

Director of Research, Development and Training Report

NYSACOP welcomes new RDT Director

I would like to take this opportunity to introduce myself to the members of the New York State Association of Chiefs of Police as the newly appointed Director of Research, Development, and Training. My experience and knowledge come from the past 21 years of having proudly served with the City of Oneonta Police Department in all ranks and divisions. I have served as a police administrator for the past nine years with nearly five years as chief of police, which has provided me with a deep understanding of the modern day needs and challenges associated with law enforcement. In addition to my regular duties, I have spent a significant amount of time as a police instructor teaching subjects such as defensive tactics, firearms, physical fitness, and general topics. Like all of you, I truly believe that continual training and education is the absolute best way to promote the highest levels of professional policing within our communities.

In my time as chief of police, my primary focus has always been to support the continuous development of all Department members, further develop and strengthen police-community relations, and maintain the highest standards of ethics and professionalism through positive leadership. Upon retiring, I am able to leave the Oneonta Police Department with advances in technologies such as Tasers, upgraded weapon systems, upgraded communications systems, and body worn cameras. The Department now has established protocols for high levels of in-service training, to include annual defensive tactics and EVOC refresher training for all members as a means to improve skills while decreasing injury and liability. Through expanded community outreach and a strong presence on social media, the Department now also has the means to better connect with the community. This proactive approach, along with a collaborative and teamwork-based attitude was instrumental in the City of Oneonta Police Department's achievement of New York State Accreditation.

As I begin my new role on January 17th, it is my sincere hope that I can use my prior experiences and lessons learned over the course of my career to assist all members of this organization to accomplish your Department's goals and objectives. I look forward to working with everyone while being a resource and sharing my ideas for positively developing and promoting the law enforcement profession. If I can be of any assistance, please contact me at dnayor@nychiefs.org.



Dennis Naylor
NYSACOP
Director of
Research, Development and
Training

De-escalation and Crisis Intervention Training are the Way to Go in 21st Century Policing

BY: CHIEF (RET.) DENNIS NAYOR, DIRECTOR OF RESEARCH, TRAINING AND DEVELOPMENT, NYSACOP



With much of today's law enforcement's responses having a direct connection to calls regarding mental illness, violence, and drug involvement, there could be no better time for police trainers and police administrators to look for training which focuses on de-escalation and crisis intervention techniques. The tactical and technical-based trainings are all still highly essential, but the fact of the matter is that the de-escalation and crisis

intervention component serves as a compliment to all other training, and becomes the perfect mechanism to help minimize injury rates while reducing agency liability. Remember that a key question which will likely be asked in a use-of-force lawsuit is whether the officers involved have received prior training in de-escalation, crisis intervention, or basic conflict resolution. If the answer is "no," then there will likely be a problem and an associated cost.

This training concept can take on many forms. It can be via classes in interpersonal communication, hostage negotiation, conflict resolution, specific mental health crisis intervention training (CIT), or any training module that works towards facilitating compliance while minimizing the amount of force required to control a situation. As a cost savings measure, this type of training can occur in-house via role-play and scenario-based training methodology. With officers in assigned acting roles, scenarios can be created in which the subject in question needs to be calmed to successfully resolve the situation. Responding officers can utilize specific de-escalation techniques as they maintain proper positioning while following appropriate engagement and use-of-force protocols based upon the level of resistance offered. A key strength about role-play trainings is that they create an ability to address a multitude of situations to which officers respond while being both fun and highly educational.

Role playing should always be made as realistic as possible. The sounds, the language, and the scenes should all be acted out as close to how they normally would occur. As a caveat, the scenarios should always be designed with a winnable outcome based upon proper response and techniques used by the responding officers. One thing that a trainer must be mindful of is that he or she does not create situations in which no successful conclusion can occur. Doing this would nullify the educational and training benefits of the exercise and subsequently cause officers to lose confidence. Although the scenarios can be made ever-more complex and

challenging based upon the experience level of the responding officers, there should always be a way that the officers can succeed in neutralizing the situation when proper de-escalation or crisis

Crisis intervention and de-escalation-based trainings provide that necessary relevance and are essential to every department's training curriculum.

intervention techniques are utilized with sound tactics.

Safety is a paramount for this type of training. A safety officer must be assigned to verify first and foremost that there are no live weapons involved. All live weapons must be properly stowed ahead of time and for training purposes, inert canisters of pepper spray, simunition guns, Tasers with non-conductive cartridge probes, and foam batons should all be substituted. These items will allow the responding officers to utilize the tools of their trade while maintaining safety. The role player who is representing the person in crisis or acting out violently, should have proper protection to include (but not limited to) eye, head, and face protection, padding to sensitive areas, and elbow and knee pads. If blank Taser cartridges are deployed, an appropriate protective outfit must be utilized.

When the scenario-based training is over, a formal critique and debriefing must occur. This allows officers to know what they did right and what they did wrong. Was proper cover utilized? Were voice commands clear and well-articulated? Did officers work well as a team? Was the level of force appropriate to the threat/resistance? And last but certainly not least, did the officers use good de-escalation and crisis intervention techniques to help bring the situation to a successful resolution. Utilizing a video recording device is a great way to further evaluate and provide documentation of the training. Be mindful of the fact that mistakes will occur and that's okay; we all learn from them and it's much better for mistakes to occur in training versus reality.

The axiom, "we always respond as we train" is as true today as it was when I first heard it many years ago. In an era in which policing is under intense scrutiny and the stability of society is less certain, the best thing that administrators and trainers can do is to make sure that officers are provided with the best and most relevant training. Crisis intervention and de-escalation-based trainings provide that necessary relevance and are essential to every department's training curriculum.

Some of the Foundations For Agency Success

BY CHIEF (RET.) DENNIS R. NAYOR
DIRECTOR OF RESEARCH, DEVELOPMENT, AND TRAINING AT NYSACOP



In an era in which much of what we do in law enforcement is scrutinized, questioned, and frequently litigated, the absolute best thing that we can do as police administrators is to put the odds in our favor for a positive outcome. Our success rate always increases when we ensure that frequent and relevant trainings occur, that sound policies are in place, that appropriate equipment is utilized, and that strong leadership

exists. As the second quarter of 2017 has now arrived, I can think of no better time to conduct a brief self-assessment to verify that all of this is happening in your respective agencies.

In regards to training, now is the time to see whether officers are up to date on all mandatory trainings and recertification

When we look at all the ways that an agency can flourish, we will most often see a direct nexus to training, policy, equipment, and leadership.

requirements. It is also an excellent time to confer with the training unit or training supervisor as to the progress and outline of the year's training calendar. Since some trainings obviously require much more planning and monetary expenditure than others, it becomes an important administrative function to prioritize based upon the department's needs. I have found that this is best done by first ensuring that the focus remains in the areas of high liability and perishable skills such as use of force and subject management, vehicular operation, and legal issues. Since budgets and staffing issues always play a role in the facilitation of training, making it happen can easily become a challenge, but ultimately an agency that doesn't train appropriately will always pay the most, both figuratively and literally.

The reviewing of policies on an annual basis is another excellent way to stay ahead of the litigation curve. Just because policies are sound when they are implemented, it does not guarantee that over time circumstances or needs won't change. Those changes can easily require the same policies to be updated, rescinded, or rewritten to reflect current practices. It is always good to catch these types of errors before a situation arises in which a conflict would otherwise occur. Roll-call briefings provide a great means

for the first line supervisor to quiz their officers on the policies, standards, and rules and regulations which guide their actions. As we all know, agencies are not successful simply because they have sound policies, but rather they are successful because their officers understand and follow those sound policies.

Since we in the law enforcement profession deal in life and death multiple times per day, there can be no substitute for quality equipment which works well and which is appropriately maintained. Whether it's a charged flashlight, a maintained set of handcuffs, or a properly equipped cruiser, each is indispensable. Making sure that officers take care of their equipment not only makes it last longer, but it makes it that the essential tools of the trade are readily usable when needed. Pre-and post-shift vehicle inspections, turn-out inspections, and random equipment inspections are all terrific ways to make this happen without much effort.

Last but certainly not least during this self-assessment is verification that positive leadership is taking place. The culture of the agency often depends upon the type of leadership that is provided. Maintaining a positive leadership approach starts at the top and trickles down through all ranks. As we know, the success of the department often rests more with the sergeants than anyone

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else. The first line supervisors bridge patrol with administration and as such, are the ones who verify that the policies are followed for the agency's mission to be achieved. Even though the tone for leadership always begins at the top, we must be ever mindful that leadership should occur at all levels since every member of law enforcement is a leader by virtue of their profession.

In my capacity as the Director of Research, Development, and Training, this column represents a broad overview of some of the areas that I look forward to further discussing and expanding upon in future columns, posts, podcasts, etc. When we look at all the ways that an agency can flourish, we will most often see a direct nexus to training, policy, equipment, and leadership. Properly developing our agencies and individual officers is the only way to do business in 21st century policing. The time, money, and energy invested in this endeavor are resources well spent.

of New York, and the Police Conference of New York, to inform state legislators of our concerns, the legislation passed. On April 10, Governor Cuomo signed the law in a celebratory ceremony in New York. In the Governor's press release announcing the passage of the FY 2018 State Budget, he stated, "For too long, draconian punishments for youthful mistakes have ruined the lives of countless young New Yorkers. By coming together, we reversed this injustice and raised the age of criminal responsibility once and for all so that 16- and 17-year-olds are no longer prosecuted as adults." Raising the age of criminal responsibility to 18 will reduce crime and costs to the state. It will give young, low-level

offenders the intervention and evidence-based treatment they need, according to state officials.

