



**TOWN OF FALLSBURG  
SULLIVAN COUNTY, NEW YORK**

**Executive Order 203**

**Police Reform and Reinvention Collaborative Plan**

**Submitted By:**

**Town of Fallsburg Supervisor Steven Vegliante  
Town of Fallsburg Police Chief Simmie Williams**

## **Overview**

As mandated by Governor Cuomo in Executive Order 203, all municipalities in the State of New York are required to submit a plan with suggestions on how to improve services and build trust between the police and the community. The Police Reform and Reinvention Coalition in the Town of Fallsburg is working to ensure that we have created a positive relationships between the community and the police who serve it. To that end, members of the Fallsburg municipal government, our Police Chief, members of our Police Department, key stakeholders in the community including community members, faith-based leaders, the District Attorney, Legal Aid, persons who were formerly incarcerated, those who interact with police , education officials, housing advocates, LGBTQIA+ advocates, healthcare leaders, mental health liaisons, and business leaders have come together to engage in conversation and policy collaboration.

The Town of Fallsburg engaged in an open and transparent process aimed at receiving maximum public feedback by introducing a Facebook page (<https://www.facebook.com/My-Brothers-Keeper-Fallsburg-Community-Alliance-103682294849526>), allotting a page on [townoffallsburg.com](http://townoffallsburg.com) (<http://townoffallsburg.com/police%20reform/>), and by creating a survey - in both English (<https://s.surveypplanet.com/Xtmb4iFxn>) and Spanish (<https://s.surveypplanet.com/FKxHs-ZJ-x>) - requesting that all who live, work, do any business, own property, travel through, or attend school in the Town of Fallsburg participate and provide feedback.

## **Data Sharing**

We shared the annexed historical information with all of the members of our community who participated in these discussion in support of open and transparent discussions.

## **The Plan**

The Town of Fallsburg has ensued a review and update of its police policies, procedure, functions, and trainings. The updates are in collaboration with the community

stakeholders and allowed for input of different sectors with individual experiences and ideas for reformation.

### **The Function of the Fallsburg Police Department**

Many of the community conversations over the course of the creation of this Plan centered on the role of the police in our community. As a result, this Plan for the continued success of the Town of Fallsburg Police Department has been developed bearing in mind the input provided by the community during these conversations. The procedures set forth herein are planned to be incorporated into the overall functioning of the Police Department.

### **Personnel**

Fallsburg Police Officers, whether on duty or off, are expect to display reasonable and exemplary standards of good conduct and behavior and not commit any act in an official or private capacity tending to bring reproach, discredit, or embarrassment to their profession or to the Department. Officer must follow established procedures in carrying out their duties as sworn members of law enforcement and employees of the Department.

The Town Board of Chief of Police have established minimum qualifications for our police officers. They have further reviewed and delineated the authorities and responsibilities of officers and support staff, and any would-be contractor entities working in tandem with the Fallsburg Police Department.

Only authorized personnel with a legitimate need may inspect personnel records, and the Town will comply with all laws regarding such examinations and disclosures. Employees may review their personnel files at any tiem by requesting such review to the Chief of Police in writing. Letters of reference and other reference information, evaluations materials used during the hiring process, management records, and other files separate from the official personnel files are considered confidential and may not be made available for employee review. Records are reviewed in the presence of a designated personnel staff member. No marks may be made on any document. After

review, the employee is to sign a form acknowledging the review. The observer is also to date and sign the form and place it in the employee's personnel file.

### **Leadership Selection and Advancement**

The Chief of Police shall determine whether an officer is experienced, qualified and appropriate for promotion. The hiring and promotion process must comply with the Civil Service Law and should further reflect consideration of the value of building as effective and diverse a team as possible.

### **Cooperation with Other Agencies**

Officers and employees of the agency will cooperate with all governmental agencies by providing whatever aid or information such agencies are legally entitled to receive. Any doubts about whether cooperation is authorized or appropriate shall be passed upon by a supervisor for determination before cooperation is rendered.

