



Kensington Police Department  
Police Reform and Reinvention Collaborative

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## PUBLIC COMMENT COVER LETTER

The draft being presented for public comment follows a period of collaboration with community stakeholders and representatives. However, it is imperative that the Village receive input on our plan for police reform and reinvention from as many residents of the Village as we can reach.

Meaningful reform will only be accomplished if our residents take the time to review this plan and submit any suggestions, comments or recommendations to the Village for consideration. Please help spread the word that our draft police reform plan is now available for public review and comment on the Village of Kensington web site. Let your neighbors, friends, and family members know that the Village of Kensington wants to hear from them on the important issue of police reform.

Comments and feedback may be submitted via email (KensingtonPDEO203@gmail.com), USPS mail or dropped off at Police Headquarters, 1A Beverly Rd, Great Neck NY 11021, by March 1<sup>st</sup>, 2021.

The Kensington Police Department was represented by the Nassau County Chiefs of Police Association President, Kenneth O. Jackson, at the PACT meeting dates listed below. The representative forwarded information about community concerns and suggestions that were discussed at these PACT meetings.

### Police and Community Trust Initiative (PACT)

June 24, 2020

July 14, 2020

August 6, 2020

September 17, 2020

October 8, 22, 2020

November 12, 19, 2020

December 2, 7, 17, 30, 2020

### Nassau County Legislature Public Safety Reform Hearing

January 7, 2021

# Introduction

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

As a result of the input from those within our community and other stakeholders throughout Nassau County, the Kensington Police Department has made modifications to its policies and procedures as outlined herein. This plan reflects the Village of Kensington and its Police Department’s commitment to serving all the people of our community both equally and fairly. The Village is committed to fostering trust, fairness, and legitimacy while working towards reducing racial disparities.

Recent events which have led to unrest in our country have made it clear that law enforcement, community members, and elected officials must work together to build mutual trust and respect. The Village and its Police Department acknowledge that this important work does not end with the submission of this document but rather must be an ongoing effort to continuously improve relations between the Kensington Police Department and the communities the department serves.

## KENSINGTON POLICE DEPARTMENT

The Village of Kensington was founded in 1909, and the Kensington Police Department was established shortly thereafter. Servicing the residents of Kensington for over a century, the Department now has six (6) sworn officers. The Kensington Police Department is comprised of one Lieutenant serving as Chief of Police, one Sergeant, and four Police Officers. The Commissioner of Police is a civilian position held by the Mayor of Kensington.

Operating as one of the New York State’s smallest police agencies, with a territorial jurisdiction that covers approximately one square mile, the Kensington Police Department safeguards a population of approximately 1,400 people. From its beginnings, the Kensington Police Department has conducted itself as a service-oriented police department that places the concept of community at the heart of its philosophy. Kensington officers are well trained as recruits and continue their training through in-service instruction throughout their career. This ensures that all officers, no matter their seniority, are always knowledgeable of policy changes and trained on the best police practices.

### Community Oriented Policing and Public Trust

As a service-oriented department, the Kensington Police Department has a long history of strong relationships with the communities it serves. The Department is proud of the work it does to develop and maintain these relationships as they are key in keeping an open line of communication between the department and the members of the community. Many of our residents are on a first name basis with the officers patrolling the community, such are the ties of the Department to its residents.

# EO203 Mandates

EO203 suggests the Department consider several evidence-based policing reform strategies. In addition to these strategies, the Kensington Police Department recognized the need to reevaluate additional procedures as well as address additional topics mentioned in the NYS Reform and Reinvention Collaborative Guide. Each topic is listed below and discussed in subsequent sections.

1. Department Staffing and Recruitment
2. Training
3. In -Service Training
4. Evidence-Based Policing
5. Use of Force Policies
6. Vehicle Stops
7. Procedural Justice
8. Systemic Racial Bias and Racial Justice in Policing
9. Implicit Bias Awareness
10. Hate Crimes
11. De-Escalation Training and Practices
12. Law Enforcement Assisted Diversion Programs
13. Restorative Justice Practices
14. Community-Based Outreach and Conflict Resolutions
15. Problem-Oriented Policing
16. Hot Spot Policing
17. Focused Deterrence
18. Crime Prevention Through Environmental Design
19. Violence Prevention and Reduction Interventions
20. Model Policies and Standards
21. Complaint Tracking
22. Communications Bureau and 911
23. Mental Health and Homelessness
24. Crowd Control
25. Supporting Officer Well-Being
26. Transparency

Pursuant to the directives of EO203 and following the subsequent guidance provided by New York State, the Kensington Police Department has conducted a comprehensive review of its policies and procedures. After collaborating with community stakeholders and receiving input from members of our community, the Department has proposed several modifications to its policies and procedures. This plan contains a review of both the specific topics listed in EO203 as well as the additional topics suggested in the NYS guidance or identified by the Department through self-evaluating and acknowledging the issues presented by community representatives at EO203 meetings.

The plan includes a “review” of current Kensington Police Department policies, procedures and strategies related to each topic and a section describing any “modifications, modernizations, and innovations” which will be implemented or considered following the collaboration with community stakeholders. The topics were reviewed in an effort to strengthen its relationship with the community and reduce racial disparities. Each section incorporates key

questions and insights for consideration provided in the guidance issued by NYS relating to EO203. Many of the issues addressed in the NYS guidance are interwoven throughout different topics. Accordingly, where necessary, this plan will cross-reference information as needed.

## 1. Department Staffing and Recruitment

### Review:

The Kensington Police Department consists of six (6) sworn members. Members are hired directly from a list furnished by the Nassau County Civil Service Department. This list is comprised of qualified candidates who have taken the most recent Civil Service Examination for Police Officer. Requests for interview are sent by the Department to the candidates. Respondents are interviewed, and a selection is made by ranking members of the Department, subject to approval by the Mayor/Police Commissioner, as to which candidate is tendered an offer of employment. Abiding by Civil Service Law, this selection is to be made from among the top three ranked candidates from said list.

### Recruitment:

As candidates are selected based on an examination administered County wide, the Kensington Police Department does not actively recruit candidates. However, the following steps taken by the Nassau County Police Department to best attract a diverse group of individuals to consider a career in law enforcement indirectly aids us in this regard:

- The Nassau County Police Department and the Civil Service Commission continues to work with the communities in Nassau County (as well as adjoining counties) to recruit a diverse group of candidates, which represent the diverse population of Nassau County.
- In an effort to create a more diverse Department, the NCPD has been promoting the Police Officer Civil Service Exam through the Police Department's website, distributing pamphlets, utilizing social media platforms, and engaging the youth in the community.
- Individuals interested in becoming a police officer may sign up to take the next police officer exam by calling 1-800-RECRUIT. A recorded message provides prospective applicants with additional information on upcoming tests and instructions on how to apply to take the test. The message also provides applicants to another phone number should they wish to speak with an NCPD officer about joining the department.
- Community Affairs also handles the ongoing recruitment efforts undertaken by the Department. Members of Community Affairs partner with local schools and universities as well as large shopping/meeting centers throughout Nassau County and the surrounding areas in order to recruit candidates for various positions in the NCPD (i.e. police officer, crossing guard, explorer). The recruitment effort has a specific focus on diversifying the department to mirror the community it serves.
- Community Affairs regularly hosts career day informational sessions. At these meetings, Community Affairs officers go into middle schools and high schools and talk about job opportunities available within the NCPD. These career days allow the NCPD to interact with young people and answer any questions they may have about a career in law enforcement.

