES Superintendent highly recommended a training his organization offers, 'Responsiveness and Implicit Bias Training.' A leading community member and academic added that there are discussions with BOCES and APD about bringing specific professional training to law enforcement. The BOCES superintendent noted the possibility of implicit bias training becoming part of the BOCES Criminal Justice curriculum.

Law enforcement command staff explained that officers are trained in techniques to use and reduce tension in high stress situations in order to lessen use of force, i.e. enhanced communication skills and awareness of

body language. However, it was noted that incidents where de-escalation is needed are more challenging for new, younger officers whereby experience and advanced communication skills are sometimes not fully developed. It was suggested that these officers would benefit from more training and skill development. De-escalation strategies are incorporated into each department's Crisis Intervention Incidents policy. The purpose of these policies, it was noted, is to provide guidelines for interacting with those experiencing mental health or emotional crisis. (For further information on the Auburn Police Department's policy on Crisis intervention, click here: [\(Crisis Intervention Incidents\)](#)). The Group agreed that there has been significant effort and emphasis put into this area. Both agencies have CIT (Crisis Intervention Teams) that utilize specially trained officers to deal with individuals in crisis. There is also a mobile crisis team (Liberty Resources) that is used is called to scene for incidents that are triaged by first responders and determined not to need custodial intervention by law enforcement.

Finally, the group addressed Officer Mental Health and Wellness. For City employees, an Employee Assistance Program (EAP) has been in place for several years. It was agreed that more attention to officer mental health and wellness is needed and that the Auburn Police Department is currently researching and developing an Officer Wellness Program..

**To access a video recording of the meeting and view its notes, click on the links below.**

- [Subgroup 1 Meeting held November 24, 2020: https://youtu.be/TUyc2bu2ofg](https://youtu.be/TUyc2bu2ofg)
- [Subgroup 1 Meeting Notes 11-24-2020](#)

#### **Meeting Summary: 12/8/20**

This meeting focused on follow-ups on action items from the previous meeting. The Supervisor of the Finger Lakes Drug Task Force provided further information regarding no knock warrants. As the FLDTF Supervisor he reviews all information prior to requesting a warrant. He noted that a warrant application was necessarily subject to judicial review. The Auburn Police Department Emergency Response Team (ERT) team is composed of specially trained and experienced officers. ERT members must have at 3 years of police experience before they can apply to become a team member. Finally, he noted a threat matrix is used to balance risk and determine need.

The conversation then turned to police interaction with minors. Individuals under 16 are considered juveniles. Age 17-18 are considered youthful offender by New York State statute. The question of how the age of a child impacts how they are handled was discussed. The law dictates how juvenile and youthful offenders are arrested and processed. Law Enforcement does not determine that process. Both law enforcement agencies have officers dedicated to juvenile cases with additional training in that area. A member of the Cayuga County Sheriff's Office, Brian Myers reiterated that each situation is different, and that individual circumstances are always a factor in these cases.

#### **Opportunities for Greater Community Involvement in Policing**

A community leader and academic group member posed a big-picture question – "how can the community be more engaged in the process of developing policies and protocols for local Law Enforcement agencies, and how can this engagement be sustained." While lauding the desire of current Law Enforcement Leadership to engage with these sorts of issues, he feared that there was a risk of such engagement ending when there is a change of leadership.

A recent impromptu meeting with APD and community members was mentioned as a good example of the benefits of a relationship with community. The Cayuga County Sheriff added that recent community-based

initiatives by law enforcement have built a foundation for community involvement. It was then suggested that the creation of a standing group of community members could be created to interface with Law Enforcement after an incident occurs to assist with de-escalation. The benefit would be to get critical and time sensitive information out in cooperation with law enforcement to ensure that timely and accurate information reaches the community in the event of a potentially critical police incident.. This will hopefully mitigate the fallout from wrong information circulating through the public forums. For any such group to properly function, a foundation of trust must be established and maintained. Group members agreed; building such a foundation is a current top-level goal of both law enforcement agencies.( For further information on the Auburn Police Department’s related policy click here: [0341 Community Relations](#))

The Meeting ended with a discussion of a related matter not included within the scope of Executive Order No. 203, Qualified Immunity. A community leader and academic group member noted this is a very difficult conversation area and asked what law enforcement thought about the topic.. The City of Auburn Corporation Counsel provided a legal explanation. Qualified immunity is a longstanding legal defense, which gives law enforcement immunity from civil liability when acting in a responsible manner. The defense is meant to balance two important interests: the need to protect governmental officials from harassment and liability when they perform their duties in a reasonable manner, while, at the same time, also holding them accountable if they act in bad faith or exercise power irresponsibly. She explained that there is a bill pending in NY now to try and undo qualified immunity from the state level, which specifically adds a new cause of action under the New York Civil Rights Law. There is no local discretion on this – it is a state and federal issue of law.

**To access a video recording of the meeting and view its notes, click on the links below.**

- [Subgroup 1 Meeting held December 8, 2020](#)
- [Subgroup 1 Meeting Notes 12-08-2020](#)

## WORKING GROUP II MEETINGS

This group was tasked with discussing two topics: Police/Community Relations and Crime Prevention. Due to some technical difficulties Working Group II was only able to fully discuss Police/Community Relations at the first meeting and addressed Community Policing at the meeting on 12/8/20. Working Group II utilized guidance from The Governor's Office to move the conversation along, serving as a roadmap.

### **Meeting Summary: 11/24/20**

Starting from the bedrock question of how a police department and the community should engage with one another, the group identified attention to marginalized communities as an important need to be addressed. Specific examples proposed were holding police/community events at Auburn Housing facilities and/or the Booker T. Washington Community Center, with a general desire to engage with the City of Auburn West End community. Officer familiarity with LGBTQ Perspective and People with Disabilities was also proposed as a valuable future goal.

The group moved on and discussed the Right to Know Law. Originating in New York City, Right to Know seeks to demystify police/citizen interactions by opening communication. Simply put, in instances where police are required to stop an individual, Right to Know requires the officer to identify him/herself and inform the individual of the reason why they have been stopped. Both law enforcement command officers in the group indicated that rank and file would likely not object to the implementation of such practices. It was noted by APD Lt. Slayton that APD policy No. 401 ( [0401 Biased Based Policing](#)) applies in practice much of Right to Know principles. 501.1 Traffic Stops Procedure also includes Right to Know language into the policy: The officer will approach vehicle cautiously, politely identify themselves as working for the Auburn Police Department and then giving the vehicle operator their rank and last name. The officer will then politely request documents from the driver and inform them of the reason for the stop. The officer may issue a verbal warning, TraCS ticket or Uniform Traffic Ticket. Warnings will be issued in a polite, courteous, and professional manner. Upon completion of the TraCS/Uniform Traffic Ticket, the officer will serve the driver with a copy, return documents to the driver, and politely attempt to answer any questions posed.

Group members who headed agencies where clients routinely had interaction with the police indicated that their jobs as providers of social services could be more efficient if Right to Know principles could be extended to include an officer providing a business card to their clients.

The group then turned to the development and retention of a diverse of corps officers. It was noted by a clergy member with experience as chaplain for several law enforcement agencies that in communities where police officers are traditionally represented, kids aspire to become police officers from an early age. The group discussed what measures could be taken to extend this modeling into underrepresented communities. Although BOCES has a Criminal Justice program, since applicants can't take civil service test until they reach 19 years of age, a gap exists after graduation and before civil service eligibility where potential recruits can lose focus. The introduction of Active Explorer Clubs in schools was suggested as a way to introduce younger students to the profession of policing. APD Lt. Slayton noted that a tailored approach to recruitment was useful, referencing events that the APD had put on in conjunction with the Booker T. Washington Community Center in successive years. After the first year's event resulted in none of the event attendees taking the police officer civil service exam, APD analyzed the data changed their approach. The next year's event resulted in nine attendees sitting for the police officer civil service exam. The group agreed that a flexible approach toward recruitment of underrepresented communities was a best practice to be utilized going forward. For a detailed look at the recruitment policy of the Auburn Police Department, see policy No. 1000 ([1000 Recruitment and Selection](#))

The final topic discussed in Meeting I was Collaboration. There was a general agreement among the Group that social service personnel could be efficaciously deployed instead of, or in addition to, police officers in some situations. Even though such a model represented a change in policing theory and practice, and would place a burden on police force budgets, the Group felt that the benefits of having a mental health professional on board for certain police calls was so great that the issue deserved a spotlight.