### **Roles and Standards of Members of the Department**

#### **Chief**

The Chief of the Town of Fallsburg Police Department is sworn to enforce the ethics, codes, rules, regulations, policies and procedures of the Fallsburg Police Department. The Chief is committed and sworn to efficiently and reasonably take steps appropriate to hold accountable those under his command responsible for violating such policies. The Chief of Police must maintain a Code of Conduct applicable to all sworn members of the Department, and violations of such Code must be handled appropriately by the Chief of Police. The Chief will ensure that action is taken to correct deficiencies, and encourage and require violations of Department rules and policies to be reported to superiors immediately. When possible, the Chief will require all of those under his command to actively prevent such violations or interrupt them as necessary to ensure efficient, orderly operations.

#### **Patrolmen/Officers**

Officers respond to emergency situations, carry out typical police duties and/or performed specialized responsibilities as assigned by the Chief and delegated by

superior officers. During patrols, officers are expected to engage in a wide variety of activities, including rendering aid, preventing crime, enforcing traffic and criminal laws, answering complaints, conducting follow-up investigations, engaging in community relations, transporting prisoners, ensuring homeland security, and a host of other community support activities under the ultimate supervision of their Chief.

### **Canine Officer(s)**

The canine unit is composed of an officer-handler(s) and a trained law enforcement canine(s). The purpose of the canine unit is to assist and support other members of the Department with the dog's physical capabilities and superior senses of smell and hearing to provide tactical assistance and enhancement to Department functions. Use of canines requires adherence to procedures that properly control the use-of-force potential of canines and that channel the activities of the canine within acceptable limits. Any officer requesting assistance of the canine unit remains responsible for arrests made and evidence collected with canine assistance. The officer-handler is responsible for completing a supplemental report documenting the actions of the canine unit on cases involving arrest and evidence gathering.

### **School Resource Officer(s)**

School Resource Officers (SROs) are patrolmen/officers with specialized assignments. A school resource officer's duties include but are not limited to the following:

- Development and expansion of crime prevention education and procedures for students of schools with whom the Department has entered into an SRO agreement or memorandum of understanding;
- Providing for the safety and security of all students, staff, and visitors to such schools and protecting school property and maintaining order in and around the school site;
- Attending Superintendent hearings with students as requested by the school;
- Providing intervention between students and/or staff members using appropriate techniques to calm and control dangerous or hostile situations;

- Under the supervision of a supervisor at the Department or the Detective Division of the Department, or as otherwise assigned by the Chief of Police, investigating crimes and/or incidents occurring on or in the vicinity of school grounds and maintaining appropriate documentation thereof;
- Reporting all violations of law, rules, regulations or policies to a superior at the Department and to the school as authorized or required by superiors at the Department and/or the Department's agreement or memorandum of understanding with the school.

### **Sergeant(s)**

Sergeants act as the first line of supervisors of the Department and execute the same role and duties as patrolmen, with the additional responsibilities of coordinating, guiding and managing patrolmen and canine officers.

### **Detective(s)**

Investigating officers who conduct their own investigations, including felony and serious misdemeanor investigations, and who collaborate with other members of the Department and lend their experience and training as necessary to cases handled by other local county, state and federal police agencies comprise the Detective Unit of the Fallsburg Police Department. Detectives operate under the ultimate supervision of the Police Chief, who is responsible for selecting candidates for this position who, in the Chief's view, possess the qualifications, experience, insight, temperament and other attributes necessary to responsibly, effectively and efficiently carry out these duties.

### **Diversity, Inclusion and Equity**

Inclusivity and diversity are goals of the Town with respect to its Police Department which must be evidenced by the policies and actions of the Chief of Police.