There are many programs in New York State already helping 16 and 17-year-olds and keeping them out of adult prisons. More than 95 percent have their records sealed so past crimes don't forever taint their futures. By strengthening family environments, promoting youth education and skill development, fostering healthy relationships and creating protective community environments, we can do more than help young people live safely. We can enable them, and their communities, to thrive.

Positively Promoting the Law Enforcement Image Is a Must for Successful Policing in the 21st Century

BY: CHIEF (RET.) DENNIS R. NAYOR,
DIRECTOR OF RESEARCH, DEVELOPMENT, AND TRAINING; NYSACOP



One of the most important courses that I took while attending the FBI National Academy was a ten-week class on marketing and promoting the law enforcement image. This course was

Although the "brand" of all agencies is appropriately articulated in the organization's mission statement, it is most vividly articulated by the way in which those wearing the uniform interact with the public for whom they serve.

a unique and one-of-a-kind training program designed to teach law enforcement leaders highly valuable concepts needed to create and maintain a positive image of their respective agencies. In a day and age in which instances of negative police encounters quickly become front page news stories and stay as such for recurrent news cycles, there could be no better time for agency leaders to focus on this often-overlooked aspect of police leadership.

It is an established fact that every person who works in law enforcement is a representative of their agency, both for good and for bad. Although the "brand" of all agencies is appropriately articulated in the organization's mission statement, it is most vividly articulated by the way in which those wearing the uniform interact with the public for whom they serve. The perception that is created through every police encounter is what will establish the tone for how the department is viewed. Therefore, to best control for this, leaders must do everything in their powers to ensure that all members, both sworn and non-sworn, are subscribing to this philosophy of continual positive self-promotion.

If an organization fails to properly market themselves, they will have no choice but to rely on other entities such as the media to do it for them. This practice can clearly lend itself to a biased or inaccurate depiction about what you and your agency represent. An agency's overall image is strongly created by the way in which citizens are treated when they call the department for service, when they are detained for a traffic stop, when they report a crime, when they are arrested, when they make a records request, or during any other official police involvement. Not only does their individual treatment form their opinion, but it also becomes the opinion of others when their story is relayed to friends and family. The first step towards positively promoting your agency is therefore to make certain that all members make professionalism, honesty, and high quality treatment a priority for every person with whom they contact each day. All instances in which this does not occur must be addressed immediately and likewise, positive reinforcement must always occur when it does.

The next step towards positively promoting your organization is in making it a practice to document the daily acts of community policing that occur, and subsequently disseminating that information to the public and local governing body. Positive policing can most easily be disseminated through a department's Facebook page, press releases, department website, and city council / town / village board reports. Tremendous photo opportunities exist for activities such as station tours, bike rodeos, child safety seat checks, foot patrols with citizen engagement, community talks, training activities, and anything along those lines. Community members always enjoying seeing police positively interacting with other citizens, so anytime that aspect of policing can be reinforced, it becomes a great tool for improving public relations.

Another way to positively promote your agency is to maintain

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a focus on the various details which community members will observe daily. This could be as simple as making sure that the department patrol cars are always clean, that officers are observing the vehicle and traffic laws while on patrol, that officers are

The first step towards positively promoting your agency is therefore to make certain that all members make professionalism, honesty, and high quality treatment a priority for every person with whom they contact each day.

squared-away with shined shoes and pressed uniforms, and that officers are polite to all of those with whom they speak. As much as these items may appear to be small details, they are also big representations about the department's image and illustrate that the department emphasizes professionalism. Since everything an agency does should be done with the goal of inspiring confidence in their abilities to protect and serve, it is important to be attentive

to all the details. When something goes wrong, the prior attention towards the above will be strong factors in allowing an agency to

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recover and maintain the respect from the community that they worked so hard to build.

If, as you read this article, you see that your organization is already performing these activities, or variations of them, then you are doing well and promoting not only your agency's activities but a positive policing profession. If this is an area which has not received much attention, then there could be no better time to start. Consider all the ways that you can show off all the good things that you and your department does daily. When this becomes a foundational component of your organization's approach towards policing, many positive results will occur.

Chief Del Bianco Tribute

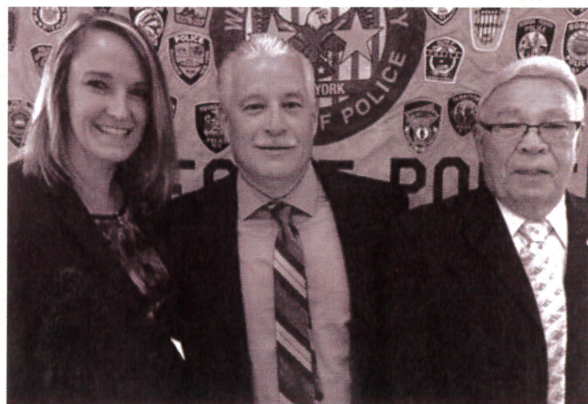
On Friday, April 28th 2017, the Westchester County Police Chief's Association paid a special tribute to Chief (ret.) Joseph Del Bianco. After 65 years of service and commitment to the law enforcement profession, Chief Del Bianco officially turned over the reins of Executive Director of the Westchester County Police Chief's Association, and will now be assuming the new title of Executive Director Emeritus.

Chief Del Bianco is a role model as a police executive. He is a man who has dedicated his life and his career to his community and even after retiring as Chief of Police from the Mamaroneck Police Department, he continued to improve law enforcement through his service as the Board of Governor Retired Representative with the New York State Association of Chiefs of Police (NYSACOP) and with the Westchester County Police Chief's Association as Executive Director.

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Members of the Westchester County Police Chief's Association pay tribute to Joseph Del Bianco.



Margaret Ryan, Timothy Bonci, Westchester County Police Chief's Association President, and Joseph Del Bianco.

Conflict Resolution is an Important Component of Policing

BY: CHIEF (RET.) DENNIS R. NAYOR, DIRECTOR OF RESEARCH, DEVELOPMENT, AND TRAINING; NYSACOP



In law enforcement, the common thread among our daily activities is that we frequently deal in conflict. Each situation to which we respond presents a unique set of challenges, with our end goal being to resolve the issue to the best of our ability. Sometimes the situation may be resolved via a custodial arrest whereas other times basic mediation is all that is needed. In any regard, the more we can understand each of the

basic conflict resolution styles in conjunction with the style with which we each most strongly connect, then the better the chances are that we will have a successful outcome each time we try to remedy a situation.

The five primary styles of conflict resolution; competing, accommodating, avoiding, collaborating, and compromising each has value depending upon the circumstances. A competing style is assertive with the goal of winning the conflict at all costs. Contrary to this is the accommodator who is non-assertive and will sacrifice their wants simply to resolve the conflict. The avoidant style seeks to ignore the conflict so as not have to deal with the situation. Opposite to the avoider is the collaborator who works with all

Understanding all conflict resolution styles is important so that efforts can be made to utilize the best mode of resolution, especially when our primary style may not be appropriate or available for the situation.

sides to find an amenable solution to the problem for all parties. Finally, the compromising style works towards quickly developing a remedy to solve the situation but ultimately leaves both sides only partially satisfied.

Every individual has one of these styles which feels most natural to them and to which they predominately subscribe. This is generally based upon a person's personality, their comfort level with conflict, and their life experiences. We can all probably think of people that we know who fit into each of those categories and we can also

readily determine which category most accurately describes our own personal conflict resolution style. Understanding all conflict resolution styles is important so that efforts can be made to utilize the best mode of resolution, especially when our primary style may not be appropriate or available for the situation.

For example, in the case of a mandatory arrest scenario in which a suspect does not wish to get arrested, we can all agree

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that a competing style is essential on the part of law enforcement to appropriately perform their duties. Conversely, if an officer is responding to a landlord/tenant dispute, then a collaborating or compromising style of conflict resolution will likely be much more appropriate. Even the avoidant style has merit for times when it is simply better to avoid a non-winnable situation which will potentially resolve itself on its own.

Knowledge of the above styles is also important because once you understand the place from which an opposing side is attempting to resolve their conflict, you will be better suited to determine which strategy is best for you to employ. Understanding how you personally resolve conflict is also important for self-improvement. If you find that you are constantly arguing with others, it is possible that your conflict resolution style may need to be adapted to something less competitive.

Conflict arises in everyone's life, on a regular basis throughout each day. As law enforcement professionals, it is our responsibility to repeatedly respond to that conflict and appropriately resolve the situation. It is great when a situation can be resolved to everyone's liking, but we know that sometimes there must be a winner **and** loser, or some level of compromise involved. Considering these factors ahead of time and knowing what your primary conflict resolution style is, will make you better prepared to appropriately approach and deal with each conflict-driven situation to which you are involved.