The meeting closed with a real-time example of collaboration. When the director of the leading provider of public housing in Auburn indicated that although relationships between her office and APD Command Staff were functioning well, there was a gap in that relationship when it came to APD members who routinely interact with her office, the patrol-level officer. A meeting at APD lineup was suggested as a way to bridge that gap in communication and introduce the two agency staff members to each other as an informal introduction and familiarity

**To access a video recording of the meeting and view its notes, click on the links below.**

- [Subgroup 2 Meeting Part 1 held November 24, 2020: https://youtu.be/vzxDLNDmUil](https://youtu.be/vzxDLNDmUil)
- [Subgroup 2 Meeting Part 2: held November 24, 2020: https://youtu.be/l4CqXvuoX04](https://youtu.be/l4CqXvuoX04)
- [Subgroup 2 Meeting Notes 11-24-2020](#)

#### **Meeting Summary: 12/8//20**

The second group meeting touched on the topic of Crime Prevention. The discussion kicked off with a summary of specific policing strategies that have raised concerns among the public. Many in the Group were familiar with the Broken Windows theory of policing. While noting that there are positive aspects to the theory, i.e., that it seeks to instill pride in the community being policed and requires community input, Chief Butler noted that the Broken Windows theory is not a policy in place for the APD. Chief Butler also noted that another well-known policing strategy, “Stop and Frisk,” was not, nor had ever been a policy of the Auburn Police Department. The Group then turned to a topic linked in the minds of many regarding Stop and Frisk, that of it being based in discriminatory or bias-based stops, searches and arrests. After noting that biased-based stops are not tolerated by the Auburn Police Department, Chief Butler suggested that approaching stops from a customer service frame of reference could help dispel perception of discriminatory stops. This, combined with the application of Right to Know principles, could serve to discourage the perception of bias in civilian/police interaction.

Next, the Group addressed the use of force for punitive or retaliatory reasons. APD takes a data-driven approach to this problem, tracking use of force by demographic group, type of force, and officer demographic. This discussion led to the Auburn Police Department including this data for the first time in its year end Annual Report and further publishing this data in their monthly departmental reports..

The group then turned to the topic of SWAT teams and so-called “no-knock’ warrants. The Finger Lakes Drug Task Force does occasionally seek and obtain no knock warrants through judicial request, which allow for unannounced entry into a building. It should be noted that pending legislation would require officers to announce themselves prior to entry and that search warrants be executed during daylight hours, may address the concerns many have over the execution of no-nock warrants. Further information on the APD’s warrant policies can be found here [0600 Search Warrants](#) and here [0606 Warrant Service](#). The APD and CCSO both have units which are employed in similar situations to SWAT teams.

Turning to current policing theory, the Group then touched on "Hot-Spot" policing and "Focused Deterrence", where focus is placed on small geographic areas or places where data relates that crime is concentrated. Lt. Slayton indicated that APD shift commanders have authority to dedicate resources to areas where criminal activity flares up, an integral part of Hot-Spot Policing. For further information on the APD policy related to Hot-Spot policing, see APD policy No. 341. [0341 Community Relations](#).

In addressing Community Policing Initiatives, such as diversion programs intended to address addiction in a manner outside or parallel to the criminal justice system, it was noted that full officer buy-in to such programs requires a change in mindset of most police officers. One way to foster buy-in was to remind officers of successful instances of an arrestee's participation in a diversion program. The role of a patrol officer vis a vis diversion was then discussed. Officers carry Helio Health and Nicks Ride cards on them and hand out to people who they think are in need of substance abuse services. Officers also carry Narcan to administer in overdose situations. Police representation on community boards engenders goodwill in the community

The Group then turned to mental health issues, both among law enforcement officers and members of the public. De-Escalation strategies were discussed, and it was noted that no blanket policy could effectively be applied to every heightened situation, and that a case by case strategy is preferable. Officer mental health was then discussed, with group members noting that programs like the Employee Assistance Programs and counseling in general come with a stigma attached. However, it was noted, Officer Wellness as an agency goal has increased acceptance. One measure the APD is looking into to fostering and further developing officer mental health is a specific mobile app that allows anonymous and direct connection to mental health support for officers by way of their personal smartphones.

Finally, the Group addressed the issue of Violence Prevention. The first step in preventing violence is identifying its source. School Social Workers & APD School Resource Officers exchange information about specific individuals allowing for an holistic approach towards children in crisis. It was suggested that perhaps these techniques can be extrapolated to other specialized areas. The mobile crisis team, wherein a contracted mental health professional accompanies the police officer on certain calls, and the Domestic Violence follow-up team, where a victim of domestic violence is contacted after the fact to see if they desire services, were noted for their efforts in violence prevention as well.

**To access a video recording of the meeting and view its notes, click on the links below**

- [Subgroup 1 Meeting held December 8, 2020](#)
- [Subgroup 2 Meeting Notes 12-08-2020](#)



## WORKING GROUP III MEETINGS

### **Meeting Summary November 24, 2020**

Working Group 3 was tasked with discussing the overarching topics of Alternatives to Police Response and Procedural Justice. Before addressing the topics at hand, group facilitators discussed separate but related work that Cayuga County is undertaking to update their Alternatives to Incarceration Program ([ati\\_program\\_program\\_summary\\_10\\_2020.pdf](#)), and mentioned local efforts to comply with recent changes mandated by the amending of the Criminal Procedure Law sections relating to related discovery, speedy trial, and bail. Facilitators also noted community outreach efforts of the Auburn Police Department and the Cayuga County Sheriff's Office and the participation of several community groups prior to the current initiative.

#### **Proper Response to a Criminal Call/Crisis Intervention**

The first topic the Group addressed was what constituted a proper response to a criminal call. A migrant farmworker advocate inquired about access to translators for non-English speaking residents. Several law enforcement participants shared their experience and their agency's current approach. It was agreed that this is an area that could benefit from further collaboration and/or policy development. Next, a community leader with extensive experience in the juvenile justice system inquired about how calls for assistance are determined to be criminal or non-criminal. In discussing this topic, which begins with the call for assistance most often through the 911 Center, it was determined that input from the Cayuga County 911 Center would be required. Group facilitators subsequently reached out to Cayuga County 911 asked for their response and participation in the next meeting.

Discussion then turned to crisis intervention. A community leader and father a daughter murdered during a domestic violence incident as well as to a son who lost his life to a heroin overdose, asked about the state of Crisis Intervention Teams. A Cayuga County Sheriff's Office Detective explained the approaches currently in use by City, County and State agencies. Discussion then followed as to whether current resource levels were sufficient to effectively implement such a program. The director of a leading provider of social and mental health services indicated that the work her agency does is governed by state law and regulation which create funding constraints that limit the ability of her agency to provide field visits and response at the optimum level. Group members agreed that law enforcement shouldn't be solely responsible for the delivery of some of these services and that there is a value in these services to the victims and families impacted.

#### **Diversions Programs**

The Group then discussed the state of diversionary programs on the local level. A community leader inquired into how diversionary program are accessed and the manner in which they are made available to those in need. A Detective-Lieutenant for the Cayuga County Sheriff's Office explained the various courts and programs available, noting that the Cayuga County District Attorney's Office acted as gatekeeper to these programs. As the group wanted to drill down on the process by which the DA's office determines eligibility and maintains impartiality, it was determined that a response to this particular issue from the DA's Office would be sought out and their future participation in these discussions encouraged.

The Director of the Cayuga County Assigned Counsel Program discussed a recent change in the local criminal justice system, that being the creation of the Centralized Arraignment Process. Heretofore, defendants were arraigned off-hours without legal counsel. Now, on a county-wide basis for all crimes, no defendant is arraigned without legal representation. A community leader familiar with the Alternatives to Incarceration Process currently underway via a Cayuga County led working group updated the Group on issues relating to

Pretrial Diversion, Pretrial Release, and Bail Reform. Group members again enquired about access to these programs for marginalized communities.