### Modifications, Modernizations and Innovations:

- The Kensington Police Department will continue to work with the Nassau County Department of Civil Service in recruiting and hiring qualified new members that will represent the communities we serve

## 2. Training

As a small entity, the Kensington Police Department does not have the facilities or manpower to provide the extensive training necessary for initial and continuing education throughout the career of our Police Officers. Fortunately, we operate within the jurisdiction of the Nassau County Police Department, which is recognized as one of the leading agencies in the nation in the training of modern police officers. Initial training of our Police Officers, as well ongoing training post certification is provided to our officers by Nassau County in working with our amicable relationship. In addition to Nassau County training, all officers attend DCJS and other training courses throughout the year when available. All Kensington Police Officers have attended a DCJS certified police academy in New York State. Following is a summary of just a portion of the training provided:

### Review

#### NCPD Academy – Recruit Training

Specific areas of training will be addressed throughout this plan. This section will provide a general overview of the training provided to members of the NCPD and address training on topics specified in the NYS guidance:

- The Nassau County Police Department Academy is governed by the New York State Division of Criminal Justice Services Law Enforcement Agency Accreditation Program. The NCPD Academy staff utilizes NYS curriculum which requires six-hundred ninety-nine (699) hours in training, in addition to the NCPD's four-hundred (400) hours of supplemental training. NYS provides evidence-based curriculum and scenario training.
- The quality and efficacy of the department's training programs is assured by utilizing state certified curricula and conducting an annual review by academy staff.

### Use of Force

- New York State Department of Criminal Justice Services (DCJS) mandates that police academies provide eleven (11) hours of instruction on use of force. The NCPD exceeds that requirement by providing nineteen (19) hours of academy instruction, including eight (8) hours of reality-based training using "simunitions."
- "Simunition" rounds, which are akin to paintballs, are fired from guns to mimic scenarios where an officer may be confronted with an individual armed with a gun.
- In the 8-hour reality-based training, academy staff devises various training scenarios where officers are confronted with situations that may or may not require force. These scenarios allow the Academy staff to assess whether the appropriate amount of force is applied given the situation. The academy staff base their scenarios off scenes the new officers will confront on a daily basis (i.e. traffic stops, domestics, and disturbances).
- Observing new officers in this environment during these scenarios allows the academy staff to see if the new officers can balance both their safety and the individual's safety without resorting to unnecessary force.
- After use of force training, recruits take a Use of Force Exam. All recruits must receive a perfect score. If a perfect score is not achieved after three retries the recruit's employment is terminated.

## Vehicle Stops

- Police officers are trained to conduct vehicle stops for many reasons. Primary among those are to prevent traffic accidents, allow for an orderly and expeditious flow of traffic, and for regulatory/administrative purposes (i.e. licenses, registration, etc.).
- Stops are thereby used as a deterrent influence to prevent traffic violations from occurring and thereby increasing traffic incidents/accidents. By doing so this increases the level of voluntary compliance with traffic regulations.
- Traffic stops are always completed in a fair and unbiased manner affording all citizens of Nassau County equal protection under the law. These ideals are administered from the beginning of the academy and reinforced throughout every aspect of the training.
- Types of traffic stops are for traffic or criminal offenses, high risk situations, or potential investigative stops that are initiated when there is reasonable suspicion that a felony or penal misdemeanor is being committed, has been committed, or is about to be committed. None of these situations are ever initiated based on race, gender, ethnic origin, age, sexual orientation, religion, or financial status.

## Procedural Justice

- The Police Academy stresses the importance of enhancing trust in the community, the use of language skills, the study of police behavior and interaction with police and how mannerisms of interactions shape the public's view of police.
- The Nassau County Police Department's Procedural Justice Course is ten (10) hours long and exceeds the NYS DCJS' mandated two (2) hours. The Procedural Justice Course includes sections on de-escalation and professional communication.
- In order to make forward progress towards procedural justice and police legitimacy, the NCPD Academy instills the Four Pillars of Procedural Justice in Officers. These four principles are:
  - Fair in process
  - Transparent in actions
  - Providing opportunity for voice
  - Being impartial in decision making
- The opportunity for the citizen to make arguments and present evidence should occur before the officer decides how they are going to resolve the encounter.
- It is imperative to remain neutral in order to achieve impartial decision making. Officers are trained in consistency in decision making and that decisions need to be reasoned, objective and factually driven.
- Officers are trained regarding transparency and openness with rules and procedures. Members are instructed to secure the situation, then explain the reason for their presence.
- As reviewed in many topics at the police academy, the importance of being sensitive to cultural differences and being empathetic to a person's situation is continuously emphasized.

## Implicit Bias Awareness Training

- Training and exposing police officers to the existence of unconscious bias is believed to help reduce and manage implicit bias.
- The Nassau County Police Academy educates all recruits about implicit bias for a total of sixteen (16) hours. NCPD exceeds the NYS DCJS mandate by three (3) hours.
  - Eight (8) hours are spent on decision making which incorporates concepts of implicit bias including how to reduce stereotypical ideology and subconscious biases.
  - Eight (8) hours of training is spent on cultural diversity.
- Members of the community educate recruits about their culture and address common misconceptions or prejudices they experience in their everyday lives. These speakers talk with new recruits about their community's experience with police officers and the role these officers will be undertaking as guardians of that community.
- Different scenarios are presented by means of roleplay to simulate potential community interactions.
- In response to reform, in June of 2020, the Police Academy added an additional eight (8) hours of newly expanded training addressing anti-bias, morality, ethical awareness and cultural diversity. This supplementary eight (8) hour training will occur just prior to recruit graduation. The academy staff stresses ethical and moral courage and the importance of holding each other accountable for their actions.

## Hate Crimes

- The NCPD Academy complies with the NYS Guidelines for hate crime training. Hate crime curriculum is incorporated into several lesson plans throughout the academy.
- The Academy teaches officers that we have a zero tolerance on hate crimes and incidents that are biased in nature. Officers are instructed to identify these incidents, initiate proper reporting procedures, and make the necessary notifications to appropriate special units and, if necessary, members of the community that have a vested interest in these situations.
- All newly promoted supervisors are required to attend a refresher course on hate crimes.

## De-Escalation

- Although DCJS does not specifically require training in de-escalation techniques, the NCPD provides an eight (8) hour course dedicated to de-escalation training, in addition to incorporating de-escalation into other areas of recruit training. Topics included in de-escalation training are:
  - active listening,
  - the principle of impartiality,
  - the concept of verbal judo for effective communication (as discussed in the book *Verbal Judo: The Gentle Art of Persuasion* by George J. Thompson),
  - speaking persuasively,
  - techniques on remaining calm and in control of situations.
- Although police recruits receive extensive de-escalation training in the academy, there is only so much that can be learned in a controlled environment. Accordingly, all new Kensington police officers are assigned to



shadow an experienced officer. This experienced officer is carefully selected and takes great pride in passing on their knowledge and experience to the next generation of officers. It is with the Field Training Officer (FTO) where new police officers witness the real-world application of de-escalation techniques and the benefits it provides to both the officer and the individual. These new officers also get to see how experienced officers interact with individuals from diverse communities and gain their trust and respect. The FTO plays a critical role in shaping the future of the Kensington Police Department.

### Problem-Oriented and Hot Spot Policing

- The Nassau County Police Academy instructs recruits on the methods of Problem-Oriented Policing in a two (2) hour course encompassing the value of community-oriented policing and problem solving.
- The NCPD incorporates the basic principles of hot spot policing into a three (3) hour course on intelligence-led policing.