Police Defense Tactics Curriculum Updated:

Dennis Naylor, the Director of Research, Development, and Training for the New York State Association of Chiefs of Police (seen in TSAC shirt in top left photo), is shown taking part in the DCJS two-day Defensive Tactics refresher course with other defensive tactics instructors from New York State. The Defensive Tactics Curriculum is being revamped in a very positive manner and all certified defensive tactics instructors will have to receive the updated training by January 1, 2018. Please look for a detailed

article on the new foundational principles of the updated defensive tactics curriculum in the September issue of the Chiefly Speaking newsletter. Also, please look for an upcoming audio podcast to be released this month in which the lead defensive tactics instructor who has been charged with disseminating this new curriculum, Officer Jay Wadsworth of the Jamestown PD (seen pointing in the top center photo), explains the changes and the reasons for the updates.



Building Relationships in Law Enforcement



BY: CHIEF (RET.) DENNIS R. NAYOR, DIRECTOR OF RESEARCH, DEVELOPMENT, AND TRAINING; NYSACOP

One of the most important endeavors to work towards in modern-day policing is building relationships.

One of the most important endeavors to work towards in modern day policing is building relationships. This philosophy should exist in all aspects of policing and must transcend rank, assignment, and years of service. As agency leaders, it is imperative that this message is understood by all because as Sir Robert Peele, the father of modern policing, stated in 1829, “the ability of the police to perform their duties is dependent upon public approval of police existence, actions, behavior, and the ability of the police to secure and maintain public respect.” When the goal of building relationships within each agency’s respective community is understood by all, positive results will follow.

Building relationships is a team effort and should not be the sole responsibility of the officers assigned to a community affairs unit, the department’s PIO, the school resource officer, and the chief of police.

Building relationships is a team effort and should not be the sole responsibility of the officers assigned to a community affairs unit, the department’s PIO, the school resource officer, and the chief of police. This task can be accomplished by every member through their daily interactions with the public. Courtesy, empathy, and a willingness to do more than the minimum are all great mechanisms to build relationships. Another great means of relationship building is ensuring follow-up for victims and those who require police assistance. As a patrol officer, it can be easy to see every call for service as just another job to get through before the next one is assigned, but to the citizen, that call for service can easily represent a major life experience. Thinking of it in that way can positively influence the efforts put forth, subsequently building relationships along the way.

First-line supervisors are in key positions to make sure that the officers and detectives who most frequently interact with the public are subscribing to this philosophy. It can be as simple as verifying that case follow-ups are completed in a timely manner,

that officers are maintaining a positive attitude, and that any deficiencies in these or related areas are quickly addressed. The first-line supervisors are in the best position to see these things and verify that the department’s mission is being met. Even when it comes to the reality of law enforcement, which is making arrests and issuing tickets, the job can still be done in a way in which respect is always demonstrated. In most cases, even if a positive relationship can’t be established, efforts can be made to prevent a

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negative one from forming.

As police administrators, relationship building is a daily activity, but unfortunately opportunities can easily slip by. A notable example of this occurs with emails. As chiefs, it is not uncommon to receive dozens of emails on any given day, ranging from high importance, moderate importance, low importance, to solicitations and spam. With all that occurs for the person in the top position, it is understandable that some of the emails of low importance or even moderate importance may not be immediately answered. However, if the email is from a community member, business owner, citizen making an inquiry, or anyone for that matter, then I can affirm that receiving a response is highly important to them. Failing to reply and essentially ignoring an email sends a message that the writer or inquiry is not important. I know exactly how busy being a chief can be, but I can honestly say that the time spent responding to all emails (except for unsolicited marketing ploys) was always well worth it.

As in any human interaction, the simple gestures of uttering a kind word, saying hello, holding a door, or listening to a person’s problem are ways to build positive relationships. In policing, the power of the uniform places an even greater value on those simple acts and we are provided so many opportunities each day to do just that. It can be easy to think that relationship building is reserved for specific times, people, or events, but it is a process that must continually occur within every department. It is now almost two centuries since Sir Robert Peele spoke of the importance of gaining public approval and respect to effectively police, and that statement is just as true today as it was all of those years ago.

Firearms Training Must be Reflective of Reality



BY: CHIEF (RET.) DENNIS R. NAYOR, DIRECTOR OF RESEARCH, DEVELOPMENT, AND TRAINING; NYSACOP

I hope that everyone could glean some valuable information from the article that I wrote for the August NYSACOP newsletter regarding ambush-style attacks against law enforcement officers. As a follow-up to that topic, I would like to take this opportunity to discuss firearms training as it correlates with survivability in a deadly physical force encounter. As a veteran firearms instructor,

As explained in the police ambush article, the most beneficial training which officers can partake in is that which is designed with a reality-basis in mind, limited only by one's imagination.

I firmly believe that the way in which we train in firearms is the way in which we will respond in a real gun fight. For this reason, we must make certain that we are training with the concept of real-world dynamics in mind and that the time spent on the range is specifically designed to meet that goal.

I remember when I was a new officer, the range time was always highly predictable. We would qualify on a static course of fire, we would reload only when told to do so, the range instructor would assist all shooters in the clearing of any malfunctions, and timed courses were relaxed since those with an "alibi" for not getting off all required rounds could do so prior to the scoring of the targets. Similarly, there were no shoot/don't shoot (challenge) drills, no movement and facing drills, no shooting from behind cover, no weapon transition drills, and no malfunction-clearing

Additionally, since no officer can determine when he or she may be required to use their firearm, training should occur in different lighting conditions, during different seasons, and during various weather conditions.

drills. Proudly by the time I had retired six months ago, we were doing all of this and more during our qualifications, which was a tremendous evolution and improvement.

As explained in the police ambush article, the most beneficial training which officers can partake in is that which is designed with a reality-basis in mind, limited only by one's imagination. Reality

Philosophically, I believe that on the range, rank holds no meaning because in a gun fight, a person's rank is rendered completely meaningless, leaving one's proficiency and tactical ability as the only matters of importance.

based training (RBT) gears the training and the training environment to mimic that of the real world as much as possible. This allows for rapid decision-making and action under stress, confusion, and unknown or rapidly changing variables. In firearms training, this means creating qualifying courses which not only focus on the fundamentals of marksmanship and proper weapons handling, but which incorporate the nuances of real life. At a minimum, this means that all shooters will work through malfunctions on their own; it means that time limits (which are added as stressors) are adhered to with no "alibis" permitted; it means shooting while moving to cover and shooting from behind positions of cover; it means drawing the weapon from a fully engaged retention holster as it would normally be carried; it means lowering the weapon to scan the area for additional threats after shooting and before reholstering; it means engaging in tactical reloads and manipulating your own ammunition during breaks in courses of fire so that you are always performing tactically; it means transitioning from one weapon system to another when malfunctions can't be cleared; and it means responding in the way in which you may have to respond in the actual situation.

Additionally, since no officer can determine when he or she may be required to use their firearm, training should occur in different lighting conditions, during different seasons, and during various weather conditions. Obviously, safety must always be a consideration, however the era of qualifying only when the weather is sunny and clear is over. Training at night, in the rain, in the wind, and in the snow, are all potentialities of a real-life situation and therefore relevant firearms training should mimic that. Additionally, qualifications can be designed so that officers must communicate with each other as they would in a real gun fight. In other words, when reloading, officers can verbalize "reloading" and the officer to their right or left can verbalize "covering" so that there is a coordinated effort, much the same as would be needed in a real-life gun battle.

Equally important is the fact that all officers should qualify while wearing their soft body armor for both a safety and a movement

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standpoint. The gun belt and holster worn to the range should also be worn exactly the way it is worn while on duty. There is no value in drawing from a non-retentive holster on the range if you are carrying a double or triple level retention holster at work. In

An important takeaway is that firearms training should be reality-based and designed to create an automatic response that will equate to survivability in a gun fight.

keeping with that, speed drawing should be a component of the time on the range because with firearms, you always draw and reload with speed. All concepts stated herein should be followed by every officer, including top level police administrators. When I was chief of my department, I always told the range instructor on the day that I was qualifying that he or she was fully in charge while on the range. I did not want my rank to create a barrier or a better standard of treatment for me during qualifications. Philosophically, I believe that on the range, rank holds no meaning because in a gun fight, a person's rank is rendered completely meaningless, leaving one's proficiency and tactical ability as the only matters of importance.

Qualifications should also include an off-duty course of fire designed for those officers who carry a weapon while off-duty. This allows those officers to be familiar with the considerations of different engagement distances, ammunition limitations, and lack of radio communication and backup as just a few examples. The

drilling can also incorporate tactical elements of identification so that if an off-duty officer is required to draw down on a suspect and is then challenged by an on-duty responding officer who only sees a person with a gun, the off-duty officer can reply to the on-duty officers command of "police, don't move!" with "police, don't shoot!" as he or she is complying. This can hopefully reduce situations of friendly fire from occurring.

Last, but certainly not least, all firearms qualifications should be coupled with quality weapons inspections by department armorers prior to and after qualifications. The qualification time should also include a review of all departmental policies regarding use of deadly physical force along with Article 35 of the New York State Penal Law for all members. A brief written test should be administered at the end of the review phase to verify comprehension. For proper record-keeping, all tests and scores, qualification scores with courses of fire, weather conditions, time, date, and other relevant factors should be maintained at the department. Should a legal question arise regarding firearms training pursuant to an officer-involved shooting, there is now proper documentation.

