

**Village of Highland Falls Police Department
Police Reform and Modernization Collaborative:**

Response to Governor Andrew Cuomo's Executive Order 203

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Introduction

On June 12, 2020, New York State Governor Andrew Cuomo issued Executive Order No. 203 (EO-203), titled New York State Police Reform and Reinvention Collaborative. This order requires each municipality in New York State that has a law enforcement agency to review the practices of that agency and develop a plan to improve such practices. Specifically, EO-203 states as follows:

Each local government entity which has a police agency operating with police officers as defined under 1.20 of the Criminal Procedure Law must perform a comprehensive review of current force deployments, strategies, policies, procedures and practices and develop a plan to improve such deployments, strategies, policies, procedures and practices for the purpose of addressing the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness and legitimacy and to address any racial bias and disproportionate policing of communities of color.

In order to develop the plan as required by EO-203, municipalities were directed to engage in an open process which would allow for community input into the development, preparation and adoption of each community's Police Reform and Reinvention Plan.

This plan has been developed in accordance with the requirements of EO-203. It is important to bear in mind, however, that this plan is a living document and does not represent the end of the process, but rather, the beginning of an ongoing process that will require a continual review of police policies and procedures to ensure that the Village of Highland Falls Police Department at all times fulfills its duties to all people who live and visit our community, regardless of age, sex, race, religion, ethnicity, sexual orientation or disability. This report includes a comprehensive review of our police force deployments, strategies, policies, procedures and practices. We will continue to seek feedback from the community and look for the best ways to police the community which we serve, in the most efficient and equitable way possible. This document will be posted on the Village of Highland Falls website for review and comments from the public.

History of the Village

Highland Falls, formerly named Buttermilk Falls, is a village in Orange County, New York, United States. The village was founded in 1906. Highland Falls is in the Town of Highlands and is adjacent to the United States Military Academy at West Point.

As of the census of 2010, there were 3,900 people, 1,647 households, and 988 families residing in the village. The population density was 3,546.1 people per square mile (1,369.2/km²).

As of the 2010 census, the racial makeup of the village is approximately:

- 70.4% White
- 13.0% African American
- 2.3% Asian
- 0.8% Native American or Alaskan Native
- 9.1% from other races
- 4.4% from two or more races

*18.7% of the population were Hispanic or Latino of any race.

The estimated median income for a household in the village was \$65,192, and the estimated median income for a family was \$73,672. Males had an estimated median income of \$47,069 versus \$43,654 for females.

Proposed Committee

A committee, consisting of community stakeholders and officials, has been organized and has plans to meet in the very near future. This committee will likely increase in size in the near future to meet the committee's needs. Once the committee meets, a survey will be discussed that will go out to the community. Once it is reviewed, it will help identify strengths, weaknesses and perceptions of the Highland Falls Police Department.

The committee at its inception will be as follows:

- Joseph E. D'Onofrio, Highland Falls Mayor
- Brian Aylward, Village Trustee
- Jason Torpey, Police Sergeant
- Christopher Scott, Church pastor
- Lieta Singleton, Church pastor
- Ivan Marzan, Village resident
- Ann Molina, Village resident, The Center
- A member of the O'Neill High school student council

Department Mission Statement

The principal mission of the Village of Highland Falls Police Department is to serve the community by protecting life and property, preventing crime, enforcing laws, and maintaining order for all citizens. It is essential for all members to remember that in the execution of our duties we act not for ourselves, but for the good of the public. We respect and protect the rights of all citizens and perform our duties with honesty, zeal, courage, discretion, fidelity and sound judgment.

In fulfilling our mission, we need the support of our citizens, elected representatives, government officials and the criminal justice system in order to provide the quality of service that upholds our values. We, the members of the Village of Highland Falls Police Department, are committed to the following values:

- We value human life above all else.
- We believe in the principles embodied in the Constitution.
- We strive for excellence.
- We hold ourselves to high standards of moral and ethical conduct.
- We hold ourselves accountable for our actions.

