

Town of Cornwall
New York State Police Reform and Reinvention Plan
Pursuant to NYS Executive Order No. 203

Our initial Police Reform & Reinvention Collaborative Committee (hereinafter, the “Committee”) meeting was held on January 21, 2021. It was held virtually due to the ongoing pandemic. The Committee included members of the town board (Richard Randazzo and Helen Bunt), members of the town police force (Chief Todd Hazard and Sergeant Joseph Gebert), the Orange County ADA (Robert Conflitti), a criminal defense attorney (Michael Ferraro), and members of the community (Kathryn Wilhelm, Mia Dinnocenzio, Autavis Graham, Michael Kochler, and Sarita Bhandarkar) who represent the school district, small business, the volunteer fire department, mental health services, and legal services. Follow up meetings were held on February 4th and February 17th. All meetings were open to the public and were publicized on the town website.

In advance of the initial meeting of the Committee, the Town provided a copy of the NYS Police Reform and Reinvention Collaborative guide to all Committee members. The Cornwall Police Department (hereinafter, the “CPD”) provided copies of the following relevant General Orders to the Committee (*attached as Appendix A*):

- General Order No: 18.01 regarding Disciplinary Procedures
- General Order No: 18.02 regarding Personnel Complaint Policy
- General Order No: 18.03 regarding Reporting, Evaluation, & Investigation of the Use of Force and the Discharge of Weapons
- General Order No: 25.09 regarding Hate Crimes

About the Cornwall Police Department:

The CPD was reaccredited last year by the Law Enforcement Agency Accreditation Council of New York State. The CPD has been accredited every five years since 2005. A copy of the accreditation program, which is substantial, was provided to the Committee following our initial meeting so that the standards between E.O. 203 and the accreditation program could be compared. For members of the public, here is the link: (https://www.criminaljustice.ny.gov/ops/docs/accred/standards_compliance_verification_manual.pdf). The accreditation program, which is voluntary, is administered through the New York State Division of Criminal Justice Services Office of Public Safety. Its stated mission is as follows: “The mission of the Office of Public Safety is to reduce crime and increase the effectiveness and efficiency of law enforcement, public safety and security organizations located within New York State, and to increase public confidence by promoting professionalism through standardized training and support.”

In Orange County, a total of only seven (7) law enforcement agencies of 37 are accredited, including the CPD. There are 160 agencies accredited statewide; of these, 143 are municipal agencies. The New York State Police and many of the SUNY Police Departments are also accredited. As part of the accreditation process, each officer receives a minimum of 21 hours of in-service training annually; a portion of this training is anti-bias training.

Due to the limited size of our police force and town, some programs are nonexistent and county support is instead used for these purposes. For example, the CPD doesn’t have a SWAT team, military equipment, or engage in no-knock warrants. Should these services be needed, the county or New York State police would be involved. The only less lethal weapons authorized for use by the CPD are a baton, OC spray, and a taser. The Woodbury Police Department provides an annual training on the use of these weapons, which the CPD participates in. With respect to use of force, the CPD follows municipal training standards for use of force, an “objective reasonableness” standard.

There have been approximately five complaints against members of the CPD in the last five years. These were complaints about perceived inadequate service. These complaints were resolved through a review with the community member of CPD procedure and/or the applicable law. There have been no formal complaints made with respect to CPD behavior, use of force or bias since Chief Hazard has been on the force – meaning no complaints for at least fifteen years.

There has been one incident on record in the last five years which was classified as a hate crime. It involved graffiti in an abandoned building, which included racist writings, anti-Semitic writings, and crude drawings of anatomy.

There are 9 full-time and 9 part-time members of the CPD. Many of the part-time officers joined the CPD after serving elsewhere first so that they have more experience and training when they join the force. At present, all 18 officers are white males, two of whom are Hispanic (1 full-time and 1 part-time). Although it is acknowledged that the Town of Cornwall Police Department is bound to NYS Civil Service rules in its hiring practices for full-time positions, which includes adhering to a competitive list established by Orange County, the Town of Cornwall does have some latitude with part-time hires. The Town of Cornwall should endeavor to create a more diverse agency with its part-time hiring practices when possible, recognizing that there is value in having a police department that represents the diversity of the community.

Traffic tickets: 984 tickets were issued in 2020 with over half of those being issued to individuals between the ages of 21 and 40. (*chart and data provided by CPD attached as Appendix B*). Race is not currently reported for traffic tickets because race isn't listed on driver's licenses. While the Committee discussed whether data on race should be collected for traffic tickets, the Committee felt it advisable to defer to the DMV on this issue. If NYS would like this data to be collected, then it should be required to be disclosed on driver's licenses. The concern by Committee members was that requesting this data may lead to misunderstandings with members of the public unless disclosure of this information is clearly required by New York State.

Arrests: 42 arrests were issued in 2020. Of those, 6 were POC or 14.2% of arrests, only 1 of whom resided in Cornwall. (*chart and data provided by CPD attached as Appendix C*). The majority of arrests were for individuals between the ages of 21 and 40. One of these arrests was Mental Health related although the 911 call was not identified as MH. The individual was referred by the court for a psychiatric evaluation.

Mental Health Calls: 17 calls to 911 were reported as MH-involved in 2020. While none of these calls resulted in an arrest, 9 resulted in hospitalization - 4 were transported by COVAC or MMH, 2 by family members, 3 by CPD personnel. 3 calls were apparently dispatched COVAC or MMH directly, and the CPD was involved in 2 of these. Of the 17 calls:

- 7 involved a threat of suicide, 1 additional call was for an OD on over-the-counter meds - a possible suicide attempt
- 3 involved a threat to others (1 was attributed to dementia and was determined to be harmless).
- 8 calls required no further action and were resolved through counseling.
- Weapons were reported in 4 responses: 1 reported "a possible" gun; 1 suicide threat reported a knife involved in an earlier incident; 1 involved a minor, the guns in the home were removed; 1 call was met at the door by the subject wearing what appeared to be guns - they were determined to be "blank" guns.

This data on MH is noteworthy because, due to budget, there are no MH professionals presently on the CPD. These services are provided through OC Mobile Mental Health when needed; but because this is a countywide service, there can be long wait times for MH professionals to arrive when requested. This puts CPD in the position of acting in the place of MH professionals until Mobile MH can arrive. It may be worth looking into whether MH professionals would be willing to volunteer their time to be "on call" if/when these services are

needed or whether we could partner with other local municipalities (even between town and village) to have someone on staff or a service on call who can provide these services.

Social Media: With respect to social media, per Chief Hazard, the CPD employees are to be held to a higher standard if there is any hate speech etc. on social media, but there isn't a monitoring program in place at present with respect to online activity unless a complaint is brought by a member of the public. There has been a written social media policy in place for the CPD since 2009.

Sergeant Gebert proposed a solution to increase transparency and the CPD's presence on social media by having a CPD Facebook page for the purposes of furthering goals related to community outreach and transparency initiatives. In keeping with Facebook pages existing for other municipal police departments, Sergeant Gebert has proposed that such an account could be used for:

- Notifying public of safety concerns
- Community outreach and engagement
- Public relations
- Notifying public of non-crime issues (traffic, road closures etc.)
- Soliciting tips on crime
- Monitoring public sentiment
- Intelligence gathering for investigations
- Recruitment and applicant vetting
- Communicating with government agencies
- In-service training

Sergeant Gebert has volunteered to create and monitor this Facebook page. The Committee is in agreement with this plan.

Public Concerns/Impressions: In our initial meeting, a number of members of the public and representatives of advocacy groups located in the region (but not necessarily individuals who reside in Cornwall) voiced concerns about perceived discriminatory behavior towards minors and POC. Following that discussion, Chief Hazard provided data that appears to contradict these perceptions (*see Appendix B and C*) although we would be able to have a clearer picture if race were included in traffic ticket reports. The individuals who were voicing these concerns were not people who had experienced discriminatory behavior first hand in our community and these statements were made based on second-hand information. While it was anecdotal in nature, it was difficult to assess the accuracy of these statements because there wasn't data available to corroborate the statements and they were not first-hand accounts.

The individuals who voiced concerns in our initial meeting were encouraged to reach out to anyone they knew who had had a discriminatory experience so that they could participate in the second meeting on February 4th. At that second meeting, which was relatively brief, no members of the public appeared to voice concerns. Even the advocacy group representatives were absent.

The Committee discussed whether a survey may be useful in collecting this type of data. Surveys have been one option recommended in the NYS guidelines and are being used in other municipalities. While the Committee acknowledges that it would be difficult to conduct a survey in advance of the April 1st deadline, the Committee will consider conducting a comprehensive town-wide survey before year end and/or conducting periodic surveys to be sent each month to individuals who have had interaction in the prior month with the CPD. Chief Hazard has provided a sample survey which may be adapted and adopted for these purposes.

Community Policing, Students and Black Lives Matter: It is worth noting that the BLM marches last summer in Cornwall were monitored by police, some of whom participated, and that Chief Hazard had told the student organizers that even though permits were not being issued at that time (due to COVID) that they would not stop the BLM march. This resulted in a large and largely positive turnout of community members, particularly students. The police presence was one of providing safety and oversight and a sense of community between law enforcement and students.

One of the recommendations in the NYS Resource Guide for E.O. 203 is to form partnerships between schools and police to build trust with students. While the BLM marches predated this recommendation, they showed the willingness of the CPD to provide support to students in our community, including those who are POC. If there are not presently programs between the schools and the CPD, this may be something that should be considered by the CCSD school board and the CPD going forward once we are past COVID.

In our February 17th meeting, Chief Hazard reviewed programs which have existed in the past between the CPD and the CCSD, including a safe driver forum and an honor society program on gun safety. There is a history of collaborating between the CPD and the CCSD and a willingness to continue collaborating in the future post-COVID. Kathryn Wilhelm, Assistant Principal at CCHS, advised that past programs included Chief Hazard speaking with student panels to address safety concerns and safety drills following school shootings in other states. The CPD officers walk the halls in CCHS often so students are used to seeing them, interacting with them, and observing them interacting with school staff. This is important to continue post-COVID and is in accordance with the goals of community policing as set forth in in the NYS Resource Guide for E.O. 203.

Some other proposals made by the Committee to enhance transparency and build a sense of trust between the CPD and the community include (1) periodic citizen forums where community members can ask questions of the CPD and voice concerns and (2) police visits to local businesses so that business owners and officers can get to know one another.