- **Hiring:** The Town's goal is to have a Department that reflects the composition of the community we serve; however, the Town recognizes that it is required to abide by the constraints of the Civil Service Law and all applicable federal, state and local laws with respect to hiring practices and that the Chief of Police is

limited in his selection of officers to those who meet these requirements and otherwise possess the good moral character necessary to legally and effectively serve as sworn members of law enforcement. The balance of all of these interests is to be carefully stricken by the Chief of Police, whose selection is governed by the Town Board and who is thereafter vested with wide discretion in responsibility carrying out his duties.

- **Leadership and Culture:** The Fallsburg Police Department must carry out its functions in an impartial and professional manner and must demonstrate reasonable and appropriate consideration and patience in doing so. Members of the Department are committed to promptly promoting public safety and providing direction, counsel and other assistance to members of its community in a manner that does not interfere with the discharge of more critical law enforcement duties. All members of the Department are expected by the Chief of Police to respect the rights of others and to not engage in any discrimination, oppression or favoritism. The use of profane, demeaning or insulting language is not tolerated, nor is disrespect for the political or religious views of others to be tolerated by the Chief of Police.
- **Departmental Values and Culture While On Duty:** The Chief of Police will require that all members of the Department demonstrate exemplary conduct by displaying integrity, respect, professionalism, courageousness, an attitude of service, and personal accountability.
- **Departmental Values and Culture While Off Duty:** The Chief of Police will require that all members of the Department demonstrate exemplary integrity, respect and personal accountability while not on duty.

### **Officer Support and Well-Being**

The Chief of Police is responsible for ensuring that all members of the Department have access to mechanisms for support and well-being necessary to maintain the personal well-being required to effectively carry out the functions of the Department and will make referrals of members to such services as reasonably deemed appropriate. If any member of the Department suspects that another member is struggling with mental,

physical or emotional distress, to a degree that may reasonably be expected to interfere with such member's ability to effectively and responsibly serve, such member must immediately report such suspicion to the Police Chief or another superior.

## **Training**

All police members of the Department must complete such trainings as required by law to be sworn as police officers in the State of New York.

The Chief of Police must ensure that each member of the Department is educated and trained on the Department's Use of Force Policy, which conforms to the model New York State Use of Force Policy. The Chief of Police must ensure that all required reports with respect to the use of force are made to the New York State Division of Criminal Justice Services.

All members of the Department must attend trainings as scheduled by the Chief of Police, who shall take reasonable and appropriate steps to provide the following trainings in addition to those required under the law and reasonably appropriate to promote public safety:

- Trainings designed to appropriately address apparent mental health emergencies;
- De-escalation Training;
- Implicit Bias and Cultural Competency Training;
- Crisis Intervention Training;
- Trans-Sensitivity Training/Gender Equality Training;
- Substance Use Awareness Training;
- Social Media Training;
- Domestic Violence-Related Trainings;
- Child Witness Training;
- Leadership Trainings;
- Trainings Relating to the Re-Entry of Incarcerated Individuals;
- Trauma-Based Victim/Witness Trainings;
- Hate Crime Awareness and Response;

- Procedural Justice Awareness Trainings; and
- Community Involvement Trainings.

### **Community Engagement and Sensitivity**

The Department and Chief of Police are committed to continuing to make an effort to engage with the community in what is commonly known as community policing. The Department, through its Chief, must take reasonable and appropriate steps to ensure that its members engage with the community positively throughout the year to foster the development of mutual respect and open communication between the Department and the community at large.

To the extent reasonable and practicable, the Chief of Police will continue to engage with the community in the National Night Out program in August each year.

Interaction by any member of the Department with any person, unless specifically necessary for a legitimate law enforcement or public safety purpose such as a specific emergency communication with respect to the description of a person, solely on the basis of race, ethnicity, gender, sexual orientation, culture, religious affiliation, national origin, or any combination thereof is prohibited. Unless otherwise relevant as a result of law enforcement investigation, these factors are not to be offered in support of any decision to stop, conduct a probable cause search or otherwise arrest a person.