Department Information

The Village of Highland Falls Police Department has the primary law enforcement responsibility for police services in the Village of Highland Falls.

The Highland Falls Police department consists of a full-time Chief, 2 full-time Police Sergeants, a full-time Police Detective, a part-time Detective, 5 full-time Police Officers, and 9 part-time Police Officers. There are 3 full-time Police Dispatchers, 5 part-time Police Dispatchers, 1 part-time Crossing Guard and 1 part-time Parking Enforcement Officer.

1. The Police Chief is the chief law enforcement officer for the jurisdiction.
2. The Senior Police Sergeant is the second in command, followed by the Second Police Sergeant.
3. There is a Detective division which consists of two Detectives. They are responsible for follow-ups and investigations requiring extra resources and skill sets. The full-time Detective leads this unit.
4. The HFPD has its own dispatching service, which provides coverage 24 hours per day and 7 days per week. The police department, which is located on Main Street, is within walking distance for most village residents and is staffed to greet anyone coming into the building, assess their needs, and provide the appropriate help.
5. The HFPD's mission statement, as stated above, is to provide law enforcement services to and effectively maintain overall general welfare and security of the citizens of their jurisdiction. This mission statement reflects all those who reside, work, or travel in the community. The HFPD aims to respond to all calls for police services, investigate criminal complaints, and properly make referrals to other agencies that might be better suited to continue the investigation. Officers are to be committed to respond to those in need.

Primary Functions of the HFPD in the Community

The primary activities of the HFPD are described in its Mission Statement:

1. The HFPD provides patrol coverage and is available for emergency response to events and complaints within the jurisdiction. The HFPD will respond to all calls for service.
2. The HFPD provides complete and thorough investigations, utilizing our patrol officers and skilled detectives.
3. The HFPD utilizes other agencies' specialized units and provides referrals to other agencies when necessary.
4. The HFPD regularly engages in community policing and will continue to be invested in the community and be present at its many public events.
5. The HFPD has its own dedicated dispatch service. The majority of service calls are dispatched through the Highland Falls Police department's dispatch. The Highland Falls Police department is located on Main Street and is staffed at all times. A department member is always available 24/7 to greet the public upon entering the building and answer any questions or give assistance.
 - a. Calls for service are also sent to the Highland Falls Dispatch via Orange County 911 located in Goshen, NY. All HFPD dispatchers are professionally trained to use the computer and radio systems. They are also knowledgeable about many of the services available to the HFPD and the public.

Proactive Policing

Members of the Village of Highland Falls Police Department engage in proactive, self-initiated policing in a variety of ways. The primary functions of the patrol division are to enforce vehicle and traffic law violations, penal law offenses, and village code violations. Methods for proactive policing are described in detail below:

1. State grant funds are used for seat belt enforcement and focused traffic and DWI enforcement. DWI enforcement is broken down into three enforcement periods throughout the year.
2. When not handling calls for service, department members are encouraged to conduct traffic posts to monitor for speeding and other vehicle and traffic violations that might occur. These posts are conducted on both the state highway (Route 9W) and local village and county roads.
3. Directed patrols have been established in areas of numerous complaints and repeated violations.
4. The HFPD has its own detective unit and handles many of its own investigations. The HFPD has strong partnerships with many county, state and federal agencies, and utilizes services frequently from the Orange County District Attorney's Office, the Orange County Sheriff's Office, the New York State Police, the Federal Bureau of Investigation, and the Drug Enforcement Agency, to name a few.
5. Department members are available for response to assist other area departments.
6. Members of the HFPD are also trained as first responders to respond to medical calls and fire calls in the jurisdiction. The HFPD works very closely with the Town of Highlands Ambulance Corp. and the Village of Highland Falls Fire Department.
7. The HFPD provides Village residents with around the clock service. A minimum of two officers are always available to respond to service calls.
8. The HFPD maintains a close working relationship with Orange County agencies which are available 24/7 for emergency situations. These agencies include: Child Protective Services, Mobile Mental Health, the Department of Homeless Services (county number 311 for emergency housing), Adult Protective Services and the Orange County District Attorney's Office, to name a few.