Mandatory Training: The CPD currently has 21 hours of mandatory training/year per officer. This is required for accreditation. While there are free programs available for more training should the CPD want to participate, there is a cost constraint on this. For every officer out at training, another must be on duty (i.e., overtime expense). By contract, there must be at least two officers on duty every shift to respond to calls. Last year, officers received Implicit Bias training, either a full-day training (provided through a group hired by the New Windsor Police Department) or three-hour training (provided through a group hired by the Orange County District Attorney).

Per Chief Hazard, a 2021 Department Goal is for officers to receive in-service training in the areas of de-escalation techniques and implicit bias. More details are needed as to how this goal will be implemented and how attainment will be measured; but those details can be provided on an ongoing basis through social media announcements or in a citizens forum.

One recommendation is to establish quantifiable goals by adopting the SMART goal setting process, a nationally recognized best-practice, that stands for Specific, Measurable, Achievable, Realistic, and Time-sensitive. This process provides objectively quantifiable goals that can be used to gauge success and progress.

Body Worn Cameras: The Committee is aware that the CPD doesn't currently have a Body Worn Camera program but the Committee is also cognizant to the fact that the costs associated with a Body Worn Camera Program are currently prohibitive for the Town of Cornwall (estimated at \$50,000 annually). It is proposed by the Committee that the CPD avail itself to outside funding sources that would fund a body worn camera program should such funding sources become available through NYS by grants or otherwise, which would include not only the body worn cameras, but also administration of the program, including training and storage

systems to collect and store body worn camera footage. In no event is the Committee recommending that such a program be funded by the taxpayers of the Town of Cornwall.

Conclusion:

Throughout this review process, the CPD was transparent, forthcoming, and able to readily provide any data which was requested by Committee members. Chief Hazard attended not only our Committee meetings but also other information sessions provided by NYS and Albany Law School in order to have full understanding of E.O. 203, what other communities were doing, and how to effectively implement a plan in Cornwall.

While we acknowledge that the CPD has already taken steps to go above and beyond what is required as evidenced by its participation in the NYS Accreditation program, we also acknowledge that there is always room for improvement. We believe that the proposals above, including a social media presence, citizens forums, periodic surveys, collaboration with the schools, and meeting local business owners will be helpful in building trust between the CPD and the community. However, we also recognize that this is an ongoing process and that this plan should be subject to ongoing review and revision and is likely to evolve in future years as our community changes and as policing needs evolve.

Appendix A

- GENERAL ORDER 18.01 DISCIPLINARY PROCEDURES
- GENERAL ORDER 18.02 PERSONNEL COMPLAINTS
- GENERAL ORDER 18.03 FORCE REVIEW
- GENERAL ORDER 25.09 HATE CRIMES



Town of Cornwall Police Department

POLICE DEPARTMENT

183 Main Street
Cornwall NY 12518



Todd M. Hazard
Chief of Police

GENERAL ORDER NO: 18.01

Issue Date: 1/14/2021	Effective Date: 1/14/2021
Revises: 3.70	Supersedes:
Subject: DISCIPLINARY PROCEDURES	
Distribution:	
Reevaluation Date:	Page: 1 of 8
Issuing Authority: Chief Todd M. Hazard	

GENERAL ORDER #18.01 DISCIPLINARY PROCEDURES

In conjunction with Article XII and Article XVI of the Town of Cornwall Police Department Rules and Regulations manual this General Order sets forth the Disciplinary Procedure for the Town of Cornwall Police Department.

Purpose: Discipline within the Town of Cornwall Police Department requires that all members of the Town of Cornwall Police Department conform to a code of ethics and standards of performance supported by a system of authoritative guidelines such as Rules, Regulations, General Orders and other policies and procedures. Discipline is a necessary element in the maintenance and growth of any officer employed by the Town of Cornwall Police Department.

Policy:

1. Department Supervisors:

A. All Department supervisors (either permanent or acting) are responsible to ensure that all members of the Police Department perform their duties in accordance with the policies, procedures, rules and regulations, and authoritative instructions of the Department.

B. Supervisors are required to initiate the following corrective measures to fulfill their responsibility of insuring compliance with Department rules, regulations, policies and procedures. In all cases, the supervisor is required to instruct the subordinate on how to correct noted inadequacies and to document same.

1) Nothing established herein should preclude the supervisor from regularly instructing members of the Town of Cornwall Police Department on their performance.

2) Supervisors will give remedial instruction in all instances that are or may be construed to be violations of Departmental directives. Such oral instruction to a member of the Town of Cornwall Police Department shall be officially recorded and documented as a memorandum of record or counseling memorandum.

3) Initiate command discipline proceedings as allowed by current directives.

4) Recommend, through the chain of command, to the Chief of Police the preparation of formal departmental charges.

5) Should a supervisor feel that an officer or employee is unfit for duty (for either medical or psychological reasons), they may excuse that member for the remainder of their tour.

a) When it is indicated that the possession of a firearm or other equipment by a police officer could be dangerous to themselves or others, said equipment will be secured from that officer by their immediate commanding officer. However, under extreme circumstances where the members mental state is such that in the observer's opinion, the member is in imminent danger of seriously injuring themselves or others, any member of the Department may secure such equipment. The member's supervisor will then notify the Chief of Police of the action taken immediately and will then file a written report of their action within 24 hours.

(1) A medical or psychiatric examination may be ordered pursuant to Section 72 of the Civil Service Law which provides that if the individual is found to be medically or physically unfit to perform the duties of the position held, then the Chief of Police may place that member on involuntary leave.

2. The Chief of Police

A. The Chief of Police will have the authority to correct minor violations of the Department's rules and regulations, policies, procedures, and authoritative instructions through the use of command discipline when formal charges and / or specifications are waived in writing by the member(s) charged.

1). The Chief of Police is authorized to impose any of the following penalties for violations subject to command discipline:

- a) Oral warning or reprimand.
- b) Written warning or reprimand.
- c) Suspension without pay not to exceed five (5) days.
- d) Fine not to exceed one hundred (100) dollars.
- e) Forfeiture of up to five (5) regular days off to be assessed at one day per pay period.
- f) Forfeiture of up to five (5) days of vacation, personal leave, sick leave or any combination thereof.
- g) Revocation or permission to engage in outside employment not to exceed thirty (30) days where the violation incurred is related to such outside employment.

2). The Chief of Police will forward a written report of the discipline taken regarding command discipline to the Town Board upon request.

B. The Chief of Police cannot impose command discipline under the following circumstances:

1. The member(s) involved request formal charges and a Departmental trial.
2. The member(s) involved are on probation as a result of a previous disciplinary action.
3. The violation is aggravated by circumstance or condition which makes it inappropriate to be resolved through command discipline.

C. The Chief of Police will suspend from duty any member(s) of the Department who have been arrested and charged with a crime or who have been indicted by a Grand Jury.

1. The Chief of Police will then institute an investigation into the matter and forward a comprehensive written report to the Town Board as directed for their consideration as to the length of the member's suspension and determination if the suspension will be with or without pay.

D. The Chief of Police will prefer, prepare, and forward to the Town Board as directed any charges and / or specifications against a member(s) of the Department for violations of the Department rules and regulations, policies, procedures, and authoritative instructions which are not resolved through command discipline.

- 1). The Chief of Police will also provide in writing a copy of all charges and specifications to the member(s) involved in person or by certified mail.**
- 2). The Chief of Police will provide a written notice of discipline to the PBA at the same time as the effected member is served.**

3. Disciplinary Procedure

A. Receiving Complaints

- 1) Complaints against member(s) of the Department for violations of rules and regulations or for violations of established policies, procedures, authoritative instructions or the law shall be reported in writing addressed to the Chief of Police.**
- 2) The Town Board acting in their capacity as police commissioners may file such complaints and a copy of the complaint shall be delivered to the Chief of Police and the member(s) involved in writing, in person, or by certified mail.**
- 3) Subordinates receiving complaints regarding member(s) of the department, whether in writing, in person, or by telephone, shall immediately notify their supervisor.**

a) In the event no supervisor is readily available then the subordinate will obtain all the necessary information and will turn it over to a supervisor as soon as possible.

- 4) Any member of the department who may become aware of any violation of law, ordinance, rule or order of the department, by any member, shall immediately report such conduct to their immediate supervisor.**

B. Investigation of Complaints by Supervisors

1) A supervisor receiving information, or having knowledge, concerning the misconduct of a member(s), shall promptly begin an investigation of the matter. The supervisor shall reduce to writing, in affidavit form, any statements of the complainant, exactly as stated, paying particular attention to obtaining the names, addresses, and telephone numbers of all witnesses. The statement shall be properly sworn by the complainant.

2) A supervisor shall not investigate complaints against themselves or another supervisor of equal rank unless ordered to do so by the Chief of Police.

3) After completion of the investigation, the supervisor shall submit to the Chief of Police, a full report of the results of the investigation along with any recommendations they may have for further action.

4) Charges shall not be recommended unless there is reason to believe that an offense has been committed, and that the facts, standing uncontroverted, establish the validity of the charge or charges.

5) Section 75 of the Civil Service Law expressly states that

disciplinary action may not be based on acts which occurred more than eighteen (18) months before the commencement of such disciplinary proceedings unless the acts would if proved in a court of law, constitute a crime.

C. Disciplinary Action

- 1) No member of the police department shall be removed, reduced in rank, suspended, fined, or otherwise punished or disciplined except upon charges as provided pursuant to Section 75 and/or 76 of the Civil Service Law.
- 2) Whenever any action other than the preferment of charges is taken by a supervisor, a complete report of the incident shall be filed with the Chief of Police and will be made part of the member's personnel file.

D. Emergency Suspension

- 1) In the absence of a superior officer, the supervisor in charge of a shift shall have the authority to impose an emergency suspension from duty against a subordinate when it appears that such action would be in the best interest of the department.
 - a) That supervisor imposing the suspension and the subordinate receiving the emergency suspension will report to the Chief of Police at 9:00 am on the next day unless otherwise directed.

E. Surrender of Badge, Weapons and Equipment

- 1) Any member, upon being suspended, shall surrender to his or her supervisor any badges, handcuffs, batons, and all department weapons they possess. The supervisor will provide a receipt for said equipment.
 - a) The supervisor shall then insure that the member's property is then properly safeguarded and returned to the member upon termination of the suspension.
 - 2) Members shall not wear their uniform during the period of the suspension except for any department related arraignment and/or hearings.