### **Community Collaboration and Expectations**

The next topic discussed was Community Collaboration and Expectations. First, the Group was provided with a list of agencies with which APD and CCSO collaborate. It was noted that the Group would benefit from a representative from the substance abuse/recovery community partners such as C.H.A.D, and facilitators will endeavor to engage with the same.

Next, an in depth discussion of the School Resource Officer Program took place. While expressing her support for the program, the Group's Migrant Farmworker Advocate asked how the relationships that are established with SROs carry over into adulthood. The Group's CCSO Detective provided some examples of continued positive relationships with young individuals after graduation. An Auburn City Council Member assigned to this Working Group spoke to the ongoing and continued relationships with former students he had observed during his ride-along with APD and during events such as Shop with a Cop and local food drives.

The Group's juvenile justice expert inquired about SRO response to behavioral issues, positing that intervention in such circumstances may not be beneficial to ongoing positive relationships. Law enforcement Officers familiar with SRO training indicated the training includes what to and what not to get involved with, and that behavioral issues relating to teacher compliance were not subject to SRO intervention. It was stressed that even after a necessary interaction between a student and SRO, there should be a follow up to repair and re-establish a positive relationship. The discussion then touched on the idea that the lack of school resources may have led to teachers and administrators relying on SROs for support to bring order. While such reliance might gain short term compliance, it may be counterproductive in building long term positive relationships the group agreed.

### **Workforce Diversity, Implicit Bias and Procedural Justice**

The next topic discussed was workforce diversity; something that Group members agreed was an important element for local policing. The Group's member of law enforcement command described the extensive efforts of APD and CCSO over the years to diversify their workforce. Further, he explained that the Civil Service process, governed by state law and administered locally, is sometimes a barrier to entry. The Group's juvenile justice expert identified the need to "grow our own" law enforcement officers and to create programs to help local youth prepare for these jobs. One such program suggested by group members as a possible avenue for growth was an Explorer Program.


Moving on, the Group began a discussion of implicit bias and procedural justice. The Group's Migrant farmworker advocate noted that among undocumented residents, there is often a reluctance to call for help out of fear their immigration status could result in a negative outcome for them. This reluctance leads to potentially serious crimes going unaddressed and this population becoming at risk. Group members then discussed how current practice may affect this dynamic and what additional measures could improve this situation. The County's Assigned Counsel Program Director agreed this is a significant problem and suggested that better training for Assigned Counsel on Immigration Law would help. The Group's member of Law Enforcement Command explained his department's approach to these calls, where officers are trained to focus on the need that prompted the call, and to understand that an individual being in the country without documentation is not a criminal offence.

The Group's Law Enforcement Officer members then detailed the specific training their respective agencies engaged in regarding bias training. The Captain of the Auburn Police Department Detective Bureau explained APD's approach and efforts at implicit bias training. He noted that resources, cost and time constraints have an impact on training. The Group's member of Law Enforcement Command explained that the New York State minimum annual requirement for in-service training is 21-hours, noting that the Cayuga County Sheriff



Office strives to conduct monthly trainings and approaches 90-hours of training annually. Group members pointed to the Cayuga County Sheriff's recent collaboration with Cayuga Community College faculty as a way to leverage local resources for training; an example of what is possible when outside the box thinking is encouraged.

### **Transparency and the Complaint Process**

Finally, the Group discussed the civilian complaint process. The County's Assigned Counsel Program Director asked if there is a community review board in place. Neither the City of Auburn nor the County of Cayuga have such a board to field complaints from civilians. It was noted that the topic is often only broached when there is a crisis, creating a less than optimal space for discussion. The pros and cons of implementing a civilian complaint board were discussed with some community members voicing sentiment against establishing such a board. The director of a leading provider of social and mental health services enquired as to whether there was any mechanism for the public safety community to understand how the community perceives the complaint process and community review. Click here to review the Auburn Police Department's police on Civilian Complaints  [1008 Personnel Complaints and Disciplinary System](#).

**To view the meeting or access the meeting notes, click on the links below.**

- [Subgroup 3 Meeting held November 24, 2020: https://youtu.be/EjAeaX01iil](https://youtu.be/EjAeaX01iil)
- [Subgroup 3 Meeting Notes 11-24-2020](#)

### **Meeting Summary December 8, 2020**

As the first meeting addressed all topics assigned to Working Group III, this meeting served to supplement the previous discussion. The Auburn City Manager reported that there was no response from the District Attorney's Office regarding questions posed at the last meeting regarding diversionary programs. However, the Group facilitators were able to bring in the Cayuga County 911 Director, who discussed how the 911 Center takes in calls, how calls are prioritized, and what agencies are dispatched based upon that information. A dialogue then took place about a variety of scenarios and how resources are deployed, including how "non-emergency" calls and 911 hang ups are dealt with.

The Group then returned to the topic of Diversionary or Alternatives to Incarceration Programs. The director of an agency which administers certain diversionary programs indicated that, in her opinion, the programs seem underutilized in Cayuga County compared to other counties with which she is familiar. There was discussion of how much, if any, discretion law enforcement officers have or could have in directing individuals to diversionary programs. A Community Leader enquired about the availability of demographic information for such programs and stressed the need to bring the District Attorney in to this discussion. It was generally agreed that for various reasons, diversionary programs are underutilized.

Turning to the issues of Community Partners and Expectations, the Group's member of Law Enforcement Command suggested an approach to community engagement wherein many smaller community meetings with law enforcement could be consolidated into larger community meetings to bring together more individuals, broaden the conversations and improve schedule demands on participants. The City of Auburn Chief of Police explained how the online survey results are reviewed weekly with Auburn Police staff. The Auburn City Manager identified a desire to find a method to share information with the public in order to educate about procedures. Regarding Implicit Bias, the Manager shared his goal of adding such a component into staff training for all departments, boards, and commissions.

The meeting wrapped up by revisiting the topic of De-Escalation. A member of the Sheriff's Office Command Staff noted that de-escalation training is ongoing in all jurisdictions and that there exists a need to work with the current and future generation of recruits to improve their communication skills which are essential to de-escalate a situation. The City of Auburn Chief of Police noted that de-escalation techniques – in other forms and approaches, have been deployed for a long time in law enforcement, and that successful de-escalation results in fewer use-of-force incidents. The Member of the Auburn City Council assigned to the Group complimented Auburn Police on their daily efforts of de-escalation across the many interactions as he has observed through several ride-a-longs.

The Group discussion then turned to the relationship between mental health and de-escalation. It was noted that certain programming provided by the New York State Department of Criminal Justice Services regarding mental illness and calls for service had been held up by the COVID State of Emergency. The Director of a leading provider of social and mental health services shared that the Auburn Police Department has sent officers through training referred to as "Mental Health First Aid". She further noted that her agency depends on local law enforcement regularly to deal with clients, and identified a need to expand the Mobile Crisis Unit program. A desire to have a further commitment to the funding of Mobile Crisis Unit expansion as an outcome of this process was agreed upon.

**To view the meeting or access the meeting notes, click on the links below.**

- [Subgroup 3 Meeting held December 8, 2020](#)
- [Subgroup 3 Meeting Notes 12-08-2020](#)

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# PUBLIC SURVEY AND PUBLIC INPUT

## Public Input – Public Forums

In addition to the online Public Surveys, and the total of six (6) stakeholder Working Group meetings (three Working Groups; two meetings each), community input was expanded through a series of two (2) Public Forums. These online (“ZOOM”) meetings were held on December 15, 2020 and January 6, 2021. Information regarding the public forums was disseminated prior to each event on the City of Auburn’s main website and social media platforms.

Both Public Forums were held on the remote ZOOM platform at 3:00 PM and 6:00 PM respectively each forum was facilitated by Mr. Guy Cosentino, Executive Director of the Cayuga Community College Foundation. Each public forum began with introductory remarks stating the goals and objectives of the collaborative effort and the structure of the facilitated stakeholder Working Groups. Following introductions, a facilitator from each Working Group summarized the topics discussed and explored in the prior Working Group meetings, bringing the topics and discussion points to the Public Forum for continued community discussion.

