

## Exhibits

- A. New York State Police Reform and Reinvention Collaborative – Resources & Guide for Public Officials and Citizens
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- C. Photo array of Amityville Police interacting with the community
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- D 1. The Peoples Plan Reimagining Policing & Public Safety on Long Island: One-Pager Overviews
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- G. Department Manual of the Amityville Police section 120-2 Personnel Complaints
- G 1. New York State Village Law Article 8 Police Department
- H. Department Manual of the Amityville Police section 120-1 Internal Affairs; Special Investigation Unit
- I. Department Manual of the Amityville Police section 103-3 Use of Force, 103-4 Use of Firearms and Deadly Physical Force. Use of force form
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- Q. Department Manual of the Amityville Police section 105-3 Mentally Ill or Emotionally Disturbed Persons

# NEW YORK STATE POLICE REFORM AND REINVENTION COLLABORATIVE

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RESOURCES & GUIDE FOR  
PUBLIC OFFICIALS AND CITIZENS

AUGUST 2020





EXHIBIT B

JUNE 12, 2020 Albany, NY

# **No. 203: New York State Police Reform and Reinvention Collaborative**

No. 203

## EXECUTIVE ORDER

### **NEW YORK STATE POLICE REFORM AND REINVENTION COLLABORATIVE**

**WHEREAS**, the Constitution of the State of New York obliges the Governor to take care that the laws of New York are faithfully executed; and

**WHEREAS**, I have solemnly sworn, pursuant to Article 13, Section 1 of the Constitution, to support the Constitution and faithfully discharge the duties of the Office of Governor; and

**WHEREAS**, beginning on May 25, 2020, following the police-involved death of George Floyd in Minnesota, protests have taken place daily throughout the nation and in communities across New York State in response to police-involved deaths and racially-biased law enforcement to demand change, action, and accountability; and

**WHEREAS**, there is a long and painful history in New York State of discrimination and mistreatment of black and African-American citizens dating back to the arrival of the first enslaved Africans in America; and

**WHEREAS**, this recent history includes a number of incidents involving the police that have resulted in the deaths of unarmed civilians, predominantly black and African-American men, that have undermined the public's confidence and trust in our system of law enforcement and criminal justice, and such condition is ongoing and urgently needs to be rectified; and

**WHEREAS**, these deaths in New York State include those of Anthony Baez, Amadou Diallo, Ousmane Zango, Sean Bell, Ramarley Graham, Patrick Dorismond, Akai Gurley, and Eric Garner, amongst others, and, in other states, include Oscar Grant, Trayvon Martin, Michael Brown, Tamir Rice, Laquan McDonald, Walter Scott, Freddie Gray, Philando Castile, Antwon Rose Jr., Ahmaud Arbery, Breonna Taylor, and George Floyd, amongst others,

**WHEREAS**, these needless deaths have led me to sign into law the Say Their Name Agenda which reforms aspects of policing in New York State; and

**WHEREAS**, government has a responsibility to ensure that all of its citizens are treated equally, fairly, and justly before the law; and

**WHEREAS**, recent outpouring of protests and demonstrations which have been manifested in every area of the state have illustrated the depth and breadth of the concern; and

**WHEREAS**, black lives matter; and

**WHEREAS**, the foregoing compels me to conclude that urgent and immediate action is needed to eliminate racial inequities in policing, to modify and modernize policing strategies, policies, procedures, and practices, and to develop practices to better address the particular needs of communities of color to promote public safety, improve community engagement, and foster trust; and

**WHEREAS**, the Division of the Budget is empowered to determine the appropriate use of funds in furtherance of the state laws and New York State Constitution; and

**WHEREAS**, in coordination with the resources of the Division of Criminal Justice Services, the Division of the Budget can increase the effectiveness of the criminal justice system by ensuring that the local police agencies within the state have been actively engaged with stakeholders in the local community and have locally-approved plans for the strategies, policies and procedures of local police agencies; and

**NOW, THEREFORE**, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, in particular Article IV, section one, I do hereby order and direct as follows:



The director of the Division of the Budget, in consultation with the Division of Criminal Justice Services, shall promulgate guidance to be sent to all local governments directing that:

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 police force deployments, strategies, policies, procedures, and practices, and develop a plan to improve such deployments, strategies, policies, procedures, and practices, for the purposes of addressing the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color.

Each chief executive of such local government shall convene the head of the local police agency, and stakeholders in the community to develop such plan, which shall consider evidence-based policing strategies, including but not limited to, use of force policies, procedural justice; any studies addressing systemic racial bias or racial justice in policing; implicit bias awareness training; de-escalation training and practices; law enforcement assisted diversion programs; restorative justice practices; community-based outreach and conflict resolution; problem-oriented policing; hot spots policing; focused deterrence; crime prevention through environmental design; violence prevention and reduction interventions; model policies and guidelines promulgated by the New York State Municipal Police Training Council; and standards promulgated by the New York State Law Enforcement Accreditation Program.

The political subdivision, in coordination with its police agency, must consult with stakeholders, including but not limited to membership and leadership of the local police force; members of the community, with emphasis in areas with high numbers of police and community interactions; interested non-profit and faith-based community groups; the local office of the district attorney; the local public defender; and local elected officials, and create a plan to adopt and implement the recommendations resulting from its review and consultation, including any modifications, modernizations, and innovations to its policing deployments, strategies, policies, procedures, and practices, tailored to the specific needs of the community and general promotion of improved police agency and community

relationships based on trust, fairness, accountability, and transparency, and which seek to reduce any racial disparities in policing.

Such plan shall be offered for public comment to all citizens in the locality, and after consideration of such comments, shall be presented to the local legislative body in such political subdivision, which shall ratify or adopt such plan by local law or resolution, as appropriate, no later than April 1, 2021; and

Such local government shall transmit a certification to the Director of the Division of the Budget to affirm that such process has been complied with and such local law or resolution has been adopted; and

The Director of the Division of the Budget shall be authorized to condition receipt of future appropriated state or federal funds upon filing of such certification for which such local government would otherwise be eligible; and

The Director is authorized to seek the support and assistance of any state agency in order to effectuate these purposes.

G I V E N under my hand and the Privy Seal of the State in the City of Albany this twelfth day of June in the year two thousand twenty.

BY THE GOVERNOR

Secretary to the Governor



EXHIBIT C.



Car Seat Installation Event



Ragamuffin Parade



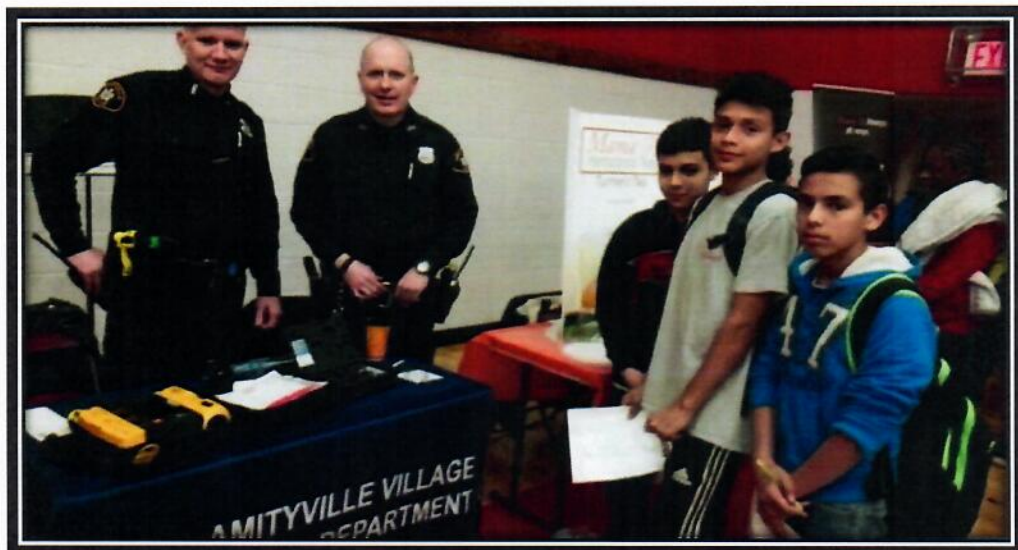
Cub Scout Troop Tour



Elementary School Tour



Senior Citizen Event

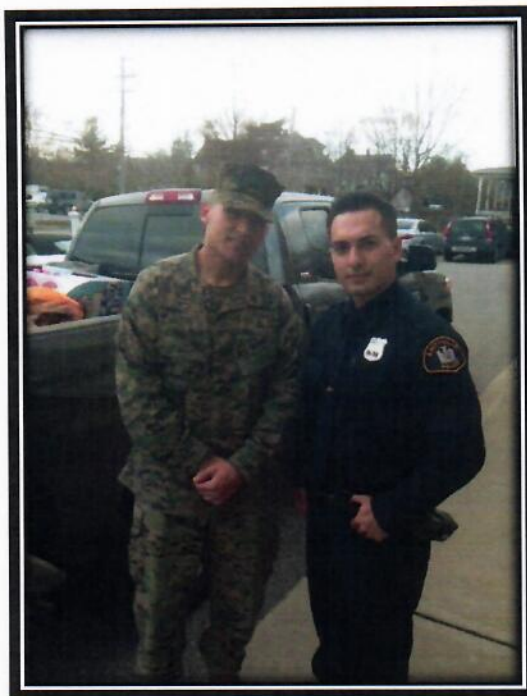


High School Career Day





Elementary School Tour



US Marine Corps Toys for Tots



Cub Scout Troop Tour



Elementary School Tour



High School Soccer Team State Championship



Seventh Day Adventist Youth Group





Elementary School Career Day



Moose Lodge Dinner



PARP Reading Event





PARP Reading Event



Black Lives Matter Demonstration



SECTION 102-1. Department Organization

Date Issued	Date Effective	Revision No.	General Order
1-18-2021	Immediate	21-C	21-06
Accreditation Standard 2.2			

§ 102-1A. Purpose.

The purpose of this section is to illustrate the organizational structure of the Amityville Police Department.

§ 102-1B. Policy.

1. It is the policy of this Department to remain dynamic and flexible in order to respond effectively to the need for change generated from within or outside the Department.
2. The Amityville Police Department shall consist of a Chief of Police and such other supervisors and members as the Village Board of Trustees shall deem necessary.
3. The organizational chart shall be routinely updated by the Chief of Police as necessity arises.

§ 102-1C. Department organization.

1. Chief of Police.
2. Patrol Division.
3. Detective Division.

§ 102-1D. Staffing.

1. Sworn members:
  - a. One Chief of Police.
  - b. One Lieutenant.

- c. One Administrative Sergeant.
- d. Four Patrol Sergeants.
- e. One Detective.
- f. Nineteen Police Officers assigned to the Patrol Division.

2. Civilian members:

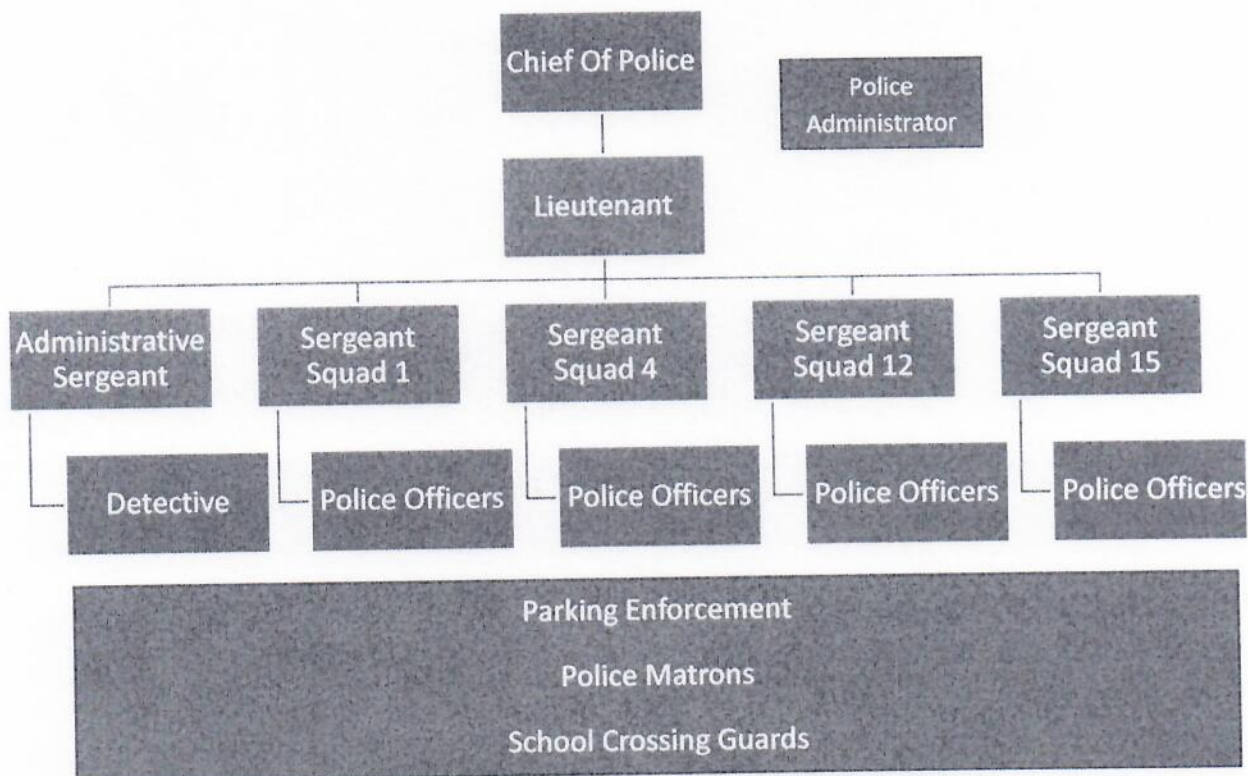
- a. Police Administrator.
- b. Parking Enforcement Officer.
- c. School Crossing Guards.
- d. Per-Diem Police Matrons.