F. Preparation of Charges

- 1) Form
 - a) The principal purpose of the charges is to apprise the member of the specific offense or offenses with which the member is accused and which the department intends to prosecute. It is, therefore, essential that each act or omission constituting the charge(s) be identified and sufficiently stated so that the member clearly knows what the accusation is so that all information is available on order to answer and/or prepare their defense.
 - b) The format used by the department will be in the customary manner of papers used in other legal proceedings such as an information filed in criminal court.
 - (1) In addition to the charges and specification, the form containing the charges should include a notice or statement of the following:
 - (a) The right of the accused member to object by filing a written response to the charges within fifteen (15) days.
 - (b) The employee shall have the right upon filing a written objection of their choice of procedure subject to the provision of Section 75 and/or 76 of the Civil Service Law.
 - (c) Time and place scheduled for a hearing.
 - (d) Right of the member to be present and to be represented by counsel.

- (e) Possible penalties.
- (f) Status of suspension, if applicable.
- c) The town attorney will review the charges and then forward them to the Town Board as directed for approval or disapproval.
- (1) In the event the Town Board decides to drop or decline to prosecute the charges then the officer shall be considered not guilty and any and all information relating to said charge shall be deleted from his or her file and removed from his or her records.

G. Hearing Date

- 1) Hearing dates will be determined as follows:
 - a) If the accused is under suspension without pay, the hearing date shall be within ten (10) days of the date of suspension.
 - (1) The only exception being an adjournment of the hearing at the request of the accused.
 - b) If the accused is suspended with pay or is not under suspension, the hearing date shall be within thirty (30) days from the date on which the accused was served the charges.

H. The Hearing

- 1) Place of Hearing
 - a) Arraignments and hearings of accused members shall be in a location designated by the Town Board.
- 2) Designation of Hearing Officer
 - a) Section 75, subdivision 2 of the Civil Service Law provides that the Town Board may conduct the hearing or designate another person to be the hearing officer.
 - (1) The Town Board upon designating another to be the hearing officer shall do so in writing and this written designation shall be kept on file with the record of the proceeding.
 - (2) The person designated to be the hearing officer need not be a deputy or subordinate employee of the town. The Town Board may, in its discretion, employ someone not connected with the police department of the town to act as the hearing officer.
 - (a) Although the hearing officer need not be an attorney, it is preferable, if possible, to appoint one to act as the hearing officer.
 - b) The Town Board, when they have designated another to be the hearing officer, shall, for the purpose of the hearing, vest all the powers of the Town Board in that person. A record of such hearing, and all recommendations, shall be referred to the Town Board for their review and decision.
- 3) Counsel for the police department
 - a) At all arraignments, hearings, and trials the police department will be represented by an attorney appointed by the Town Board.
- 4) Rights of the accused
 - a) Right to be present at the hearing
 - (1) Uniformed members of the department will appear at the hearing in uniform.
 - b) Right to be heard in person and/or by counsel and to five and/or furnish evidence in their defense.
 - c) Right to a hearing open to the public.
 - d) Right to reasonable adjournments in order to prepare for the hearing.
 - e) Right not to be compelled in advance of the hearing to disclose the names of any proposed witnesses.
 - f) Right to subpoena individuals to attend and give evidence in the members defense.
- 5) Subpoenas
 - a) Section 2302 of the Civil Practice Law and Rules provides that the hearing officer has the authority for the issuance of subpoenas.

b) Section 2307 of the Civil Practice Law and Rules provides for a subpoena “Duces Tecum” for written records, etc. and unless otherwise ordered by the court may be compiled with by producing a certified photostatic copy of the books, papers or written documentation demanded.

(1) Subpoenas issued on behalf of the police department or Town Board will be the responsibility of that agency to arrange and serve said subpoenas.

(2) Subpoenas requested and prepared by the accused and signed by the hearing officer will be the responsibility of that member to arrange and serve said subpoenas.

(3) Subpoenas issued by the hearing officer or by the attorney for the accused may be enforced by Section 2308 of the Civil Practice Law and Rules.

(4) Fees for subpoenas issued by the court or the hearing officer will be the responsibility of the member of agency serving the subpoena in accordance with Section 8001 of the Civil Practice Law and Rules.

6) Oaths

a) The hearing officer shall have the power to administer oaths.

(1) Witnesses: before testifying, witnesses shall take the following oath; “Do you swear or affirm that the evidence you shall give in the case before this hearing shall be the truth, the whole truth, and nothing but the truth.”

(2) Stenographer, recorder, reporter and interpreters shall take the following oath; “Do you swear or affirm that you will faithfully perform the duties of a reporter to the hearing officer, and duly record the evidence and testimony to be taken by the hearing officer.”

b) The records of the hearing must show that the stenographer and/or reporter and interpreters were sworn, and that all witnesses were sworn before testifying.

7) Stenographic Record

a) A verbatim stenographic record of the hearing must be made. Any tape recording of the hearing shall be used as a supplement to the stenographic record. The transcript of the hearing must be accurate and complete. Four (4) copies of the transcript will be made.

(1) One copy for the department files.

(2) One copy for the civil service files.

(3) One copy for the employee records or for the employee upon request.

(4) One copy for the Town Board and / or town attorney.

8) Amendments to The Charge(s)

a) Charge(s), having been referred, may be altered or amended by the Chief of Police, or the Town Board, and additional charges may be prepared and served prior to the start of the hearing. Slight errors in names, dates, and / or amounts may be corrected by the Town Attorney on motion.

b) All causes for the complaints against the accused member not covered by the original or amended charges shall be forever barred.

9) Arraignment of the Accused

a) Upon the arraignment of the accused, the recorder shall stand and read the charges and specifications to the accused unless the reading of the charges and specifications are waived by the accused.

b) The accused after the reading of the charges and specifications shall enter a plea of either “guilty” or “not guilty”.

c) The accused after stating a plea shall make such motions as may be proper.

(1) Adjournment: Absence of witnesses upon application by the accused for an adjournment of the hearing because of the absence of a witness for the accused, it should distinctly appear upon that member’s oath that;

(a) The witness is material.

(b) The accused has used due diligence to procure attendance.

(c) The accused has reasonable grounds to believe that they will be able to produce such attendance within a reasonable period of time.

10) Plea of Guilty

a) In all cases where the accused pleads guilty the hearing officer shall receive evidence showing any and all extenuating circumstances of mitigation or aggravation which accompanied the offense unless they are fully disclosed in the charges and specifications.

11) Sequence of the hearing

a) After an issue of fact is joined, the attorney for the town shall call the first witness, and all other witnesses may be directed to withdraw from the hearing room. If no objection is made to the witness called, or their competency has been established on an objection made, the witness shall be sworn and testimony shall be taken and recorded by the stenographer.

b) The direct examination is followed by the cross examination and then redirect examination. All the evidence against the accused should be produced before the prosecution rests.

(1) It should be noted that compliance with the technical rules of evidence is not required as it pertains to the admission of evidence at the hearing.

c) The accused may then introduce evidence on his or her behalf. The prosecution may then offer evidence in rebuttal.

d) The hearing officer may, using discretion and in the interest of justice, depart from this order of proof and permit witnesses to be recalled at any stage, and may reopen a case closed on one or both sides.

e) Objections to testimony shall be briefly stated and submitted without argument.

f) Closing arguments or summation of the case at the end of the hearing shall not be made without the consent of the hearing officer or board.

12) The Determination

a) The hearing officer or board after closing the hearing shall have five (5) days to determine all charges and specifications and a recommendation in writing shall be forwarded to the appointing authority for final determination.

(1) The hearing officer or board, upon submitting their report to the appointing authority is not required to send a copy thereof to the accused; The accused's counsel or representative.

13) The appointing authority shall then within five (5) days render its decision or judgment into the record of the minutes of the hearing in the form of an order or resolution.

I. Review of Judgment or Appeal

1) Appeals from determinations in disciplinary proceedings are provided for by Section 76 of the Civil Service Law.

a) Appeals to the Civil Service Commission having jurisdiction shall be final and conclusive. Such appeals must be filed within twenty (20) day after being served the judgment of determination.

b) In the event the member appeals to the court having jurisdiction, the application must be made under the provision of Article 78 of the Civil Practice Law and Rules within four (4) months from being served the judgment or determination.

c) The member making an appeal should note that upon filing an appeal it may be to either the Civil Service Commission or the court having jurisdiction but not both.

J. Punishment

1) If the accused member(s) or employee is found guilty of the charges, the penalty or punishment may consist of:

a) A reprimand

b) A fine not to exceed \$100.00 Dollars, to be deducted from their salary or wages

c) Suspension without pay for a period not to exceed two (2) months

d) Demotion in grade and title

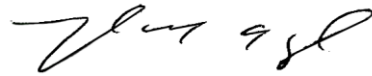
- e) Or dismissal from the police department
- 2) Punishment shall be administered by inflicting but one punishment, which shall not be cumulative
- a) No punishment shall consist of or include additional duty
- b) The time the member served while suspended may be considered part of the penalty
- K. Acquittal
- 1) In the event the member is acquitted of all charges then the member shall be restored to full position with full pay for the period of any suspension, less the amount of any unemployment insurance benefits the member may have received during said period.
- a) A noted exception is that no compensation will be made for that portion of suspension included within any adjournment request by that member.

L. Termination of Record

- 1) After a lapse of two (2) years, the determination that an accused member was guilty of the charges preferred against him or her shall not be considered against them upon application made for promotion, nor shall it affect, any right or privilege to which the member would otherwise be entitled were it not for such determination.

M. Resignations, Separations for Cause

- 1) The Chief of Police shall cause to be placed in the personnel file of any member resigning or separating from the police department for cause, all the facts pertinent to the action.