### PUBLIC FORUM 1: DECEMBER 15, 2020

Public Forum 1 included approximately twenty-five participants, consisting primarily of stakeholder groups and with fewer citizens from the general public than was hoped for. Each Working Group provided a summary of items discussed in the prior stakeholder Working Group meetings and these summaries are provided below.

**Working Group I.** Working Group 1 focused their discussions on Police Structure and Training, addressing operations and training practices for both the Auburn Police Department and the Cayuga County Sheriff’s Department. Working Group 1 report is summarized below:

#### Police/Sheriff Structure & Training

- The working group discussed the use of choke-hold restraints in general and learned that both the County Sheriff and Auburn Police Departments have banned the use of these restraints.
- No-Knock Search Warrant procedures were discussed.
- The use of de-escalation techniques was discussed, including incorporation of de-escalation approaches into broader training efforts. There was strong support for continued use and training in de-escalation techniques in both the APD and Cayuga County Sheriff’s Department.
- Response protocols for Mental Health incidents were discussed, including alternative approaches for responding to these types of calls that incorporated mental health professionals.
- Juvenile Arrests were discussed by the working group, generally, and in relation to the ‘Raise the Age’ reforms
- Working Group 1 also discussed the potential for a Rapid Response Initiative

**Working Group 2.** Working Group 2 focused on Police and Community Relations & Crime Prevention. During the two prior Working Group meetings, the stakeholder participants covered the following topics:

**Outreach and Communication**

- What is being done now and how can community connections be improved? What are the outreach plans going forward and what will work best? How does outreach differ for the Auburn Police Department in the City from the more rural communities served by the County Sheriff?
- There was discussion of SROs and law enforcement presence in the schools. The discussions framed these as mostly leading to positive connections and outcomes with youth but there was also discussion of potential negative responses and outcomes, depending on the circumstances.
- The recruiting and hiring of law enforcement personnel was discussed in Working Group 2 meetings. Discussions included exploration of outreach for recruitment, the need and desire to create a more diversified law enforcement sector including racial and gender diversity and the desire to have this diversity extend throughout the organization(s). There was also a discussion of mechanisms to assess law enforcement leadership and how that leadership is hired/promoted.
- The Working Group also discussed methods to deploy, and opportunities/constraints related to deploying, social service providers in lieu of or alongside law enforcement response.

**Crime Prevention.**

Under the broad topic of Crime Prevention, a number of issues were discussed between the two stakeholder meetings conducted with Working Group 2:

- An overview of “Broken Window” theories was provided to the Working Group. This led to discussion of “Hot Spot” and “Focused Deterrence” practices, problem-oriented policing efforts, quotas and “stop-and-frisk” policing.
- The Working Group discussed prevention programs and the use of de-escalation techniques as a component of crime prevention.
- Environmental design, as a factor in crime prevention, was briefly discussed.

**Working Group 3.** Working Group 3 focused their stakeholder conversations on Alternatives to Police Response and Procedural Justice. In summary, the two Working Group meetings covered the following:

**Police Response**

- There was a brief questions and discussion on access to translators for non-English speaking residents and several law enforcement participants shared their experiences and current approach. There was general consensus that this area could benefit from expanded collaboration and policy development.
- In the first Working Group meeting (November 25, 2020) a good deal of discussion was generated by the desire to understand how calls for assistance are determined to be criminal or non-criminal. This

led to a discussion of procedures established under the E-911 system as the starting point for most calls for law enforcement assistance. A decision was made to reach out to the County E-911 Director to join the second Working Group meeting (December 8, 2020) to provide an overview of the system protocols and answer questions. The 911 Director joined Working Group 3 for their second meeting and provided clarification on internal 911 call procedures, and the variety of scenarios and related resource deployment.

- Law Enforcement response to non-criminal calls was discussed, including the availability of resources for mental health and/or domestic violence related issues. The current Mobile Crisis Team, currently with limited availability for deployment, was explained. The Auburn Police Department Crisis Intervention Team and current approaches to use similar teams at the City/County/State levels, were explained by participating law enforcement members and discussed. There was consensus that the Mobile Crisis Team should be expanded and the associated need for funding resources to accomplish this. There were cautions expressed that funding needs to be expanded to meet Mobile Crisis Team needs as opposed to being diverted from other existing/essential law enforcement services/programs.
- Challenges to deploying professional social services staff, currently governed by NYS Article 31 regulations, were explained, highlighting regulatory constraints tied to funding sources that limit the ability of local agency staff to provide field visits/response at the levels needed.
- The partnership between the Auburn Police Department and Cayuga Counseling Services for the Victim Specialist Program, which is currently grant-funded, was explained.
- There was general consensus that law enforcement should not be solely responsible for the delivery of some of these services, despite the regulatory, funding and operational challenges imposed on alternative approaches.
- De-escalation approaches were discussed at both Working Group 3 meetings. The County Sheriff and the Auburn Police Departments conduct officer training in de-escalation techniques which does result in fewer use-of-force incidents. The group noted and discussed the need to work with current and future generations of (younger) recruits on effective personal communication skills in light of current norms of interpersonal communication weighted more heavily toward social media.

### **Procedural Justice and Diversionary Programs**

All of the Working Groups acknowledged the absence of representation by the Cayuga County District Attorney or DA Staff in the working groups and public forums. Forum participants noted that participation by the District Attorney – as an integral component of the law enforcement and justice system, would have informed and expanded the discussion of most topics, including the area of procedural justice and diversionary programs. The stakeholder conversations from the two Working Group 3 meetings were shared with the participants of Public Forum 1:

- Working Group 3 stakeholders requested clarification on how diversionary programs are operating and how access to these programs is structured. It was noted that some segments of the City or County community/residents may not be provided access to these court alternative programs.
- In the discussion of alternatives to courts programs, it was noted that the Cayuga County District Attorney's office determines eligibility for program access on a case-by-case basis. The question was voiced as to the degree that these programs have the support of the CC District Attorney and the mechanism the DA or DA Office uses to ensure impartiality when determining which cases/individuals are provided access to the programs. Follow up outreach to the Cayuga County District Attorney was made to seek participation in the stakeholder and public forum discussions and secure feedback on these questions; however participation by the District Attorney was not secured.
- Centralized Arraignment was explained, highlighting that no individuals are arraigned without access to legal counsel.
- The Alternatives to Incarceration process was outlined and discussed, including an update on a program being worked on by a stakeholder group looking at Pretrial Diversion, Pretrial Release, Bail Reform, etc.
- The question was raised regarding availability of translators for non-English speaking program participants. Translators are made available and a small number of bi-lingual attorneys have been utilized as well.
- Implicit Bias was also discussed under the topic of Procedural Justice. The reluctance of undocumented resident to call for help, out of fear that their immigration status will lead to negative outcomes, was noted with the observation that serious crimes might not be addressed and this population being at increased risk. There was acknowledgement that this could be a significant problem and recommendations that better training for Assigned Counsel on Immigration Law would help. The County Sheriff's Office strives to maintain a focus on the need that prompted the call for law enforcement assistance rather than the immigration status of individuals.
- Information on Implicit Bias and De-escalation Training was requested. It was noted that both the Auburn Police Department and the Cayuga County Sheriff's Department significantly exceed the New York State minimal annual requirement of 21-hours of training.

### ***PUBLIC FORUM DISCUSSION FOLLOWING WORKING GROUP SUMMARY REPORTS:***

At the conclusion of the Working Group Summary Reports, the Forum facilitator opened up the floor for discussion by the participants.

- The Auburn City Police Chief noted that continued interaction with the community should be pursued beyond the current effort and noted that a form of the NYC Police Right-to-Know, tailored to and improved for use at our local level, could be looked into.
- The Cayuga County Sheriff underscored the coordination between the County Sheriff and Auburn Police Department on development of policies and best practices as both departments work toward

accreditation. The Sheriff acknowledged the community partnerships and relationships created in this current process and recommended further community discussion on many of these select topics discussed by the Working Groups continue into the future.