## SECTION 102-2. Organizational Chart



Date Issued	Date Effective	Revision No.	General Order
1-18-2021	Immediate	21-C	21-06
Accreditation Standard 2.1			



## SECTION 102-2.1 Order of Rank



<b>Date Issued</b>	<b>Date Effective</b>	<b>Revision No.</b>	<b>General Order</b>
1-18-2021	Immediate	21-C	21-06

### **Accreditation Standard 2.1**

#### § 102-2.1A. Purpose.

The purpose of this section is to establish the rank structure of the Amityville Police Department.

#### § 102-2.1B. Policy.

It will be the policy of this Department to adhere to its order of rank/chain of command in order to avoid conflicts and promote unity of command.

1. Supervising authority. The Police Department of the Village of Amityville, County of Suffolk, New York, will be supervised by the Village Board of Trustees which consists of a Mayor and four Trustees.
2. Chief of Police. It will be the duty of the Chief of Police to administer the Police Department of said Village, of which Department he or she will be the chief executive officer, and he or she will have full control of the members thereof, subject to direction of said Village Board.
3. Sworn rank structure. Descending order of rank:
  - a. Chief of Police.
  - b. Police Lieutenant.
  - c. Police Sergeant.
  - d. Detective/Patrol Officer.
4. Presence of equal rank.
  - a. Command is exercised by virtue of office or special assignment of officers who are eligible by law to exercise command. Subject to direction from higher command, a commanding officer has direct control over all members and employees within his command. When officers of equal rank are present and in the performance of the



same operation, the senior ranking officer will be in command, except as outlined in Section 102-3 of this Manual.

b. Seniority is determined:

- i. First: by rank.
- ii. Second: by continuous service in rank.
- iii. Third: by date of appointment to previous rank or ranks in the Amityville Police Department.
- iv. Fourth: by highest score on Civil Service list from which appointments were made.

## SECTION 102-3. Authority and Command



<b>Date Issued</b>	<b>Date Effective</b>	<b>Revision No.</b>	<b>General Order</b>
11-1-1998	12-1-1998	A-1	98-16

**Accreditation Standard 2.7, 2.10**

### § 102-3A. Purpose.

The purpose of this section is to define command authority, accountability and protocol for the members of the Amityville Police Department.

### § 102-3B. Orders.

Employees shall obey any lawful order of a superior officer, including any order relayed from a superior by an employee of the same or lesser rank.

### § 102-3C. Conflicting orders.

In the event an employee receives conflicting orders he/she should:

1. Carry out the last order if not modified or retracted.
2. Inform the person giving the last order of the conflict of orders. That person giving the order should then resolve the conflict by either retracting, modifying, or requesting the employee to comply with the latest order.

3. In the event the conflicting order is not modified or retracted, the employee will not be held responsible for disobedience of the order or directive previously issued.

### § 102-3D. Delegated authority.

All members of the Department are delegated the authority to make decisions relative to their position and to execute their responsibilities. Members delegated the authority to make decisions relative to their position shall be held fully accountable to their immediate supervisor for the use of, or failure to use, this delegated authority.

### § 102-3E. Supervising accountability.

To achieve effective direction, coordination and control, supervisory personnel will be held accountable for the performance of all employees under their immediate supervision.

### § 102-3F. Command protocol.

Each individual will have only one supervisor while on duty. A violation of this principle leads to conflicting orders, confusion and discord.

1. Whenever the Department engages in an operation involving more than one shift, the overall command of the operation will be assigned to the supervisor of the division/shift initiating the event, unless otherwise directed by the Chief of Police.
2. Major operations or emergencies will normally be under the direction of the Patrol Sergeant or his/her designee.
3. The Patrol Sergeant will be the ranking officer on duty during a majority of the 7:00 p.m. to 7:00 a.m. shift and thus will be in charge of all incidents that arise. Due to our schedule, a situation can and will arise in which the highest-ranking person of a shift is a senior police officer. In this instance the senior police officer is in charge of the tour and all incidents. If the presence of the Detective Division is required and the Detective is requested to respond to an incident, then the Detective will assume command of the specific incident or crime scene unless otherwise designated by a superior officer.



## SECTION 102-4. Duties and Responsibilities



Date Issued	Date Effective	Revision No.	General Order
1-18-2021	Immediate	21-C	21-06
Accreditation Standard 2.2, 2.7, 2.9, 5.1			

### § 102-4A. Purpose.

The purpose of this section is to define the duties and job descriptions of all employees of the Amityville Police Department. Such duties and responsibilities will be established by the Chief of Police and the Suffolk County Civil Service Department.

### § 102-4B. Policy.

It is the policy of the Amityville Police Department that each employee will be issued a current copy of job specifications and all required tasks and duties relative to his/her specific position.

### § 102-4C. Duties and responsibilities of all members of Department.

1. General duties. All members of the Amityville Police Department will be responsible at all times for the prevention of crime, the impartial enforcement of federal and state laws and local ordinances, the preservation of peace, protection of life and property, the arrest and prosecution of law violators and all other related work in accordance with the law, rules, regulations and the administrative policies and procedures of the Amityville Police Department. Each member will project a positive image and become involved in community needs promoting good public relations throughout the Village.
2. Specific duties. A member of the Amityville Police Department will:
  - a. Know and conform to Department rules, regulations, policies and procedures.
  - b. Perform assigned duties in a professional manner.
  - c. Obey all lawful orders.
  - d. Be in attendance for those hours specifically assigned and he/she will be considered on duty at all times for the purpose of rendering emergency police service.
  - e. When in uniform, maintain a professional bearing and render professional courtesy to superior officers.

- f. Treat superior officers, subordinates, and associates with respect. Members shall be courteous and civil at all times in their relationships with one another. When on duty, and particularly in the presence of other members, employees or the public, officers will be referred to by rank.
- g. Identify self by name, rank and shield number when so requested.
- h. Have a residence as provided by the laws of the State of New York.
- i. Report immediately any incapacity or inability to perform Department duties in the manner prescribed by the rules and regulations.
- j. Report any change of marital status, address, selective service rating or other matter affecting the administration of the Department.
- k. Receive, record and service immediately all complaints and requests for service; refer and transfer complaints and requests in accordance with the Department Manual.
- l. Possess a valid State of New York driver's license; if such is lost, stolen, suspended or revoked, immediately report same to Chief of Police.
- m. Remain on his/her duty assignment and leave only for a police or personal necessity. If required to leave, record the time of departure, the reason and report this information to the desk officer as soon as possible.
- n. When assigned to a motor vehicle and prior to using same:
  - i. Inspect the vehicle for damage and defects.
  - ii. Report to a supervisory officer any defects observed or incurred.
  - iii. Protect the vehicle from possible damage or theft.
- o. Wear the regulation uniform in the prescribed manner when assigned to uniform duty.
- p. Report immediately the loss or damage of any Department equipment.
- q. Attend court and court-related proceedings promptly and when required and ordered.



- r. Report to the member's immediate supervisor any information of a police nature, including offenses involving the member or others, and offenses with which the member has been charged, except for minor traffic offenses.
- s. Register all personally owned firearms with the Department.
- t. Obey the laws and ordinances that the member is obligated to enforce.

#### § 102-4D. Duties and responsibilities of Chief of Police.

The Chief of Police shall be the chief executive officer of the Amityville Police Department. Other duties of the Chief of Police include, but are not limited to, the following:

1. Report fully and promptly to the Mayor and the Board of Trustees on all matters as may be required.
2. Formulate and direct the implementation and distribution of Department rules, regulations, policies and procedures.
3. Develop plans to meet Police Department needs.
4. Direct the development of the Department's goals and objectives and monitor the Department's movement toward achieving the goals and objectives set forth in accordance with Section 101-4.
5. Field supervise all divisions of the Department as the need arises.
6. Evaluate the job performance of assigned members.
7. Supervise all major and internal investigations.
8. Be charged with and responsible for the discipline and efficiency of all members of the Amityville Police Department.
9. Deal fairly and equitably with subordinates.
10. Act as the liaison between the Police Department and all members of the news media.
11. Supervise the maintenance of Police Department records, equipment, supplies, property and evidence.

12. Act as the liaison between the Amityville Police Benevolent Association, Inc. and the Village of Amityville regarding all matters pertaining to the collective bargaining agreement.
13. May, at irregular and unannounced times, visit all units and areas under his/her command, inspecting their condition, efficiency and conformity with regulations and orders, initiating corrective action or disciplinary measures as required.
14. Shall annually review duties and responsibilities of all job classifications within the Department and cause all necessary updates to be made in the form of a Department Manual revision.

#### § 102-4E. Fiscal responsibilities of Chief of Police.

The Chief of Police shall:

1. Have the authority and responsibility for the fiscal management of the Amityville Police Department and he/she will act as the liaison with the Village Clerk/Treasurer and Budget Officer.
2. Develop an annual budget for the Police Department and submit it to the Village Budget Officer.
3. Maintain the current budget, which specifies initial appropriations for each Department account.
4. Review quarterly statements prepared by the Village Clerk/Treasurer showing initial appropriations, expenditures, encumbrances and unencumbered balances in order that the Department remains within the allocated budget amounts.
5. Comply with all provisions of the Procurement Policy of the Village of Amityville.
6. Maintain an on-line account titled "Investigative Funds" which will be dispersed upon request to the Detective Division commander for making drug purchases and paying informants. If such a request is approved, the Chief will secure said money by use of a voucher.

#### § 102-4F. Duties and responsibilities of Police Lieutenant.

The Police Lieutenant shall:

1. Promptly obey and transmit all orders of the Chief of Police, ensuring uniform interpretation and full compliance.



2. Assume the duties of the Chief of Police in accordance with §§ 102-4D and 102-4E, in the absence of the Chief of Police.
3. Monitor the activity of the two divisions of the Department to ensure adequate communications, cooperation and coordination.
4. Maintain or cause to be maintained all records pertaining to the issuance of Department Manual revisions and all other orders in accordance with Section 102-5.
5. Act as the Patrol Division commander.
6. Deploy members of the Patrol Division to sectors and posts so as to maximize their crime prevention and law enforcement effectiveness. In order to efficiently fulfill this responsibility, the Police Lieutenant shall periodically review the crime patterns within the Village, marking the areas of particular criminal activity, the kinds of crime committed and the kinds of offenders committing the crimes.
7. Periodically visit all parts of the Village to observe conditions as they relate to the police task and to inspect the manner in which the members of the Patrol Division are carrying out their duties.
8. Provide for the daily inspection of tour supervisors and members assigned to the Patrol Division for the correction of any noncompliance with departmental standards of uniform or equipment.
9. Ensure that Patrol Division members are well trained in all aspects of operational procedures and policies; periodically review with the patrol supervisors in-service training efforts.
10. Require the accurate preparation, maintenance and forwarding of reports and records by members.
11. Act as a member of the Department's special investigations unit as the need arises.
12. Be responsible for the acquisition, distribution, storage and retrieval of records.
13. Evaluate the performance of assigned members.
14. Supervise the Department's community relations function.
15. Act as the Department's acting public information officer in the absence of the Chief of Police.

16. Be responsible for the maintenance of all records pertaining to personnel status, including, but not limited to, scheduled and unscheduled appearances and absences.
17. Maintain and manage the Department's automated computer system, IMPACT.
18. Maintain and evaluate individual member's sick leave reports.

#### § 102-4G. Duties and responsibilities of Administrative Sergeant.

1. The Administrative Sergeant shall promptly obey and transmit all orders of a superior officer, ensuring uniform interpretation and full compliance.
2. The Administrative Sergeant is responsible to the Lieutenant for his/her specific duties. Other duties of the Administrative Sergeant include but are not limited to the following:
  - a. Oversee and supervise the Detectives Office.
  - b. Training: coordinate, schedule and in some instances provide Department-wide training in areas covering, but not limited to, CPR, AED usage, computer and equipment training.
  - c. Assist the Lieutenant in the overseeing of the computer network, including software updates and scheduling quarterly preventative maintenance on system hardware.
  - d. Assist in the preparation and release of Department incidents and events to the press.
  - e. Act as Department liaison and coordinator for community events.
  - f. Accreditation manager: prepare records and coordinate Department participation for accreditation and continued record maintenance.
  - g. Liaison to the Director of Emergency Preparedness: coordinate and assist the Director of Emergency Preparedness in preparation for large-scale emergencies. This may include assisting with training, updates and exercises that better prepare the Department and the community in the event of a large-scale emergency.