### Mental Health

- Recruits of the Nassau County Police Academy undergo twenty (20) hours of NYS DCJS Mental Health curriculum. This course trains recruits in identifying behavioral signs of emotional distress and to effectively communicate with an emotionally disturbed/mentally ill person and to help people with mental illnesses connect to resources. This curriculum uses role-play for reality-based training by simulating scenarios involving people in crisis.
- In addition to the DCJS Mental Health course, the NCPD academy addresses mental health training in other courses such as: crisis intervention, de-escalation, professional communication, hostage negotiation, autism awareness, and interview and verbal skills.
- Members of Nassau County Police Department's Emergency Services Unit receive an extensive five (5) day mental aided training in addition to the training described above. ESU Members train to subdue a mental aided with the minimal use of force necessary. ESU works in collaboration with other members present at the scene, which includes officers, supervisors, police medics, the Bureau of Special Operations (if the aided is armed with a firearm), and, when necessary, the Hostage Negotiation Team. Kensington Police Department may utilize these highly trained professionals to assist in any situation that may arise.

## 3. Annual In-Service Training

To ensure officers are aware of recent legislation and newly implemented department policies and procedures related to EO203 mandates, the Nassau County Police Department formulated an innovative ten (10) hour in-service training curriculum. The core lessons are outlined below:

- Legal updates to include EO203 mandates, NYS Penal Law Aggravated Strangulation, disciplinary records repeal, CVR 79-p right to monitor, Law Enforcement Misconduct Office, as well as any other legal revisions in which officer consideration is needed
- Use of force review, reaffirming the definition of reasonableness and necessity, misuse of force, use of force reporting and priority of life discussion

- De-escalation, maintaining control over oneself, the five universal truths to human interaction, communication, active listening, and the principles of impartiality
- Procedural justice, police legitimacy and the benefits thereof
- Ethical and moral courage and the duty to intercede/intervene
- Fundamental crisis intervention, indicators of emotional stress, communication, and treatment, recovery and resources
- Implicit bias, implicit/preference, explicit/conscious preference and confirmation bias
- Leadership, changing ourselves and our organization internally to assist in reflecting positive change on the interactions of those we serve

### Yearly Bias Training and Exam

Similar to the sexual harassment and hazardous materials training, all sworn and civilian members of the NCPD are now required to participate in yearly online anti-bias instruction. Immediately following the training, members must pass an exam exhibiting their understanding. The Kensington Police Officers will also be attending this training once available

## 4. Evidence-Based Policing

### Evidence-Based Policing Definition:

Evidence-based policing is the theory that effective policing requires a tightly focused, collaborative approach that is measurable, based on sound, detailed analysis, and includes policies and procedures that promote and support accountability. Evidence-based policing practices are guided by research and evidence demonstrating their effectiveness. Kensington Police Departmental policies and decisions are based on practices and strategies which accomplish police missions most effectively and efficiently. Data is accumulated continuously to test hypotheses with empirical research findings. The focus on data-driven, science based criminal justice strategies serves to develop effective, economical, and innovative responses to crime. Governor Cuomo's Executive Order No. 203 lists strategies for evidence-based policing to include: use of force, procedural justice, 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 resolutions, problem-oriented policing, hot spot policing, focused deterrence, crime prevention through environmental design, and violence prevention and reduction interventions.

## 5. Use of Force

### Definition:

The use of force by law enforcement officers that is necessary and permitted under specific circumstances, such as in self-defense or in defense of another individual or group. The use of force requires a police officer to quickly tailor a response to a threatening situation and apply appropriate force if necessary. Situational awareness is essential, as is training to judge when a crisis requires the use of force to regain control. Police Officers should only use the amount of force necessary to mitigate an incident, make an arrest, or protect themselves or others from harm.

### Review:

#### Use of Physical Force:

The use of force by members of law enforcement is a matter of utmost concern both to the public and the law enforcement community itself. When faced with a situation where the use of force is objectively reasonable under the circumstances, the guiding values of members for the Kensington Police Department shall be those principles set forth, as well as the paramount objective of reverence for the sanctity of human life. In all cases, the primary duty of all Members of the Department is to protect human life and provide for the safety of the community. Force is authorized when reasonably believed to be necessary to effect a lawful arrest or detention, to prevent the escape of a person from custody, or in defense of one's self or another. The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene. Whenever feasible and consistent with personal and public safety, members should de-escalate the use of force once a particular threat and/or resistance has dissipated. Officers are trained to assess these fluid situations for totality of circumstances and determine the level of force necessary or appropriate for each instance and adjust the level of force accordingly. To determine the objective reasonableness of force, members shall consider the following factors:

1. the severity of the crime or circumstances;
2. the level and immediacy of the threat or resistance posed by the suspect;
3. the potential for injury to citizens, officers, and suspects;
4. the risk or attempt of the suspect to escape;
5. the knowledge, training, and experience of the officer;
6. officer/suspect considerations such as age, size, relative strength, skill level, injury or exhaustion, and the number of officers and subjects;
7. other environmental conditions or exigent circumstances.

The Department recognizes the vital need for its Members to logically analyze situations, oftentimes rapidly and under tense circumstances, and to respond appropriately to the wide range of emergent incidents, threats and risks they are faced with. A Member's decision to use force in a particular situation, including the type and degree of force, should exhibit a rational and constructive thought process. The decision-making framework utilized in circumstances involving the use of force should incorporate the following: gathering of information, assessment of the overall situation, consideration of police powers and department policy, identification of available option, determination of a suitable course of action, and continuous reassessment.

Members of the Department who witness another member of the department using force that he/she believes to be clearly beyond what is objectively reasonable are duty bound to intervene to prevent the use of unreasonable

force if and when he/she has a realistic opportunity to prevent harm. Members of the Department who observe another member using force that exceeds the use of what is objectively reasonable shall promptly report these observations to his/her supervisor. In every situation, Members of the Department are expected to act with intelligence and employ sound judgment in furtherance of the spirit of this policy.

The Kensington Police Department prohibits the use of force except as provided by law, therefore, the use of force for punitive or retaliatory reasons is strictly prohibited. Members of the Kensington Police Department will only use force in accordance with existing law and Kensington Police Department policy, rules and procedures. In all cases, the primary duty of all Members of the Department is to protect human life and provide for the safety of the community. It should be noted that members of law enforcement who use unreasonable force diminish the confidence of the community they serve, expose their department and fellow officers to legal and physical hazards, and violate the rights of individuals upon whom unreasonable force is used.

Force shall not be used by a member of the department against persons who are handcuffed or restrained unless used to prevent injury, escape, or otherwise overcome active or passive resistance posed by the subject.

### Use of Deadly Physical Force:

A member of the Department is only justified in using deadly force when it is to protect him/herself or another person from what the member reasonably believes is an imminent threat of serious physical injury or death, or to stop a fleeing suspect where:

1. the member has probable cause to believe the suspect has committed a felony involving the infliction or threat of serious physical injury,
2. and the member reasonably believes that the suspect poses an imminent threat of serious physical injury to the Member or to others.

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

Members of the Department shall notify their immediate supervisor as soon as possible of instances involving the use of force. Use of force incidents are reviewed by a supervisor and the Chief of Department. Use of force incidents are examined to determine trends in weapons used, outcomes, reasons for usage, and where and when force is being used.

The Kensington Police Department generally prohibits the firing of rounds at or from moving vehicles unless the deadly force being used against the officer is other than the vehicle itself (KPD Policy 300.4.1). Every incident where an officer fires their weapon at a moving vehicle is fully investigated pursuant to the department's use of force policy.