Todd M. Hazard, Chief of Police



Town of Cornwall Police Department

POLICE DEPARTMENT

183 Main Street
Cornwall NY 12518



Todd M. Hazard
Chief of Police

GENERAL ORDER NO: 18.02

Issue Date: 5/1/2007	Effective Date: 5/1/2007
Revises: 2.05	Supersedes:
Subject: PERSONNEL COMPLAINT POLICY	
Distribution:	
Reevaluation Date:	Page: 1 of 9
Issuing Authority: Chief Todd M. Hazard	

GENERAL ORDER #18.02 PERSONNEL COMPLAINT POLICY

Statement of Purpose - The purpose of this policy is to improve the quality of police services. This is accomplished in three ways. First, through the provision of meaningful and effective grievance procedures, citizen confidence in the integrity of police actions increases, and this engenders community support and confidence in the Police Department. Improving the relationship between the police and the citizens they serve facilitates police-citizen cooperation, an element vital to the Department's ability to achieve its goals. Second, disciplinary procedures permit police officials to monitor officer's compliance with departmental procedures. Adherence to departmental procedures assists officers in meeting departmental objectives and a monitoring system permits managers to identify problem areas in which increased training or direction is necessary. Finally, the third purpose is to clarify rights and ensure due process protection to citizens and officers alike. Heightening officer awareness of the rights afforded them when charged with misconduct will increase the appreciation of the comparable rights afforded citizens accused of a crime.

In light of these purposes, the objective of this policy is to provide citizens with a fair and effective avenue for redress of their legitimate grievances against law enforcement officers and, by the same token, to protect officers from false charges of misconduct or wrongdoing and provide accused officers with due process safeguards. The Cornwall Police Department wants to maintain the integrity of the Department as well as its employees. In so doing, the Department shall not hesitate to impose disciplinary actions on guilty officers, to remove from employment those officers who prove to be unfit for law enforcement work, and to dismiss unjustified allegations against innocent officers.

It is the policy of the Cornwall Police Department to accept and investigate all complaints of officer misconduct or wrongdoing from any citizen or Department employee. Following a thorough and impartial examination of the available factual information, the officer shall be found innocent or guilty of the allegation. Guilty officers shall be disciplined according to the degree of misconduct.

The imposition of corrective actions and necessary penalties are among the methods available to management to achieve Department goals and compliance with Department policies and procedures. Use of this authority is intended to eliminate the particular behavior and to censure the individuals that account for the misconduct. Furthermore, the discipline process shall be used

To identify and correct unclear or inappropriate agency procedures, as well as organizational conditions that may contribute to the misconduct, such as poor recruitment and selection procedures or inadequate training and supervision of officers.

This Department is committed to providing law enforcement services that are fair, effective, and impartially applied. In so doing, officers are held to the highest standards of official conduct and are expected to respect the rights of all citizens. An officer's voluntary adherence to these standards, motivated by a moral obligation to perform his/her job to the best of their ability, is eminently desirable and an ultimate objective of this Department.

If an officer does not adhere to the standards of official conduct, either through deliberate action or negligence, disciplinary action shall be applied in a prompt and certain manner.

Prevention of Misconduct - It is the policy of this agency to emphasize the prevention of misconduct as the primary means of reducing and controlling it. While disciplinary actions are properly imposed on officers who have engaged in wrongdoing, they are of limited utility if they shield organizational conditions, which permit the abuses to occur. Too often inadequate training and lack of supervision are factors that contribute to the officer's improper behavior. This Department shall make every effort to eliminate the organizational conditions, which may foster, permit, or encourage improper behavior by its employees.

Recruitment and Selection - Finding and appointing the highest quality of individuals to serve as law enforcement officers is a priority for this agency.

During the selection process, a Division Commander, and the Chief of Police will conduct individual interviews of the candidate. In addition, any candidates who are being considered for appointment will be subject to a thorough background investigation in an attempt to identify those who would be unsuited for police work.

Training - Recruit training and in-service training for veteran officers shall emphasize the sworn obligation of police officers to uphold the laws and provide for the public safety of the citizenry. Police ethics, as well as an in-depth examination of the Duties and Rules of Conduct of the Cornwall Police Department as adopted by the Town Board, Town of Cornwall, shall be included in the training curriculum. It shall be the policy of the Cornwall Police Department to require all of its employees to represent the highest standards possible in both their personal and professional life.

Written Directives Manual - Each officer shall be given an official manual, which contains the rules, regulations and policies of the Cornwall Police Department. The directives shall emphasize the officer's responsibility and accountability to the citizens of the community and their obligation to protect the civil rights of all citizens.

Supervisory Responsibility - Proper training of Department supervisors is critical to the discipline and performance of patrol officers. Emphasis shall be placed on anticipating problems among officers before they result in improper behavior or debilitating conditions, identifying potentially troublesome officers, identifying training needs of his or her officers and providing support in a consistent and fair manner.

Policy - The system that has been established to investigate officer misconduct and to impose disciplinary actions is intended to be fair, thorough and objective. 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 processed without delay.

Members of the Department shall assist in the expeditious and impartial processing of citizen complaints in accordance with these procedures.

Categories of Investigations -

A. Category I: All complaints concerning Department members, which allege:

- 1. Unnecessary or excessive use of force.**
- 2. False arrest.**
- 3. Violation of a specific criminal statute.**
- 4. Corruption.**
- 5. Gratuities.**
- 6. Serious Misconduct.**
- 7. Insubordination.**
- 8. Other complaints or allegations as directed by the Chief of Police.**

B. Category II: All citizen complaints relating to inadequate service, discourtesy, improper procedure, and any other allegations involving members of the Department which are not included in the preceding category.

C. Complaints Defined: While it is generally obvious when a complainant alleges misconduct on the part of any employee, complaints concerning 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 or procedure. In such case, the citizen should be given a thorough explanation of the procedure or legal issues involved in the situation that initiated the inquiry. In some cases concerning alleged violations of Category II offenses, the supervisor receiving a complaint may be able to resolve a complaint without filing a formal Civilian Complaint Report. Because of the fine line that occasionally exists between inquiries and minor complaints in Category II that can be resolved by

A supervisor, if there is any question, it should be considered a formal complaint and forwarded for further action.

Procedure for Accepting Personnel Complaints- Any personnel complaint, regardless of category, may be lodged at Headquarters Main Desk or with any member of the Department. Whenever possible, the supervisor in charge of the tour should receive the complaint. Complaints, regardless of their nature, can be lodged in person, by mail or by telephone at any time. Normally, when a complaint is received by mail or by telephone, the complainant should be required to sign a formal Personnel Complaint Form within five (5) days.

Anonymous complaints and/or complaints where the complainant refuses to sign a formal Personnel Complaint Form will be handled as follows:

Category II Type Complaints: If after the five (5) day period the person refuses to sign a formal complaint, he or she will be notified that NO FURTHER ACTION WILL BE TAKEN ON THIS COMPLAINT until the complaint is signed. If after two (2) months the person making the complaint or the anonymous person making the complaint does not sign the Personnel Complaint Form, the complaint shall be labeled "Closed by Lack of Complainant" and filed.

Category I Type Complaints: In this category of complaints, the Division Commander who receives the complaint will immediately meet with the Chief of Police for evaluation of the nature and source of the allegation. The depth of the investigation will depend upon factual information received.

- A. Where a non-ranking member of the Department receives a complaint against a member of the Department, he/she shall immediately request the presence of a supervisor who shall interview the complainant and record the complaint. If the complaint is against a supervisor, the Chief of Police shall be notified.**
- B. The supervisor receiving the personnel complaint will take whatever immediate action is necessary and then file the report with his/her Division Commander who will submit the complaint to the Chief of Police.**
- C. The Personnel Complaint Form is to be used to record complaints regarding personnel, services, or Department policy and procedures. The form is to be completed on ALL CATEGORY I cases and on Category II cases sufficiently serious to warrant investigation.**
- D. It is essential that complete and accurate information regarding the complaint and the allegations be obtained. The information should include:**
 - 1. Full name, date of birth, address and telephone number of the complainant and any additional information indicating where the complainant may be contacted. Complete military addresses should be obtained from military personnel.**
 - 2. The specifics of the allegation should be obtained, including the date, time and location.**
 - 3. The name, address, and telephone number of all witnesses should be recorded.**
 - 4. Personnel involved should be identified by name and badge number if possible.**
 - 5. If additional space is required, a Supplementary Offense Report may be used.**
 - 6. A complainant seeking to register a complaint, which does not affect this Department, should be referred to the Department or Agency concerned. A memorandum on the referral should be completed and forwarded to the Division Commander of the person making the referral who will forward it on to the Chief of Police.**
 - 7. The person receiving a personnel complaint will note on the reverse side of the Personnel Complaint any conditions relating to the credibility of the complainant, (e.g. mental condition, apparent influence of drugs or intoxicants, evidence of visible marks of injuries, etc.).**
- E. The Department member taking the complaint shall be responsible for routing the Personnel Complaint Report as follows:**
 - 1. Original personnel Complaint Report and any supplements should be forwarded to the appropriate Division Commander.**
 - 2. The Division Commander should forward the original Personnel Complaint Report and any supplements to the Chief of Police.**

3. The Chief of Police and/or his designee should log the complaint in the Central Complaint Index, which will be maintained in the Chief's Office. The Chief or his designee should make one (1) copy of the complaint and all supporting documentation. The original will be given to the supervisor or Detective assigned to conduct the investigation. The officer assigned the case will notify the complainant in writing that the case is being investigated, and that they are the one assigned to complete the investigation. The copy will be filed in the Personnel Complaint File in the Chief's Office. Additionally, if the Personnel Complaint is of a criminal nature, the Assistant District Attorney of the Orange County District Attorneys Office serving the Town of Cornwall will be made aware of the investigation by the Chief of Police or his designee. Copies of the Complaint and supporting documentation, along with the results of the Department investigation will be provided to the District Attorneys Office upon their request. Additionally, the Chief of Police will insure that full cooperation is afforded to the District Attorneys Office in overseeing and/or the investigation of the allegation(s) as circumstances may warrant.

Central Complaint Index -

- A. The office of the Chief of Police shall be responsible for maintaining a comprehensive central index of all citizen complaints received by the Department.**
- B. The responsibility of the Chief of Police, in relation to the Central Complaint Index, shall include the following:**
 - 1. Maintain a numerical file of all citizen complaints recorded on Civilian Complaint forms.**
 - 2. Coordinate and review internal investigations relating to citizen complaints.**
 - 3. Prepare statistical analysis of complaints to identify trends or patterns developing within the Department or with individual members that may require additional training or corrective action.**

Confidentiality - The Chief of Police will have the responsibility of maintaining the confidentiality of personnel complaints and internal affairs investigation(s) and the maintenance of records. All personnel complaint records will be maintained in the Chief's office and are to be considered confidential in nature. No copies of these records will be provided without a subpoena or order to produce, and then only after review by the Town Attorney. After a personnel complaint against a member has been investigated, the Chief may allow the accused officer to review the complaint in Chief's office, but the record cannot leave the Chief's office. As to other members of the Department, the personnel complaints will be available for review by Division Commanders. Other supervisors may review the records on a "need-to-know basis" as approved by the Chief.