## § 102-4H. Duties and responsibilities of Police Sergeant assigned to Patrol Division.

1. A Patrol Sergeant assigned to the Patrol Division shall promptly obey and transmit all orders of a superior officer, ensuring uniform interpretation and full compliance.
2. A Patrol Sergeant is responsible to the Lieutenant for his/her specific duties. Other duties of the Patrol Sergeant include, but are not limited to, the following:
  - a. The proper conduct of members assigned under his/her supervision or coming into his/her control.
  - b. Direct policy and procedure of subordinate members and supervisory duties in arrest situations.
  - c. Review, correct and approve any report initiated by a subordinate.
  - d. Evaluate performance of assigned personnel.
  - e. Be thoroughly familiar with all subjects pertaining to the duties of a police officer; assist and instruct police officers under his/her supervision in the discharge of their duties.
  - f. Maintain discipline and positive morale among subordinates.
  - g. Carry out the Department's programs and policies.
  - h. Coordinate patrol efforts among subordinates.
  - i. Identify the training needs of subordinates.
  - j. Identify the need for specialized units, for additional resources and expertise and convey such needs to the Lieutenant.
  - k. Conduct licensed premises checks as per G.O. 98-4.
  - l. Be aware of information about crimes, current investigations and events and ensure that this information is shared within his/her tour and with other tours.

- m. Ensure that during his/her shift Police Headquarters are maintained in a clean, orderly and safe manner and all equipment is accounted for and in good condition.

### § 102-4I. Duties and responsibilities of police officer assigned to Detective Division.

A police officer assigned to the Detective Division shall:

1. Promptly obey and transmit all orders of a superior officer, ensuring uniform interpretation and full compliance.
2. Be responsible to the Chief of Police for his/her specific duties unless assigned to a specific tour in the Patrol Division, at which time he/she shall be responsible to the tour supervisor.
3. Be responsible for the investigation of criminal cases, the location of missing persons, and the recovery of lost and stolen property.
4. Assist with arrest processing during multiple-arrest situations or when assigned by superior officer.
5. Act as the Department liaison to outside law enforcement agencies pertaining to investigative matters.
6. Assume all related responsibilities as the Department's Property Clerk.
7. Act as a member of the Department's Special Investigations Unit as the need arise.
8. Be responsible for the acquisition, distribution, storage and retrieval of records.
9. Follow each case assigned to him/her, systematically documenting the investigative steps until there is a final official disposition of each case. He/She shall interview and advise complainants in person, at reasonable intervals, of the status of the case under investigation in which the complainant is concerned.
10. Maintain a file of juvenile arrests or contacts in members' office.
11. Investigate or cause to be investigated all cases of juveniles accused of violations and all neglected children coming to the attention of the Police Department and take appropriate action in the best interest of the juvenile and the community in each of these cases.



12. Cooperate with other members of the Department and other agencies in the prevention of juvenile delinquency.
13. Be responsible for coordination of and documentation of progress for warrant control operations.
14. Coordinate with Sergeants in matters concerning State Liquor Authority complaint referrals.

#### § 102-4J. Duties and responsibilities of desk officer.

The desk officer shall:

1. Regardless of rank, be responsible to the tour supervisor, unless the tour supervisor is assigned to this post. In either case, he/she will be responsible for all duties.
2. Be designated by the tour supervisor. The area of assignment is within the confines of the area designated for the use of the Department telecommunications equipment and complaint reception, function and the member shall not leave that post unless properly relieved, personal necessity or authorized by a competent authority.
3. Be primary telecommunication on an assigned tour and responsible for ensuring that appropriate and necessary action is taken on all requests for public safety service.
4. Not permit any person in the desk officer post except a member of the Department on official police business or as otherwise directed by a superior officer.
5. Be responsible for recording all requests the member receives during the assigned tour for service resulting in police action.
6. Inspect or cause to be inspected all persons confined in detention cells as prescribed by the regulations of the New York State Commission of Correction, the New York State Mental Health Department and the policy of the Amityville Police Department.
7. In the absence of a superior officer, have charge of the security of the Police Headquarters building and shall permit no one except members of the Amityville Police Department and others on bona fide business inside of the Amityville Police Department area of the Municipal Building.
8. Be responsible for the issuance of all desk appearance tickets.
9. Be responsible for teletype security and operation during the member's tour of duty.

10. Be responsible for entries, maintenance and security of the Department's computerized records system (IMPACT).

#### § 102-4K. Duties and responsibilities of police officer assigned to Patrol Division.

1. A police officer assigned to the Patrol Division shall:
2. Obey all lawful orders given by a competent authority.
3. When police officers of equal rank are working a tour of duty where no superior officer is assigned, the senior most police officer shall assume the duties and responsibilities of a police sergeant as listed in § 102-4H, Duties and responsibilities of Police Sergeant assigned to Patrol Division.
4. Render all necessary police service in the member's assigned area and as otherwise directed.
5. Be familiar with the everyday routine of people residing in, doing business in or frequenting the member's post or sector.
6. Respond to calls for police service as assigned by established authority.
7. Conduct thorough preliminary investigations of all crimes and incidents assigned by established authority.
8. Report immediately to the tour supervisor any unusual occurrence, crime or condition.
9. Daily enter data onto monthly activity report; submit completed monthly activity report to squad Sergeant.

#### § 102-4L. Duties and responsibilities of Parking Enforcement Officer - Civilian.

The Parking Enforcement Officer is directly responsible to the tour supervisor. His/her duties and responsibilities include, but are not limited to, the following:

1. Responsible for parking enforcement in the Village of Amityville, primarily within the business district.
2. Provide parking enforcement on weekends as necessary.



3. Complete a daily parking enforcement activity report.
4. Cover school crossing posts when so directed.
5. Perform other miscellaneous details as directed by the tour supervisor.

#### § 102-4M. Duties and responsibilities of School Crossing Guard - Civilian.

1. A School Crossing Guard - civilian is directly responsible to the tour supervisor. The member's duties and responsibilities include, but are not limited to, the following:
  - a. Remain on post at designated times unless otherwise directed by a competent authority.
  - b. Assist school children to cross streets safely during the assigned hours of crossing.
  - c. Control traffic at the crossing as required to safely cross children.
  - d. Make proper notification to the tour supervisor when problems or issues arise regarding his/her crossing.
  - e. Notify school authorities and the tour supervisor of school children who are not following directions at the crossings, thereby jeopardizing their safety and the safety of other children.
2. Crossing guards are not to fraternize with school children nor should school children enter the vehicle of the crossing guard unless an emergency exists.
3. Crossing guards are to wear an approved and required uniform and equipment at all times. Department patches are to be sewn on all outside garments on both shoulders.

#### § 102-4N. Duties and responsibilities of Police Matron - Civilian.

A Police Matron - civilian is directly responsible to the tour supervisor. Duties include, but are not limited to, the following:

1. Search all female prisoners in accordance with Department Manual Section 110-5.
2. Report any signs of illness, injury, loss of consciousness or complaints of such to the tour supervisor for prompt medical treatment.

3. Make required inspections of prisoners in accordance with Department Manual Section 110-2.
4. Secure the proper meals required for prisoners through the desk officer.
5. Submit reports as required.
6. Perform other duties as directed by the tour supervisor.

§ 102-4Q. Duties and responsibilities of Police Administrator - Civilian.

A Police Administrator – civilian is directly responsible to the Chief of Police. Duties include, but are not limited to, the following:

1. Performs responsible and confidential work as secretarial assistant to the Chief of Police.
2. Assists in formulating discipline charges.
3. Assists in preparation for collective negotiations.
4. Overtime, payroll and attendance for Department members.
5. Stenography/Word processing.
6. Computer software system supervisor, full access to all computer areas; generates and compiles statistics.
7. Accounts payable.

**By Order Of:**

*Chief Bryan O. Burton, Jr.*

**Chief Bryan O. Burton, Jr.**



## SECTION 116-3. Performance Evaluations



<b>Date Issued</b>	<b>Date Effective</b>	<b>Revision No.</b>	<b>General Order</b>
Pending	Immediate	A-1	TBD
<b>Accreditation Standard 13.1</b>			

### § 116-3A. Policy.

The In order for the Department to achieve the maximum efficiency in its operations, it is necessary to examine and evaluate each member's contributing effort toward that goal in order to identify deficiencies in training and assignments, acknowledge exceptional performance and to assist in any and all considerations and determinations for assignments.

### § 116-3B. Purpose.

The Amityville Police Department has established a formal process of reviewing and evaluating performance of employees on a continuing and periodic basis to determine training needs, initiate improvement and recognize the achievements of members of the Department. This procedure would promote the common understanding of individual needs, work objectives and standards of acceptable performance, as well as provide employees with feedback as to what extent Supervisory personnel believes the member in question is meeting expectations. In addition, evaluations of this nature would assist in suggesting specific courses of action the employee could take in order to meet or exceed those expectations as well as provide additional feedback to aid the rater in helping the member achieve the desired professional performance.

### § 116-3C. Objective.

The objective of the Personnel Performance Evaluation is as follows:

1. To promote organizational and individual productivity.
2. To successfully accomplish the Department mission and goals.
3. To strengthen the relationship between the supervisor and employees.
4. To provide employees with a clear understanding of their effectiveness and performance during the evaluation period.
5. To provide employees with a clear understanding of what is expected of them and what they should expect of themselves during the following evaluation period.
6. To provide the supervisor with a system for evaluating and discussing what they expect from employees, as well as what employees should expect from them as supervisors.

7. To provide assistance in making personnel decisions involving but not limited to, appointments or assignments.
8. To perceive deficiencies or misdirection of employees along with identifying superior performance by employees.

### § 116-3D. Procedure.

1. Performance Evaluation System: The Department shall conduct performance evaluations for all employees semi-annually. Supervisory personnel will complete a "Personnel Performance Evaluation Form" in each case, and all rules for its completion shall be strictly followed. The evaluation process shall be completed by supervisory personnel by the end of the month of January & July for the preceding six months. Ratings will be based on the member's performance since the last evaluation, utilizing the following criteria:
  - a) Attitude- Considers the enthusiasm and willingness to perform job duties. The degree to which the officer displays the ability and willingness to work effectively during any interaction with community residents, co-workers and others that he or she may encounter during the course of his/her duties.
  - b) Proficiency- The application of specific competencies acquired through training or experience to typical work situations required by the position.
  - c) Activity- Encompasses the enforcement of vehicle and traffic regulations, local and state laws and ordinances. In addition, considers the actual number of summonses issued and arrests effected whether self-initiated or generated by complaint.
  - d) Attendance- Encompasses an officer's attendance record during the evaluation period and includes punctuality in reporting to work and adherence to established policies governing the use of sick leave and notification of absences.
  - e) Appearance- The personal impression an officer makes towards their co-workers and the community regarding cleanliness, grooming, and conditions of uniform and/or other appropriate working attire.
2. Supervisory Personnel Training:
  - a) Supervisory personnel shall receive both initial and periodic training on the administration of the Employee Performance Evaluation System.
  - b) All supervisory personnel shall be given the Employee Performance Evaluation Manual which is a guide for raters in evaluating their subordinates. This manual shall be referenced while completing the "Personnel Performance Evaluation Form".
3. Employee Counseling and Review:
  - a) Supervisory personnel will complete the "Personnel Performance Evaluation Form". Supervisory personnel will personally interview the employee and explain tasks of the



employee's position, performance expectations and the evaluation criteria to be applied.

- b) Upon completion of the "Personnel Performance Evaluation Form", the employee rated shall have a personal interview with the rater. The employee shall be given an opportunity to add written comments he/she feels are appropriate and then sign the form. A signature will not indicate agreement, only that the employee has read and understands the information contained therein.

4. Contested Reports:

- a) Any employee evaluation that is contested, shall be done so in writing within one week for review. The Chief of Police shall evaluate the contested portion or portions of the employee evaluation with the aggrieved employee.
- b) Upon completion of these reviews, the Chief shall have the discretion to make changes to the evaluation or allow the evaluation to stand based upon the equity of the evidence that has been objectively gathered.

5. Copies of Reports:

- a) In the event the employee desires a copy of the "Personnel Performance Evaluation Form", he/she will be provided a copy.
- b) All other copies will be kept securely in the personnel folder of the employee which is located in a locked drawer in the office of the Chief of Police.



**Amityville Police Department  
Personnel Performance Evaluation Form**

This form is to be completed as prescribed by Section 116-3 of the Amityville Police Department Manual and by utilizing the Department Rater's Guide. Narratives will be concise, objective and specific. Plain bond paper may be utilized for expanded narrative information and attached to this form. Ratings will be numerically indicated in each area by assigning 5 (excellent) to 1 (poor) and averaging the assigned numbers to indicate an overall score.