### Modifications, Modernizations and Innovations:

- On June 16, 2020 the Nassau County Police Department issued Legal Bureau Bulletin 20-004 notifying its members of the new law, Aggravated Strangulation New York State Penal Law § 121.13-a, which is

applicable to all Police Officers in New York State. This Bulletin was noted at four changes and displayed at Kensington Police Headquarters. It serves to remind department members that the Carotid Restraint or “Chokehold” is not an authorized use of force technique except in situations where deadly physical force is being used against a member of the department or another. Kensington Police Department Policy 300.3.4 prohibits the use of the carotid restraint, except in situations where deadly physical force is being asserted against a Member of the Department or another.

## 6. Vehicle Stops

### Review:

#### Informal Quotas

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

#### Failure to Pay Fees and/or Fines

The guidance provided by New York State suggests some police departments create debtors’ prison and prioritize revenue-generation at the expense of civil rights. The Kensington Police Department does not issue arrest warrants for failure to pay fees or fines. This is a function of the courts (criminal or traffic). Officers have discretion to issue a ticket or warning based on a number of factors to include:

- nature of the infraction,
- the rate of violations and accidents at high frequency accident locations,
- complaints from the public regarding persistent traffic violations,
- other variables including enforcement efforts directed as a result of traffic analysis.

#### High Speed Pursuits

As per the NYS guidance, the community is concerned of the risks involved with high-speed pursuits. The Kensington Police Department has issued Department Policy 307 in regards to vehicle pursuits. The Kensington Police Department recognizes that the vehicular pursuit of fleeing suspects poses a danger to the lives of the public, police officers, and the suspects involved in the pursuit. The department also recognizes that in certain circumstances, the proper law enforcement response requires a pursuit. The policy of the department is to minimize the risks of pursuit by limiting vehicle pursuits to only those situations where the escape of the suspect poses a greater risk of harm to the general public than does the pursuit itself.

### Modifications, Modernizations and Innovations:

- Recognizing the concerns of the community, the Kensington Police Department is making improvements to traffic summons recording and collection of demographics.
  - The New York State Police were able to make the necessary changes to the NYS TraCS system to now capture race and ethnicity data.
- Summons activity will continue to be disclosed in the Monthly Police Report presented to the Village Board for publication. This disclosure specifies the infractions for which summonses are issued throughout the month. As the infractions targeted for enforcement are usually in direct correlation to complaints received

from residents of and visitors to the Village, this disclosure is an avenue for the department to demonstrate its regard for the concerns of the community.

## 7. Procedural Justice

### Definition:

Procedural justice is the theory that citizens need to participate in a decision-making process that is neutral and promotes transparency. Citizens want to be treated with dignity and respect and are more likely to view an interaction as fair when the police are transparent about why they are resolving a dispute a particular way and when they show a genuine concern for the interests of the parties involved.

### Review:

#### Procedural Justice

The Kensington Police Department understands procedural justice and police legitimacy play an essential role in establishing a positive relationship with the community. The Department has established long-lasting community partnerships to foster public confidence in the police and in its ability to safeguard the communities it serves.

- Police legitimacy exists when the public views the police as authorized to exercise power to maintain social order, manage conflicts, and solve problems in the community.
- The ability to maintain procedural justice directly impacts the public's willingness to defer to the authority of law enforcement and reaffirms their belief that police actions are morally justified and appropriate.
- When officers are perceived as legitimate, there is less resistance to their actions and greater potential for cooperation making officers more effective at policing.
- Officers reduce racial disparities and build trust by promoting engagement over enforcement.

Respect is an active process of engaging people from all backgrounds in a non-judgmental manner. Respectful treatment is practiced to increase our awareness and effectiveness. Individuals are sensitive to whether they are treated with dignity and politeness and to whether their rights are being respected. People may not remember the details of their encounter with law enforcement, but they will remember how they felt around the officer.

This is encapsulated in Kensington Police Department Policy 343, which contains, in part: It is the policy of the Kensington Village Police Department to promote positive relationships between department members and the community by treating community members with dignity and respect and engaging them in public safety strategy development and relationship-building activities, and by making relevant policy and operations information available to the community in a transparent manner. As specified previously, Officers undergo 10 hours of training in Procedural Justice while attending the Nassau County Police Academy.

## 8. Systemic Racial Bias / Racial Justice in Policing

### Definition:

Racial justice in policing is the concept that racial bias impairs the perceptions, judgement, and behavior of police personnel and obstructs the ability of police agencies to protect and serve the communities in a fair and just manner. The missions of a law enforcement agency are only effective when it incorporates the experience, judgement, knowledge, and energy from a wide spectrum of racial, ethnic, economic, and geographic backgrounds. In order to succeed in these missions, police officers must earn and retain the trust and confidence of the citizens in how they fulfill their responsibilities as custodians of justice. Police officers must earn and retain the trust and confidence of citizens in order to effectively fulfill their responsibilities in preserving peace.

### Review:

Kensington Police Department Policy 320.5.3 regarding discrimination and Policy 401 regarding Bias-Based Policing became a part of the department's Police Operations Manual in 2019.

The police department does not condone racial profiling and Members of the Department will not engage in racial profiling. Racial profiling undermines the efforts of law enforcement by causing a loss of respect for the law and a loss of creditability for the department.

Racial profiling occurs when a police officer relies on race or ethnicity as the primary basis for law enforcement action such as a traffic stop, pedestrian stop or request for a consent search. However, when an officer has information which links a specific criminal activity to an individual whose race, ethnicity or other identifying characteristic is known, that information may and should be appropriately used to identify and locate the individual.

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

The Police Department is committed to treat all persons with dignity and respect as individuals, and to exercise additional patience and understanding where language or cultural differences might be encountered.

## Modifications, Modernizations and Innovations

### Procedural Justice

#### Language Access Plan

The Kensington Police Department ensures the members of our community with limited English proficiency have equal access to all services provided by the Department. In 2019, the Nassau County Police Department implemented the Language Line Access Plan, which has been made available to the Kensington Police Department.

- The Language Line gives the citizen an opportunity to video conference with an interpreter to ensure both parties can properly articulate themselves and understand each other.
- Language Line provides a sign language option for residents who are hard of hearing.

- It is Kensington Department Policy not to inquire about the immigration status of crime victims, crime witnesses and anyone who calls or approaches officers to seek assistance.

### Summons and Field Stop Tracking

As stated in the Vehicle Stop section (Topic 5), the Kensington Police Department is making improvements in our summons tracking policies through TraCS updates to record demographics on the citizens stopped.

- By tracking demographics in this capacity, the Department is taking steps to eliminate any biases and disparities in ticketing.

## 9. Implicit Bias Awareness Training

### Definition:

Implicit bias awareness is a theory acknowledging that individuals are susceptible to making automatic associations of individuals between groups of people and stereotypes about those groups, which may lead to automatically perceiving crime based on an individual's membership in a particular group. Training and exposing police officers to the existence of unconscious bias is believed to help reduce and manage implicit bias. Diversity training that addresses implicit or unconscious bias can help individuals manage and minimize its existence by increasing awareness and ensuring respectful encounters both inside the organization and with communities. Respectful language, thoughtful and intentional dialogue, and consistent involvement, both formal and informal, in community events help ensure that relationships of trust between police and communities will be built.