- Noting the majority of Working Group stakeholders attending this first Public Forum, the facilitator expressed the need to expand resident participation in the next Public Forum. A number of outreach options were discussed, including expansion of survey distribution channels and direct outreach via the stakeholders, human services agencies and the religious community.
- The important question was raised as to how the building of relationships and partnerships realized under this Collaborative Policing and Community Relations effort might be institutionalized and given a structure that will ensure continuation. Defining and adopting an appropriate mechanism to do so will reduce dependence on the current good will and leadership now in place. It was noted that the current law enforcement leadership, working with a relatively young population of law enforcement personnel within the two departments, have an opportunity to secure support for more collaborative policing and stronger community relations with younger staff.
- There was support from law enforcement leaders for expanded community policing. The challenge to moving forward with this is understaffing, which is placing significant constraints on the ability to move officers out of their patrol cars and into the community and neighborhood to build these important connections.
- There was a question as to what sectors or individuals still need to be brought to the table for these community discussions? Participants noted that law enforcement reform must include the broader justice system that would benefit from active participation of the County District Attorney and the probation agencies.
- To further clarify the Working Group discussions on the extent of annual law enforcement trainings, it was reported that the Auburn Police Department personnel completed approximately sixteen-thousand hours of training in 2020.
- A question was raised as to how communication is or can be extended between the County Sheriff Department and Auburn Police Department as well as the New York State Police. The Auburn Chief of Police noted that there is a monthly Chief's meeting and that the E-911 Director participates as well.

At the conclusion of Public Forum 1, there were approximately 30 individuals participating, The Facilitator announced that the second Public Forum would be held on January 5, 2021 at 3:00 PM and thanked all for attending and participating. **NOTE: Public Forum 2 was later rescheduled to Wednesday, Jan. 6, 2021 at 6:00 PM** in order to encourage additional public participation.

### PUBLIC FORUM 2: JANUARY 6, 2021

Public Forum 2 included approximately 50 participants, with a combination of stakeholders from the three Working Groups and increased participation by members of the general public – a measurable improvement in outreach and community involvement from the December Public Forum.



This remote Public Forum was also facilitated by Mr. Guy Cosentino, who again provided participants with an overview of Governor Cuomo’s Police Reform and Reinvention Collaborative and the partnership approach taken by the Cayuga County Sheriff and Auburn Police Department leadership in developing the local Plan. Following introductions, a facilitator from each of the three Working Groups summarized the themes and topics discussed in earlier meetings.

Working Group 1 summarized their focus on police structure and training, discussions of policy development for accreditation. Focus topics included de-escalation techniques, response to mental health crisis situations, use of force such as choke holds (barred from use), no-knock warrants and juvenile arrests.

Working Group 2 discussed crime prevention, including discussions on the pros-cons of traditional “broken window” policies in policing. Consideration of these strategies led to stakeholder discussions about problem-oriented policing. Group 2 noted so-called stop-and-frisk approaches/policies are not used by the Auburn Police or Cayuga County Sheriff’s Departments.

Working Group 3 summarized their effort to clarify and highlight law enforcement procedures from initial 911 calls, through engagement and into the justice system. Conversations continued to focus on the importance of the Mobile Crisis Team, diversionary programs and alternatives to incarceration.

### ***PUBLIC FORUM DISCUSSION FOLLOWING WORKING GROUP SUMMARY REPORTS:***

At the brief Working Group summaries, the Forum facilitator opened up the floor for discussion by the participants.

**Police Training.** Auburn’s Chief of Police and the Cayuga County Sheriff both emphasized the importance of training overall and acknowledged the current constraints of limited staffing, staff time and funding resources targeted to training. There was also confirmation that despite these constraints, both departments significantly exceed the minimum annual training hours established by New York State.

**Police Response & De-escalation Training.** Training in de-escalation techniques is not conducted as a stand-alone training but is incorporated into other law enforcement training areas, including use of force, weapons training and defensive tactics. Participants discussed opportunities and community benefits for incorporating de-escalation training into the public school curriculum, teaching these approaches from K-12 grades.

Forum discussion on de-escalation also touched on use of de-escalation techniques as a means to address community tensions associated with crisis situations. The creation of a Rapid Response Team including community leaders, stakeholders and law enforcement was recommended by forum participants.

**Racial-Bias Training.** A forum participant questioned what precautions and training could be used to address racial bias and/or profiling? The Auburn Police Chief shared the importance of starting with a good recruitment and hiring process. The Cayuga County Sheriff expressed that racial bias or profiling in any form would not be tolerated in the department and shared that this is not something he is seeing.



**Trauma-informed Response and Mental Health Response.** The benefit of expanding trauma-informed response training was underscored by forum participants. The forum participants also discussed non-criminal calls and the opportunities and challenges of expanding mental health Mobile Crisis Teams in both the City and County.

**Procedural Justice.** A forum participant noted that several sectors of the community have been working on all of these law enforcement issues for some time – conversations that had started well before the Governor’s call to reform and reinvent policing. The concern is that a critical parameter is missing: the opportunity to critically review and address what happens after law enforcement engagement, as individuals move on and into the public safety system, advancing to the District Attorney stage. Forum participants discussed that any effort at community reform and reinvention of policing must look at the critical role that prosecution plays, including review of diversionary programs, alternatives to incarceration and the involvement of District Attorneys. There was consensus that police response is important but only one component of the public safety system. This conversation prompted questions as to the relationship/interplay between the County District Attorney and law enforcement? Forum participants expressed appreciation for the intent, energy and engagement of the Auburn Police Chief, the Cayuga County Sheriff and their senior leadership in this community process and voiced concern that the District Attorney and/or DA staff were not part of the conversations.

**Recruitment and Diversity.** A member of the public forum associated with the local Civil Service Commission shared the efforts the departments are making to diversify local law enforcement, noting that the current qualified applicant lists for the Auburn Police (and Fire) Departments represents the most diverse group of applicants seen in over a decade with the Commission. Following discussion, the participant observed that this increase in diversity within the applicant pool is a direct result of a targeted outreach effort in the community.

**Outreach and Community Engagement.** There was a brief discussion on the current outreach and community engagement process. There was a question on whether the Sheriff and Auburn Police Departments were close enough to the community and, what could be done to increase that connection and how to measure success? The Auburn Police Chief acknowledged that this is an ongoing effort and that they are consistently looking for what they can do to expand community connections. Measuring success here is a challenge but one measure may be assessing the responses to the recent surveys by Sheriff and APD, noting that the anonymous framework of the surveys has led to direct and honest feedback both pro and con. The County Sheriff encouraged forum participants and stakeholders to reach out to community members and provide the departments with feedback on how we can expand community engagement.

The Cayuga County Sheriff and the Auburn Police Chief both stated their hopes to continue this community outreach and engagement effort and extend the current work to build bridges between law enforcement and the community they serve.

## Public Input – Public Presentation

In conjunction with a Public Comment Period, the City of Auburn held a public presentation on the Draft Plan Report on February 25, 2021. The Plan was posted on the City of Auburn Website where the public was able to view and comment as well.

## Public Input – Final Draft Plan Report Comment Period

Following the preparation and public release and circulation of the Draft Plan Report on February 24, 2021, a public comment period was held ending on March 11, 2021. [FORTHCOMING the following will be a summary of the final public feedback received during the February 25, 2021 through March 11, 2021 final public comment period...]

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## FOCUS AREAS AND POLICY PROPOSALS

The Governor's call for Police Reform and Reinvention, formalized by Executive Order Number 203 in June of 2020, was received by a local Cayuga County law enforcement team already engaged in an effort to build community bridges. For the last several years, the Auburn Police Department has been partnering with the Cayuga County Sheriff's Office, the Harriet Tubman Center for Justice and Peace, the local Chapter of the NAACP, and the Auburn Human Rights Commission. This social justice collaborative effort to build trust between law enforcement leadership and stakeholders in our organizations and agencies was undertaken with a goal to ensure that the community's concerns are heard while partnering with these stakeholders to identify problems and craft community-based solutions. Executive Order 203 placed a formal community outreach structure around these ongoing conversations, culminating in this Plan Report and the focus area outcomes listed in this section.