The disciplinary records will be kept in the Personnel Complaint File in the Chief's office as long as the accused officer is an active member of this Department. Five (5) years after an accused officer leaves the Department, the disciplinary record should be transferred to the officer's inactive personnel folder. The transfer of this record should be noted in the Central Complaint Index.

Procedures for Investigation of Complaints -

- A. The Chief of Police, shall have primary responsibility for assigning and supervising the investigation of all Category I cases.**

- 1. In any situation or incident of a critical or emergency nature, the person receiving the complaint shall immediately notify the Chief of Police, who shall assume or assign the responsibility for the investigation.**
- B. Investigation of Category II cases will be assigned to the appropriate Division Commander who will assume or assign the responsibility for the investigation. When personnel of more than one Division are involved, the Chief of police will designate a particular Division Commander to be responsible for the investigation.**
- C. All complaints against personnel shall be investigated by officers of superior rank or by the Detective Division when directed by the Chief of Police.**
- D. All investigations will be conducted promptly and shall be completed within fifteen (15) days of the date the complaint was received by the Department. If it is not possible to complete the investigation within fifteen (15) days, the Chief of Police, shall be notified of the reason for the delay, and the new projected completion date. Any extension beyond thirty (30) days of receipt must be approved by the Chief of Police.**
- E. Once an officer is identified as the subject of a complaint, and a personnel investigation has started, the supervisor and/or Detective assigned to the investigation and his Division Commander will follow the investigation through to a logical conclusion. This applies even if the officer or the supervisor is transferred to another division during the investigation.**
- F. All recognized investigative methods for determining the facts surrounding a complaint shall be utilized. Interviews shall be conducted with the complainant and all witnesses. Department members shall be interviewed and written reports obtained, when necessary.**

Investigative Procedures - Two types of investigations may take place: ADMINISTRATIVE OR CRIMINAL. Different rules govern interviews of employees in each case.

Interview for ADMINISTRATIVE PURPOSES: If the Chief of Police or investigating supervisor wishes to compel an employee to answer questions directly related to his/her official duties and the Chief of Police or investigating supervisor is willing to forego the use of such answers in a criminal prosecution, the Chief of Police or the investigating supervisor shall advise the employee of the following:

- A. The purpose of the interview is to obtain information to determine whether disciplinary action is warranted. The answers obtained may be used in disciplinary proceedings resulting in reprimand, demotion, suspension, or dismissal.**
- B. Any questions specifically related to employment must be fully and truthfully answered. Refusal to answer may result in disciplinary action.**
- C. No answers given nor any information obtained by reason of such statements may be admissible against the employee at any criminal proceeding.**
- D. Department employees will be advised of their rights under current civil service law and provided with a representation waiver form which he/she may endorse waiving representation or choose not to endorse and thereby requesting representation by his/her recognized employee organization. If representation is requested by the employee a reasonable amount of time will be allowed to obtain**

representation.

The employee shall read or have read to himself/herself, the following:

I WISH TO ADVISE YOU THAT YOU ARE BEING QUESTIONED AS PART OF AN OFFICIAL INVESTIGATION OF THE POLICE DEPARTMENT. YOU WILL BE ASKED QUESTIONS SPECIFICALLY DIRECTED AND NARROWLY RELATED TO THE PERFORMANCE OF YOUR OFFICIAL DUTIES OR FITNESS FOR OFFICE. YOU ARE GUARANTEED BY THE LAWS AND THE CONSTITUTION OF THE STATE OF NEW YORK AND THE CONSTITUTION OF THE UNITED STATES, INCLUDING THE RIGHT NOT TO BE COMPELLED TO INCRIMINATE YOURSELF.

YOU ARE HEREBY GIVEN A REPRESENTATION WAIVER FORM. THIS WAIVER ACKNOWLEDGES YOU HAVE THE RIGHT TO REPRESENTATION BY YOUR CERTIFIED OR RECOGNIZED EMPLOYEE ORGANIZATION. YOUR SIGNATURE ON THE WAIVER ACKNOWLEDGES YOU HAVE READ THE WAIVER AND YOU AFFIRMATIVELY WAIVE YOUR RIGHT TO REPRESENTATION. IF YOU DESIRE REPRESENTATION DO NOT SIGN THE WAIVER. A REASONABLE AMOUNT OF TIME WILL BE ALLOWED TO OBTAIN REPRESENTATION.

I FURTHER WISH TO ADVISE YOU THAT IF YOU REFUSE TO TESTIFY OR ANSWER QUESTIONS RELATING TO THE PERFORMANCE OF YOUR OFFICIAL DUTIES OR FITNESS FOR DUTY, YOU WILL BE SUBJECT TO DEPARTMENTAL CHARGES WHICH COULD RESULT IN YOUR DISMISSAL FROM THE POLICE DEPARTMENT. IF YOU DO ANSWER, NEITHER YOUR STATEMENTS NOR ANY INFORMATION OR EVIDENCE WHICH IS GAINED BY REASON OF SUCH STATEMENTS CAN BE USED AGAINST YOU IN ANY SUBSEQUENT CRIMINAL PROCEEDINGS. HOWEVER, THESE STATEMENTS MAY BE USED AGAINST YOU IN RELATION TO SUBSEQUENT DEPARTMENTAL CHARGES.

E. In an interview for administrative purposes, no Miranda rights are required. Further, the foregoing rules are inconsistent with Miranda in that employee's statements cannot be used as evidence in a criminal prosecution. Further, as the interview does not serve criminal prosecution, the employee has no 6th amendment right to counsel.

Interviews for Criminal Investigative Purposes- If the Chief of Police or investigating supervisor believes criminal prosecution is a possibility and wishes to use statements against the employee in a criminal proceeding, or at least wishes to maintain the option of their use, he or the investigating supervisor shall:

A. GIVE THE EMPLOYEE MIRANDA RIGHTS.

B. ADVISE THE EMPLOYEE THAT IF HE/SHE ASSERTS HIS/HER RIGHT NOT TO ANSWER QUESTIONS, NO ADVERSE ADMINISTRATIVE ACTION WILL BE TAKEN BASED UPON THE REFUSAL.

C. If the employee decides to answer questions at this point, the responses may be used in both criminal and disciplinary proceedings.

NOTE: Miranda includes the provision that a lawyer may be present at an interview. Although technically, the employee has no right to counsel until the employee has been criminally charged

Or his freedom of action has been deprived, the Department wishes the employee to have the option. The Department wishes no possibility to arise in which its actions may be construed coercive.

Investigative Resources - In addition to interviews of the employee and witnesses, the Chief of Police or investigating supervisor may require other activities and support of a complaint including:

Medical and Laboratory Examination - The Chief of Police or investigating supervisor may, based on his observation, require a Department employee to submit to a test for alcohol or drug use while on duty. The results may be used in a disciplinary hearing. Refusal to submit to the examination will be grounds for disciplinary action and may result in the employee's dismissal.

- A. If the employee is believed to be under the influence of alcohol, a certified breathalyzer/intoxilyzer operator will administer the test. The Chief of Police or investigating supervisor will witness the test and will be required to sign as a witness.**
- B. If the employee has a reading of .05 or higher, or there is other competent evidence of impaired abilities to perform duties, the officer shall be relieved of duty by the Chief of Police or his designee in authority.**
- C. If the employee is believed to be under the influence of self-administered drugs, he/she may be compelled to submit to a blood and/or urine test. The test shall be administered under medical supervision where hygienic safeguards are met. The sample will be handled using the same safeguards as evidence in a criminal process.**
- D. If the test shows positive results or there is other competent evidence of impaired abilities to perform duties, the officer shall be relieved of duty as soon as possible by the Chief of police or his designee.**
- E. If an employee refuses to submit to a test for alcohol the Chief of Police or his designee will immediately relieve the employee from his/her duties for a period of time not to exceed the next eight (8) consecutive hours.**
- F. If an employee refuses to submit to a test for drugs, then the Chief of Police or his designee will immediately relieve the employee from duty for failure to cooperate in an administrative investigation.**

Photographs - Photographs of employees may be maintained for the purpose of identification by complainants of an employee accused of misconduct.

Adjudication of Complaints -

- A. The results of the investigation shall be recorded on Departmental Supplementary offense Reports.**
- B. The reviewing superior officer shall note the disposition classification on the above form. Dispositions are classified as follows:**
 - 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 - Acts of misconduct were discovered during the investigation
NOTED that were not alleged in the original complaint.**

- C. Division Commanders shall forward the completed investigation, including copies of all investigative reports, to the Chief of Police. The Chief of Police will make these reports available to the Orange County District Attorney's Office if the complaint is of a criminal nature.**
- D. At the direction of the Chief of Police, reports of investigations disclosing misconduct will be forwarded to the appropriate Division Commander for review. The Division Commander shall review the investigative report and personnel files of the officer(s) and submit a written recommendation concerning disciplinary action to the Chief of Police.**
- E. In all complaints the complainant shall be notified of the results/disposition of the investigation, either in person or by telephone, by the supervisor conducting the investigation. 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.**
- F. In all complaints investigated, the officer(s) involved will be notified in writing, via the chain-of-command, of the results of the investigation and its completion.**

Town Boards' Review - All written personnel complaints will be submitted to the Town Board for their review within 2 business days after the police department receives them.

All Personnel Complaints and Internal Affairs Investigations will be made available to the Supervisor & Members of the Town Board for review after they have been closed or resolved.

This policy encourages the Town Board to periodically review the nature, investigation and resolution of the Personnel Complaints being filed against officers.



Todd M. Hazard, Chief of Police



Town of Cornwall Police Department

POLICE DEPARTMENT

183 Main Street
Cornwall NY 12518



Todd M. Hazard
Chief of Police

GENERAL ORDER NO: 18.03

Issue Date: 10/01/2019 Revised: 10/14/20	Effective Date: 10/14/2020
Revises: 3.04	Supersedes:
Subject: REPORTING, EVALUATION, AND INVESTIGATION OF THE USE OF FORCE AND THE DISCHARGE OF WEAPONS	
Distribution:	
Reevaluation Date: 11/2022	Page: 1 of 4
Issuing Authority: Chief Todd M. Hazard	

GENERAL ORDER #18.03 REPORTING, EVALUATION, AND INVESTIGATION OF THE USE OF FORCE AND THE DISCHARGE OF WEAPONS

Purpose - To establish guidelines for the reporting, evaluation and investigation of the use of force and for the discharge of weapons.