### Review:

It is imperative Kensington Police Officers are accepting and respectful to everyone's principles and lifestyles. Respectful language, thoughtful and intentional dialogue, and consistent involvement, both formal and informal, during community engagements helps to ensure relationships of trust between police and the communities we serve.

Diversity training that addresses implicit or unconscious bias can help individuals manage and minimize its effect by increasing awareness and ensuring respectful encounters both inside the organization and with communities.

### Modifications, Modernizations and Innovations:

- In response to current events, Nassau County Police Department Community Affairs is currently working on a new video titled, "Respect and Responsibility". This video is a community information project designed to demonstrate the effect of a perceived negative encounter with a police officer by a member of the community. The video also provides information on how the community can report these incidents. Once completed, this video will be shown to Kensington Police Department members during in-service training.
- To ensure Kensington Police Department Officers are aware of recent legislation and policy changes regarding implicit bias awareness, this topic will be covered during the ten (10) hour yearly in-service training conducted by the Nassau County Police Academy.



## 10. Hate Crimes

### Review:

The Kensington Police Department effectively identifies, investigates and prosecutes hate crimes. It is Kensington Police Department Policy that a supervisor be notified of any call where a hate crime is alleged to have occurred (Department Policy 319.4). In the Village of Kensington, even the lowest-level crime influenced by any type of bias or hate is recorded and investigated. All suspected hate crimes are reviewed by supervisors and reports are forwarded for investigation by Nassau County Police Department Detectives, who perform the following:

- The Office of Chief of Detectives assigns a control number to all bias incidents/hate crimes and maintains daily, weekly, monthly and annual statistics. These incidents are categorized by the type of bias:
  - Race and ethnicity
  - National origin and ancestry
  - Gender
  - Religion and religious practice
  - Age
  - Disability
  - Sexual orientation
- The bias incident/hate crime data is reviewed and monitored by the Department Bias Crime Coordinator within the Office of Chief of Detectives. This data is shared monthly with the Chief of Department, District Attorney's Office, New York State Division of Criminal Justice Services (DCJS) and Anti-Defamation League.
- Detectives investigating hate crimes will research prior bias incidents and hate crimes to determine if there is a discernable pattern or commonalities.
  - By engaging the public through community interactions, we hope to further gain the public's confidence and trust to alert the department of potential hate crimes. With the help of the community, the Kensington Police Department can respond quickly to hate crimes and apprehend suspects.
- Reports containing hate crime data are released to DCJS on a monthly basis. The Department will be issuing a bi-annual Bias Incident and Hate Crime Report for public review. This report will breakdown bias incidents and hate crimes reported to the Kensington Police Department categorized by bias.

### Prohibited Race-Based 911 Calls

Section 79-n subdivision 2 of the New York State Civil Rights Law was amended to establish civil penalties for a person who intentionally summons a Police Officer or Peace Officer without reason to suspect a violation of the penal law, any other criminal conduct, or an imminent threat to a person or property, in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person.

A person in violation of this law is liable in a civil action for injunction relief, damage, or any other appropriate relieve in law or equity.

- Race-based 911 calls may be part of a course of conduct that is considered a hate crime or at the least, falsely reporting an incident. A 911 call taker would be unable to establish if the call is a falsely reported incident and therefore communications bureau would not play a role in this issue.
- In an effort to eliminate race-based 911 calls, the Nassau County Police Department has added the modus operandi code of "Race Based False 911". By adding this MO code, it permits an officer who takes a report, or an officer or detective who makes an arrest, to add this MO code if it applies to the incident thereby enabling the Department to track these incidents and easily research incidents should they occur. The Nassau County Police Department receives and dispatches to Kensington Police Officers all 911 calls that originate within the jurisdiction of the Kensington Police Department.

## 11. De-Escalation Training and Practices

### Definition:

The concept of de-escalation refers to the range of verbal and non-verbal skills used to slow down the sequence of events, enhance situational awareness, conduct proper threat assessments, and allow for better decision making in order to reduce the likelihood of a situation escalating into a physical confrontation or injury. Maintaining public trust is an essential element of effective policing and without it, public deference to police authority diminishes, with minor incidents more likely to escalate to the use of force. A key factor in enhancing an agency's legitimacy in the community is reducing the need for use of force through the practice of de-escalation whenever possible. De-escalation practices provide an opportunity to create an open dialogue between members of the community, police agencies, and the government.

### Review:

De-escalation practices are integral in the Kensington Police Department's training and ideology. Through effective communication and techniques, officers are trained to resolve situations which might otherwise escalate towards violence, to a successful, non-violent conclusion. De-escalation enhances the safety of police officers and the public.

As articulated previously in the Training section of this document (Topic 1), the Kensington Police Department recognizes the importance of de-escalation in safeguarding citizens as well as officers.

### Modifications, Modernization and Innovations:

- Newly hired Kensington Police Officers will receive the extensive initial training in de-escalation techniques provided by the Nassau County Police Academy, which will then be put to critical supervised use alongside an experienced FTO during Field Training.
- All current Kensington Police Officers will be made aware of recent legislation and policy changes regarding de-escalation training and practices annually, as this topic will be covered during the updated in-service training curriculum provided by the Nassau County Police Academy.

## 12. Law Enforcement Assisted Diversion Programs (LEADS)

### Definition:

In theory, law-enforcement assisted diversion programs divert low-level offenders from the criminal justice system and links them with treatment and services which positively impact public safety. These programs provide for the voluntary diversion of chronic, low-level drug offenders from criminal prosecution to case managers for individualized treatment in the community.

### Review:

As stated in the NYS Guidance, diversion programs recognize that incarceration or establishment of a criminal record may not be the most appropriate mechanism to address certain conduct. Indeed, education and/or drug or mental health treatment may provide a better alternative for both the individual and the community. LEADS also assists in avoiding unnecessary justice system involvement of people who participate in these programs.

The Kensington Police Department follows the Nassau County Police Department's policies and protocols when it comes to Law-Enforcement Assisted Diversion Programs. We are offered and utilize the same programs when needed, which are referenced below:

The NCPD Community Affairs Unit has many Law-Enforcement Assisted Diversion Programs:

- Bullying/Cyber Bullying Program: Community Affairs conducts trainings at schools and youth centers in regards to all forms of bullying.
- Bias Crime/Hate Crime Training: In Nassau County, even the lowest-level crime influenced by any type of bias or hate is recorded and investigated. Community Affairs consistently trains members of the community on bias and hate crimes. Teenagers from throughout the County volunteer to participate in hate crime education and prevention activities under the guidance of the Community Affairs Unit.
- Drug Awareness and Prevention Programs:
  - To address the crisis of alcohol and drug abuse in Nassau County, Community Affairs is a member of the Heroin Prevention Task Force. The task force's mission is to form partnerships with community and government agencies dedicated to reducing the demand for illicit drugs in our communities.
  - To further NCPD's drug awareness and prevention efforts, Community Affairs presents thorough vaping and nicotine addiction presentations.
  - Additional drug awareness and prevention programs are mentioned in the Community-Based Outreach and Conflict Resolution section (Topic 12).
- Bicycle Safety Demonstrations: Community Affairs hosts demonstrations for bicyclists to learn about the use of safety equipment when riding and the applicable laws.

- Other various crime prevention trainings include, but are not limited to, internet safety, identity theft, child safety, senior citizen safety, and scams targeting the elderly.

The success of these trainings and programs has led to a significant increase of community requests for additional trainings. Community Affairs is continuously creating and updating their training presentations and tools to reflect the present concerns of the public.