Firearms training can be an extremely comprehensive topic so this article is certainly not all-encompassing. An important takeaway is that firearms training should be reality-based and designed to create an automatic response that will equate to survivability in a gun fight. Agency administrators should verify that their firearms instructors are conducting training in a way that is consistent with this philosophy and that all officers are being developed to their fullest potential. As always, stay safe and please contact me if I can be of any assistance to you or your agency.

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some in the community is not effective. We must continue to train our officers about the impact of stressful encounters and through such awareness, hope that they make sound tactical decisions.

The courts do not always consistently apply the law, let alone understand the physiological effects of stress on police officers. Thorough examination of incidents can help officers to learn to handle future situations better. Was it necessary to sneak up on a house in the dark to interview a suspect in a road rage incident where no arrest was going to be made? If the ESU did breach Bah's apartment door, was it necessary at that time? I am not passing judgment in either case, instead challenging police executives to critically review incidents so as to help officers grow professionally and make better decisions, with the ultimate goal being to minimize the situations they do not control.

And when officers are forced into such situations, and criminal

or civil litigation results, counsel must understand the correct application of the law and how physiological factors affect officers' actions during use of force situations.

¹See Blair, J., Pollock, J., Montague D. et al (2011) Reasonableness and Reaction Time. *Police Quarterly*, 14:323 DOI 10.1177/1098611111423737; Lewinski, W. & Hudson, B. (2003) Reaction Times in Lethal Force Encounters: Time to Start Shooting? Time to Stop Shooting? *The Tempe Study*. *Police Marksman Vol 28 No. 5 Sept/Oct*. P. 26-29.; and Lewinski, W. & Hudson, B. (2003) The Impact of Visual Complexity, Decision Making and Anticipation: *The Tempe Study Experiments 3 & 5*. *Police Marksman Nov/Dec*. P. 24-27.

²Lewinski, W.J., Hudson, W.B., Dysterheft, J.L. (2014) Police Officer Reaction Time to Start and Stop Shooting: The Influence of Decision-Making and Pattern Recognition. *Law Enforcement Executive Forum*. 14(2), 1-16



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Building Positive Media-Relations & Conducting Professional Press Conferences During a Crisis



BY: CHIEF (RET.) DENNIS R. NAYOR, DIRECTOR OF RESEARCH, DEVELOPMENT, AND TRAINING; NYSACOP

One of the most important endeavors for all police executives to undertake is that of working diligently towards developing and maintaining a positive relationship with their local media. In as much as we have all likely experienced occasions in which the news headlines or published articles either misrepresented the facts of an incident, sensationalized the incident to the disfavor of law enforcement, or focused solely on one side of an incident in an unbalanced manner, I can affirm that the effort spent towards creating an amicable relationship with the media is still of the utmost importance for police leaders of today. This article will highlight some of the reasons for this, along with some key concepts to be mindful of when it comes to police-media relations.

It is a fact that the media will report on those events which they feel is relevant, and oftentimes those events of relevance involve law enforcement (i.e. crimes, accidents, investigations, public matters, etc.) With that said, it is natural that the media will regularly seek out law enforcement for verification, clarification, and additional information on the incident in question. When these inquiries come in, it is imperative that the police chief or their designee respond to these queries in a timely and forthright manner. Failing to do so

The media can also serve as a great mechanism for a police department to highlight their work within their communities.

sends a message that the matter is unimportant, and can quickly serve to build distrust by the media towards the police department.

The willingness to answer media-based questions also helps to prevent inaccurate information from being disseminated to the public, and demonstrates a sense of transparency within the law enforcement organization. Even if the questions posed by the media can't be immediately answered, such as when the answers could compromise an ongoing investigation, or when the answers are not yet known, it is still important to return a call and state exactly that. This simple act helps to build trust and displays an openness by the police department to share information. Additionally, the media will be reporting on the incident even if they do not receive the requested input from law enforcement, so the time spent answering a few questions can eliminate the need for retractions or multiple versions of the same story.

There are also numerous occasions where it is in the best interests of the police to have an amicable relationship with the media simply for the maintenance of public safety. One of the most important examples of this is when the media is needed to quickly get information to the public to locate a witness, a suspect, a

vehicle, a stolen item, or most importantly, a missing person. The media can also serve as a great mechanism for a police department to highlight their work within their communities. This can easily be accomplished through the media's ability to publish departmental press releases or positive promotional articles. Articles regarding activities such as holiday toy drives, food drives, safety campaigns, or police-involved community meetings, are examples of community-oriented activities that the public will always appreciate reading.

I remember as Chief that one of the things which my community really enjoyed were the monthly guest columns that I authored for my local newspaper. These columns were all about 750 words in length and always focused on key issues in public safety. Whether the article was on crime prevention, elder abuse, bullying, firearms safety, vehicular safety, phone scams, or the like, the community gained valuable information which helped to reduce their chances of victimization. These articles also became a terrific way for me to clearly explain the role of law enforcement in detail while also providing me with the platform to clarify misnomers and misunderstandings, subsequently becoming a tremendous tool for building positive police-community relations.

There are times however in which an incident in question may occur that exceeds local interest, and national media may respond to your jurisdiction to report on the matter. Any high-profile incident will easily bring the cameras of CNN, Fox News, NBC, CBS, and the like to any police chief's jurisdiction, so the person at the helm better be ready. In these rare, yet major occurrences, there will generally be no prior relationships or trust established with the national media outlets so the way in which you present the facts, answer questions, and avail yourself to them could greatly affect the media's portrayal of the incident and in turn, the public's

Any high-profile incident will easily bring the cameras of CNN, Fox News, NBC, CBS, and the like to any police chief's jurisdiction, so the person at the helm better be ready.

perception of the incident as well. To follow are a few of the most important points to be mindful of regarding press conferences and the media as I learned as an attendee in a Public Information Officer (PIO) course several years ago.

First and foremost, have your facts in order and have a prepared press-release ready to read when speaking at a press conference. If possible, the press release should be provided, in advance of the press-conference, to all the media outlets who will be in

attendance. When it comes to the question and answer portion, set ground-rules. Establish what you will talk about, what you will not talk about, and how many questions you will answer (i.e. a few questions, no questions, etc.) When it comes to answering questions, always be honest and do not answer hypotheticals. Hypothetical questions or scenarios can easily take you off track and away from the facts. Stay on track with your points, not the points that the media may be trying to assert or the direction that they may be trying to take you. Remember to have those people to

The right message provided during a press conference can have a tremendous impact on the perception of your department, so it is essential that you are well prepared.

whom you may need to defer a question, at the podium next to you. This could be your mayor, city manager/town supervisor, partner agency representative, deputy chief, etc. This not only provides an important sense of support so that you as the spokesperson are not alone, but it also demonstrates that the matter has the attention of all important entities.

As stated above, the facts must be adhered to and repeat them as often as necessary. If a negative statement is made by the media, make sure that it does not become your focus. Address it if appropriate, and then move on from it. Maintaining composure and control of your emotions may be difficult, especially depending upon the circumstances of the incident, but it is essential that a professional appearance, voice, and demeanor be displayed always since the spokesperson at the press conference is the representation of the entire department.

The right message provided during a press conference can have a tremendous impact on the perception of your department, so it is essential that you are well prepared. Have bullet points available to help you key-in on the most salient points of the press release. Give the media and the public a reason to have confidence in you and your department. If you don't know something, tell the media that you will have your investigators look into it and then make it a point to get back to the seeker of that information with the answer. Don't ever guarantee an outcome because if the outcome is not achieved, then you will have misinformed the media and the public. It is better to state something to the effect of "all resources will be used to find the perpetrator of this incident," or something along those lines. If possible, also try to have someone from your agency video-record your press conference so that if a statement or sound-bite is edited or taken out of context by the media, you will have an unedited record of what was stated to appropriately address it later if necessary.

Sometimes the unfortunate reality is that something bad may occur from within your own department or on the part of a member from your department. In those cases, it is best to release the negative news to the media before the media makes an inquiry about it. This will hopefully demonstrate transparency and that one incident of wrong-doing does not define the entire department. Again, stick to the facts and as always, be honest. More significant consequences will result when an act of wrong-doing is covered up as opposed to the consequences that would occur from the original act itself.

When it comes to holding a press conference, make sure that environmental factors are considered, and that the best location is selected; never hold a press conference in an office. Once a location is decided upon, make sure that it is professional, that distractions can be controlled, and that there is an exit behind the podium so that you can leave when appropriate. The worst situation is one in which you as the Chief or PIO can't exit without going through the media because an exit strategy had not been developed. After answering questions and prior to exiting, it is good to advise the media as to when the next press conference will be convened. This will obviously depend upon the nature of the incident, the speed of the investigative process, and other related items. Either way, make sure that you advise the media when the next press conference has been scheduled to occur, or advise that they will be notified when a new time is established. Lastly, try to close the press conference with a positive and proactive statement, such as "all efforts and resources are being dedicated towards finding those responsible and assisting the victims," or similar messages of that nature.

When it comes to major incidents, minor incidents, or daily police business, use social media to your advantage. Facebook, Twitter, a YouTube channel, and your department's website all provide you with the opportunity to build a base of followers to get your messages out there. The news media generally follow police departments' social media as well, so this can be a terrific way to get your important messages out to not only the public, but to the media, which makes for much wider dissemination.