Employee Name: \_\_\_\_\_

Rank or Title: \_\_\_\_\_

Rater Name: \_\_\_\_\_

Rank or Title: \_\_\_\_\_

**ATTITUDE:**

**Rating Number:** \_\_\_\_\_

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**PROFICIENCY:**

**Rating Number:** \_\_\_\_\_

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**ACTIVITY:**

**Rating Number:** \_\_\_\_\_

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**ATTENDANCE:**

**Rating Number:** \_\_\_\_\_

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**APPEARANCE:**

**Rating Number:** \_\_\_\_\_

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Overall Rating Number: \_\_\_\_\_

Rater Signature \_\_\_\_\_

Date \_\_\_\_\_

Employee Signature \_\_\_\_\_

Date \_\_\_\_\_

(I understand that a signature will not indicate agreement, only that I have read & understand the information contained herein)

**EMPLOYEE COMMENTS:**

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**Note:** As per Amityville Police Department Manual Section 116-3, "Any employee evaluation that is contested shall be done so in writing within one week for review. The Chief of Police shall evaluate the contested portion or portions of the employee evaluation with the aggrieved employee. Upon completion of these reviews, the Chief shall have the discretion to make changes to the evaluation or allow the evaluation to stand based upon the equity of the evidence that has been objectively gathered."

Lieutenant Signature \_\_\_\_\_

Date \_\_\_\_\_

Chief of Police Signature \_\_\_\_\_

Date \_\_\_\_\_

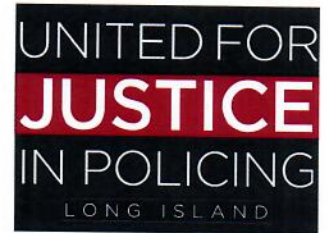


# THE PEOPLE'S PLAN

Reimagining Policing & Public Safety  
on Long Island:  
One-Pager Overviews.







# The People's Plan:

## Reimagining Policing and Public Safety on LI

### Section 1: Transforming Crisis Response

Create A New Crisis Response Model for Long Island that reforms 911 responses to ensure that call-takers can adequately and holistically assess callers in crisis, creates behavioral health co-responder teams composed of clinical professionals, trained peer specialists, and unarmed crisis responders, establishes a tiered response system to match the level and type of risk posed, and includes collection and reporting of comprehensive data on these calls and responses.

### Section 2: Transforming Traffic Enforcement

Eliminate disparity in traffic stops on Long Island by transforming the policies regarding police traffic enforcement, exploring options for alternative unarmed traffic officers, and collecting, publishing, and analyzing comprehensive data on traffic enforcement in alignment with the STAT Act. End pretextual stops and warrantless searches during traffic stops.

### Section 3: Transforming Police Accountability

**Build an infrastructure of accountability that includes:**

#### *Part 1: Civilian Complaint Review Board*

Create a Civilian Complaint Review Board to fairly and transparently resolve allegations of police misconduct in a manner in which both the public and the police department have confidence. The CCRB must be well-funded and independent, have strong investigative authority, collect and publish data in a fully transparent manner, and have the power to direct the police commissioner to impose discipline

#### *Part 2: Office of Police Inspector General*

Develop an Office of Police Inspector General that is well-funded, independent, and has the authority to audit, inspect, evaluate and investigate the activities, records, policies and data collected by the Police Department, receive copies of all complaints and communications with complainants, and to track and monitor systems of complaints and investigation.



## *Part 9: Use of Force*

Adopt best practices, language, and training to bring Use of Force policies in line with nationally proven standards. Require officers to exhaust all alternatives before resorting to use of firearms. Require comprehensive Use of Force data reporting. Create and require a Use of Force continuum that restricts the most severe types of force to the most extreme situations and creates clear policy restrictions for each weapon and tactic, as well as require warnings prior to the use of firearms.

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### **Section 4: Transforming the Enforcement of Hate Crimes, Non-Designated Crimes, and Incidents**

Codify existing and/or non-existing policies mentioned in the plan into legislation, and LI police departments should fully implement. This includes: police must properly identify and report hate crimes and incidents; map and track hate crimes, non-designated offense, and incidents to see trends, prevent future events, and to provide an accurate picture of hate offenses in the county; communicate with the public to protect and warn communities, support the victim, their family, and the entire community; and develop rehabilitation and prevention programs with government, nonprofits and faith communities.

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### **Section 5: Transforming the Treatment and Safety of Transgender, Non-Binary, and Intersex People**

Develop a policy that provides safe and respectful treatment for transgender, gender non-binary, and intersex people in a manner appropriate to the person's gender identity and/or expression. In short, develop and implement policies that ensure gender-expansive community members receive the same treatment as cisgendered persons. Explicit detail is mentioned in the plan.

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### **Section 6: Ending The Use of School Resource Officers: The Case For Police-Free Schools**

Eliminate the SRO program and other programs that place police officers in schools, and redeploy funds spent on School Resource Officers to build Transformative Justice programs that avoid the criminal legal system, and increase social-emotional learning programs in schools and other supports that improve student behavior by meeting students' needs.

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### **Section 7: Language Access**

Develop and implement a comprehensive Language Access Plan that ensures accessibility to non-english speaking community members and provide transparent data regarding the usage of bilingual resources.

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### **Section 8: Building Authentic Trust & Legitimacy Within Communities**

Build authentic trust and legitimacy within communities by transforming the policies and practices of LI police departments.

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### **Section 9: Technology and Social Media**

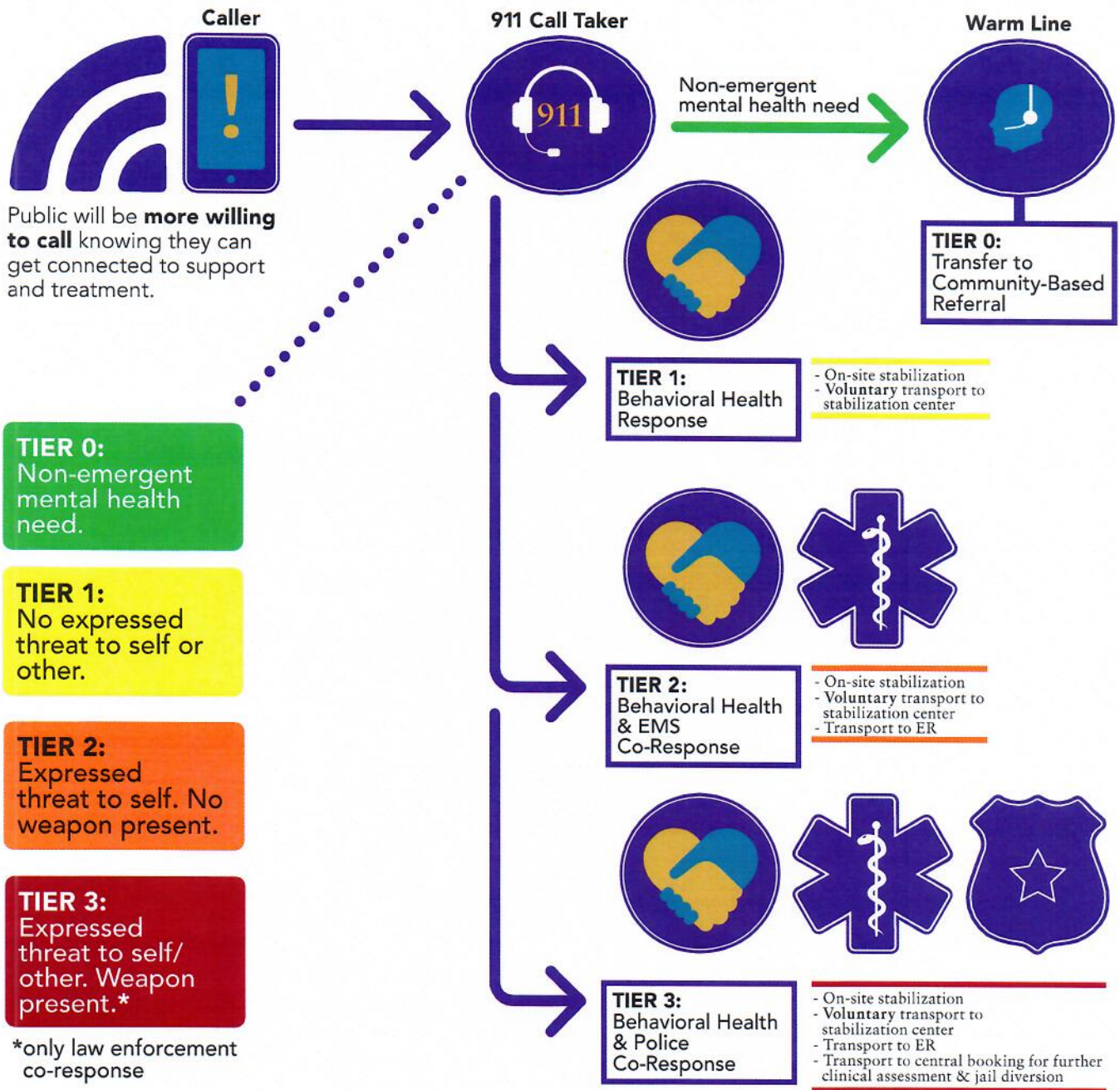
Implement best and most up-to-date practices in leveraging technology and social media platforms to promote transparency.

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# Transforming Crisis Response

## for mental health, substance abuse, & houselessness



### Components of Proposed Model:

- 1. 911 Call Centers:** implementation of five strategic reforms that ensure call-takers are equipped to holistically assess callers in crisis
- 2. First Responders:** creation of Behavioral Health responder teams composed of clinical professionals, certified peer specialists, and crisis responders
- 3. Criteria-Based Dispatched Response:** creation of a 3-tiered response system that dispatches the appropriate first responder to match the risk posed by the individual in crisis to self/other
- 4. Data Collection and Transparency:** collection and reporting of comprehensive, publicly available data on *all* 911 calls, inclusive of which calls receive crisis response, which response is made, and the outcome of the response

### Benefits

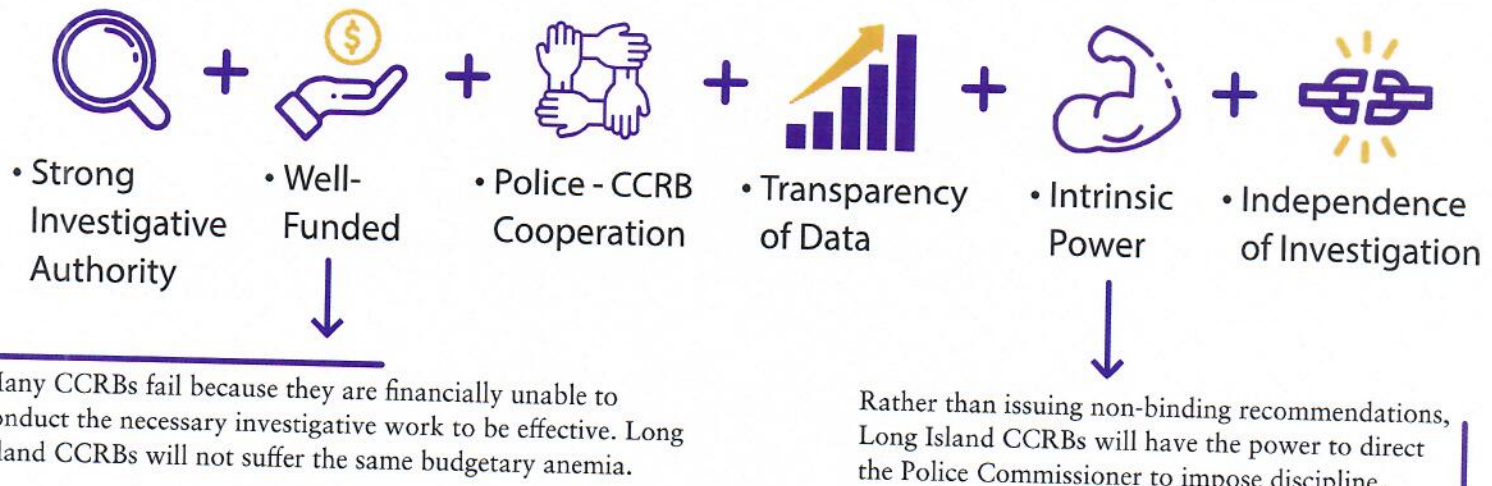
- **End criminalization** of mental illness, substance abuse, houselessness.
- **Supportive, non-traumatic interactions** with community members in crisis
- **Linkages to long-term support services**
- **Cost Savings!** Reduce cost to taxpayers.
- **Increased police efficiency** by reducing time spent responding to non-criminal matters.



# Civilian Complaint Review Board

The purpose of the CCRB is to fairly and transparently resolve allegations of police misconduct in a manner in which both the public and the police department have confidence.

## Formula for a successful CCRB



## Process

**COMPLAINT:** Victims or witnesses of police misconduct file a complaint

- Complaints can be filed electronically, by paper, or by phone
- Complainants are informed of the status of their complaint from start to finish
- A record of every complaint is kept

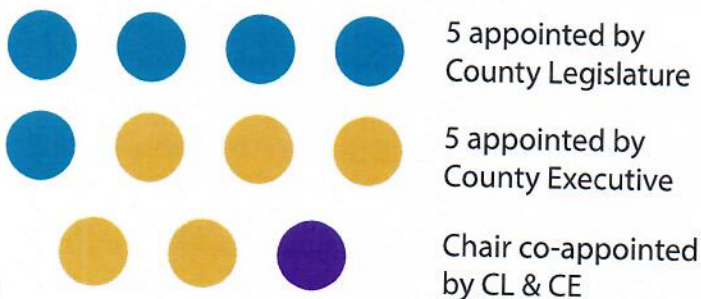
**INVESTIGATION:** CCRB members & staff investigate the complaint by holding hearings, taking testimony & assembling records

- CCRB investigates misconduct including but not limited to excessive force, abuse of authority, harassment
- CCRB employs investigators that request records, interview relevant parties, issue subpoenas and can go to court to require compliance.