In a parallel effort, aligned with and informing the stakeholder and community conversations associated with Executive Order 203, is the current work by the Auburn Police Departments and the Cayuga County Sheriff's Office to update and secure accreditation of police policies and procedures under the NY State Division of Criminal Justice Services Accreditation Program. The Auburn Department is currently finalizing the accreditation process utilizing support provided by a company called Lexipol (see: <https://www.lexipol.com>). The program goals for policy accreditation support much of the direction and focus developed through the public participation process involving stakeholder Working Groups and public forums. More specifically, the accreditation program goals include:

- Increase the effectiveness and efficiency of law enforcement agencies utilizing existing personnel, equipment and facilities to the extent possible;
- Promote increased cooperation and coordination among law enforcement agencies and other agencies of the criminal justice services;
- Ensure the appropriate training of law enforcement personnel; and
- Promote public confidence in law enforcement agencies.

The Auburn Police Department is committed to continuing the partnerships forged through their "Connecting Bridges" effort and expanded under the Governor's Police Reform planning effort. The department welcomes other community organizations and individuals to do the same. This Plan calls on local leadership to establish an organizational framework, supported by institutional policy, to ensure that the important community collaboration and conversations undertaken in this effort continue in the future despite inevitable changes in leadership positions at all levels over time.

This report section outlines the plans focus areas that will be pursued by the Auburn Police Department as a direct response to the stakeholder and public forum input generated to date. The Focus Areas are presented below and organized under the law enforcement topics addressed by the three Working Groups:

- Police Structure and Police Training;

- Police and Community Relations; and
- Alternatives to Police Response and Procedural Justice.

## Police Structure

### USE OF BODY WORN CAMERAS

The Auburn Police Department supports and is seeking to implement the use of Body Worn Cameras by its members. This will require initial investment and ongoing funding to sustain such a program.. In addition, the deployment of body worn cameras will require the preparation and adoption of policies governing the use of these tools and well as the retention and disposition of the evidentiary video created by this technology..

### CHOKE HOLD RESTRAINTS

The practice of using choke hold restraints is currently barred within the City of Auburn Police Department.

### USE OF FORCE / DE-ESCALATION TECHNIQUES

The Auburn Police Department has updated a range of policies associated with the use of force. See Addendum B for further information.

### NO-KNOCK WARRANTS

The Auburn Police Department recognizes that if future State Legislation provides further guidance on the deployment of no-knock warrants APD will conform accordingly. Until that occurs, the APD will continue to use no-knock warrants in narrowly tailored situations with both judicial and internal administrative pre-clearance to better ensure the safety of officers and the public.

## Police Training

The stakeholder Working Group and public forum discussions evidenced strong support for continued and expanded training for local law enforcement on behalf of the Auburn Police Department and Cayuga County Sheriff's Office. Stakeholder Working Groups learned that both law enforcement departments currently exceed the minimum standards for annual officer training established by New York State. The Auburn Police Department supports continued training with an expanded focus on:

- Diversity training;
- Racial Bias training; and
- De-escalation Techniques training.

These focus areas were central to stakeholder and public forum feedback on officer training. In addition, the Plan recommends community exploration of incorporating de-escalation trainings for public school students into the K-12 public school curriculum. Expanded trainings for local law enforcement officers at both the Sheriff and Auburn Police Departments are directly tied to, and under the general constraints associated

with, current low staffing levels and limited funding resources. These constraints will need to be addressed in order to meet the community and law enforcement expectations for expanded training.

### MENTAL HEALTH INTERVENTION AND RESPONSE

Feedback from stakeholder Working Groups and discussion during community forums underscored the need to ensure that the mental health needs of those in our community are served appropriately. The Auburn Police Department has been working on these strategies in partnership with the Cayuga County Mental Health Department and their agency partners. Currently, an after-hours (5:00 PM to 12:00 AM/Midnight) Mental Health Mobile Crisis Team partners with Auburn Police officers to provide assistance to those in crisis. Unfortunately, they are not available after midnight. There is a demonstrated need to expand the availability of Mobile Crisis Team services to a 24/7 structure. Continuing these partnerships and working to expand them will address these specific community needs. In addition to expanding the Mobile Crisis Team to 24/7 availability, there is a need for complimentary cross-training between mental health professional services personnel and law enforcement officers. Appropriate cross training on the approach and best practices each team member brings to mental health response scenarios will serve to improve overall response to mental health intervention and response in the community.

### OFFICER MENTAL HEALTH AND WELLNESS

Although institutional and cultural impediments may still exist, the Auburn Police Department recognizes that Officer Mental Health and Wellness is of primary concern and essential to a fully-functioning modern police department. To that end, the Department will endeavor to make mental health support a routine part of officer training, supervision and discipline.

## Police and Community Relations

### ESTABLISHING A FRAMEWORK FOR CONTINUED COMMUNITY OUTREACH & PARTNERSHIP.

As stated in the introduction to this section, the Plan calls for a policy structure or institutional framework that ensures local law enforcement leadership will continue efforts at community outreach and bridge building started under this process. The community would clearly like to see sustained outreach between law enforcement, community partners and the general public as a means to periodically assess the state and status of police and community relations and mutual support. The Auburn Police Department supports this goal and will work with County and State leaders and community partners to create such a framework.

### LOCAL RIGHT-TO-KNOW POLICY

Implementation of the principles contained in the Right-to-Know Laws would place the citizen/police interaction on a more equal footing and dispel the perception of racial profiling. For these reasons and more, the Auburn Police Department has already begun to codify such principles in Department Policy.

### SCHOOL RESOURCE OFFICERS – SRO PROGRAM

There was extended discussions in the stakeholder Working Groups regarding the existing School Resource Officer (“SRO”) Program and support for its continued use in Auburn Enlarged City School District schools. Alongside this support there was acknowledgement that SRO personnel cannot meet all of the needs presented to the officers within the school setting and that alternatives to SRO involvement in some school scenarios must be addressed by other professional service providers such as school social workers. A suggestion was made to position positive interactions between students and SROs as an introduction to the law enforcement field for students and an aid to future recruitment efforts across all sectors of the community.

### COMMUNITY BASED POLICING PROGRAMS

The practice of bringing officers out of their patrol vehicles and into the community and neighborhoods was discussed and supported throughout the community outreach process. While acknowledging the benefit of community policing programs and expressing strong support for moving in this direction, the Police Departments each underscored the challenge of current low staffing levels that are keeping officers “pinned” to their vehicles. As challenges to low recruitment are met and overcome, and staffing numbers return to appropriate levels, both departments support the implementation of community policing initiatives.

### TRANSPARENCY AND THE COMPLAINT PROCESS

There was a call to bring both clarification and transparency to the public’s understanding of and access to the complaint process at both the Auburn Police Department and the Sheriff’s Office. The Auburn Police Department is recommending that the complaint process be clearly defined on the department website with a straightforward process to contact the appropriate Department member via the web and/or by telephone. The discussion of a Citizen Review Board highlighted both pros and cons of establishing such a board during the stakeholder Working Group and public forum conversations. In addition, there were a number of survey responses that wanted to see periodic reports of founded officer misconduct. While there was general support for such public reports and processes, establishment of these protocols would be subject to civil service law and bargaining agreements with unions, potentially limiting the information that could be released under certain circumstances.

### TRANSPARENCY AND POSTING OF LAW ENFORCEMENT POLICIES

Conversations within stakeholder Working Groups and feedback from public forums and survey responses all supported the posting of current and/or pending law enforcement policies as a forward step in overall transparency and community understanding of law enforcement practice. The Auburn Police Department supports this goal and has begun posting department policies on the web for public access. For an in-depth look at Auburn Police Department Police, see <https://www.auburnny.gov/police-department/pages/use-force-policies> or Addendum B.

## Police Response and Procedural Justice

### IMPLICIT BIAS IN COMMUNITY RELATIONS.

During the stakeholder Working Groups, the reluctance of undocumented residents to call for help, out of fear that their immigration status will lead to negative outcomes, was noted with the observation that serious crimes might not be addressed and this population being placed at increased risk. There was acknowledgement that this could be a significant problem and a recommendation that better training for Assigned Counsel on Immigration Law could help. Auburn Police Department supports this effort within the Assigned Counsel programs and department officers make efforts during response to calls to maintain a focus on the need that prompted the call for law enforcement assistance rather than the immigration status of individuals being served.