The time to create the positive relationships, prepare for press conferences, and develop your social media platform is well before a major incident develops. Building trust and developing relationships is extremely important in this era of policing. The media may never

The time to create the positive relationships, prepare for press conferences, and develop your social media platform is well before a major incident develops.

fully be in your corner, but possibly you will be given the benefit of the doubt when something questionable arises if the positive relationships are formed in advance of that incident. There will still undoubtedly be times when you will be misquoted or times in which the news story may be written in an unbalanced manner, but I can say that there is no benefit in holding a grudge or promoting an adversarial relationship. When those instances happen, address it with the reporter or editor, and then just move on from it.

My concluding thoughts are as follows: Providing the media with information regularly, allowing them to participate in ride-alongs, inviting them to police presentations, and offering them the opportunity to participate in specialized trainings are all positive ways to build a solid relationship. Attending a Public Information Officer course will help any police official to be more capable of conducting press conferences and answering media inquiries, and is a valuable investment. Lastly, the more your local media feels connected to you and your department, the better the relationship will be and when that happens, everyone benefits.

If I can be of any assistance with additional questions, please contact me at dnayor@nychiefs.org and in the meantime, stay safe.

A Well-Articulated Policy Regarding Civilian Complaints and Internal Investigations is Essential for All Police Departments

BY CHIEF (RET.) DENNIS R. NAYOR, DIRECTOR OF RESEARCH, DEVELOPMENT, AND TRAINING; NYSACOP

Reprinted from February 2018 NYSACOP e-Newsletter



One of the best mechanisms to safeguard the integrity of any police department is a well-defined policy regarding civilian complaints and the internal investigation process. If allegations are not properly documented and recorded in a uniform manner and an established protocol concerning how allegations are to be investigated each time is not in place, then there could likely be a perception, or even a reality, that accountability

is relaxed or nonexistent within a department. This article will highlight some basic tenets for police chiefs to review to help ensure that effective civilian complaint and internal investigation processes exist within their department policies.

First and foremost, having a well-articulated policy in place that covers civilian complaints and the internal investigative process is extremely important because it provides a consistent and specific course of action in all scenarios involving allegations against members of the department. It also allows the citizens of the community to know that they have a voice and a means of recourse if they feel that they are treated improperly.

The civilian complaint and internal investigation policy should clearly define who directs internal investigations and provide a detailed explanation of how these investigations are handled. These explanations demonstrate to all parties that the treatment administered during internal investigations is equitable, that there is objectivity in the investigative process, and that collective bargaining agreements are not compromised.

It is widely understood that complaints can range from simple allegations of rudeness to, and including, various forms of criminal activity. Some lower-level complaints can be appropriately addressed by the first-line supervisor with the complainant and involved officer(s) via a clarification of the policy or some other means that fosters their satisfaction. In the instances where the allegation is more serious, a formalized plan of action must be followed.

For walk-in complaints that occur when the appropriate investigative authority is not immediately available, a basic form should be provided to the complainant, enabling him or her to list his or her name, address, and contact information along with a description of the allegation and the officer(s) involved. The completed form should be sealed in an envelope and directed to the attention of the police chief or his or her designee. When the chief or person responsible for facilitating

the investigation is not available, an email or phone call should be made to that investigative authority to properly inform him or her of the complaint and its nature, if known. Prompt attention to civilian complaints and the rapid commencement of internal investigations, when required, are essential.

When the person responsible for conducting internal investigations receives any complaint, an investigative file should be started. The file should be given an internal control number for tracking purposes. Furthermore, an internal and secure log that includes the date, the names of the complainant, officer(s) involved, and assigned investigator, along with descriptions of the allegation and final findings should be maintained and correlated to this internal control number. The log also provides a quick means to view which cases are open and grants the chief and/or internal affairs investigators the ability to see whether individual officers' names repeatedly appear as the involved officers, thereby making the log an early warning system that detects employees who may be developing patterns of repeated complaints.

Unless it jeopardizes the investigation, it is appropriate to let the officer(s) involved know when an allegation is made against him or her. Sometimes a brief discussion or a written memo from the officer involved can provide an appropriate accounting of the incident, which can be later verified by witnesses, body camera footage, or alternate means. If the allegation is criminal in nature or a serious violation of policy, the officer must be made aware of it so he or she can secure proper union representation and/or an attorney. Again, every case is different, and the severity of the allegation dictates much of how the process will occur. The key is to always act in fairness and with consistency so that, when an internal investigation is commenced, all members know that a clearly delineated and impartial process is being followed. There must be one standard that is equally applied to all personnel.

For all allegations against department members, it is beneficial to have the complainant provide a written statement in which he or she signs it in accordance with Section 210.45 of the New York State Penal Law. By using this process, the complainant is aware that he or she may be charged with a crime if he or she knowingly provides a false written statement. If the accuser is about to make a false allegation, this knowledge may dissuade him or her from doing so. If, however, it is revealed through the course of the investigation that the accuser ignored this and did knowingly make a false allegation within his or her sworn statement, then the ability to apply charges against said person now exists to a greater degree.

—WELL-ARTICULATED POLICY, continued on page 10

—**WELL-ARTICULATED POLICY**, continued from page 9

During any investigation in which actual criminal activity is alleged against a member of the department, the district attorney should be apprised at the onset. Spelling this out within the civilian complaint and internal investigation policy is crucial because this action helps to minimize accusations of a “cover-up,” particularly when the allegation is not sustained or determined to be unfounded through the investigative process. Doing this also allows members of the department to know what to expect and allows the district attorney to have input in the investigative process, which is necessary if a crime did indeed occur.

After a finding in any internal investigation is determined (e.g. sustained, not sustained, unfounded, exonerated), the complainant should be notified of the decision in writing. The complainant does not necessarily have to be provided the specifics regarding the level of discipline applied when the complaint is founded or any other information that may be protected, but the formal notification allows him or her to know that the complaint was taken seriously and thoroughly investigated. Likewise, the officer(s) involved

should also be notified in a prompt manner when the investigation concludes and of the findings and any further actions. As always, the control log must be updated with the case status, and the written investigative report must be securely maintained in an appropriate file system.

The internal investigation process is very important and should never be done in an arbitrary or capricious manner. When officers are doing their jobs correctly, police chiefs must fully back and support them. When allegations of wrongdoing occur, there needs to be a clear and methodical means of addressing them. The articulated civilian complaint and internal investigation policy provides for this. Making literature available to the public regarding this process is also very valuable. Whether it is made available electronically on the department website or as a brochure in the department lobby, this literature is an effective way to educate the community and, at the same time, helps to demonstrate fairness, transparency, and professionalism within your department.

—**ACCREDITATION PROGRAM**, continued from page 8

adherence to policies that are known to meet a standard of excellence, agencies are better prepared to defend the agency’s practices and the actions of their officers.

BECOMING ACCREDITED

The Accreditation Unit within the DCJS Office of Public Safety administers the program based on parameters detailed in Executive Law Article 36, §846-h and the policies set by the Council. All final decisions related to the program are made by the Council with the goal of further improving law enforcement within New York State while meeting the ever-changing needs of law enforcement professionals.

To become accredited, police agencies must develop and implement policies and procedures to meet all 110 standards established by the Council. Agencies can expect to spend between six to 18 months preparing for accreditation, depending on the time devoted to the project and the number of policies that must be developed.

Agencies must adhere to the policies and procedures developed to meet the standards for a full 90 days before being eligible to undergo an on-site assessment. This rigorous assessment is conducted by assessors, all of whom have applied for the position and been approved by the Council. All program assessors are law enforcement professionals who have worked for a minimum of three years on the New York State program, either as a program manager or assistant program manager within their agency, or as a supervisor/command staff member directly involved in the management and oversight of the accreditation program within their agency. All assessors must undergo a day-long training prior to being assigned to a team. Additional “on-the-job” training is provided by partnering new assessors with more experienced ones.

Assessments are conducted on-site at the law enforcement agency. A three-person assessment team spends three days reviewing the agency’s program files, which contain all the documentation needed to demonstrate compliance with the standards; conducting interviews of various members of the department; and making observations within the agency to further document compliance with the program standards.

The Council awards Certificates of Accreditation to agencies that have met or exceeded the standards. Agencies are accredited

for five years. During that time, they must maintain compliance with all program standards and report on their progress through an Annual Compliance Survey, which is intended to ensure that lapses in compliance are immediately identified and remedied. DCJS Accreditation Unit staff also conduct site visits at least once during the period of accreditation to ensure compliance is being maintained and provide technical assistance. Agencies seeking reaccreditation undergo another full assessment approximately three months before their accreditation is set to expire.

CONCLUSION

The New York State Law Enforcement Agency Accreditation Program is a major source of pride for the accredited agencies and DCJS, and it is one of very few accreditation programs in the country that imposes no direct costs on agencies that participate. DCJS is proud to provide this free service and resource to the law enforcement community, and the agency and Council are committed to the integrity and longevity of the program, always striving to meet the ever-changing needs of law enforcement professionals across the state.

New York State is often recognized as a leader in policing, a direct result of the commitment that law enforcement executives across the state have made to professionalism and to providing the best possible service to their communities. Participation in the accreditation program will enhance those efforts.