**REPORT & DIRECTIVE:** After investigation, the CCRB assembles a report and disciplinary directive

- CCRB reports if there are substantiated allegations of misconduct.
- If so, CCRB directs discipline or other action to be implemented by the Police Commissioner
- Reports of substantiated misconduct are public

## Composition



Members will be residents of the county, reflect the diversity of the county's population & have no ties to law enforcement

## Restorative Justice

Police Officers and alleged victims of misconduct can avoid a CCRB investigation in most instances by participating in mediation

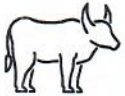


Often, victims just want to confront their perpetrator and receive an apology and assurance of changed behavior



# Inspector General

Nassau and Suffolk Counties are responsible for two police forces among the largest in the country yet they operate with very little oversight, data reporting requirements, or accountability measures. It is important to institute a system of oversight which would optimally include a CCRB and comprehensive Public Safety Committee oversight, coupled with a strong Police Inspector General's office.



## **Powers and Duties** to include:

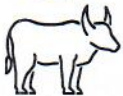
- Authority to audit, inspect records, policies and data.
- Receive and track **all complaints, investigations, and communications** with complainants.
- Require public employees of the P.D. to report info. regarding **fraud, corruption, and illegal acts**, with requisite whistleblower protections
- **Analyze and evaluate data**, write reports and publicly issue reports to a CCRB, the Public Safety Committee of the Legislature, and place reports on the county website.
- Receive all reports and data on **police activities in schools** including discipline and arrests.

## **A strong Police Inspector General's** office would have:

- The appointment process is transparent and done by committee comprised of Executive and Legislative branches, community members, and relevant experts.
- Powers granted include subpoena, investigative, and reporting.
- Powers include access to all government agency records.
- Protection of employees under whistleblower laws.
- Dual reporting role to the Executive and Legislative Branches
- and will be funded fully.

# Public Safety Committee Oversight

The police cannot police themselves. Oversight should be done by the legislative branch.



## The role of the Legislatures:

- Legislating standards for police practices.
- Demanding ongoing data collection and reporting on those practices.
- Requiring reporting by the commissioners of the respective departments on a regular basis at hearings.
- Ensuring independent and unbiased analysis of the data on police practices.
- Engaging in legislative inquiries where needed.

## Recommendation: Public Hearings

The Public Safety Committee of the legislatures should hold **bi-annual** public hearings about policing.

### *Prior to the bi-annual public hearing:*

- Require the **publishing** of all the policing data on the police department website.
- Require a **written report** analyzing the published data with particular attention to trends and to racial bias in outcomes.



### *At the bi-annual hearings:*

- Require the Police Commissioner to **provide data** (outlined below) & **analysis publicly** and answer questions from the legislature and the public.
  - List of databases used to collect all data, with outline of what each database collects
  - Use of Force, Traffic / Pedestrian / Bicycle Stop, SRO, Complaints, Surveillance Technologies, Language Access, & Asset Forfeiture data, collected as recommended in the STAT Act section of The People's Plan.



# Liability Insurance

Implement mandatory police officer **personal liability insurance**.

## Goals:

- \* Hold police officers accountable.
- \* Force officers with *histories* that indicate dangerous or violent behavior, to either adopt safer practices and methods of policing, or leave the profession.

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Current disciplinary actions are not effective because they do not hold officers accountable.



^ Rather than municipalities paying *millions* of taxpayer dollars each year to settle misconduct cases perpetrated by police officers.

- Officers with *histories*\* in policing that create a higher premium would be responsible for **paying the difference** between their premium & their department average.



- The cost of the **average premium** for coverage would be covered by the municipality.
- **Total transparency** concerning an officer's and or police department's history and performance **must be a term of condition** when applying for insurance.



- Insurance companies can offer **reduced premiums** to officers who attend appropriate risk management, de-escalation trainings and programs.



- Individual officer's premiums would be calculated considering their policing *history*.
- Incidences leading to higher premiums include: settlements of any kind against an officer; formal misconduct complaints whether they resulted in disciplinary action or not; misdemeanors, charges, and felonies relating to violence or misconduct of any kind (assault, battery, domestic abuse etc.)
- Officers with histories that create a lower premium than the department average can receive the difference as additional take-home pay.

# Use of Force

Correcting Use of Force policies and practices has been proven to be an effective means to lower incidences that threaten human life.



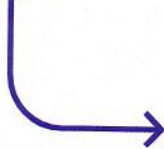
Police Departments represent the awesome power of the state and also **possess the power to take life.**



1.



- Clearly define “police use of force.”



- Expressly stipulate that the deprivation of an individual's liberty to continue on their way during a police inquiry constitutes the use of force.
- Include a reference to preserving and respecting the sanctity of life of **all individuals** served by the police.

2.



- Have a clear policy on minimal reliance on force, alternatives to forces, factors to consider in use of force, drawing and pointing firearms, duty to render medical assistance and duty to intervene.



- Establish a Use of Force **continuum** and train all officers to use it in the field.
- Require officers to **exhaust all alternatives**, including non-lethal and less lethal strategies, before resorting to use of firearm.
- Require **warnings** prior to **use of firearm**.

3.



- Have a clear and detailed outline of how the police department interacts with the public after a **deadly Use of Force incident**.
- Require **comprehensive Use of Force data reporting**, including every incidence of Use of Force, a threat of Use of Force, and display of a firearm.
- Publish all **raw use of force data** on the police department website quarterly and establish a process for outside independent analysis of the data.





# Trans., Non-Binary, & Intersex Safety

The Gender-Expansive community consists of people whose **personal identity does not match the sex and or gender assigned to them at birth**. It refers to many types of people including Transgender, Gender Non-Conforming and Non-Binary, and Intersex people. The most important issue when dealing with gender-expansive people is providing **respectful and equal treatment**.



## Respectful Treatment

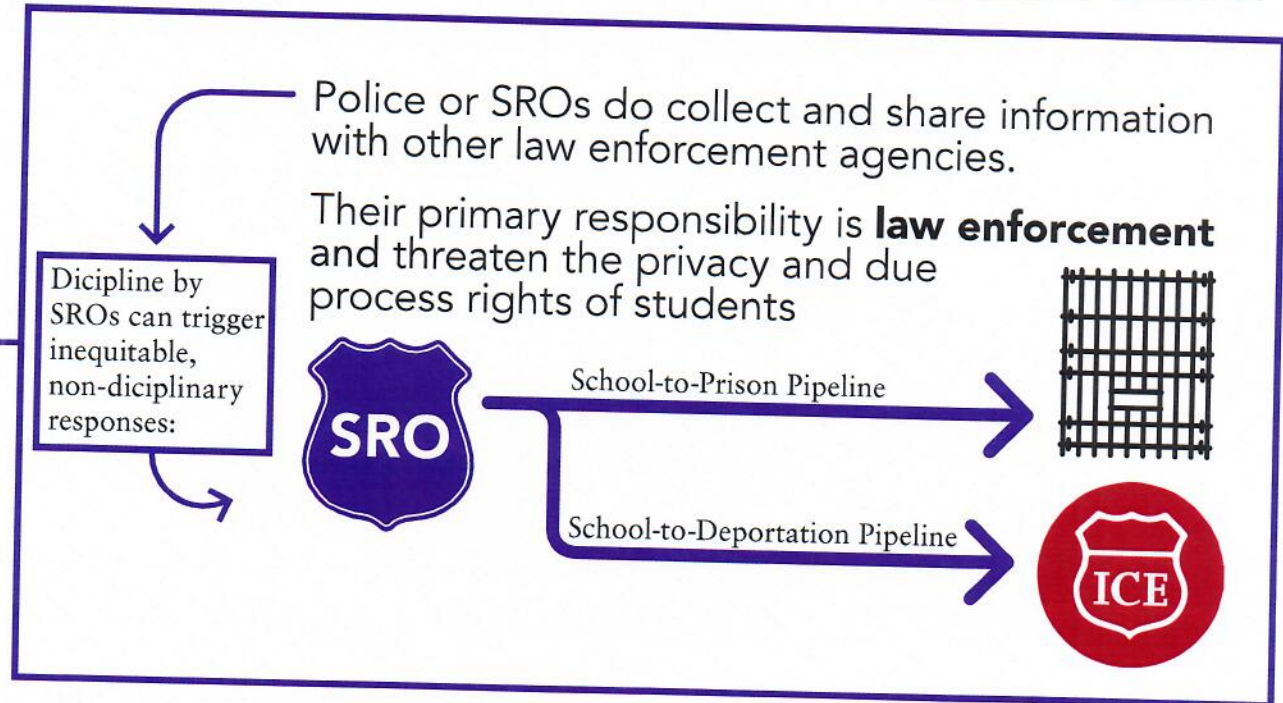
- Professional **directions regarding appropriate behavior** while interacting with gender-expansive community members and the consequences of failing to comply.
- Specify the use of the individual's **chosen name and pronouns**.
- Prioritize respectful search and frisk; **transporting** of individuals; **holding / housing placement**; **restroom use**; removal of appearance-related items; use of segregated cells / solitary confinement / restricted housing; allowing arrestees to retain and or take **prescription items** while in custody, including **prescription hormones**; and providing medical attention with urgency and respect.
- Create full and regularly scheduled training of all staff on transgender, intersex, and gender-nonbinary issues including **during** “search and seizure” training and “cultural sensitivity” training.
- Create clear procedures for **community members to report discrimination** or disrespectful treatment.
- Anonymously track **all complaints** concerning the quality of police services on the basis of gender identity, gender expression, and or sexual orientation.
- Create a commitment to inclusion by **recruiting and hiring** gender-expansive people.



# SROs Nassau

## Get cops out of schools.

While the Nassau County Police Department does **not** have a formalized SRO (School Resource Officer) program, most schools have some form of a security officer, and in some districts, they are nevertheless **connected** to either local department or the NCPD.



- Police contact with students should be **eliminated**.
- NCPD nor any other department should play no role in school discipline. *See above.*
- All police activity and contact with youth should require a **data collection and reporting component**.
- Nassau County should **actively support** the "New York For All Act," which prohibits immigration enforcement by local authorities.
- Police contact with students should be at the least regulated, at the most, eliminated.
- While police are being phased out, Model MOUs (required by law) should be publicly posted on police & school websites, **prohibiting security officers from disciplining children**.

The Commissioner states, in his new police reform proposal, "The NCPD Homeland Security Unit and Problem-Oriented-Policing officers work closely with all fifty-six (56) school districts, particularly **involving matters of student discipline**." (p. 37)





# Permanent Equity & Safety Task Force

A permanent, County-based Equity and Safety Task Force should be create and use an equity-informed, “continuous reinvention” framework to assess the impact of safety reforms and recommend. This means the reform and reinvention mandated by Governor Cuomo’s Executive Order is always ongoing.



## Research Based Reinvention

1. Define the problem and analyze root causes or issues.
2. Measure the current performance of practices that have been identified as a problem.
3. Determine and implement improvements, analyzing if those changes are actually producing improvements.
4. Maintain the improved process, then define any problems with the new process.  
*Begin again at step 1.*



## Proposed Powers and Duties

1. Review data on key safety indicators.
2. Solicit community feedback and dialogue
3. Identify best practices in safety innovations in the U.S.
4. Recommend new initiatives and assess impact

### Benefits:

Create a persistent focus on whether benefits from reform have positive and equitable impacts **across communities and populations.**



Create reform from a holistic team of Task Force members with **diverse set of experiences** and perspectives collectively focused on community safety





POLICE DEPARTMENT, COUNTY OF SUFFOLK, N.Y.  
ACCREDITED LAW ENFORCEMENT AGENCY  
Employee Assistance Section (EAS)  
Brief Referral Guide for Supervisors

PDCS-8022-1

**Common Reasons for Mandated Referral (Order):**

1. Excessive absenteeism/lateness
2. Suicide risk
3. Poor work performance
4. Difficult relationships with co-workers or the public
5. Impairment from medications or other substances
6. Traumatic incident (weapon discharge, death of child, mass casualty incident, etc.)

**Common Reasons for Voluntary Referral:**

1. Visible signs of distress in employee
2. Knowledge of personal or family difficulties (death, illness, divorce, children)
3. A supervisor may recommend that the employee call EAS.
4. Supervisors may also ask EAS to call the employee.

**Traumatic Incident Counseling:**

The supervisor may ask employee to schedule it directly with EAS and does not accompany the employee to the meeting.