Background - No aspect of policing elicits more passionate concern or more divided opinions than the use of force, especially the use of deadly force. Today's society is marked by an increased use of force of all types by and against police officers. At the same time, use of force by police officers is subject to the most extensive judicial scrutiny. For these reasons it is necessary to utilize a system whereby the use of force by Department members will be accurately reported, evaluated and investigated.

Policy/Procedure - It is the policy of this Department that the USE OF FORCE by a Department member will be accurately reported and subject to a thorough and objective evaluation. This policy will cover all USE OF FORCE, whether on duty, off duty, within the Town Boundaries and also while performing duties outside the boundaries of the Town of Cornwall.

REPORTING & REVIEWING THE USE OF FORCE

A. A Police or peace Officer or other law enforcement entity who has custody of a person must provide attention to the medical and mental health needs of a person in their custody and obtain assistance and treatment of such needs, which are reasonable and provided in good faith.

- 1. This includes appropriate and timely medical attention being provided to a party injured as a result of a use of force incident.**
- 2. The immediate mental health needs of a person shall be based upon the reasonable cause to believe that a person, who appears to be mentally ill, is conducting themselves in a manner which is likely to result in a serious harm to themselves or others.**

B. Members involved in use of force incidents as described below shall notify their supervisor as soon as practicable and shall complete a departmental use of force report.

- 1. Use of force that results in a physical injury.**
- 2. Use of force incidents that a reasonable person would believe is likely to cause an injury.**
- 3. Incidents that result in a complaint of pain from the suspect except complaints of minor discomfort from compliant handcuffing.**
- 4. Incidents where a conducted energy device (CED) was intentionally discharged or accidentally discharged after being displayed.**
- 5. Incidents where a firearm was discharged at a subject.**

REPORTING METHOD:

- A. The officer using force will notify their Supervisor of such force as soon as practical after the occurrence. If a Supervisor is not on duty during the time of occurrence, a supervisor will be contacted using the department on-call Supervisor list.**
- B. Where practicable, the notified Supervisor should respond to the scene to begin the preliminary force investigation.**
- C. The Supervisor that is made aware of a force incident shall ensure the completion of a department use of force report by all officers engaging in reportable use of force, and to the extent practical, make a record of all officers present.**
- D. Any Department member on the scene at the time of the occurrence who is witness to, or participates in, the occurrence will complete a supplement to the original Incident Report.**
- E. Upon the completion of all reports, all documentation shall be submitted to the supervisor notified. After review, the supervisor will forward all documents to The Chief of Police. The Chief of Police will conduct an investigation as to the use of force or appoint an appropriate Supervisor to conduct the investigation.**

RESPONSIBILITY OF SUPERVISOR ON SCENE:

- 1. Determine which support services would be beneficial to the reporting and evaluation of the occurrence. In any Police involved shooting, the supervisor shall contact The Orange County District Attorney's Office and The New York State Police.**
- 2. Preserve the integrity of the scene until such time as the arrival of the District Attorneys Investigators and/or Medical Examiner and/or whatever support services are needed to conduct an investigation of the occurrence.**
- 3. A Supervisor or designee should be dispatched to the hospital to consult with the attending physician as to the extent of and location of the wound(s), if applicable.**

PHOTOGRAPHS

- A. Photographs will be taken to document any injuries or lack thereof to Officers or Suspects.**

USE OF FORCE INVESTIGATION:

A. The Chief of Police or his or her designated investigator shall review the use of force to determine whether or not it is consistent with the policies of this Department and professional law enforcement standards.

B. The Chief of Police will evaluate the use of force incident as to policy compliance, or noncompliance as the case may be, and determine if additional training is needed, or policy changes, or changes in equipment, or discipline is warranted.

REQUIRED REPORTING TO D.C.J.S.

State Law requires police departments to report any occurrence in which a police officer employs uses of force as listed below:

- A. Display a chemical agent - to point a chemical agent at a person or persons.**
- B. Use/Deploy a chemical agent - the operation of the chemical agent against a person or persons in a manner capable of causing physical injury as defined in P.L. Article 10.**
- C. Brandishes a firearm - to point a firearm at a person or persons.**
- D. Use/Discharges a firearm - to discharge a firearm at or in the direction of a person or persons.**
- E. Brandishes an electronic control weapon - to point an electronic control weapon at a person or persons.**
- F. Uses/deploys electronic control weapon - the operation of an electronic control weapon against a person or persons in a manner capable of causing physical injury as defined in PL Article 10.**
- G. Brandishes an impact weapon - to point an impact weapon at a person or persons.**
- H. Uses/Deploys an impact weapon - the operation of an impact weapon against a person or persons in a manner capable of causing physical injury as defined in PL Article 10.**
- I. Uses a chokehold or other similar restraint - any application of sustained pressure to the throat or windpipe of a person in a manner that may hinder breathing or reduce intake of air.**

Uses of Force that fall into the above categories shall be reported to D.C.J.S. by the supervisor reviewing the report. Submission is made through the N.Y.S. Ejustice Integrated Portal.

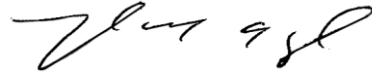
DISCIPLINE:

- A. If a use of force investigation determines that the use of force incident was not in compliance with department policy, discipline procedures may be initiated as outlined in Article XVI and General Order 18.01. Officers should be aware that failure to adhere to the use of force guidelines outline in Department General Orders may include suspension and or dismissal from the Police Department.**

FILING OF LATE USE OF FORCE REPORT:

If an officer uses force on a subject but does not file a USE OF FORCE REPORT because he/she does not believe that an injury occurred, and the officer and/or the Department is later advised that a person is claiming that he/she suffered a injury, a USE OF FORCE REPORT must be filed by the officer who allegedly used the force. This USE OF FORCE REPORT must be filed within seventy two (72) hours of when the officer and/or the Department is notified that an injury occurred. This USE OF FORCE REPORT should be submitted to the Tour Supervisor on duty when the officer completes the report.

EXAMPLE OF ABOVE SITUATION - An officer(s) forcibly places handcuffs on a subject being arrested who is offering resistance. The subject does not claim to be injured at the time, and the officer believes that no injury resulted in his/her application of force. The officer and/or the Department is later notified that an injury did occur.



Todd M. Hazard, Chief of Police



Town of Cornwall Police Department

POLICE DEPARTMENT

183 Main Street
Cornwall NY 12518



Todd M. Hazard
Chief of Police

GENERAL ORDER NO: 25.09

Issue Date: 4/30/2014	Effective Date: 4/30/2014
Revises:	Supersedes:
Subject: Hate Crimes	
Distribution: All	State: 44.2
Reevaluation Date:	Page: 1 of 10
Issuing Authority: Chief Todd M. Hazard	

I. Purpose

This policy is designed to assist employees in identifying and investigating hate crimes and assisting victimized individuals and communities. A swift and strong response by law enforcement can help stabilize and calm the community as well as aid in a victim's recovery

II. Policy

Any acts or threats of violence, property damage, harassment, intimidation, or other crimes motivated by hate and bias and designed to infringe upon the rights of individuals are viewed very seriously by this agency and will be given high priority. This agency shall employ necessary resources and vigorous law enforcement action to identify and arrest hate crime perpetrators. Also, recognizing the particular fears and distress typically suffered by victims, the potential for reprisal and escalation of violence, and the far-reaching negative consequences of these crimes on the community, this agency shall be mindful of and responsive to the security concerns of victims and their families.

III. Definitions

A. New York State Penal Law §485.05 Hate crimes.

1. A person commits a hate crime when he or she commits a specified offense and either:

(a) intentionally selects the person against whom the offense is committed or intended to be committed 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, regardless of whether the belief or perception is correct, or

(b) intentionally commits the act or acts constituting the offense 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, regardless of whether the belief or perception is correct.

2. Proof of race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of the defendant, the victim or of both the defendant and the victim does not, by itself, constitute legally sufficient evidence satisfying the people's burden under paragraph (a) or (b) of subdivision one of this section.

For purposes of this section:

(a) the term "age" means sixty years old or more;

(b) the term "disability" means a physical or mental impairment that substantially limits a major life activity.

B. Penal Law § 240.31 Aggravated harassment in the first degree.

A person is guilty of aggravated harassment in the first degree when with intent to harass, annoy, threaten or alarm another person, because of a belief or perception regarding such person's race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation, regardless of whether the belief or perception is correct, he or she:

1. Damages premises primarily used for religious purposes, or acquired pursuant to section six of the religious corporation law and maintained for purposes of religious instruction, and the damage to the premises exceeds fifty dollars; or

2. Commits the crime of aggravated harassment in the second degree in the manner proscribed by the provisions of subdivision three of section 240.30 of this article and has been previously convicted of the crime of aggravated harassment in the second degree for the commission of conduct proscribed by the provisions of subdivision three of section 240.30 or he or she has been previously convicted of the crime of aggravated harassment in the first degree within the preceding ten years; or

3. Etches, paints, draws upon or otherwise places a swastika, commonly exhibited as the emblem of Nazi Germany, on any building or other real property, public or private, owned by any person, firm or corporation or any public agency or instrumentality, without express permission of the owner or operator of such building or real property;

4. Sets on fire a cross in public view; or
5. Etches, paints, draws upon or otherwise places or displays a noose, commonly exhibited as a symbol of racism and intimidation, on any building or other real property, public or private, owned by any person, firm or corporation or any public agency or instrumentality, without express permission of the owner or operator of such building or real property.

Aggravated harassment in the first degree is a class E felony.

C. Penal Law § 240.30(3) Aggravated harassment in the second degree.

A person is guilty of aggravated harassment in the first degree when with intent to harass, annoy, threaten or alarm another person, he or she:

(3) Strikes, shoves, kicks, or otherwise subjects another person to physical contact, or attempts or threatens to do the same because of a belief or perception regarding such person's race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation, regardless of whether the belief or perception is correct.

Aggravated harassment in the second degree is a class A misdemeanor.

The additional crimes that can be charged under the Hate Crime statute are listed in NYS Penal Law Section 485.5 (3)

IV. PROCEDURES

A. Goals

1. Officers shall conduct a thorough and complete investigation in all suspected and confirmed hate crime incidents and assist the local prosecutor.
2. Officers should make every effort to become familiar with organized hate groups operating in the community and police contacts should be documented.