For more information, visit <http://www.criminaljustice.ny.gov/ops/accred/index.htm> or contact Hilary McGrath, Program Manager for the New York State Law Enforcement Accreditation Program, at hilary.mcgrath@dcjs.ny.gov or (518) 485-1417.

¹The council consists of: three incumbent chiefs of police; three incumbent sheriffs; one deputy sheriff; one police officer; the Superintendent of the New York State Police; the Commissioner of the New York City Police Department; one member of a statewide labor organization representing police officers; one incumbent mayor of a city; one incumbent supervisor of a town; one incumbent executive of a county; one full-time member of a college or university who teaches criminal justice, and; one appointment each made by the state Senate and state Assembly.

The Human Element of Policing Must Always Exist



BY: CHIEF (RET.) DENNIS R. NAYOR, DIRECTOR OF RESEARCH, DEVELOPMENT, AND TRAINING; NYSACOP

In my capacity as the Director of Research, Development, and Training for this Association, all the articles which I have authored for the monthly e-Newsletter and the quarterly Chief's Chronicle magazine have focused on highly relevant and contemporary issues regarding professional 21st century policing. Whether the article's emphasis was on building trust and legitimacy, policy development, technology, social media, community policing, safety and wellness, tactics and training, or specific key issues within modern policing, the primary goal was always to provide insightful and thought-provoking information to assist law enforcement leaders during these challenging times.

There is however another extremely important topic in addition to those mentioned above which is worthy of its own article, and that subject is "the human element" in policing. Every member of every department, from the newest officer through the highest ranking official, has an incredible amount of power vested in them and the way in which that authority is used and the way in which they treat those with whom they have contact, oftentimes can have much greater impact than any ticket or criminal charge. This article will provide some important points of considerations into this sometimes-forgotten topic.

The reality is that policework, by its very nature, involves daily human interaction which includes seeing life in its raw, unedited, and most unfiltered form. As we know all too well, a typical day for law enforcement exposes officers to not only harm, but to seeing people at their absolute worst. Whether it's because of a bad situation in which a person finds themselves, or an issue of substance abuse, or any of a myriad of other reasons, people are usually not in a good place when law enforcement arrives. Regardless of whether

The ability to view each situation as unique is essential, and to know that all arrestees are not necessarily career criminals and that all people who commit a crime are not necessarily bad people, is something that must remain within the hearts and minds of every law enforcement officer as they perform their duties.

that person is the subject of an arrest, a victim of a crime or accident, or the target of an investigation, it is fair to say that the event is something which will remain with him or her forever. For this reason, the way in which law enforcement responds and reacts to every call for service is of extreme importance.

With the above being said however, there is an important distinction to be made; we know unquestionably that true evil

exists in our world. There are individuals predisposed towards committing heinous acts of despicable violence upon others, there are those who prey upon the weak and the innocent, and there are those who simply lack any reverence for human life. The most suitable place for these individuals is prison, and they are certainly not the category of people to whom this article refers. This article's reference is that of the average citizen of any community who may find themselves on the other side of the law.

When law enforcement officers work in areas of high-crime density and / or see criminal acts and victimization multiple times per day, it's easy to understand how every interaction and every call for service can simply meld into the next. This same idea holds true if an officer is burned-out, bitter, or struggling with personal issues of their own. In these situations, responses and reactions may occur from a place of apathy or complacency, both of which are devastating for all involved. The ability to view each situation as

an organizational culture must exist in which an understanding that all persons through a series of bad breaks in life, poor decisions, poverty, mental health issues, or life-changing events (divorce, death of loved one, health issues, loss of job) can find themselves in a place in which police intervention is required.

unique is essential, and to know that all arrestees are not necessarily career criminals and that all people who commit a crime are not necessarily bad people, is something that must remain within the hearts and minds of every law enforcement officer as they perform their duties. Having a keen sense of humanity and empathy are crucial for this to occur.

As police leaders today, it's therefore not only incumbent that a culture is created within every Department whereby the officers are tactically sound and properly equipped to deal with all situations, but at the same time, an organizational culture must exist in which an understanding that all persons through a series of bad breaks in life, poor decisions, poverty, mental health issues, or life-changing events (divorce, death of loved one, health issues, loss of job) can find themselves in a place in which police intervention is required. The ability to maintain empathy and consideration towards that truth must remain constant.

Modern law enforcement leaders work diligently towards ensuring that only quality people are hired and trained to take on today's tough policing challenges. It however also becomes the

Early warning systems that track use of force, citizen complaints, and personnel issues should be in place so that an officer who may be heading in the wrong direction can be brought back on track.

responsibility of today's police leaders to verify that these officers do not become jaded and negative in their treatment towards the public, or forgetful of the significance of the power that is vested in them, throughout their careers. Early warning systems that track use of force, citizen complaints, and personnel issues should be in place so that an officer who may be heading in the wrong direction can be brought back on track. Sometimes this may involve switching shifts or patrol zones, especially if the officer in question has worked the overnight shift or a high crime zone for an extended period, other times it may involved offering Employee Assistance Plan (EAP) based counseling for issues that may be occurring within an officer's personal life. Sometimes it can be a matter of providing sensitivity-based training, and other times it may be as simple as talking to the officer to see what may be affecting their attitude, and collaborating on a possible remedy. If a solution is not achievable, then progressive discipline up to and including releasing that officer from employment may be the necessary course of action.

YouTube and numerous other social media platforms contain examples in which an officer is found to have lost his or her temper and the related footage of the officer's treatment towards the public with whom he or she is interacting reflects that. Whether from a gruff or demeaning traffic stop to an instance of excessive force, the perception of the entire police profession can become tainted when these things occur. Clearly this is the exception and not the

rule because there are countless instances whereby officers go well above and beyond the call of duty every day, while treating even the most belligerent of persons with the utmost of respect.

Treating people respectfully and always maintaining wisdom towards the innate foibles of humanity will never go out of style.

Since perception is reality however, we all must work extra hard to continually demonstrate that elevated level of professionalism.

Having cutting-edge technology, high tactical standards, great equipment, and sound policies are tremendous assets for every law enforcement agency, but these assets can quickly lose their value if the human element is not equally maintained along the way. Treating people respectfully and always maintaining wisdom towards the innate foibles of humanity will never go out of style. Ensuring that all members of every department, from patrol officer to police chief, maintain a sense of empathy and understanding in the way in which they perform their duties will always be a benefit to the department, the community, and the legacy of the entire policing profession.

I have tremendously enjoyed the opportunity to serve as your Director of Research, Development, and Training. I've met some amazing people along the way and have had many great experiences that I will always value. I will be moving on from the Association however to pursue other interests, but I will always be a resource for you. If I can ever be of assistance to anyone on any contemporary law enforcement issue, please don't hesitate to contact me at nayor61@yahoo.com. In the meantime, please stay safe and keep up the excellent work that you all do for this noble profession! -Dennis Nayor



Pictured in the photo above are the members of the Town of Colonie Police Department's Special Services Team (SST) after completing a full day of training on February 13, 2018. In June of 2017, the Town of Colonie Police Department SST received NYS DCJS certification as a SWAT team, making them one of only 11 teams throughout New York State to receive such notable distinction. (See full article on page 4)

Director of Research, Development and Training Report

In-Service Defensive Tactics Training is a Great Idea for All Departments

The one skill that police officers are most likely to use daily is that of interpersonal skills and arrest techniques, most commonly referred to as defensive tactics or “DT” for short. The reality however is that most officers will not receive any additional DT training past that which they receive in the basic police academy. The exception to this general rule applies to those officers who go out on their own to learn more and stay current or those officers who are assigned to tactical units. It’s unwise to think that a skill so vital and so perishable is so undertrained. To follow are some thoughts about how to develop a plan to increase the skill level of all officers within your respective departments.

The first step is to appropriately identify an officer with an affinity towards fitness, martial arts, tactics, and teaching. This officer should have at least three years of service and be a state certified general topics instructor already so that he or she has a clear understanding of instructional principles and learning methodologies. Once this person has been identified, the next step is to secure their attendance at a well-established two week defensive tactics instructor school, such as the one held semi-annually by the FBI training unit at West Point, NY. Through this training, your officer(s) will not only learn the foundations of balance, leverage, positional advantage, redirection of force, and body mechanics, but he or she will also learn advanced techniques in ground fighting, weapon retention, and handcuffing amongst many other extremely important concepts. Additionally, your officers will learn the finer points of applying the commonly used control techniques which allow for a high percentage of successful arrests.

Once an officer is on staff with this specific training and certification, he or she can then conduct annual in-service refresher trainings for all sworn personnel. The training can be divided into both a classroom portion and a practical component. In the classroom portion, the instruction can be geared toward reviewing departmental use of force policy, constitutional and case law regarding search and seizure, and other fundamental tactical concepts. Afterwards, a short quiz can be administered and maintained with the training records to confirm understanding and support the fact that training has occurred.