### TRANSLATION SERVICES FOR NON-ENGLISH SPEAKING INDIVIDUALS

Current local law enforcement practices include making translators available during law enforcement interactions with non-English speaking individuals. The Auburn Police Department supports continuing this support and has already contracted with a local resource to provide translation services to officers.

### DIVERSITY AND OUTREACH IN RECRUITMENT AND HIRING

A number of stakeholder Working Group and public forum participants were aware of and commented on the recent efforts by the Auburn Police Departments and the Cayuga County Sheriff's Office to increase racial and gender diversity within their departments through expanded community outreach and recruitment efforts. It was noted that the current roster of recruits for the Auburn Police Department is the most diverse list of individuals in decades. Stakeholders and public forum members urged the law enforcement community to continue these strong outreach programs with a goal of encouraging young people in the community to consider local law enforcement and public service as an available and favorable career choice. The Auburn Police Department strongly supports the current efforts and the recommendations.

### DIVERSIONARY PROGRAMS AND COURTS-ALTERNATIVES TO INCARCERATION

The stakeholder and public forum conversations strongly recommended the need to clarify the working procedures and operational policies that impact access to, and participation in, the range of court diversion and alternative to incarceration programs available and operating within the local law enforcement and justice system. Participants called on community leaders running these programs, including the Cayuga County District Attorney, DA Staff, local justices and law enforcement officers, to strive for equitable access to these important procedural justice programs and alternatives across all sectors of the community. Stakeholders and participants in the public forums shared the view that positive and progressive change at the law enforcement level must be matched by complimentary moves to increase transparency of and access to these valuable programs.

## ACKNOWLEDGEMENTS

**Auburn City Manager Jeff Dygert** would like to recognize the efforts of City Staff and elected officials in this project. In particular, Mr. Dygert wishes to thank Guy Cosentino for serving as emcee for the Plan’s Public Forums and Chief Shawn Butler for his leadership on this issue. Most of all, Mr. Dygert wants to acknowledge the participation in and response from all of the community members who made this project possible.

**Auburn Police Department Chief Shawn Butler** would like to thank the members of his department who played an integral role in this project. Additionally, Chief Butler would like to bring attention to the work of Cayuga County Sheriff Brian Schenck and his office as essential partners throughout the process. Finally, Chief Butler lauds the members of the community who participated in this process; without their input this plan would be lacking the necessary direction necessary in making our department the very best it can be.

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## ADDENDUM A: SUMMARY OF PUBLIC SURVEY INPUT

In the Fall of 2020, the Auburn Police Department posted a survey online calling for public input. The survey was online and available for comment through year-end. Overall, 325 individuals completed the survey. Demographic and experiential information was sought from survey participants. To view the full survey, click on the link below.

[https://www.auburnny.gov/sites/g/files/vyh1if4131/f/uploads/city\\_of\\_auburn\\_collaborative\\_on\\_police\\_community\\_relations\\_results\\_01-19-2021\\_0.pdf](https://www.auburnny.gov/sites/g/files/vyh1if4131/f/uploads/city_of_auburn_collaborative_on_police_community_relations_results_01-19-2021_0.pdf)

To better visualize community responses to the survey’s open-ended questions, the Auburn Police Department created the following word clouds.

What do you feel is the role of the Auburn Police Department in our community?



What Does Transparency & Accountability Relative to Our Police Department Mean to You?



Using the space below describe your experiences with the Auburn Police Department.



Using the space below describe your vision of what the Auburn Police Department should strive to be in the future.



Using the space below, please give any other thoughts or comments related to our agency to help us improve and better serve you the community.



## ADDENDUM B: AUBURN POLICE DEPARTMENT POLICIES

[NOTE: Policies are listed according to the Working Group to which the topic was assigned. As a single Department policy may implicate multiple topics presented, a policy will be listed more than once. For an overview of APD Leadership’s perspective on Department Policy, click here: [Chief Butler Preface](#)]

### WORKING GROUP I

#### Topic

#### Auburn Police Department Policy

##### Police Structure:

- Use of Force Policies
- Body Worn Camera Policy
- No-Knock Warrant Procedures
- General Model Policies/  
Accreditation Process
- Chokehold Law/Policy

[0300 Use of Force](#)

[0600 Search Warrants](#)

[0606 Warrant Service](#)

[NYS Standards of Compliance  
Verification Standards](#)

[0300 Use of Force](#)

##### Police Training:

- Racial Bias Training
- De-escalation Training
- Duty to Intervene  
[Officer](#)
- Overall Training
- Mental Health Intervention
- Officer Mental Health and Wellness

[0401 Biased Based Policing](#)

[0309 Officer Response to Calls](#)

[0211 Duties of the Community Oriented Policing \(COP\)](#)

[0203 Training](#)

[0409 Crisis Intervention Incidents](#)

## WORKING GROUP II

### **Topic**

### **Auburn Police Department Policy**

#### **Police Community Relations:**

- *Outreach programs:* [0341 Community Relations](#)  
[0211 Duties of the Community Oriented Policing \(COP\) Officer](#)
- *Right to know:* [0401 Biased Based Policing](#)
- *School Safety / SRO:* [0210 Duties of the School Resource Officer](#)
- *Hiring process:* [1000 Recruitment and Selection](#)
- *Collaboration:* [0428 Medical Aid and Response](#)  
[0426 Homeless Persons](#)  
[0311 Domestic Violence](#)  
[0303 Domestic Violence High Risk Team \(DVHRT\)](#)  
[0313 Child Abuse 2](#)

#### **Crime Prevention:**

- *Problem Oriented Policing:* [0319 Hate Crimes](#)  
[0409 Crisis Intervention Incidents\)](#)  
[0428 Medical Aid and Response](#)
- *Hot Spots:* [0341 Community Relations](#)  
[0211 Duties of the Community Oriented Policing \(COP\) Officer](#)
- *Focused Deterrence:* [0341 Community Relations](#)  
[0211 Duties of the Community Oriented Policing \(COP\) Officer](#)
- *Community Policing:* [0341 Community Relations](#)  
[0211 Duties of the Community Oriented Policing \(COP\) Officer](#)  
[0210 Duties of the School Resource Officer](#)
- *Violence Prevention:* [0319 Hate Crimes\)](#)  
[0313 Child Abuse 2](#)  
[0428 Medical Aid and Response](#)

WORKING GROUP III

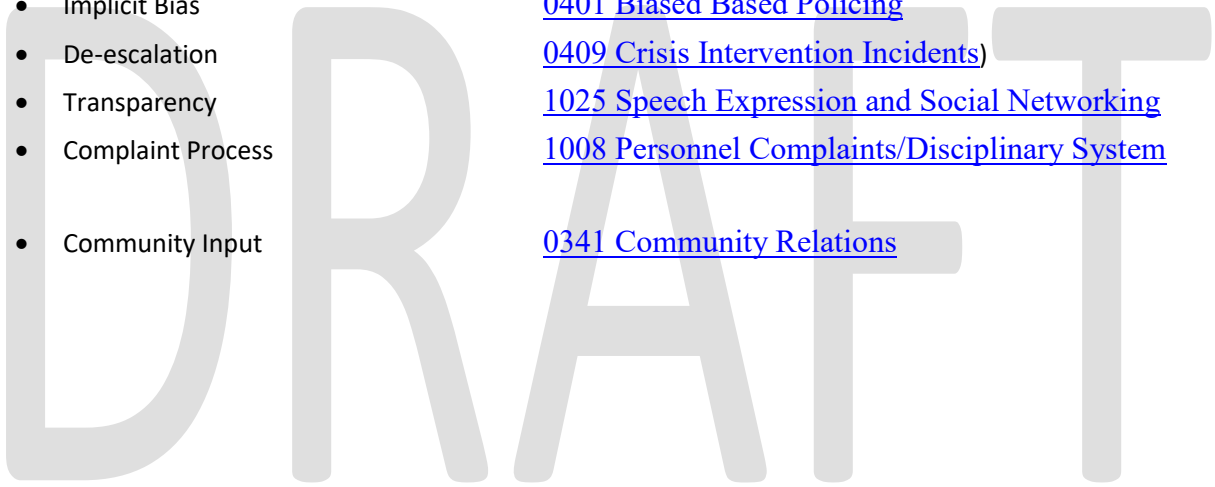
**Topic**

**Auburn Police Department Policy**

- Proper Response to Non-Criminal Calls: [0309 Officer Response to Calls](#)
- Diversionary Programs and Courts-Alternative to Arrest/Incarceration:
  - Community Court
  - Community Partners [0341 Community Relations](#)
  - Expectations from our Community: [1000 Recruitment and Selection](#)