B. Initial Response Procedures

Initial responding officers at the scene of a suspected hate crime shall take preliminary actions deemed necessary, including, but not limited to, the following:

1. Secure the scene. Steps should be taken so that the initial situation does not escalate. This includes but is not limited to:
 - a. Stabilizing injured victims and requesting medical aid.

- b. Providing protection to victims and witnesses by increased police presence.
 - c. Protect the crime scene and have technician collect and photograph physical evidence such as hate literature, spray paint cans, and symbolic objects used by hate groups, such as swastikas and crosses.
2. Identify criminal evidence on the victim if applicable.
3. Request the assistance of a translator or counselor when necessary.
4. Request the assistance of a supervisor.
5. Conduct a preliminary investigation and record information on;
 - a. the identity of suspected perpetrators,
 - b. the identity of witnesses, including those no longer at the scene,
 - c. prior bias-motivated occurrences in the immediate area or against the same victim. (check with Crime Analyst, NYSIC (518) 786-2100)
 - d. statements made by suspects; exact language is critical.
6. Arrest suspected perpetrators if probable cause exists.
 - a. Conduct interview and attempt to establish motive
 - b. Consult with prosecutor if there is a question as to proper criminal charges
7. Take measures to ensure that necessary preliminary actions have been taken and brief the responding supervisor as to those action

During your investigation, look for possible signs that the incident may be a hate crime:

- The motivation of the perpetrator or lack of motive.
- Statements made by the perpetrator.
- The presence of multiple perpetrators.
- The display of offensive symbols, words or acts.
- Was any hate literature found in the possession of the suspect?
- Is the victim the only person of a particular group at a park or facility?

- Is the victim from a different racial, ethnic, religious group than the perpetrator?
 - The absence of any motive. The brutal nature of a particular incident could denote a hate crime, particularly when the perpetrator and victim don't know each other.
 - The perpetrator's perception of the victim, whether accurate or not.
 - The date, time or circumstances of the occurrence, such as on a religious holiday, or an event occurring at a gathering of a group of people affiliated by ethnicity, religion, sexual orientation, etc.
 - Multiple incidents occurring in a short time period and all the victims were of the same identifiable group.
 - Were the real intentions of the perpetrator racial, color, religious or ethnic oriented, or were there other reasons such as pranks, unrelated vandalism, or a dispute arising out of a non-bias related disagreement?
 - Incident occurred in proximity to an establishment that could be associated with one of the protected classes.
 - The perpetrator targeted a particular portion of the victim's body; i.e. Sikh victims forcibly having his hair cut, or a victim targeted for his/her sexual orientation being attacked near or around his or her genitalia.
 - The victim's perception that he/she was selected because they are a member of an identifiable group.
8. The mere mention of a bias remark does not make an incident bias motivated, just as the absence of a remark does not make an incident without bias. Even the mere perception that the incident may be motivated by bias shall necessitate a notification to a patrol supervisor.
 9. Be cognizant of dual motivation by some suspects. Example: A suspect may be looking to commit robberies but specifically targets elderly victims.
 10. Note that an attack against a transgender victim could be covered under sexual orientation or gender.

C. Supervisory Responsibilities

The supervisor shall confer with the initial responding officer(s), take measures to ensure that necessary preliminary actions have been taken, and make appropriate departmental notifications as necessary. The supervisor shall request any appropriate additional personnel necessary to accomplish the following:

1. Provide immediate assistance to the crime victim.
 - a. Express the law enforcement agency's official position on the importance of these cases, and describe the measures that will be taken to apprehend the perpetrators.
 - b. Express the department's interest in protecting victims' anonymity whenever possible.
 - c. Allow the victim a period in which to express his or her immediate concerns and express his or her feelings.
 - d. Communicate with concerned community-based organizations, civic groups, and religious institutions regarding the suspected or confirmed bias incident.
 - e. Identify individuals or agencies that may provide support and assistance. These may include family members or close acquaintances, a family clergyman or departmental chaplain, as well as community service agencies that provide victim assistance, shelter, food, clothing, child care, or other related services. Provide information regarding New York State Crime Victims Board.
 - f. Tell the victim about the probable sequence of events in the investigation and prosecution.
 - g. Explain security measures and precautions to the victim.
2. Ensure that officers and investigator conduct a thorough preliminary investigation.
3. Ensure that all relevant facts are documented on an incident or arrest report or both and make an initial determination as to whether the incident should be classified as a hate crime.
4. Notify other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense and its potential inflammatory and related impact on the community.
5. Take preventive measures to ensure the safety of the victim.

D. Investigative Responsibilities

In responding to the scene of an alleged hate crime, the officer assigned to investigate shall assume control of the follow-up investigation to include the following:

1. Ensure that the scene is properly protected, preserved, and processed and that

all physical evidence of the incident is removed as soon as possible after the offense is documented. If evidence of an inflammatory nature cannot be physically removed (e.g., painted words or signs on a wall), the owner of the property shall be contacted to do all that is possible to ensure that the graffiti is removed as soon as possible. The officer or investigator shall follow-up to ensure that this is accomplished in a timely manner.

2. Conduct a comprehensive interview with all victims and witnesses (and depose) at the scene, or as soon as possible thereafter, and canvass the neighborhood for additional sources of information.
3. Work closely with the prosecutor's office to ensure that a legally adequate case is developed for prosecution.
4. Coordinate the investigation with agency, state, and regional crime analysis centers. These sources shall provide the investigative officer with an analysis of any patterns, organized hate groups, and suspects potentially involved in the offense.
5. Coordinate the investigation with other units of the agency and with outside agencies where appropriate.
6. Recommend to Commanding Officer whether the incident should be classified as a hate crime.
7. Investigative officers shall take steps to ensure that appropriate assistance is being provided to hate crime victims, to include the following measures:
 - a. Contact the victim periodically to determine whether he or she is receiving adequate and appropriate assistance.
 - b. Provide ongoing information to the victim about the status of the criminal investigation.
 - c. Attempt, whenever possible, to conduct all interviews with victims at their convenience and minimize, to the degree possible, interactions in which victims have to relate the incident.

E. Recommended Steps When Suspect is Not in Custody or Has Not Been Identified

- a. Coordinate investigation with other department units.
- b. Work with Analyst or Regional Crime Analysis Center to research leads and prepare bulletins.
- c. Conduct extensive canvass and distribute bulletins in area of the incident.
- d. Debrief individuals arrested in the area.
- e. Work with media to attempt to garner witnesses and investigative leads.

- f. Follow-up leads in timely manner.

F. Incident Report Preparation

Incident reports should clearly indicate the following information:

- Offense – Hate Crime designated Penal Law
- Victim age, gender, race, and ethnicity (when victim(s) is an individual(s))
- Offender age, gender, race, and ethnicity (when available)

The narrative portion of the Incident report should document that the victim(s) was intentionally selected or that the act was intentionally committed because of a belief or perception regarding such victim's race, color, national origin, ancestry, gender, religion, religious practice, age, disability, or sexual orientation. The specific bias motivation of the perpetrator should be documented (Ex: selected victim because he was Hispanic, Jewish, Muslim, etc.)

Arrest Processing

The Hate Crimes law is a sentencing enhancement statute. Thus, when the specified crime is a misdemeanor or a class C, D, or E, felony, the hate crime shall be deemed to be one category higher. For example, if a defendant is alleged to have committed an Assault in the second degree, which is a "D" felony and it is alleged that the assault was a hate crime, then upon a conviction the assault is deemed to be a "C" felony and the sentence imposed will be based upon the sentencing range for a "C" felony. "A" and "B" felonies charged as hate crimes stay the same but are subject to higher penalties.

It is important to realize that a class A misdemeanor charged as a hate crime is deemed a class E felony. This may affect the manner in which the case is handled (e.g., arraignment, bail, grand jury).

Reporting of hate crime arrests is statutorily required. It is essential that if an individual is being charged with a hate crime, the arrest is properly coded.

When an arrest is being processed for a hate crime, you are required to use the penal law code with the letter "H" to highlight and make the distinction. The letter "H" is applied to the subdivision of the PL section. In those cases where no subdivision exists, a double zero is used with the letter "H". Use caution when using automated booking system to ensure that the correct offense is selected.

Examples:

PL section 120.00, subdivision 1 – Assault 3rd

- 120.00(01**H**), when it is a Hate Crime

PL Section 140.15 – Criminal Trespass 2nd

- 1 40.15 (00H), when it is a Hate Crime

Note: Do not use the letter H when you are not charging a hate crime or the arrest will be reported as a hate crime arrest by DCJS.

Accusatory Instrument

1. As the Legislature made clear in the language of Penal Law section 485.00, the victim of a hate crime is society as a whole. It is apparently for that reason that the hate crime statute does not require specification of any particular person, only “a person.” It is the attribute of the protected class (i.e., sex, race, sexual orientation, etc.), not the name of any particular individual member or members of that class which is of importance. Accordingly, the manner in which to allege a hate crime is to set forth the particular attribute of the protected class which is claimed to have motivated the defendant, and not name any particular person or persons. The indictment can simply allege that the defendant committed the underlying crime in whole or in substantial part because of a belief or perception of the race, or sex, or sexual orientation, etc., of “a person.” Likewise, when alleging aggravated harassment in the first degree, the accusatory instrument need only allege prohibited conduct directed toward a class of individuals.

Records Management Section

1. Assist department in complying with state hate crime reporting requirements.
 - a. Submit all incidents of reported hate crimes to DCJS each month using the State form 3294 (see Attachment A). Forms must be submitted each month. If no hate crimes were reported, departments must complete the form by checking the “Nothing to Report (NTR)” box.
 - b. Report monthly, by submitting a duplicate copy of form 3294, to the Regional or County Crime Analysis Center in accordance with any county or local laws.