Policies and Procedures

During 2020, the Village of Highland Falls Police Department's policies and procedures were reviewed and updated using federal, state and local best practices as guidance in keeping with the standards of the New York State Police Training Council and New York State Law Enforcement Accreditation program. Some of those reviewed and updated are as follows:

1. **General Order 06-80 I-A:**
2. The Village of Highland Falls Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination towards any individual or group. Bias-based policing is strictly prohibited
3. **General Order 6-33 VI-A:**
 - a. Any officer present and observing another officer using force that he/she reasonably believes to be clearly beyond that which is objectively reasonable under the circumstances shall intercede to prevent the use of unreasonable force, if and when the officer has a realistic opportunity to prevent harm.
4. **General Order 6-33 X-A, B, and C – Duty to Report:**
 - a. An officer who observes another officer using force that exceeds the degree of force as described in subdivision 2a of this section should promptly report these observations to a supervisor.
5. **Regulation 8.25 (in part):**
 - a. "Officers shall not express any prejudice concerning race, religion, politics, national origin, lifestyle, or similar personal characteristics."
6. **Section 8.25 – COURTESY:**
 - a. Members shall be courteous to the public. Officers shall be tactful in the performance of their duties, control their tempers, and exercise the utmost patience and discretion. They shall not engage in argumentative discussions even in the face of extreme provocation. In the performance of their duties, officers shall not use coarse, violent, profane or insolent language or gestures, and shall not express any prejudice concerning race, religion, politics, national origin, lifestyle or similar personal characteristics
7. **General Order 06-33 X-A, B, and C – Training and De-Escalation:**
 - A. All officers have received training and have demonstrated their understanding on the proper application of force.
 - B. Training topics will include the use of force, conflict de-escalation techniques and strategies – including, but not limited to, interacting with persons presenting in an agitated condition – and the duty to intervene.
 - C. This policy is not intended to be a substitute for proper training in the use of force. Comprehensive training is the key to real-world application of the concepts discussed within this policy.
8. **Law Enforcement Assisted Diversion Program:**
 - a. In conjunction with the Orange County District Attorney's Office, the HFPD will advance and promote Law Enforcement Assisted Diversion (LEAD), a community-based diversion approach with the goals of improving public safety and public order and reducing unnecessary justice system involvement of people who participate in the program.

Complaints Against Department Members

Currently there is an established complaint procedure in place to handle complaints against officers or other department members. A complaint may be made by obtaining and completing a *Personnel Complaint Form* located at headquarters or by contacting a supervisor at the Police Department.

1. Complaints against department members, no matter the seriousness of the allegation, are accepted and handled objectively and fairly.
2. A Supervisor will then conduct a thorough investigation of the complaint. The outcomes of the investigation may be exonerated, unsubstantiated, substantiated, or unfounded. The person making the complaint will then be contacted and notified of the investigation outcome.
3. Complaint forms are kept in dispatch and are to be given out to the person requesting with no questions asked.
4. Upon receipt of the complaint, that person will be contacted by a Department Supervisor and the matter will be investigated.

Procedural Justice

1. In 2020, the HFPD completed procedural justice training, which focuses on how police interact with the public. It relies on the understanding that treating people with dignity and respect and giving citizens a voice during encounters promotes community trust and fosters relationships. All Police Officers of the HFPD have received 8 hours of procedural justice training.
2. The HFPD will continue to advance, promote and offer annual updates/training in procedural justice. The training focuses on four principles: voice, neutrality, respectful treatment, and trustworthiness.

Implicit Bias Training

1. In 2021, all current HFPD police officers began receiving eight hours of implicit bias training, which addresses:
 - a. automatic associations involving groups of people, including stereotypes.
 - b. thoughts or feelings about people that we are unaware that we have and how these thoughts and feelings can influence ours and others thoughts and actions.

Police Response to Substance Abuse and Overdose Calls

The HFPD responds to medical calls and overdose calls along with The Town of Highlands Ambulance Corp. HFPD officers...