Procedural Justice:

- Implicit Bias [0401 Biased Based Policing](#)
- De-escalation [0409 Crisis Intervention Incidents\)](#)
- Transparency [1025 Speech Expression and Social Networking](#)
- Complaint Process [1008 Personnel Complaints/Disciplinary System](#)
- Community Input [0341 Community Relations](#)



## ADDENDUM C: WORKING GROUP CV

Working Groups were selected from among broad sectors of the community and included leaders, professional staff and community organizers within the City of Auburn and Cayuga County community. Members of each Working Group were asked to submit biographical information. To view the biographical information click here: <https://www.auburnny.gov/police-department/divisions/pages/apd-community-collaborative-2020>

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## ADDENDUM D: GLOSSARY OF TERMS

**Broken Windows Theory**: The broken windows theory is a criminological theory that states that visible signs of crime, anti-social behavior, and civil disorder create an urban environment that encourages further crime and disorder, including serious crimes.<sup>1</sup>

**CIT**: Crisis Intervention Team: A group of officers specially trained to deal with emotionally disturbed individuals in a variety of situations in the community. These situations may include suicidal persons, persons exhibiting irrational behavior, handling psychiatric patients, the homeless, various mental health concerns and/or referrals, and any other situations that deal specifically with the needs of the mental health community and emotionally disturbed persons.

**CHAD**: Confidential Help for Alcohol and Drugs, Inc. (C. H. A. D.) provides a number of chemical dependency programs to residents of Auburn, Cayuga County, and surrounding areas which includes treatment and prevention services without regard to race, color, creed, sex, national origin, sexual orientation or ability to pay.

**Connecting Bridges**: Connecting Bridges: a meaningful dialogue between the community and local law enforcement. The Harriet Tubman Center for Justice and Peace in a long-term collaborative working partnership with the Auburn Police Department, Cayuga County Sheriff's Office, as well as the Auburn Fire Department, Civil Service Commission and host meeting venues seeks to enhance the relationship that the community has with local law enforcement. Mindful of national police-situations, this city-wide initiative seeks to foster a better understanding of local law enforcement and ensure that the community's concerns are heard; addressed, and strategic solutions and new initiatives reported back to the community. This effort seeks a mutual understanding of expectations, needs from all participating groups, and any corrective actions for planned change....The goal? To connect bridges.

**Diversion & Alternatives to Incarceration Programs**: Diversion and alternatives to incarceration provide ways for individuals who have broken the law to be held accountable without disrupting their ability to lead productive lives and contribute to their community.

**Finger Lakes Drug Task Force**: The Finger Lakes Drug Task Force, although a separate division, works hand in hand with the Detective Bureau. The Finger Lakes Drug Task Force consists of a sergeant and two full time officers. The task force also has well established working relationships with the Cayuga County Sheriff's Office, New York State Police and the United States Drug Enforcement Administration, along with the many different police agencies within the Finger Lakes region

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<sup>1</sup> <https://www.britannica.com/topic/broken-windows-theory>



**Focused Deterrence:** is a crime prevention strategy which aims to **deter** crime by increasing the swiftness, severity and certainty of punishment for crimes by implementing a mix of law enforcement, social services, and community mobilization.

**Harriet Tubman Center for Justice and Peace:** Established in 1996, the Harriet Tubman Center for Justice & Peace, Inc. (HTCJP) was organized as a New York State non-profit 501(c)3 tax exempt corporation. It was originally created to serve as a coalition of social justice-minded groups and individuals operating in Auburn and Cayuga County.

**Hot-Spot Policing:** Hot spots policing strategies focus on small geographic areas or places, usually in urban settings, where crime is concentrated.

**Helio Health:** Formerly known as Syracuse Behavioral Healthcare, Helio Health is dedicated to transforming the lives of those struggling with substance abuse and mental health disorders.

**Implicit Bias:** Research on “implicit bias” suggests that people can act on the basis of prejudice and stereotypes without intending to do so.<sup>2</sup>

**Lexipol:** Lexipol provides fully developed, state-specific policies researched and written by subject matter experts and vetted by attorneys. Policies are based on nationwide standards and best practices while also incorporating state and federal laws and regulations where appropriate. **LGBTQ:** Lesbian, Gay, Bisexual, Transgender, Queer

**Mobile Crisis Team** (Liberty Resources): Often in assistance to a law enforcement request the Liberty Resources Mobile Crisis Team responds to individuals in crisis, over the phone or in person, in order to reduce emergency room visits. Provides mental health engagement, intervention, and follow-up support.

**The Auburn/Cayuga NAACP:** The Auburn/Cayuga Branch of the NAACP is a Unit chartered by the New York State Conference of the National Association on for the Advancement of Colored People. We are dedicated to serving the Auburn and Cayuga County community.

**Narcan** (Naloxone): The first nasal formulation of naloxone, is FDA approved for the treatment of known or suspected opioid overdose.

**Nick’s Ride 4 Friends:** Nick’s Ride 4 Friends is a grassroots, not-for-profit organization dedicated to preventing heroin and opioid addiction and helping people battling the disease of addiction.

**No-Knock Warrant:** A no-knock warrant is a search warrant authorizing police officers to enter certain premises without first knocking and announcing their presence or purpose prior to entering the premises. Such warrants are issued where an entry pursuant to the [knock-and-announce rule](#) (ie. an announcement

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<sup>2</sup> <https://plato.stanford.edu/entries/implicit-bias/>

prior to entry) would lead to the destruction of the objects for which the police are searching or would compromise the safety of the police or another individual.<sup>3</sup>

**Right to Know Act (NYC):** The Right to Know Act, in effect as of October 19, 2018, is made up of two components. The first outlines New York City Police Department (NYPD) officers' obligation to identify themselves, including by providing their name, rank, command, and shield number to civilians at the beginning of certain interactions. The second component of the law addresses situations in which officers seek to perform a search and do not have legal justification to do so without a person's consent. In these circumstances, the Right to Know Act requires that officers explain that searches will not be conducted if a person refuses to provide consent to the search<sup>4</sup>

**Stop and Frisk:** A stop-and-frisk refers to a brief non-intrusive police stop of a suspect. The [Fourth Amendment](#) requires that before stopping the suspect, the police must have a [reasonable suspicion](#) that a [crime](#) has been, is being, or is about to be committed by the suspect. If the police reasonably suspect that the suspect is armed and dangerous, the police may frisk the suspect, meaning that the police will give a quick pat-down of the suspect's outer clothing. The frisk is also called a [Terry Stop](#), derived from the Supreme Court case [Terry v. Ohio, 392 U.S. 1 \(1968\)](#).<sup>5</sup>

**Trauma Informed Response in Policing:** Trauma-informed care is an approach used to engage people with histories of trauma. It recognizes the presence of trauma symptoms and acknowledges the role that trauma can play in people's lives. Trauma-informed criminal justice responses can help to avoid re-traumatizing individuals. This increases safety for all, decreases the chance of an individual returning to criminal behavior, and supports the recovery of justice-involved women and men with serious mental illness.<sup>6</sup>

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<sup>3</sup> [https://www.law.cornell.edu/wex/no-knock\\_warrant](https://www.law.cornell.edu/wex/no-knock_warrant)

<sup>4</sup> <https://www1.nyc.gov/site/ccrb/complaints/right-to-know-act.page>

<sup>5</sup> [https://www.law.cornell.edu/wex/stop\\_and\\_frisk](https://www.law.cornell.edu/wex/stop_and_frisk)

<sup>6</sup> <https://www.samhsa.gov/gains-center/trauma-training-criminal-justice-professionals>