The practical component is where the rubber meets the road. This part becomes the perfect opportunity for officers to refresh their skills in handcuffing, positioning, effecting arrests, and defending themselves in a controlled environment. All that is required is some quality wrestling or judo mats which will become a great investment for each annual training, and personal safety equipment such as mouth guards, groin protection, knee pads, etc. The level of personal protection is completely dependent upon how vigorous the training is designed. For SWAT and tactical officers, the training may be at a more dynamic pace while for other officers it may be set to a slower and more basic pace. Everything is completely dependent upon the skills and abilities of each group of trainees. The goal is to impart knowledge, but not injure or overwhelm.

In an era in which police actions are always being monitored, recorded,



Dennis Naylor
NYSACOP
Director of
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Training

(Continued on page 10)

Director of Research, Development and Training Report— continued

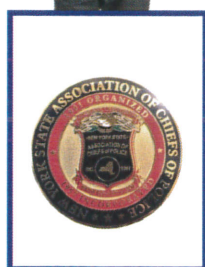
(Continued from page 3)

and then critiqued, there is no better time to ensure that proper training is occurring for all officers under your command. The beauty about this type of training is that it instills confidence in the officers, and when an officer is confident in their abilities and knowledge, they are more likely to employ the proper techniques and the least amount of force required in whatever situation they find themselves. As a long-time former lead defensive tactics instructor, I firmly believe that incorporating this type of training in some form or fashion will not only minimize injury rates for both officer and suspect, but will also serve to improve a department's defensibility in a lawsuit or claim. Best of luck, and please contact me at NYSACOP at dnayor@nychiefs.org for further information on ways to set up such a training program for your department.

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Director of Research, Development and Training Report

In-Service EVOC Training is a Valuable Training For All Departments

One of the aspects of policing which is so frequently taken for granted is vehicle operation and in all aspects of policing, vehicular operation is a necessity. Whether in responding to a call for service, in performing basic patrol functions, or to attend a training session, police officers of all ranks and experience levels operate motor vehicles throughout every tour of duty. Statistics have repeatedly shown that many officers across our nation are killed or seriously injured each year in motor vehicle related accidents. This coupled with the frequency in which vehicles play a role in the performance of our duties means that we must place the highest level of focus upon improving safety in this endeavor. To follow are several ways that we can accomplish this goal.

There are so many variables which effect vehicle operation. Some of these include, but are not limited to; weather conditions, lighting, terrain, traffic, driver experience, vehicle type, and vehicle maintenance. Some variables are difficult to control such as roadway conditions and traffic, but one variable that we can control is how well are vehicles are maintained. This can be done in part by pre-trip inspections. Officers should take a few minutes before going on patrol to verify that the emergency lights and sirens are all working, that the brakes function properly, that the tires have appropriate tread, and that there are no noticeable defects in other basic equipment. If anything appears to not be functioning correctly, the vehicle should be immediately taken out of service until the issues are corrected. During a pursuit or even basic operation, we want to make sure that everything works perfectly. Likewise, if an officer notices a defect mid shift, he or she should request that vehicle be taken out of service so that the repairs can occur. Additionally, weekly or random supervisory inspections of vehicles should occur so that potential problems are found and addressed early. A basic checklist can be created to verify that all important items are inspected, and the time invested will be time well spent.

Another very important aspect to vehicle safety is to ensure that sound policies exist regarding pursuits, seatbelt usage, and general vehicle operation. Having policies on paper which clearly delineate the Department's expectations in terms of safe vehicle operation is extremely important. Having policies that define when pursuits will be allowed, how they will be conducted, and when they will be terminated is essential to the safety of your staff and community. A sound seatbelt policy is also extremely important because studies have shown that many vehicular related fatalities could have been prevented if a seatbelt was worn. Having full seatbelt compliance within every Department is a must.

Most officers will go through the Emergency Vehicle Operator's Course (EVOC) in the basic police academy, but then will not receive additional training as they go through their career. This is unfortunate because skills diminish when training does not occur. Also, vehicles change and the handling

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is different in a rear wheel drive Caprice versus a front wheel drive Impala. The center of gravity is different in an SUV versus a sedan, and the handling of one make and model is not necessarily the same as another. Fully understanding these variables play a part in safe vehicle operation.

To put the odds in your officers' favor, a meaningful training method would be to conduct annual in-service EVOC training for all sworn members. To accomplish this, one or two members of your agency would need to gain certification as an EVOC instructor through an approved DCJS training course. Once this occurs a training can be scheduled to allow that officer to conduct the training within the Department. Components of the training should include pursuit policy review, seatbelt usage policy review, laws regarding qualified immunity during emergency vehicle operation, and a comprehensive review of the components of the vehicle which affect its handling. The practical component of the training should contain a slow speed skills course and if possible, a pursuit course also. All certified EVOC instructors will have the knowledge regarding how to set these courses up and it's guaranteed that not only will members learn and improve skills, but they will also enjoy the training opportunity.

Much of what we do in law enforcement is predictive policing and risk management. Operating an emergency vehicle is high-risk by its very nature so the best we can do is put the odds in our favor by providing quality training on a continual basis, keeping vehicles well maintained, and ensuring that sound policy exists to address vehicle operation. As with any training, there is always a cost involved, but the cost to ignore such an important training is much more expensive. Please contact me with questions regarding this type of training and as always, stay safe.

Director of Research, Development and Training Report

Body Worn Cameras Are a Technology Worth Exploring

One aspect of law enforcement which we all know is ever-changing and always evolving is that of technology. One piece of technology which has probably garnered the most interest over the last several years has been body worn cameras (BWCs). Some chiefs are strongly in favor of these devices, some opposed, and some still undecided. As with anything however, there are always pros and cons to consider, and this article will highlight a few of them based off a case study.

When I instituted the use of BWCs in my Department, I realized that the first thing that should be done was to research the various brands that were available along with the associated costs and functionality of each. When the research was concluded, I came up with three models that seemed appropriate, so these subsequently were utilized for testing and evaluation in a pilot program. The goal of this pilot program was to determine which camera would best meet the needs of the Department when put into service. As a program that was favored by the City Council, the local community, the media, and members of the Department, it was hopeful that the pilot would yield positive results.

Prior to commencing with the program, a solid policy was formulated based off portions of the model BWC policies from the IACP and New York State DCJS. The final version was adjusted to meet the specific needs of the Department, and after legal approval was obtained, the pilot program was ready to begin. The officer who agreed to be the evaluator was a sergeant and a union president, which was very important to help develop buy-in if the program was going to be fully instituted.

Within the first shift of wearing the BWC which was chosen from the three models tested, footage was obtained in which a parolee admitted to committing a crime, subsequently violating his terms of parole. In other subsequent instances, the BWC revealed that allegations against officers for rudeness or similar complaints could be readily reviewed to ascertain the validity of such complaints. Over the eighteen-month study, the program illustrated that the BWCs were an effective tool to substantiate an officer's activity without hindering their ability to properly do their job. With that, the BWC program was approved to be fully implemented for all uniform personnel.

When it came to purchasing BWCs, one of the biggest decisions will involve how to deal with data storage. Depending upon the size of the department and the policy which governs what will be recorded, an agency can easily require a separate server just to properly preserve all the data. Some BWC companies allow for cloud-based storage which eliminates that issue, but that however comes with an associated cost. Another issue to consider is the administrative time that is required for reviewing, redacting, and releasing BWC footage pursuant to FOIL requests. Again, an issue that simply can't be overlooked



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because it requires the appropriate resources to do that.

When it comes to policy, there needs to be strong thought in regards to the parameters in which recordings will take place. The more that discretion is allowed for when recordings will occur, the more chances there are for questioning why certain incidents are not recorded when they really should have been. Equally important is the fact that consideration must be given to utilizing the BWCs when highly sensitive situations are occurring, specifically involving children and victims.

In the end, it can be said that there are both positives and negatives associated with BWCs. In an era in which police activity is highly scrutinized however, I believe that they are a valuable technology. They have been shown to lower use of force complaints and have been proven to be an excellent tool to collect evidence and review incidents after the fact. There are initial and recurring costs involved that can't be overlooked, but if they substantiate the positive work that an officer does and serve to discredit fabricated complaints, and reduce liability then they will have been well worth the investment.

Does Law Enforcement Run in Your Family?

If law enforcement runs in your family, we want to hear from you! Please contact the NYSACOP office at news@nychiefs.org or call us at (518) 355-3371 to share your family story!

Director of Research, Development & Training Report

“Technology and Law Enforcement”

The past fifty years have shown amazing advances in police technology; everything from the patrol cars officers drive to the equipment that they carry on their person have drastically improved. Significant technological improvements have equally spanned all subsets of law enforcement, dramatically enhancing the functions of communications, investigations, administration, and support services too. As technology continues to evolve and become more readily available, it is vitally important that police executives stay attuned so they can most appropriately equip their staff. This article will remind us where we've been, highlight where we are, and forecast where we may be heading in terms of police-based technology.

As we know, communications play a key role in successful law enforcement. The information which is relayed to the responding units is of the utmost importance for both public safety and officer safety. For this reason, there can be no substitute for rapid, factual, and high-quality communications. Fifty years ago, communication was received via a switchboard operator and broadcast to patrol. Mobile patrol radios had limited radius' and minimal channels. Portable radios were bulky and transmission were of a significantly reduced quality from what we know today. Beat officers had to rely on call boxes located at certain points along their foot post for communications, which significantly hampered effective and efficient policing. In sum, communications needed drastic improvements.