**Mandated Referral Process for Work Performance Difficulties:**

1. Employees can be mandated **one time** for a specific problem.
2. Call Candy Shapiro or Frank Farrell at 631 854-8648 to discuss procedure and set date.
3. Mandated meetings are scheduled during the employee's regular work time.
4. Supervisor fills out the EAS mandated referral form located on the intranet.
5. Prior to the EAS appointment, the supervisor explains to the employee the reason for the mandated referral and clarifies that the meeting at EAS is *confidential, privileged, is **not** an evaluation, will **not** generate a written report, and is not a punishment but an offer of help.*
6. The supervisor **always** attends the EAS meeting with the employee.
7. With the supervisor and employee present in the EAS office, EAS staff will ask the supervisor:
  - a. What is the reason for the mandated referral?
  - b. What do you want the employee to change?
  - c. What consequences are there for the employee at present, or in the future, if they don't change their work performance?
8. The supervisor waits in the EAS reception area during the employee's private meeting with EAS staff. Afterwards, EAS will not disclose any information about what transpired.
9. Employees can return for additional confidential counseling on their own time. The supervisor will not know if this occurs unless the employee chooses to disclose it.
10. **If the problem continues**, the supervisor may explore a **fitness for duty evaluation** with the Medical Evaluations Section.





**POLICE DEPARTMENT, COUNTY OF SUFFOLK, N.Y.**  
**ACCREDITED LAW ENFORCEMENT AGENCY**  
**Employee Assistance Section Fact Sheet**

PDCS-7553c

The **Employee Assistance Section** is where you and your family can get free, confidential counseling with licensed mental health professionals who have many years of law enforcement experience. We are:

**Candace Shapiro, LCSW-R**

**Frank Farrell, Ph.D.**

***WHO*** may receive our services?

- All employees of **every** law enforcement agency located within Suffolk County
- Immediate family members of those employees
- Retirees – our services continue after you retire

***WHERE*** are we located?

- Our office location: 45 Route 25 A, Suite 3  
E. Setauket, NY 11733
- We can also arrange for meetings and sessions at other locations within Suffolk County

***WHEN*** are we available?

- Regular hours are Monday through Friday, mornings through evenings
- At other times you may reach us by cell phone

***HOW*** to contact us?

**Office Phone:** 631 854-8648  
**Cell Phones:** 631 384-9315 or 631 764-8866  
**Fax:** 631 854-8666

***WHAT*** services do we provide?

- Counseling for personal and job-related problems
- For individuals, couples, children, families
- Bereavement counseling
- Marriage/couples counseling
- Coping with injury or illness
- Stress, anxiety, depression
- Training: anger management, communication, supervisors, stress
- Military refresher meeting
- Referrals to: Psychiatrists, Psychologists, substance abuse treatment
- Phone consultations for any problem

***IMPORTANT FACTS***

- We are located in a **private, non-government** building
- Every communication is **strictly confidential and privileged** in accordance with State and Federal law
- We do **not** do fitness for duty evaluations, nor any other evaluations
- All services are **FREE** and do not go through insurance



## CRITICAL INCIDENT STRESS INFORMATION SHEET

PDCS 7554

You have experienced a CRITICAL INCIDENT. Although the event is over, you may be experiencing strong reactions which have the potential to interfere with your ability to function now or some time in the future. It is very common, and quite normal, for people to experience physical and emotional aftershocks when they have participated in a traumatic event. **THESE ARE NORMAL REACTIONS TO AN ABNORMAL EVENT!**

Sometimes these aftershocks (Stress Reactions) appear immediately. In some cases they are delayed a few hours or days, and may be postponed for weeks or months.

The signs and symptoms of stress can last anywhere from a few days, to a few months. Occasionally the symptoms remain for longer periods depending upon the severity of the traumatic event. With understanding and support from loved ones, friends, and colleagues, these reactions usually pass more quickly. Sometimes the traumatic event is so painful that professional assistance from a trained counselor is necessary. This in no way implies weakness or mental illness. It simply indicates that this particular event was too powerful for the individual to manage by themselves.

Listed below are some of the more common signs and symptoms of STRESS:

PHYSICAL	COGNITIVE	EMOTIONAL	BEHAVIORAL
fatigue	blaming someone	anxiety	change activity
nausea	confusion	guilt	change in speech patterns
muscle tremors	poor attention	grief	withdrawal
twitches	raised/lowered alertness	denial	emotional outbursts
chest pain *	poor decisions	emotional shock	suspiciousness
difficulty breathing *	poor concentration	fear	change in usual communications
elevated BP *	memory problems	uncertainty	restlessness
thirst	hyper vigilance	emotion control problems	alcohol use increase
headaches	difficulty ID-ing familiar objects	depression	loss/increase in appetite
visual problems	more awareness of surroundings	inappropriate emotions	acting out (antisocial behavior)
vomiting	less awareness of surroundings	apprehension	nonspecific body complaints
grinding teeth (bruxism)	poor problem solving ability	feeling over-whelmed	hyper alert to environment
weakness	poor abstract thinking	intense anger	intensified startle reflex
dizziness	loss of orientation	irritability	pacing
profuse sweating	impaired thinking	agitation	erratic movements
chills and/or sweating, etc.	nightmares	severe panic (rare)	increase/decrease in sexual drive
shock symptoms *	flashbacks intrusive images		

\*Indicates need for medical evaluation

**IF YOU NEED HELP OR FURTHER INFORMATION CONTACT: EMPLOYEE ASSISTANCE SECTION  
@ 854-8648**



### Things to try:

- \* WITHIN THE FIRST 24 - 48 HOURS periods of strenuous physical exercise, alternated with relaxation will alleviate some of the physical reactions.
- \* Structure your time - keep busy.
- \* You're normal and having normal reactions - don't label yourself crazy.
- \* Talk to people - talk is the most healing medicine.
- \* Be aware of numbing the pain with overuse of drugs or alcohol, you don't need to complicate this with a substance abuse problem.
- \* Reach out - people do care.
- \* Maintain as normal a schedule as possible.
- \* Spend time with others.
- \* Help your co-workers as much as possible by sharing feelings and checking out how they're doing.
- \* Give yourself permission to feel rotten and share your feelings with others.
- \* Do things that feel good to you.
- \* Realize those around you are under stress.
- \* Don't make any big life changes.
- \* Do make as many daily decisions as possible which will give you a feeling of control over your life, i.e., if someone asks you what you want to eat - answer them even if you're not sure.
- \* Get plenty of rest.
- \* Recurring thoughts, dreams or flashbacks are normal - don't try to fight them - they'll decrease over time and become less painful.
- \* Eat well-balanced and regular meals (even if you don't feel like it).

### For Family Members and Friends

- \* Listen carefully.
- \* Spend time with the traumatized person.
- \* Offer your assistance and a listening ear even if they have not asked for help.
- \* Help them with everyday tasks like cleaning, cooking, caring for the family, minding children.
- \* Give them some private time.
- \* Don't take their anger or other feelings personally.
- \* Don't tell them that they are "lucky it wasn't worse" - traumatized people are not consoled by those statements. Instead, tell them that you are sorry such an event has occurred and you want to understand and assist them.

*This electronic version is provided for informational purposes only. For the official version please contact the municipality.*

## Authority of Amityville Police Department, NY - Archive 2014-01-14

### SECTION 103-1. General Regulations



Date Issued	Date Effective	Revision No.	General Order
11-22-1999	11-22-1999	1-A	99-20

Accreditation Standards 14.1, 14.2, 20.4, 20.5, 21.2

#### § 103-1A. Purpose.

The purpose of this section is to establish standards of performance and conduct for all members of this Department.

#### § 103-1B. Policy.

All members of the Amityville Police Department shall maintain compliance with the policies, rules, regulations and guidelines set forth in this section or any other section of the Department Manual. Noncompliance shall be dealt with in accordance with Section 115-1.

#### § 103-1C. Required conduct.

All members of the Amityville Police Department shall:

- (1) Obey all laws of the United States and of any state and local jurisdiction in which officers are present. A conviction of any law shall be prima facie evidence of a violation of this section.
- (2) Conduct themselves at all times both on and off duty in such a manner as to reflect most favorably on the Department. Conduct unbecoming an officer shall include that which brings the Department into disrepute or reflects discredit upon the officer as a member of the Department or that which impairs the operation or efficiency of the Department or officer.
- (3) Carry out their duties and responsibilities while on duty.
- (4) Perform all duties as directed by competent authority and Department Manual Section 102-4.
- (5) Report for duty at the time and place required and be physically and mentally fit to perform.
- (6) Remain on assigned posts or in sector until:
  - (a) Designated time of termination.
  - (b) Properly relieved.
  - (c) Authorization from competent authority.
  - (d) Police necessity.
- (7) Maintain Department property issued or assigned for use; never abusing, misusing or damaging said equipment.
- (8) Make accurate and concise entries in Department records in chronological order, without delay, using black ink.
- (9) Make corrections on written or typed Department records by drawing a line through the incorrect matter and entering the correction immediately above, then initialing the change.



- (10) Answer the Department phones in accordance with Section 113-7 of this Manual (G.O. 99-06).
- (11) Truthfully answer all questions specifically directed and related to the scope of their employment and the operations of the Department, which may be asked of them.
- (12) Perform their assigned duties as expeditiously as possible. Once assigned to a detail an officer shall respond directly to that location.
- (13) Courteously and promptly record in writing any complaints made by a citizen against any member or the Department. Members may attempt to resolve the complaint, but shall never attempt to dissuade any citizen from lodging a complaint against any member or the Department. Members shall follow departmental procedures for processing complaints.
- (14) When assigned to uniform duty, wear the regulation uniform unless otherwise directed by competent authority.
- (15) Notify the desk officer whenever they leave their assigned post, sector, vehicle or assignment.
- (16) Keep their Department Manual updated and available while on duty.
- (17) Operate Department vehicles in a careful and prudent manner and obey all laws and Department procedures pertaining to such operation.
- (18) Make only authorized and necessary transmissions on Department radios.
- (19) Keep Department vehicles in public view while assigned to general patrol duty.
- (20) Be responsible for the humane treatment and safekeeping of prisoners in custody or detained in Headquarters over which said member has supervision.
- (21) Take meal period at the designated time, for a period not exceeding 60 minutes, and remain available and subject to recall during meal.
- (22) Have a telephone in their residence and their current number on file with the Department.
- (23) Have on file their current address, including apartment number, if any. Their mailing address, if different, must also be on file. The current physical address must contain street, road, route number. Where a number is not assigned, a physical description as to how to locate the residence is required.
- (24) Report immediately, in writing, changes in address or telephone number.
- (25) Report in writing any change in marital status or the addition of dependents.
- (26) Remain awake while on duty. If unable to do so, they shall so report to their immediate supervisor, who shall determine the proper course of action.
- (27) Submit all necessary reports on time and in accordance with established departmental procedures. Reports shall be truthful and complete.
- (28) Maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. They shall know local, state and federal laws as they apply to their duties and enforce those laws.

**§ 103-1D. Prohibited conduct.**

Members SHALL NOT (either by commission or omission):

- (1) Commit or omit any acts that constitute a violation of any of the rules, regulations, directives or orders of the Amityville Police Department, whether stated in this section of the Department Manual or elsewhere.
- (2) Engage in conduct that brings discredit upon the Department.
- (3) Fail to perform a duty.
- (4) Disobey a lawful order.
- (5) Be insubordinate or disrespectful towards a superior officer.
- (6) Be inattentive to duty.



- (7) Lounge or sleep on duty.
- (8) Be absent from duty without proper authorization.
- (9) Receive, solicit or attempt a bribe or gratuity in any form.
- (10) Associate or fraternize with known criminals.
- (11) Interfere with cases being handled by this Department or by any other governmental agency.
- (12) Initially contact the Village Administrator, Mayor, Board of Trustees or a member of the Board of Trustees without first receiving the permission of the Chief of Police.
- (13) Make false accusations of a criminal or petty offense.
- (14) Intentionally make any arrest, search or seizure that is not in accordance with the law and/or in Departmental procedure.
- (15) Make any false official statement.
- (16) Remove, alter or change any official Department record except as provided for in Department procedure.
- (17) Disseminate or release information contained in a Department record except in conformance with Department procedure.
- (18) Publicly criticize the official actions of a Department member.
- (19) Obligate the Department financially in any manner except as authorized by the Chief of Police.
- (20) Engage in any activity of personal business that causes neglect or inattentiveness to duty.
- (21) Consume intoxicants on duty or in uniform on/off duty, unless pursuant to police duty.
- (22) Bring or permit an intoxicant to be brought into Police Headquarters or a Department vehicle, unless pursuant to police duties.
- (23) Enter a premises serving intoxicants except for meal or performance of duty.
- (24) Recommend the use of a particular professional or commercial service to anyone except when transacting personal affairs.
- (25) Engage in illegal gambling anywhere except in the performance of duty.
- (26) Use Department equipment, uniforms, badges or firearms in the performance of off-duty employment.
- (27) Allow use of a depiction of themselves in regulation uniform in any advertising of any commodity or commercial enterprise, without the permission of the Chief of Police.
- (28) While off duty wear the Department uniform for any reason or purpose without written permission from the Chief of Police.
- (29) While in uniform, on or off duty, engage in any personal activities. Personal activities include, but are not limited to, shopping and carrying a package(s) or article(s).
- (30) Use tobacco in view of the public.
- (31) Chew gum in view of the public.
- (32) Use Department logo, stationary or forms unless authorized by the Chief of Police.
- (33) Permit unauthorized persons to ride in a Department vehicle.
- (34) Ride in or on a non-Department vehicle during duty hours, except in the performance of official duty.
- (35) Operate a marked RMP/Department vehicle outside the Village, except in performance of official duty.