1. are trained to recognize common indicators of substance abuse and overdose.
2. carry Narcan (naloxone) with them on patrol and are trained in the administration of Narcan for opioid overdoses. Documentation is made when Narcan is used.
3. seize narcotics and their packaging (when obtainable) and share the information with the Crime Analysis Center and Orange County Drug Taskforce.

The HFPD formed a recent partnership with Hope Not Handcuffs in February 2021. Hope Not Handcuffs is an initiative started by Michigan-based Families Against Narcotics (FAN), aimed at bringing law enforcement and community organizations together in an effort to find viable treatment options for individuals seeking help to reduce dependency with heroin, prescription drugs, and other substances. From this partnership:

1. A person struggling with an addiction can voluntarily walk into a participating police department and ask for assistance. They will be greeted with support, compassion, and respect.
2. A trained "angel" volunteer will be called to the station to help struggling persons find treatment and options. The Hope Not Handcuffs program is a community outreach program designed by community members to help community members.

Police Response to Calls to Assist the Homeless

1. The village of Highland Falls does not have a large homeless population. Most frequently, HFPD members encounter people who, as a result of a specific event, find themselves in need of temporary housing or shelter.
2. Patrol Officers utilize the County 311 number to connect the person(s) in need with services. HFPD does not leave persons in need, until they have found adequate arrangements. If an HFPD Officer does not achieve results, a supervisor is to be contacted.

Protests and Crowd Control

The Village of Highland Falls borders the United States Military Academy at West Point. In recent years, there have been numerous demonstrations outside of Thayer Gate, on the property of Highland Falls.

1. The HFPD does not provide ample manpower on each scheduled tour for large gatherings or crowd control. If and when these situations arise, additional manpower would be brought in and county and state agencies would be requested for assistance.
2. The HFPD does not own or deploy military style equipment.
3. A designated protest area would be secured so that protesters could exercise their constitutionally protected freedoms in a safe and secure manner, as not to interfere with vehicular traffic or commerce.
4. All HFPD members have had a minimum of 2 hours instruction at their respective police academies on Crowd Control and Direction.
5. Officers are trained to deal with emotionally disturbed individuals at their respective police academies. Officers are trained in de-escalation techniques to gain compliance.

Trauma and Preventing Domestic Violence

1. The HFPD regularly responds to incidents of family violence. Domestic incidents can range in severity from simple arguments to incidents of abject violence.
2. Any incidents involving domestic violence, regardless of the severity, involve a mandatory (DIR) Domestic Violence Report, which is retained for our records and also forwarded to the state.
3. The HFPD is trained to deal with incidents of domestic violence. Members are trained to identify victims and connect them with appropriate services. There are several agencies available to victims for assistance.
 - a. Fearless HV (formerly Safe Homes of Orange County) Teen Violence Prevention Program
 - b. Fearless HV (formerly Safe Homes of Orange County) Summer Youth Leadership Academies
 - c. Fearless HV (formerly Safe Homes of Orange County): Safe Harbor Trafficking Prevention Program
 - d. Mobile Mental Health
 - i. Text 4 Teens
 - ii. Rape Crises Services
 - iii. Child Protective Services
 - iv. Adult Protective Services
4. The HFPD looks forward to sending members to new training when it becomes available and always seeks to identify additional services to partner with.

Community Policing

The Village of Highland Falls Police Department prides itself in its community policing. The HFPD makes every effort to be inclusive in Village events. Here are some examples of how the department engages in community policing:

1. Officers are encouraged to perform foot patrols of the Village's Main Street during busy times.
2. Officers are encouraged to converse and interact with businesses and residents, thereby building relationships and identifying community needs and problems.
3. The HFPD participates in the annual National Night Out Against Crime.
4. The HFPD monitors Trunk or Treat, which usually coincides with a Halloween parade.
5. The HFPD owns mountain bikes which are deployed during special events and help Officers more easily engage in community policing.
6. Officers frequently attend recruitment and community events to provide information involving services and recruitment.
7. Officers are present during parades, festivals, and school related events.
8. Officers attend group meetings to serve as a guest speakers on topics of expertise.
9. The HFPD coordinates with the Town of Highlands Recreation Director to assist youth recreation functions.
10. Officers provide a presence at Roe Park during busy times.
11. The HFPD has participated in the D.A.R.E. program for many years and has built many relationships through this program.