The NCPD coordinates with the Nassau County District Attorney's Office with regard to alternative prosecutions and resources. The Nassau County District Attorney's Office offers the following diversion programs:

- mental health court,
- misdemeanor drug treatment court,
- Treatment Alternative Plea Part (TAPP),
- Drug Treatment Alternative to Prison (DTAP),
- Veteran's treatment court.

Diversion programs help the defendant rectify their behavior, which resulted in arrest, and provides the opportunity to avoid prosecution. To enhance diversion, the District Attorney's Office and the NCPD meet and discuss suggestions in arrest processing. ECAB's Early Case Assessment Bureau coordinates monthly and make recommendations based on their observations.

## 13. Restorative Justice

### Definition:

Restorative justice is the theory that the purpose of justice is to restore the victim, the community, and the offender so that they may all be integrated back into, and enhance, the community and community relations. Restorative justice practices seek to involve offenders, victims, and community representatives in the reparation process. Case-by-case analysis is designed to hold offenders accountable to victims and/or community members, while encouraging the parties to work together to formulate an agreement that ameliorates the harm inflicted.

### Review:

As both the Kensington Police Department and the Nassau County Police Department are service oriented organizations, they share many values of restorative justice programs. The Kensington Police Department follows the Nassau County Police Department's policies and protocols when it comes to Restorative Justice Practices. We are offered and utilize the same programs when needed, some of which are as follows:

Restorative justice can be achieved by utilizing diversion courts such as alcohol and drug diversion as well as after care visits and the SAFE program and center for victims of abuse.

- The Safe Center is the Nassau County Advocacy Agency that serves children and adult victims of family violence and sexual abuse.
- If feasible, when arresting perpetrators of domestic violence, victims are informed by officers of their ability to have the case seen concurrently in criminal and family court. Family court may allow mediation between the parties as part of a resolution to the case.

- All domestic case reports are reviewed. Cases that might require resources beyond law enforcement capabilities are referred to the Safe Center. A Safe Center Advocate may reach out to the victim and offer further assistance.

In recognition of offender rights and avoiding the tendency towards incarceration-minded policing, in 2016, the NCPD instituted a new county-wide Appearance Ticket Protocol. In lieu of jailing offenders for offenses involving Marijuana and Larcenies, offenders are issued Appearance Tickets.

Kensington Police Department members have been extensively trained on alternative dispute resolutions. It is respectfully submitted that restorative justice is somewhat similar to arbitration; however, the focus in restorative justice is on the harm inflicted and holding the offender accountable for their actions.

- Although never formally labeled as restorative justice in training segments or discussed as such, the Kensington Police Department engages in restorative justice on a daily basis by acting as an arbitrator between parties.
- For example, the Kensington Police Department may receive an emergency call for a dispute involving neighbors. When arriving at the scene of the dispute, our officers are trained to defuse the situation and interview both neighbors separately to investigate what transpired and determine if any crime was committed. During the investigation, we make sure to inform both parties of the allegations each have made against each other and the harm each of their corresponding actions are having on one another. A solution is then devised to avoid further disputes. Although not always successful, this type of mediation is generally beneficial in avoiding future conflict between the neighbors.

## Modifications, Modernizations and Innovations:

The Kensington Police Department will continue to utilize and, when possible, improve upon the above techniques and practices in the future.

# 14. Community-Based Outreach and Conflict Resolution

## Definition:

The concepts of community-based outreach and conflict resolution are that addressing the particular needs of the communities through a police agency promotes community engagement to foster trust, fairness, and legitimacy. Implementing community-based services to assist victims and offenders by responding to their emotional and physical needs, officers can more aptly overcome barriers and enhance comprehensive community restoration. Increasing the availability of Police Officers in the community puts a focus on increasing and strengthening community relationships to provide more comprehensive services and responses to citizens in an geographic area. Community-based outreach and conflict resolution allows police agencies to provide education to the communities to increase crime awareness, advise of services offered, and enhance collaboration and trust through proactive outreach.

## Review:

The Kensington Police Department has developed its own methods when it comes to Community-Based Outreach and Conflict Resolution. These long-standing practices have been the backbone of our strong relationship with the residents we serve.

The Kensington Police Department makes the Chief of Police or another member of the administrative staff available periodically or if needed for Village Board meetings, which are open to the public. In these open forums, community members have the opportunity and are encouraged to bring topics of discussion to the police department that may not be in their purview. In these meetings, the Police Department also informs the public of recent trends, events, or other activities of note. In these meetings, a monthly report of Police Department activity is presented to the board for review and dissemination. The monthly report is also available on the village's website

Periodically, the Chief of Police will address in an email or letter to all residents information that is deemed important to be aware of. Topics of said notifications can range from local crime patterns, suggestions to protect oneself from becoming the victim of a crime, increasing instances of fraud perpetrated through scammers, and upcoming weather phenomena.

The Department further engages the community through bike patrols while riding through the Village. While engaged in these activities, the officers will either look for individuals to interact with or respond when flagged down by an individual. These officers will then engage in a discussion with these individuals on the role the Department plays in their community and will relay any concerns they have on a particular topic to the unit responsible for handling that issue. These same interactions take place each weekday as Officers closely patrol school bus stops, conversing with both parents and students along the morning and afternoon bus routes.

## Modifications, Modernizations and Innovations:

To ensure Kensington Police Officers keep abreast of new and improved techniques, community-based outreach and conflict resolution practices will be discussed during the ten (10) hour yearly in-service training at the Nassau County Police Academy.

## 15. Problem-Oriented Policing

### Definition:

Problem-oriented policing (POP) replaces primarily reactive, incident-driven policies with strategies that proactively identify underlying issues that can be targeted to alleviate crime at its roots.

### Review:

Problem-oriented policing proactively identifies underlying issues that can be targeted to alleviate crime at its roots.

- Kensington Police Officers who attend the Nassau County Police Academy will receive instruction on the methods of Problem-Oriented Policing in a two (2) hour course encompassing the value of community-oriented policing and problem solving.

- In 2002, the NCPD initiated “Nass-Stat”, which is based on the “CompStat” model used and created by the New York City Police Department. In 2012 Nass-Stat became Strat-Com (Strategic Communication). Strat-Com is an evidence-based approach to crime fighting and addressing community conditions and quality-of-life concerns. This model incorporates many tenets of the Problem Oriented Policing evidence-based approach, as it looks at large scale problems rather than individual crimes. Analysis conducted on a daily, weekly and monthly basis allows for focused strategic planning rather than general unfocused enforcement which is often intrusive to the involved communities. The Kensington Police Department is associated and participates in the Strat-Com approach.

## Modifications, Modernizations and Innovations:

The Kensington Police Department works with Nassau County Police Officers at a local precinct level to help serve the surrounding communities.

## 16. Hot Spot Policing

### Definition:

The premise of hot spots policing is that it focuses on the “High Visibility Intermittent Random Policing” (HVIRP) of small geographical areas that are experiencing high volumes of crime. Concentrating on offender-based and place-based policing can reduce violent crime and neighborhood disorder. The logic is that if crime is highly concentrated on specific streets in a municipality, the police should focus their interventions at those places.

### Policy:

The Nassau County Police Academy recognizes how valuable hot spot policing is and incorporates it into a three (3) hour course on intelligence led policing. The Kensington Police Department furnishes all crime statistics to the Nassau County Police Department and participates in the STRAT COM process which is designed to collect and analyze real time crime trends.