- (36) Express any prejudice concerning race, religion, politics, national origin, lifestyle or similar personal characteristics.
- (37) Make personal long-distance telephone calls chargeable to the Department.
- (38) Make personal toll telephone calls chargeable to the Department, except when a member is on duty he/she may make a toll call to contact a member of his/her immediate family.
- (39) Accept or make long-distance telephone calls on departmental phones without the approval of a superior or supervisor.

**§ 103-1E. Political activity.**

- (1) Members SHALL NOT:
  - (a) Use their official capacity to influence, interfere with or affect the results of an election.
  - (b) Organize, sell tickets to, or actively participate in fund-raising functions for a partisan political party or candidate.
  - (c) Otherwise engage in prohibited activities on the federal, state, county or municipal level.
- (2) Members may participate fully in public affairs except as provided by law, to the extent that such endeavors do not impair the neutral and efficient performance of official duties or create real or apparent conflicts of interest.

**§ 103-1F. Financial restrictions.**

- (1) Members SHALL NOT:
  - (a) Use a photograph in uniform or mention rank, title or membership in the Department for commercial advertising.
  - (b) Accept a testimonial award or gift, loan or thing of value to defray or reimburse any fine or penalty or reward for police service except:
    - [1] Award of departmental recognition.
    - [2] Award from a newspaper to a member's or officer's family for a brave or meritorious act.
  - (c) Purchase or acquire property of another, without approval of the Chief of Police, knowing or having reason to know that such property was held in custody of the Department.
  - (d) Solicit, contribute or pay, directly or indirectly, or otherwise aid another to solicit, contribute or pay, any money or other valuable consideration that will be used in connection with a matter affecting the Department or member of the Department without permission of the Chief of Police.
  - (e) Undertake any financial obligation that they know they will be unable to meet.
- (2) Members shall, upon the order of the Chief of Police, submit financial disclosure in connection with a complaint in which this information is material to an investigation. This information shall only be used for an internal investigation and will not be made public.

**§ 103-1G. Compliance with orders.**

All members shall:

- (1) Be familiar with the contents of the Department Manual and revise it as directed.
- (2) Obey lawful orders and instructions of supervising officers.
- (3) Be punctual when reporting for duty.
- (4) Be governed by orders affecting another rank when temporarily assigned to perform the duties of that rank, except as otherwise indicated.
- (5) Keep their Department locker neat, clean and secured with a lock. The Chief of Police must have the ability to gain access to a member's locker when necessity arises.



## § 103-1H. Use of firearms.

These guidelines have been prepared to protect life and property. In addition, these guidelines incorporate the United States Supreme Court ruling that deadly physical force MAY NOT be used to effect the arrest of an unarmed, nondangerous, fleeing felon. Accordingly, Article 35 of the Penal Law, with respect to use of deadly physical force by a police officer, to effect arrests or prevent escapes shall be interpreted in accordance with the restrictions imposed by the United States Constitution and in accordance with the following Department guidelines.

- (1) In all cases, only the minimum amount of force will be used that is consistent with the accomplishment of a mission.
- (2) The firearm shall be viewed as a defensive weapon, NOT a tool of apprehension.
- (3) Every other reasonable alternative means will be utilized before a police officer resorts to the use of his/her firearm.
- (4) Deadly physical force shall NOT be used to effect the arrest of a fleeing felon unless the officer has probable cause to believe that:
  - (a) Deadly physical force was used or threatened by the perpetrator; or
  - (b) The perpetrator caused serious physical injury; or
  - (c) The perpetrator is armed with a deadly weapon.
- (5) In addition, Department policy prohibits the use of deadly physical force unless ALL of the following factors are present:
  - (a) The police officer must have probable cause based upon knowledge of the crime involved and the surrounding circumstances; AND
  - (b) The police officer has probable cause to believe the fleeing felon poses an immediate threat of serious physical injury to the officer, or has probable cause to believe that failure to apprehend the fleeing felon poses a threat of serious injury to others; AND
  - (c) Reasonable means to apprehend the perpetrator, other than use of a firearm, are NOT available.
- (6) Deadly physical force shall not be used to effect an arrest or prevent or terminate a felony unless the officer has probable cause to believe that the victim may be killed or seriously injured and there is no other reasonable means to effect the arrest or prevent or terminate the felony other than by deadly physical force.
- (7) A police officer may use deadly physical force upon another person when he/she reasonably believes that such other person is using or about to use deadly physical force against the officer or a third person.
- (8) Where feasible, and consistent with personal safety, some warning (other than a warning shot) MUST be given. Deadly physical force should only be used as a last resort.
- (9) The firing of warning shots is prohibited.
- (10) Discharging a firearm to summon assistance is prohibited, except where someone's safety is endangered.
- (11) Discharging a firearm from or at a moving vehicle is prohibited, except as the ultimate measure of self-defense when the officer reasonably believes that he/she is threatened with deadly physical force by means other than the vehicle.
- (12) The discharge of a firearm at dogs or other animals should be an action employed ONLY when no other means to bring the animal under control exist.
- (13) Except as defined in this section, police officers shall draw their firearm only for cleaning and official supervisory inspection or when, in the judgment of the officer to whom the firearm is assigned, readiness to fire is essential to the protection of life.
- (14) All personal handguns shall be registered and recorded on the Department Employee Personnel History Form immediately upon purchase or disposal.



- (15) All members shall be duly certified by the Department in the use of any personal firearm carried off duty or when assigned to desk.
- (16) Members on duty shall carry only such firearms and ammunition that have been issued to them except as described in Subsection (17) below.
- (17) All personal handguns carried on or off duty shall be loaded with factory-manufactured ammunition (reloads are not permissible). The following types of ammunition are strictly prohibited:
  - (a) Armor piercing.
  - (b) Incendiary.
  - (c) Explosive ammunition.
  - (d) Mercury and/or poisonous.
  - (e) Tracer.
- (18) All members shall be armed at all times while on duty unless otherwise directed or except:
  - (a) When the required possession of the firearm under the circumstances would unnecessarily create a risk of loss or theft of the firearm.
  - (b) When permission is secured from the Chief of Police.
- (19) While on duty, members shall wear their sidearms in the prescribed manner.
- (20) Members shall report loss or theft of a firearm or the discharge of their weapon in accordance with existing regulations.
- (21) Each and every time a member of the Department discharges a firearm in the performance of duty, whether on or off duty, he/she shall prepare a complete, comprehensive report detailing the circumstances involved and submit such report to the tour supervisor. Such report should contain the reasons for the discharge of the firearm, the number of shots fired and the nature of any injuries or damage sustained by any person or property.
- (22) If a firearm is discharged at or towards any person, whether such person or another person is struck or not, the tour supervisor shall be contacted at once and summoned to the scene to conduct an immediate, complete investigation.

#### **§ 103-11. Personal appearance.**

All members shall:

- (1) Be neat and clean.
- (2) Keep uniforms clean, well pressed and in good repair, including clean uniform accessories and clean, shined shoes.
- (3) While on duty, wear uniforms or other clothing in accordance with established departmental procedures.
- (4) Wear cap squarely on head, with center of visor directly over nose. (Cap may be removed while performing duty in Department vehicle or on emergency assignment.)
- (5) Prevent non-uniform articles from showing above uniform collar.
- (6) Not wear earrings or other adornments while performing duty in uniform.
- (7) Have hair that is clean, neat and combed, and which shall not be worn longer than the top of the shirt collar at the back of the neck when standing with the head in a normal posture. The bulk or length of the hair shall not interfere with the normal wearing of all standard headgear.
  - (a) Male members' sideburns shall be neatly trimmed and rectangular in shape, not extending below the bottom of the earlobe.
  - (b) Wigs or hairpieces are permitted if they conform to the above standards for natural hair.

- (8) Male members shall be clean shaven, except that they may have a mustache that is neatly trimmed and does not extend beyond or below the corners of the mouth.
- (9) Attend court and court-related proceedings in proper uniform. Nonuniformed members shall report for regular duty and court appearances in proper business attire; however, the commanding officer may approve other attire due to the nature of member assignment.

#### **§ 103-1J. Gifts and gratuities.**

All members shall NOT:

- (1) Under any circumstances, solicit or accept any gifts, gratuity, loan or fee where there is any direct or indirect connection between the solicitation and their official position.
- (2) Use their official position, official identification cards or badges for personal or financial gain.
- (3) Use their official position, official identification cards or badges for obtaining privileges not otherwise available to them except in the performance of duty.
- (4) Use their official positions, official identification cards or badges to avoid consequences of illegal acts.
- (5) Lend to another person their identification cards or badges or permit them to be photographed or reproduced without the approval of the Chief of Police.
- (6) Authorize the use of their names, photographs, or official titles that identify them as officers in connection with testimonials or advertisements of any commodity or commercial enterprise, without the approval of the Chief of Police.

#### **§ 103-1K. Public contact.**

(1) Members shall:

- (a) Give name and shield number to anyone requesting them.
- (b) Be courteous and respectful.
- (c) Avoid conflict with Department policy when lecturing, giving speeches or submitting articles for publication.

(2) Members shall not:

- (a) Use discourteous or disrespectful remarks regarding another person's ethnicity, race, religion, gender or sexual orientation.
- (b) Divulge or discuss official Department business except as authorized.
- (c) Engage in conduct prejudicial to good order, efficiency or discipline of the Department.
- (d) Patronize an unlicensed premises (social club, after-hours club) where there is illegal sale of alcoholic beverages and/or use of drugs, except in the performance of duty.

#### **§ 103-1L. Off-duty employment.**

(1) Members may engage in off-duty employment subject to the following limitations:

- (a) Such employment shall not interfere with the officer's employment with the Department.
- (b) Members shall submit a written request for off-duty employment to the Chief of Police, whose approval must be granted prior to engaging in such employment.
- (c) Members shall not engage in any employment or business involving bail bond agencies, or investigative work for insurance agencies, collection agencies or attorneys.

(2) Members may be denied approval where it appears the outside employment might:

- (a) Render the member unavailable during an emergency.
- (b) Physically or mentally exhaust the member to the point that his/her performance may be affected.



- (c) Require that any special consideration be given to scheduling of the member's regular duty hours.
- (d) Bring the Department into disrepute or impair the operation of the Department or the member.
- (3) Members who accept off-duty employment must be aware that they will not, in most instances, be entitled to or receive legal representation from the Village. Those benefits of Village employment are afforded to Village employees only when they act within the scope of their employment and in discharge of official duties.
- (4) An officer may not be employed in a position that is specifically prohibited by law, i.e., Alcohol Beverage Control Law, Racing, Wagering and Breeding Law, etc.
- (5) Alcohol Beverage Control Law.
  - (a) No member shall have an interest, either directly or indirectly, in the manufacture or sale of alcoholic beverages or offer for sale or recommend to any licensee any alcoholic beverage.
  - (b) No member shall be employed in any retail licensed establishment where consumption of alcoholic beverages is permitted on premises except when authorized by the ABC Board and Chief of Police. **Note:** Employment in a licensed establishment for off-premises consumption (deli, grocery, etc.) is not prohibited under this section.
- (6) Racing, Wagering and Breeding Law. Members of the Department shall not hold, directly or indirectly, any proprietary interest, stock, office, or employment with any firm, association or corporation that:
  - (a) Is licensed by the Wagering and Breeding Board to conduct pari-mutuel racing.
  - (b) Conducts its occupation, trade or business at race tracks at which pari-mutuel race meets are conducted.
  - (c) Owns or leases to any enfranchised or licensed associations or corporation a racetrack at which pari-mutuel racing is conducted.
  - (d) Participates in the management of any franchised holder or licensee conducting pari-mutuel racing.

#### **§ 103-1M. Harassment.**

- (1) Title VII of the 1964 Civil Rights Act prohibits employment discrimination on the basis of race, color, sex, age or national origin. This Department will maintain a working environment free from all forms of harassment, including sexual harassment. Harassment in any manner or form is expressly prohibited. This Department will not tolerate verbal or physical conduct by any employee that harasses, disrupts, or interferes with another's work performance or that creates an intimidating, offensive or hostile environment.
- (2) All members are directed to submit written complaints to their supervisor or executive officer to report any incident constituting harassment or sexual harassment.
- (3) All members SHALL NOT:
  - (a) Exercise, or attempt to exercise, the authority of one's position to control, influence or affect the career, salary, job or other employment conditions of any employee in exchange for sexual favors.
  - (b) Use verbal abuse, threats or false accusations.
  - (c) Use unwelcome or repeated comments, remarks, jokes, innuendos or taunting about a person's body, attire, age, sex, race, disabilities, marital status, ethnic or religious origins.
  - (d) Display pornographic, racist or other offensive or derogatory material.
  - (e) Make unwelcome or sexual advances, propositions, or gestures.
  - (f) Make physical contact that one finds objectionable or offensive.