The Chief of Police will require members to be aware of and actively engage the services of interpreters, ranging from bilingual officers from the Department and other police agencies, to community members willing to assist, and/or language lines or other translation services as reasonable and appropriate to ensure that communication with community members who do not speak English or who do not speak English as a primary language is not deterred.

To the extent reasonable and practicable, the Chief of Police will require members of address individuals by the name, pronouns and gender that they prefer. No search of a person's body may be undertaken by any member of the Department solely to determine a person's biological sex. The Department will make all reasonable

accommodations to have searches of a person conducted by an officer of the same sex as that as which a person to be search identifies.

To the extent reasonable and practicable, the Chief of Police will engage with youth organizations, including, as available, a Youth Program via which youths meet with the Supervisor, Police Chief or representative and others to encourage confidence between the Department and youths throughout the community.

To the extent reasonable and practicable, the Chief of Police will ensure that members of the Department take steps to engage with members of the senior population of the community to ensure that wellness checks and such other assistance may appropriately be rendered as necessary.

Police interactions with persons with disabilities or those affected by homelessness must be made with recognition that such persons are entitled the same level of access and engagement as all other persons served by the Department.

The Chief of Police will make reasonable accommodations for members of the Department to participate in activities that enrich the community and promote a sense of engagement with the community, including activities that promote charitable giving as deemed appropriate by the Chief of Police.

The Chief of Police will ensure that all officers have access to resources for connecting people with Social Services providers, Housing & Temporary Assistance providers, Child Protective Services, domestic violence survival assistance providers, Public Health Services, mental health services providers, substance abuse service providers, free legal service providers and such other resources as may reasonably and foreseeably be deemed helpful in times of need.

The Department will support the Town Board's efforts to continue to engage the community with respect to its view of the effectiveness of the Department. The Department will support policies of the District Attorney's Office, if any, with respect to the implementation of pre- or post-arrest diversion programs.

## **Data Sharing**

To the extent compatible with the promotion of public safety, the Department will share, on a basis determined among the Chief of Police, Town Board and community stakeholders, data with respect to the number and nature of dispatches for the purpose of analyzing trends that may support the development of strategies to further the interests of public safety and positive community engagement.

## **Complaints and Misconduct**

The Chief of Police will comply with all laws, including the Civil Service Law, as they pertain to complaints and addressing any officer misconduct. The Chief of Police will further comply with all requirements of the contract entered into between the Town Board and the police officers' union with respect to complaints and officer misconduct.

Officer must promptly obey all lawful orders and directives of the Chief of Police. Failure or deliberate refusal to obey constitutes insubordination, which is punishable as set forth above. Violations of the Code of Conduct applicable to all officers are punishable as set forth above.

The current policy of the Department with respect to complaint procedures is hereby incorporated herein.

Where an officer makes a complaint not reasonably appearing to be frivolous or fraudulent against another officer for violation of the law, policies or regulations of the Department, the Chief of Police must ensure that no retaliation may be brought against such officer. The Chief of Police, at the request of such complaining officer, must make all reasonable accommodations to protect the identity of such complaining officer. The complaint procedure established at the Department must be complied with at all stages of the complaint.

Investigations of misconduct are made at the direction of the Chief of Police by such personnel or outside agency as determined appropriate by the Chief of Police.

Civilians may access a complaint form on the Town's website or by requesting a hard copy of the form from any member of the Department. Any complaint form submitted will

be delivered to the Chief of Police who will commence an investigation. The investigation is to be kept as reasonably confidential as possible. Complaints submitted with respect to the conduct of the Chief of Police will be immediately delivered to the Town Supervisor and will be investigated by persons other than the Police Chief as determined by the Supervisor.

The Chief of Police is responsible for annual reviews of each member's performance.

### **Audits/Independent Review**

The Town of Fallsburg Police Department is subject to auditing by the New York State Division of Criminal Justice Services and the Chief of Police must comply with such requirements.