## Broken Windows and Stop, Question and Possibly Frisk

The Kensington Police Department has a long history of community policing. One of the most important components of community policing is enforcing a high standard for quality of life. By fixing and correcting smaller crimes and infractions (i.e. criminal mischief such as broken windows), it will in turn decrease and deter larger crimes from being committed. Members are instructed in the Police Academy, and the lessons reinforced during field training and beyond, the rules in conducting an investigative stop in accordance with the provisions provided in the Criminal Procedure Law (CPL) 140.50.

- The Kensington Police Department instructs officers to conduct investigational field stops. We operate on the standard of proof of reasonable suspicion.
  - Reasonable suspicion is defined as a quantum of knowledge sufficient to induce an ordinary prudent and cautious man under the circumstances to believe criminal activity is at hand. This standard is reached through an officers training and experience and is based on a number of factors that are observed by the officer to get him to conduct a field stop.

- In order for an officer to frisk a field stop subject, the officer must reasonably suspect he is in danger of physical injury. Officers can frisk for weapons and only weapons during this encounter unless the subject gives consent to search for evidence. Frisk of an individual is never automatic and only undertaken to pat down for items that can harm officers.
  - Any evidence that may be found at this stage, would be suppressed and not permitted into court and therefore not permitted to be used to arrest said individual.
- All demographic data recorded during field stops is incorporated into a Field Interview Report. This report detailing field stops by location, suspected activities, gender, and race will be reviewed by supervisors and filed with Department records.

## Modifications, Modernizations and Innovations:

- As discussed in previous sections, Vehicle Stops, officers now have the ability in TraCS to record the gender and race/ethnicity of the person(s) subject to traffic stops in order for the department to review and investigate any potential biases and disparities in stops by an officer and take corrective action.
- To ensure Kensington Police Department Officers are aware of recent legislation and policy changes regarding stop, question, and possibly frisk, this topic will be covered during the ten (10) hour yearly in-service training conducted by the Nassau County Police Academy.

## 17. Focused Deterrence

### Definition:

Focused deterrence is the theory that targeting specific criminal behavior committed by a small number of chronic offenders reduces crime. Focused deterrence is a premise that a substantial portion of serious crimes are committed by an organized group of repeat offenders. The purpose of focused deterrence is to alter the opportunities for crime in order to deter motivated offenders. Group-focused law enforcement strategy makes it less likely for associates to aid an offender in committing a criminal act for fear that their acts will make them a priority to law enforcement.

### Review:

The Kensington Police Department, through the Nassau County Police Department, participates in focused deterrence through referrals of potentially troubled youths to the Gang Resistance Education and Training Program (GREAT). This program, which is evidence-based and an effective gang and violence prevention tool, is built around the school system and is a law enforcement officer-instructed classroom curriculum.

- GREAT is intended as an immunization against delinquency, youth violence, and gang membership for children in years immediately before the prime ages for gang inductions and aberrant behavior.

## Modifications, Modernizations and Innovations:

- Each precinct in Nassau County creates a Person of Interest Bulletin which is widely disseminated. The Kensington Police Department receives said bulletin and posts it in Police Headquarters.



- To affirm Kensington Police Officers exercise the best practices in implementing proper focused deterrence, this topic will be covered during the newly expanded yearly in-service training outlined in the Training Section (Topic 1).

## 18. Crime Prevention Through Environmental Design (CPTED)

### Definition:

The concept of crime prevention through environmental design is that crime is a man-made hazard which can be resisted through quality design. This strategy addresses the relationship between the physical environment and the incidence of crime. Crime prevention through environmental design considers the themes of visibility, territoriality, cohesion, accessibility, attractiveness, connectivity, and community culture and their impact on crime. This strategy deters offenders from engaging in low-risk situations due to public visibility.

### Modifications, Modernizations and Innovations:

The Kensington Police Department utilizes some techniques outlined in Crime Prevention Through Environmental Design. Kensington Police Department members have in the past assessed locations and suggested plans or modifications to certain locations to prevent crimes from occurring. As a primarily residential community, these suggestions are tailored to making homes less of a target to a potential burglar.

## 19. Violence Prevention and Reduction Interventions

### Definition:

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

### Review:

The Kensington Police Department understands that victims of domestic violence are a vulnerable population who are susceptible to greater levels of violence in the future at the hands of their loved ones. As such, the Kensington Police Department has a zero-tolerance policy for any and all instances of domestic violence.

- Indeed, if it is determined that any misdemeanor crime has been committed in a domestic situation, an arrest must be made regardless of whether the victim requests such arrest. This policy is more restrictive than state law requires under Criminal Procedure Law § 140.10.
- It is also worth noting that even in situations that do not arise to a level of arrest, any guns, which includes rifles and shotguns, that are possessed in the residence are temporarily removed by the Kensington Police Department until a full investigation can determine if it is safe to return them.

## Modifications, Modernizations and Innovations:

The Kensington Police department will continue to be proactive in seeking to protect its most vulnerable citizens by relying on our trusted role within the community where residents are comfortable expressing their concerns in a safe environment, knowing that the Officers on duty have their best interests in mind.

## 20. Model Policies and Standards

Over the past eighteen months, the Kensington Police Department worked with Lexipol, a leading expert in law enforcement policy development, in crafting a comprehensive set of Policies and Procedures that align with current laws and best practices. These policies and procedures are actively updated throughout each year as the task of policing continually evolves. Our Police Officers are kept up to date with these policies and any changes as they come through monthly training exercises that require reading and acquainting themselves with specific aspects of the directives.

The Department is currently exploring entering into a Participation Agreement with New York State Division of Criminal Justice Services for the New York State Law Enforcement Agency Accreditation Program. If implemented, the Department, as part of the accreditation process, will have their policies, procedures and standards reviewed by this independent agency to ensure our policies, procedures and standards are up to date with the latest policing models.

## 21. Complaint Tracking

### Policy:

The Kensington Police Department holds its members to a high standard of professional and individual conduct in order to serve the residents of the Village and its visitors with confidence, integrity, and respect. In addition to their role in its enforcement, members are required to obey the law and treat all people with the dignity they deserve.

In furtherance of our mandate and commitment to the principles of honesty and ethical behavior in all actions, all complaints are thoroughly and impartially investigated at the supervisory level, and further reviewed by upper management before a final determination is made. All allegations of misconduct are thoroughly investigated (Department Policy 1010). Civilian complaints may be made via telephone, email, or in person at Police Headquarters, twenty-four (24) hours a day, seven (7) days a week. The Village of Kensington is currently evaluating vendors to revamp and modernize the Village web site. Plans include modifications to the Police Department area of the site, including a potential point of contact there, as well.

In the event of any substantiated claim of excessive force, false arrest, violation of rights, or any other serious violation of good conduct, the Nassau County District Attorney is to be immediately contacted and asked to investigate on our behalf.

## 22. Communications Bureau and 911

All 911 calls originating from within the Village of Kensington are fielded by the Nassau County Police Department. Information is then forwarded to the officer on duty via telephone or through the Department's contracted dispatcher. In the past year, the Department moved to a new dispatching service to field calls placed to the Department's direct emergency lines. The change to a more professional and full-service facility took place after an internal review which was prompted by feedback from the community regarding the previous vendor.

### Review:

- The Kensington Police Department receives and dispatches calls for service relating to medical emergencies. An integral part of that response is the Kensington Police Officers who are certified first responders and who respond alongside the paramedics to all medical emergency calls. Oftentimes, our police officers are the first ones to arrive at the scene of a medical emergency and are tasked with providing life-saving measures until the paramedic can arrive and the patient can be safely transported to a hospital.
- As a service-oriented department, the Kensington Police Department responds to any and all requests for assistance. For example, a request by an elderly individual to be lifted from the floor to the bed will be handled by a Kensington Police Officer. A neighbor having an issue with another neighbor will also be handled by the Department. Indeed, there is no assignment that is too big or small for the Kensington Police Department.