Diversity in the Highland Falls Police Department

The Village of Highland Falls and the Highland Falls Police Department has hired and will continue to hire a diverse workforce that is reflective of the community it serves, as well as the surrounding communities. When appropriate, the HFPD will seek to hire individuals having residency off the civil service list first. The HFPD follows all rules and guidelines set forth by the Orange County Civil Service Department and will continue to make a presence during community events and inform interested people how they can apply to become department members. Recruitment can be achieved using social media accounts and newspaper ads.

Portable Audio/Video Recorders

At this time the HFPD does not have dash-installed cameras in police vehicles and Officers have not been outfitted with body cameras.

1. The HFPD is working with the Orange County District Attorney's office and DCJS to potentially invest in equipment, including cameras and supportive equipment such as docking stations.
2. The HFPD will continue to consult with experts to develop policies that comply with federal and state laws and follow best practices.
3. Once implemented, cameras recordings can document encounters and often provide indisputable evidence.
4. The HFPD favors the use of portable audio/video recorders, if and when funding should become available for such equipment.

Use of Force

As outlined in Section 8.44 of the Rules and Regulations: Officers shall not use more force in any situation than is reasonably necessary under the circumstances. Officers shall use force in accordance with law and established departmental procedures.

1. All incidents involving use of force will be reported, even those that do not result in injury.
2. All incidents involving use of force will be reviewed by a supervisor.
3. Any incidents that are reviewed and are found to be non-consistent with the established rules and regulations of the department will be dealt with departmentally or with criminal charges when appropriate.
4. All incidents of misconduct will be reported to the Orange County District Attorney's Office, New York State Attorney General's Office, or the New York State Police.
5. The HFPD will actively look for training opportunities involving verbal de-escalation, such as verbal judo.

Partnerships with other Police Agencies

The Highland Falls Police Department maintains close working relationships with surrounding police departments, The Orange County Sheriff's Office, The New York State Police, and various federal and state agencies.

1. The HFPD partners with other departments via mutual aid.
2. The HFPD does boarder the West Point Military Academy and regularly works with the Military Police and Military Police Investigators on incidents of common concern.
3. The Highland Falls Police Chief (and/or his designee) regularly attend CompStat meetings at West Point where information is shared and discussed. The Chief of Police regularly attends Chiefs Association meetings with other chiefs from the county, where information and best practices are shared.
4. The HFPD and the Town of Highlands Police Department work closely together in sharing information and providing assistance as requested.

Officer Wellness

The HFPD will evaluate programs in place to address the wellness and well-being of officers and consider implementing peer support, journaling, and counseling programs.

1. The Employee Assistance Program (EAP) is a tool that can provide law enforcement personnel with confidential support in many areas of their personal and professional lives.
2. A partnership with West Point was formed in which members of the department are permitted to utilize the MWR fitness center on West Point.
3. The HFPD has had safeguards in its collective bargaining contracts to prevent over-scheduling and sleep-deprivation.
4. Supervisors and officers alike have received training on mental health and indicators of substance abuse. Any irregularities observed from an officer are to be reported to a supervisor.
5. The collective bargaining agreement as well as health insurance providers make provisions for individuals to receive treatment as necessary.
6. Supervisors regularly monitor members of the HFPD and are trained to identify abnormalities in personal appearances or work performance.
7. After stressful or intense situations, Officers are interviewed and monitored. Services are offered when appropriate.

Summary

A comprehensive review of our police force deployments, strategies, policies, procedures, and practices has been reviewed. We will continue to seek feedback from the community and employ the best possible methods to police the community which we serve, in the most efficient and equitable way possible.