#### **§ 103-1N. Illness or injury.**

- (1) Members shall not feign illness or injury, falsely report themselves ill or injured, on or off duty, or otherwise deceive or attempt to deceive any official of the Department as to the condition of their health.
- (2) Members reporting sick or injured while on duty may be excused by the tour supervisor.

- (3) Members off duty, who are reporting themselves as sick or injured and will not be able to report for their next tour of duty, shall call the desk officer at least two hours before the scheduled tour is to begin each day of absence. If this two-hour limit cannot be met, then a reasonable excuse as to why shall also be provided.
- (4) Members who will be absent for more than three consecutive days due to illness or injury shall, at the Chief's request, provide a doctor's note stating the nature and extent of the claimed illness or injury.



## SECTION 120-2. Personnel Complaints



<b>Date Issued</b>	<b>Date Effective</b>	<b>Revision No.</b>	<b>General Order</b>
01-04-2020	Immediate	21-D	21-03
<b>Accreditation Standard 25.2</b>			

### § 120-2A. Purpose.

The purpose of this section is to improve the quality of police services and make a uniform Department-wide personnel complaint procedure to ensure the fair, impartial and expeditious processing of complaints against members of this Department.

### § 120-2B. Background.

It is essential that the community have confidence in the administrative procedures of the Department designed to supervise the exercise of police power. If the integrity and efficiency of the Department is to be maintained, complaints of inadequate service and allegations of misconduct against members of the Department must be thoroughly and expeditiously investigated. At the same time, the Department recognizes that members are often subjected to intense pressures in the discharge of their duties. They are frequently required to remain neutral under circumstances that are likely to generate considerable tension, excitement and emotion. In such situations, words, actions, and events occasionally result in misunderstandings and confusion. It is to the advantage of each member of the Department that the Department have sound, internal procedures for the investigation of allegations arising out of such circumstances. The expeditious resolution of complaints in a fair and impartial manner will ensure that the high level of integrity and efficiency enjoyed by the Department is maintained.

### § 120-2C. Policy.

The Amityville Police Department will accept and investigate all complaints of misconduct or wrongdoing from any citizen or Department members. Members of the Department shall encourage citizens to bring forward legitimate grievances regarding inadequate service or misconduct by members of the Department, and those complaints shall be received courteously and be processed without delay.

### § 120-2D. Procedure.

Members of the Department shall assist in the expeditious and impartial processing of citizen complaints in accordance with these procedures. Complaints received by this Department that allege that a Department member has used inappropriate behavior, is accused of misconduct or has committed a violation of law will be treated as a personnel complaint.

### § 120-2E. Categories of investigations.

1. Category I: all complaints concerning members of this Department that allege:
  - a. Unnecessary or excessive use of force.
  - b. False arrest.
  - c. Violation of a specific criminal statute.
  - d. Corruption.
  - e. Gratuities.
  - f. Serious misconduct.
  - g. Insubordination.
  - h. Other complaints or allegations as directed by the Chief of Police.
  - i. Bias crimes.
2. Category II: all citizen complaints relating to inadequate service, discourtesy, improper procedure, and any other allegations involving members of the Department that are not included in Category I.

### § 120-2F. Complaints defined.

While it is generally obvious when a complainant alleges misconduct on the part of any employee, complaints concerning officers' demeanor, lack of service or improper procedures are sometimes more difficult to categorize. In many instances, a citizen may be merely requesting information or clarification of a policy, procedure and/or the officer's actions and demeanor. In such cases, the citizen should be given a thorough explanation of the procedure or the legal issues involved in the situation that initiated the inquiry. In many instances, this clarification and explanation of circumstances will be enough to bring the matter to a conclusion. If, however, there is any question, it should be considered a complaint and forwarded for further action.

### § 120-2G. Central complaint index and records storage.

1. All hard copies of personnel complaints and the related case documentation shall be secured in a locked file drawer within the office of the Chief of Police.



2. The responsibilities of the Lieutenant in relation to the central complaint index shall include the following:
  - a. Coordinate and review internal investigations relating to citizen complaints.
  - b. Prepare statistical analyses of complaints to identify trends or patterns developing within the Department or with individual members that may require additional training or corrective action.

### § 120-2H. Procedure for accepting citizen complaints.

Any citizen's complaint, regardless of category, may be lodged at Headquarters or with any member of the Department. Complaints shall be registered in writing, using the Compliment/Complaint Information Report. The Compliment/Complaint Information Report should be completed by the citizen and then submitted in either of the following ways:

1. Submitted directly to the Amityville Police Department Headquarters Front Desk
2. Faxed to the Chief's office at (631)264-7643
3. Mailed to the Amityville Police Department, Chief of Police, 21 Ireland Place, Amityville NY 11701
4. Emailed to [mayor@amityville.com](mailto:mayor@amityville.com)

### § 120-2I. Supervisor responsibilities.

The supervisor or acting supervisor on duty shall be summoned by the member receiving the complaint. This supervisor shall act as the assigned member in recording and accepting the complaint. This supervisor shall complete all associated paperwork.

### § 120-2J. Assigned member responsibilities.

Any assigned member receiving a Compliment/Complaint Information Report shall take the following actions when the 'complaint' is received in person:

1. Interview Complainant or any Witness
2. Make sure the Compliment/Complaint Information Report is complete and correctly filled out.
3. Prepare Blotter and Incident Report, completing only the following fields:
  - A. Received date.
  - B. Time.
  - C. How Received.

- D. Location.
- E. Type of Event (Always "Internal Investigation").
- F. Assigned Member/Officer.
- G. Law type (LI 300 Internal Investigation).
- H. Narrative section to read "See attached Compliment/Complaint Information Report."

**Note:** An empty case jacket will be put in the file drawer with the cover completed as follows: Case Report Number, Date, and Classification: Internal Investigation

- 4. Make departmental notifications in accordance with Section 114-2, Supervisory Notifications and Response, of this Manual.
- 5. In the supplemental narrative portion of the Incident Report, document any conditions relating to the credibility of the complainant (i.e., mental condition, apparent influence of drugs or intoxicants, evidence of visible marks of injuries, etc.).
- 6. The Department member receiving the complaint shall be responsible for routing the case to the Chief of Police.
- 7. If a 'compliment' is received on the Compliment/Complaint Information Report; no further action is needed and the report can be forwarded to the Chief of Police to put in the personnel folder of the corresponding member of the Department.

### § 120-2K. Initiating administrative internal complaints.

In all cases where a member or members of this Department have cause to file a complaint (other than a labor grievance) against another member of this Department, the member shall complete a written report in memorandum form and forward same to the Chief of Police. The Chief of Police will act as the assigned member and prepare the case if needed.

### § 120-2L. Investigation of complaints.

- 1. The Chief and Lieutenant shall have primary responsibility for investigation of all Category I cases.



2. In any situation or incident of a critical or emergency nature, the desk officer shall notify the Chief of Police and request immediate assistance. At that time the Chief shall assume responsibility for the investigation.
3. Category II cases shall be investigated by the on-duty supervisor as far as practical and then forwarded to the Chief of Police, who will determine what follow-up investigation is necessary. The Chief may reassign the complaint to either the Lieutenant or Sergeant.
4. All complaints against personnel shall be investigated by members of superior rank.
5. Signed Compliment/Complaint Information reports shall be forwarded to the Chief of Police no later than the next regular business day following the signing of the report.
6. All investigations will be conducted promptly and shall be completed within 15 days unless an extension is granted by the Chief of Police.
7. Once a member is identified as the subject of a complaint, and a personnel investigation has started, the supervisor assigned to the investigation will follow through to a logical conclusion.
8. All recognized investigative methods for determining the facts surrounding a complaint shall be utilized. Interviews shall be conducted with the complainant and all witnesses. When necessary, Department members shall be interviewed and written reports obtained.

### § 120-2M. Complaint disposition.

The investigative report shall be forwarded to the Chief of Police to be logged as complete. Dispositions are classified as follows:

Classification	Description
Substantiated	The accused employee committed all or part of the alleged acts of misconduct.
Unsubstantiated	The investigation produced insufficient information to clearly prove or disprove the allegations.
Exonerated	The alleged act occurred, but was justified, legal, and proper.
Unfounded	The alleged act did not occur.
Misconduct noted	Acts of misconduct were discovered during the investigation that were not alleged in the original complaint.

### § 120-2N. Complainant notification.

In all complaints, the complainant shall be notified by the investigating member of the results of the investigation, either in person or by telephone or in writing. If the investigation resulted in disciplinary action against the Department member, the complainant shall be advised only that "appropriate" disciplinary action has been taken. The specific disciplinary action shall not be released.

§ 120-2O. Member notification.

In all complaints, the member(s) involved will be notified via the chain of command of the results of the investigation and its completion.

**By Order Of:**

*CHIEF Bryan O. Burton, Jr.*

**Chief Bryan O. Burton, Jr.**





**Amityville Village**  
POLICE DEPARTMENT  
COUNTY OF SUFFOLK

**EXHIBIT G**  
Internal Investigations # \_\_\_\_\_

**COMPLIMENT/COMPLAINT INFORMATION REPORT**

The Amityville Village Police Department is committed to providing the highest quality police services to each and every member of the community and your input is important to us. If you have a compliment or a complaint concerning an APD employee, please do **ONE** of the following:

- Complete this form and submit it directly to the Amityville Police Headquarters, or fax it to (631) 264-7643
- Mail it to: Amityville Police Department, Chief of Police, 21 Ireland Place, Amityville, N.Y. 11701.
- Email it to: [amityvillepd@amityvillepd.com](mailto:amityvillepd@amityvillepd.com)

Check the appropriate category: ☐ Compliment ☐ Complaint Blotter # (if applicable) \_\_\_\_\_

Name: Last, First, M.I.	Date of Birth	<input type="checkbox"/> M <input type="checkbox"/> F
Address	Home Phone	
E-Mail address	Cell Phone	

Person Assisting (Interpreter, Representative)	Relationship	Contact Phone #
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If Applicable: Witness Name: Last, First M.I.	Home Phone
Address	Cell Phone

**INCIDENT**

Date of Incident	Time of Incident	Location of Incident
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**EMPLOYEE INFORMATION (if known)**

Rank/Title	Command	Shield	Name	<input type="checkbox"/> M <input type="checkbox"/> F
<input type="checkbox"/> Plainclothes <input type="checkbox"/> Uniform	<input type="checkbox"/> On Foot <input type="checkbox"/> In Car	<input type="checkbox"/> Marked Car <input type="checkbox"/> Unmarked	License Plate #	Patrol Car #
Physical Description of Employee (eye color, hair color, approximate height and build, age, etc.)				

**DESCRIPTION OF INCIDENT (please include as much detail as possible)**

Would you like a Police Department supervisor to contact you with regard to your comments? ☐ Yes ☐ No

Date: \_\_\_\_\_

Signature: \_\_\_\_\_



Amityville Village  
POLICE DEPARTMENT  
COUNTY OF SUFFOLK

Internal Investigations # \_\_\_\_\_

### INFORME DE AGRADECIMIENTO/RECLAMO

El Departamento de Policía de Amityville Village se compromete a proporcionar servicios policiales de la mejor calidad a cada miembro de la comunidad y su opinión es importante para nosotros. Si usted tiene algún agradecimiento o reclamo en relación con un empleado del APD, opte por alguna de las siguientes opciones :

- Complete este formulario y envíelo directamente a APD Headquarters, o por fax al (631) 264-7643
- Envíelo por correo a: Amityville Police Department, Chief of Police, 21 Ireland Pl., Amityville, N.Y. 11701.
- Envíe un correo electrónico a: [mayor@amityville.com](mailto:mayor@amityville.com)

Seleccione la categoría correcta: ☐ Agradecimiento ☐ Reclamo

RC N. ° (si corresponde) \_\_\_\_\_

Nombre: Apellido, nombre, inicial del segundo nombre	Fecha de nacimiento	<input type="checkbox"/> M <input type="checkbox"/> F
Dirección	Teléfono de la casa	
Dirección de correo electrónico	Teléfono celular	

Persona que asiste (Intérprete, Representante)	Relación	N. ° telefónico del contacto
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Si corresponde: Nombre del testigo: Apellido, nombre, inicial del segundo nombre	Teléfono de la casa
Dirección	Teléfono celular

#### INCIDENTE

Fecha del Incidente	Hora del Incidente	Lugar del Incidente
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#### INFORMACIÓN DEL EMPLEADO

Rango/Título	División	Placa	Nombre	<input type="checkbox"/> M <input type="checkbox"/> F
<input type="checkbox"/> Vestimenta de civil <input type="checkbox"/> Uniforme	<input type="checkbox"/> Peatón <input type="checkbox"/> En auto	N. ° de patrullero	<input type="checkbox"/> Credencial marcada <input type="checkbox"/> Sin marcar	N. ° de la placa
Descripción física de los empleados (color de ojos, color de cabello, contextura y alturas aproximadas, edad, etc.)				

#### DESCRIPCIÓN DEL INCIDENTE (incluya toda la información que sea posible)

¿Le gustaría que un supervisor del Departamento de Policía se comunicara con usted por sus comentarios? ☐ Sí ☐ No

Fecha: \_\_\_\_\_

Firma: \_\_\_\_\_