### Modifications, Modernizations and Innovations:

Officers receive ongoing training in regards to call intake and recognizing signs and symptoms of callers in crisis.

## 23. Mental Health and Homelessness

### Review:

#### Mental Health

The Kensington Police Department responds to the scenes of emotionally distressed persons who need assistance in an effort render necessary aid in a humane and sensitive manner to persons who appear to be suffering from mental illness or disability. Kensington Police Officers are trained to assess situations involving individuals experiencing a mental health issue and obtain background information including: the individual's mental and medical history, prescription or illegal drug use, the circumstances which led to the call to 911, the individual's behavior prior to police arrival, the individual's past violent behavior. The response to a call involving emotionally distressed persons includes the responding police officer, an assisting officer, and a NCPD Ambulance at the scene. In situations where the mental aided exhibits violent behavior and the situation is likely to result in serious harm, personnel from the Emergency Services Unit (ESU) will respond as well.

- The "Mobile Crisis Outreach Team" (MCOT) is available through the Nassau County Police Department in all instances involving a situation where a person is experiencing a mental health crisis. MCOT is a unit composed of mental health professionals who provide on-site intervention and evaluation for community members and their families.

- If the officers at the scene reach a determination that the individual is a threat to himself/herself or others, the officers will transport the person, by ambulance, to a hospital for a medical evaluation and treatment.
- If it is determined that the individual is not a threat to himself/herself or others, and transport to a hospital is not necessary, the officers at the scene will reach out to or provide referrals to resources such as MCOT the National Alliance on Mental Illness, 211, and the National Suicide Prevention Lifeline.

## Substance Abuse

- As Certified First Responders, Kensington Police Officers are trained to respond to all opioid overdose requests for assistance. In most circumstances, our police officers are generally the first members to respond to the scene of an overdose. Pursuant to their training, if necessary, they will administer NARCAN until the Police Medic and ambulance arrive to the scene. All overdose calls require a supervisor to be notified, and respond if available, and an investigation to be conducted by a detective. Nassau County Health and Human Services is also apprised of each and every overdose call once the aided is transported to the hospital. It is worth noting that pursuant to New York's Good Samaritan Law (Penal Law § 220.78) all individuals and witnesses who request emergency assistance will not be arrested for possessing small amounts of drugs or drug paraphernalia. The Kensington Police Department always takes great care to inform all witnesses and, if possible, the aided of this provision and the necessity of knowing what drugs the aided ingested so that proper care and treatment can be administered.

## Homelessness

- Kensington Police Department members are trained on interacting with homeless persons and identifying those who require additional necessary treatment.
- During the winter months, all department members are reminded of the Nassau County Department of Health and Human Services' "Warm Bed" project, which is an outreach program offering anyone without shelter housing for a night without stipulation. Members are directed to apprise all homeless individuals they encounter of such services and, where appropriate, transport the homeless person to a shelter.

## Modifications, Modernizations and Innovations

It has been suggested that police reform should include eliminating a police response to calls for individuals experiencing mental illness related distress. The Kensington Police Department is aware of the value of having a mental health professional at these scenes and is working on establishing a "dual response" model with a Mobile Crisis Unit in these cases.

It is respectfully submitted that the extensive training that our officers receive best promotes public safety with regard to police response to mental health calls for service. Our officers handle requests for services from the public as we operate twenty-four (24) hours a day, seven (7) days a week and our members are trained that the Kensington Police Department is a service-oriented department. Our members respond with care and compassion to every request for service. MCOT is notified of all instances involving a person suffering from a mental health crisis and works in conjunction with department members on all mental aided calls. MCOT can respond separately to offer their services to repeat offenders prior to the offender requesting emergency assistance. That intervention hopefully eradicates or mitigates a further police response for those individuals by providing them with the necessary resources.

Legislation was passed in June of 2020, to form a committee to review best practices in response to mental health in Nassau County.

## 24. Crowd Control

It is the policy of the Kensington Police Department to protect individual rights related to assembly and free speech; effectively manage crowds to prevent loss of life, injury, or property damage; and minimize disruption to persons who are not involved. As a small department with between one (1) and three (3) officers on duty at any one time, large crowds necessitate utilizing the assistance of surrounding police departments, including the Nassau County Police Department.

- Recently, there have been many protests within Nassau County and the protests have remained for the most part peaceful with only a handful of arrests. The Village of Kensington has experienced some protests but remain ready to handle any situation that arises.
- The Kensington Police Department may in certain situations request the assistance of the NCPD Specialized units such as the Mounted Unit and Bureau of Special Operations to manage large scale events more effectively.
- The Kensington Police Department does not utilize surplus military equipment for crowd control. The Kensington Police Department does not have any surplus military equipment obtained through the NYS Military Program 1033.

## 25. Supporting Officer Well-Being

As stated in the NYS Guidance, law enforcement is inherently a physically and emotionally dangerous job. The Village of Kensington is committed to supporting and promoting the physical, emotional, and mental wellness of all members of the Kensington Police Department.

During the course of a career in law enforcement, an officer will likely be exposed to a traumatic event (i.e. death of a child, mass casualty incident, etc.). Traumatic events are covered by the NCPD Peer Support Team who respond to scenes and/or hospitals and other locations as needed. This team is available twenty-four (24) hours a day, seven (7) days a week.

The Kensington Police Department utilizes the services of the Nassau County Police Department Wellness Committee. The committee was established in November of 2018 to coordinate the efforts of the preexisting Employee Assistance Office and Peer Support Group with department representatives to discuss and implement the means to provide for, improve, and study the physical, emotional, and spiritual welfare of employees. The Wellness Committee actively seeks the input of Department Members through surveys, website, and email contributions. Representatives from across all divisions, units, and unions have been invited to contribute via the wellness committee to bring forth the concerns of their respective peers. The Wellness Committee also hosts health related voluntary seminars and training sessions. Additionally, they recommend current issues and topics be covered during mandatory in-service training.

Members of the Department also have available to them a Peer Support Team which is provided for and maintained by the Nassau Police Conference.

## 26. Transparency

### Review:

The Kensington Police Department has historically been transparent in the area of police department reporting. The Department views openness in matters of public interest an issue of importance. The Police Department strives to disseminate accurate and factual accounts of occurrences of public interest, consistent with the protection of legal rights, the safety of persons involved, and with consideration for maintaining the confidentiality of certain department records. A detailed Monthly Police Report is prepared and presented to the Village Board to deliver at the monthly board meeting. All other request for statistics must be requested through a Freedom of Information Law (FOIL) request.

### Modifications, Modernizations and Innovations:

In recognition of fostering trust and fairness through police reform, as mentioned in prior sections, improvements are in the process of being made to the Village Website to make it more user friendly and provide more information.

## Conclusion

The NYS Guidance asked that our plan include how we will measure success. In many ways, we have historically achieved success through the engagement with the residents of our Village. The Kensington Police Department will continue to monitor and measure the success of our plan by reviewing data, expanding and modifying our training and by listening to our community.

As a small, community-oriented police department, we will continue to utilize the longstanding relationships we have built with our residents to move forward with the implementation of modern police practices. Bolstered by input from the public, their support for the local Police Officers working to keep their community safe will only strengthen.