G. Community Relations and Crime Prevention

Hate crimes are viewed in the community not only as a crime against the targeted victim(s), but also as a crime against the victim’s identification group as a whole. Working constructively with segments of this larger community after such crimes is

essential to help reduce fears, stem possible retaliation, prevent additional hate crimes, and encourage any other previously victimized individuals to step forward and report those crimes. This is particularly important if an upward trend has been identified in these crimes. Towards this end, this agency's community relations function, or officers so assigned, shall perform the following:

1. Provide victim(s) with a point of contact in the department to whom they can direct questions or concerns, and keep them informed of the case progress including the end result of the investigation or prosecution.
2. Protect the privacy of the victim and their families as much as possible.
3. Provide any direct assistance reasonably possible and referral assistance to the victim and the family of the victim.
4. Meet with neighborhood groups, residents in target communities and other identified groups, to allay fears, emphasize the agency's concern over this and related incidents, reduce the potential for counter-violence and reprisals, and provide safety, security, and crime prevention information.
5. Engage the media as partners in restoring victimized communities through sensitive and accurate reporting. Information regarding hate crimes should be prepared for the media in an accurate and timely manner.
6. Conduct public meetings or forums designed to address the community-wide impact of hate crime and violence in general.
7. Establish liaisons with formal community-based organizations and leaders to mobilize resources that can be used to assist victims and prevent future hate incidents and crimes.
8. Expand, where appropriate, preventive programs such as hate, bias, and crime reduction seminars for school children.



Todd M. Hazard, Chief of Police

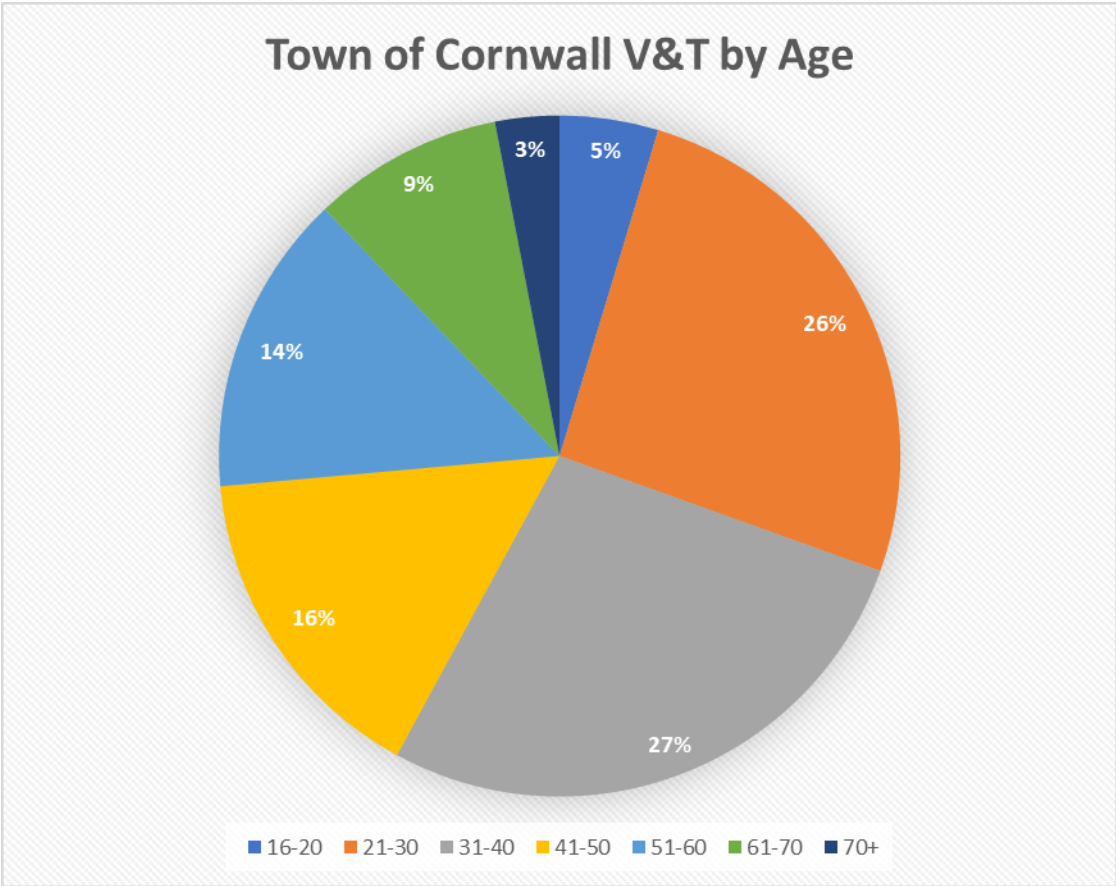
Appendix B

- Town of Cornwall Police Department 2020 Summonses by Age

Town of Cornwall Police Department 2020 V&T by Age

Age	Total summonses issued	%
16-20	46	5%
21-30	254	26%
31-40	270	27%
41-50	154	16%
51-60	141	14%
61-70	89	9%
70+	30	3%

Totals	984
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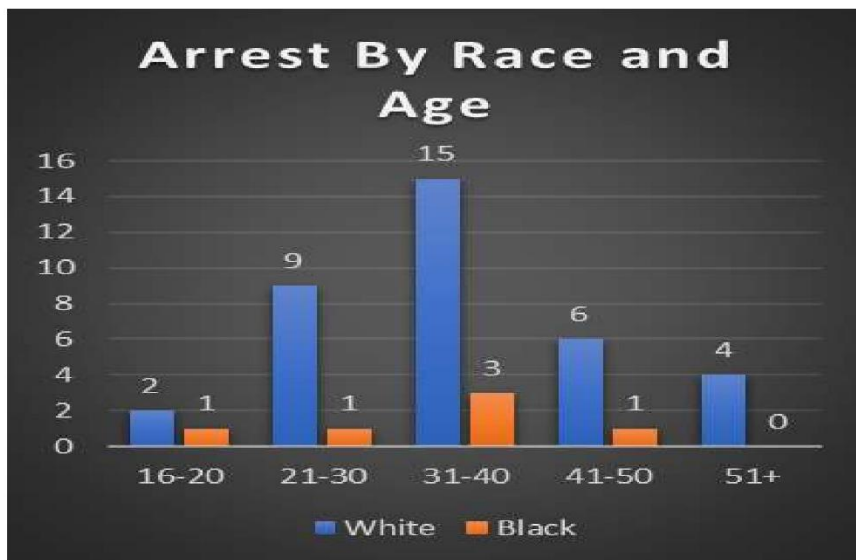
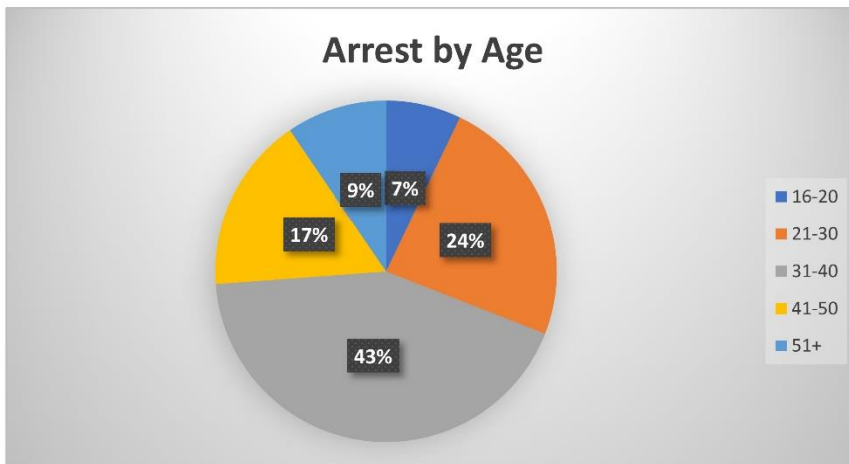


Appendix C

- Town of Cornwall Arrests 2020
- Town of Cornwall Arrest Data Sheet

Town of Cornwall Arrests 2020

Age	Number	White	Black
16-20	3	2	1
21-30	10	9	1
31-40	18	15	3
41-50	7	6	1
51+	4	4	0
Total	42	36	6



46	Black	Female	Newburgh	Criminal Contempt
65	White	Male	Cornwall	DWI
50	White	Male	Cornwall	Arrest W+F7arrant for NY State Police
37	White	Male	Highland NY	DWI
45	White	Male	Chester	Burglary
40	White	Male	Cornwall	Menacing a Police Officer
47	White	Male	Baltimore MD	Warrant from Newburgh
31	Black	Male	Cornwall	Aggravated Unlicensed Oper, No Interlock Device
32	White	Male	Undomiciled	Robbery
34	White	Male	Cornwall	DWI
34	White	Male	Cornwall	Criminal Mischief (Domestic Violence related)
25	White	Male	Cornwall	Criminal Possession of Stolen Property
33	White	Male	Cornwall	DWI
42	White	Female	Cornwall	Obstructing Govt. A+F29dministration (during domestic violence call)
30	White	Male	Cornwall	Fugitive from Justice, out of state warrant
49	White	Male	Hyde Park	DWI
18	White	Male	West Point	DWI
54	White	Male	Undomiciled	Warrant from Ulster County Sheriff
41	White	Male	Wappingers Falls	Robbery
37	White	Male	Cornwall	Aggravated Unlicensed Operation 2 nd Degree
33	White	Female	Washingtonville	Aggravated Unlicensed Operation 2 nd Degree
21	White	Male	New Windsor	Assault
18	White	Male	New Windsor	Reckless Driving
38	White	Female	Poughkeepsie	Aggravated Unlicensed Operation 2 nd Degree
33	White	Male	Cornwall	Pettit larceny , Criminal Poss of Stolen Property
30	White	Male	Highland Falls	DWI
62	White	Male	NYC	Aggravated Unlicensed Operation, Refusal to Submit to Chemical Test
34	White	Female	Cornwall	Assault, Endangering welfare of a child
34	White	Female	Cornwall	Criminal Contempt (same defendant as above)
34	White	Female	Cornwall	Criminal Contempt (same as above, third arrest)
27	White	Male	Campbell Hall	Aggravated Unlicensed Operation, Refusal to Submit to Chemical Test
18	Black	Female	Monroe	Criminal Poss. Controlled Substance
39	Black	Female	Windsor CT	Aggravated Unlicensed Operation 2 nd Degree
34	White	Female	Cornwall	Criminal Contempt (Arrest #4)
30	Black	Male	Middletown	Aggravated Unlicensed Operation 2 nd Degree (Failed to Pay Child Support)
30	White	Female	Cornwall	DWI
32	Black	Male	Middletown	Warrant of Arrest (Criminal Mischief)
28	White	Male	Newburgh	Harassment (Domestic Violence)
29	White	Male	Walden	Criminal Contempt
40	White	Male	PA	Criminal Mischief
71	White	Male	Cornwall	Warrant (Criminal Contempt)
30	White	Female	Cornwall	Assault