Now, highly trained communications personnel utilize enhanced 911 Computer Aided Dispatch (CAD) technologies to dispatch patrol units to calls for service. Digital dispatch screens are available with Automatic Vehicle Locator (AVL) technology to clearly illustrate where units are at in real time. Detailed information, including photos or documents can be electronically sent to officer's smart phones or mobile data terminals to provide information that will assist them with their response. Call playback features exist on dispatch center phones so that valuable information can be reviewed and relayed in a timely manner. Mobile and portable radios have significantly improved to include improved radius', digital encryption, compact sizes, and multiple channel banks to allow for interagency communication and specialized unit function.

In the not-so-distant past, all field paperwork was completed by hand and with the use of carbon paper, whereas official reports were completed on typewriters. Most everything now is completed electronically with the use of TRACs, digital parking writers, and hand held scanners which autofill required fields of information. Sophisticated Records Management Systems (RMS) exist to allow for quality data storage and retrieval along while providing a professional platform to generate reports.

Since 2010, all fingerprint submissions in New York State required electronic submission, and with the use of LiveScan, the days of inked fingerprints had



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officially ended. Technologies such as License Plate Readers have become mainstream and provide patrol officers with the ability to receive alerts on stolen vehicles, wanted persons, missing persons, and scofflaw violators. This tool has also proven itself to be a great investigative tool by creating an historical record of vehicles that have been in an area. Advanced technologies such as gunshot detection systems, biometric facial recognition, and cutting-edge forensics all have helped law enforcement tremendously in both the patrol and investigative function.

Tactical tools such as Tasers have allowed officers to control violent people and situations in ways that could not have occurred in the past without higher levels of force. The use of Unmanned Aerial Vehicles (UAVs or Drones) have become tools which would have been too futuristic to consider a decade ago, but now have proven themselves to have very practical applications for numerous law enforcement purposes. Crowd control devices such as sound cannons and scent-based dispersal devices are available to minimize force and protect lives. Tools such as Body worn cameras have created an ability to review events with a level of clarity that would at one time have seemed impossible, and an item as basic as a flashlight has transitioned from the large metallic mag-lite, to hand held units which have minimal weight and transmit enough lumens to light up an entire field.

The future will undoubtedly see further advances in the tools which we use today. Body armor will likely become lighter and more puncture resistant, smart-technology weapon systems will be mainstream for all law enforcement agencies, less-lethal crowd control devices will be more readily available, body worn cameras will likely be standard apparatus for all officers, and flashlights will become even smaller and brighter.

As evidenced throughout this article we have indeed come a long way over the last fifty or so years. The technologies that we utilize allow us to do our jobs better and with higher levels of safety. What may seem futuristic now will be mainstream shortly, therefore as police executives, it is highly important to stay alert to emerging technologies. Doing so will help you and your officers perform your jobs in the most effective and efficient way possible.

Director of Research, Development, & Training Report

“Sound Policy Development is Essential for All Agencies”

There are a multitude of reasons why well-written policies must remain a top priority for effective 21st century policing. First and foremost, they delineate the specific and approved ways that a task or function is to be performed within an agency. When written correctly and followed as intended, policies provide a strong measure of liability protection for not only individual members, but for an agency itself. Additionally, sound policies create elevated levels of consistency in the operations of every agency and essentially form the bedrock of a police department. Nevertheless, no matter how well-written and sound a policy is, it should not be considered an immutable creation; for many reasons, there will be times when it will need to be amended, rescinded, or replaced.

When a policy is well written, we know that it will contain a clearly articulated description of what task or function is being covered along with an articulated description of the purpose of the policy. It will also be followed by a well-defined and enumerated description of the procedure(s) to be followed. Anyone who has been involved in the formulation of policies realizes that one of the most important goals is to make sure that the policy, purpose, and procedure all make sense to those who will be expected to follow it and that it is not left open for individual interpretation. For this reason alone, a good deal of time and forethought must always go into the process.

In addition to the time spent at the administrative end of policy development, it is important to ensure that a policy makes sense logistically for those who are expected to carry it out. One way to verify this is to allow a frontline member the opportunity to review it and provide input. Although policy development occurs at the top levels of an organization, it can be extremely beneficial to gain insight from those who are expected to adhere to it. There is no sense in having a policy which looks great on paper, but contains flaws or obstacles that will create an undue hardship for those that are tasked with complying with it. Obviously, the goal should not be to focus on making sure that everyone is in complete agreement with a new policy because, in leadership, we know that our job is not simply to make everyone happy. However, oftentimes the persons responsible for carrying out the policy task will have the clearest understandings as to how the policy will affect their ability to effectively perform their duties. If the administrative requirements can be achieved while allowing for smooth implementation, then it's a win for all sides.

Even when the best policies are in place, there are times when situations arise whereby the policy needs to be amended, rescinded, or replaced. The annual administrative review of all policies is what will allow for changes to be made when necessary. Without a regular review process, an obsolete, flawed, or conflicting policy may only be found after a problem has occurred. With ever-changing legal standards and evolving best practice determinations, every department leader should be ready to make changes when necessary. To make this process easier, it is appropriate for police administrators to allow their officers and supervisory staff members the ability to bring issues forward in a



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constructive manner when a policy is found to be in effect which no longer serves the intended purpose.

The only thing worse than not having sound policies in place is to have policies which specify one way of doing something, while knowing that they are being carried out another way. Having a policy on paper but having a blanketed acceptance of not following it in practice is a definite recipe for significant problems. This is especially true when it comes to high-liability areas such as use of force, evidence handling, arrest and detention, and vehicle pursuits. The time spent reviewing these policies, along with all other policies, to verify that they are current and being followed appropriately will be time well spent. If a policy is outdated or is needed but does not exist, it is good to reach out to an accredited agency for a copy of its policy on that topic. There is no need to reinvent the wheel because another agency's policy can usually be modified to meet the needs of another department. The NYSACOP forum is also a great venue to request policy, as are other resources such as DCJS, the IACP, Lexipol, and NYMIR.

Finally, it's always very important to make sure that training occurs with all policy implementations. The degree of required training always depends upon the intricacies of the policy and whether it's a new policy as opposed to an update or revision of an existing one. All members who are required to follow a policy should always be given the opportunity to request clarification if something is not clearly understood and, once members have solid understandings of a new policy, they should sign-off and date that they have received and understand it. Equally, it is important to maintain a record of all former policies that were revised or rescinded

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so that, if a notice of claim should occur at a time in the future when a new policy is in effect, you will know what specific administrative policy was guiding the agency's actions on the day and time in question.

As the saying goes, "the time to fix a leaking roof is not when it's raining." This axiom is very meaningful with policy writing, policy review, and policy implementation. Sound policies are the lifeblood of any organization and must remain relevant and always current. Best of luck, and please contact us at NYSACOP if we can be of any assistance to you or your agency in achieving this goal.

Director of Research, Development, & Training Report

Career Survival in the Administrative Ranks of Policing:

In policing, a tremendous amount of time, money, and energy is dedicated towards training designed specifically to increase officer safety and survival. Since it's a well-established fact that proper tactics save lives, the resources spent towards such training in firearms, defensive tactics, and related exercises are always sound investments. However, it's fair to say that safety and survival can take on a completely different meaning as an officer ascends the uniform ranks and enters the administrative realm. In an administrative capacity, especially at the level of Chief, the need to remain safe is still paramount but the threats can easily shift from that of a physical nature to that of a political nature. With that said, this article will focus on the sensitive topic of politics in policing and safety as it relates to career survival.

A challenge for police administrators is the frequent need to regularly navigate the murky waters of politics. This can be quite difficult because sometimes the wants or expectations of those to whom you are answerable, may not coincide with your mission, values, legality, and sometimes even logic. Unrealistic expectations can easily pose a great challenge to your career survival when it comes down to it, but there can be no option other than always doing what you know to be right. Please consider the following pathways that can provide guidance in this arena.

As chief, having a deep-rooted track record of integrity, along with a well-defined understanding of what you stand for through examples of professionalism, consistency, and fairness are the best assets in your survival tool kit. Since these are characteristics that must be established over the course of an entire career, the best chance for survival lies in making a strong moral compass your backbone from day one. It is extremely hard to impugn a person of honor and righteous character, so let that be the moniker by which you are known and by which you are promoted.

Loyalty is a term that we most frequently connect with the concept of our relationship to another person. However, loyalty directed towards your own principles and beliefs is a much stronger mechanism for career survival than loyalty simply directed towards another. The unfortunate reality is that people can make poor choices and drift astray from doing what is right, therefore to be unwaveringly loyal towards an individual can easily bring you down their same path of consequences. When a person is loyal to sound moral principles rather than people however, it becomes easier to know what the right thing to do will be. If an administrative appointment is made with an understanding that a sense of loyalty is owed to the appointing body, then the appointee is placing themselves in a very precarious position. There is simply no room for blind loyalty in ethical 21st century policing, so no appointment should ever be accepted if there is to be a quid pro quo expectation in return.

As a police chief or police administrator, it is equally important to take the time to educate elected officials, community leaders, business owners, interest



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groups, and others so that there is a clear understanding as to what you can and can not do in your position based upon laws, policy, ethical considerations, etc. People may be less likely to ask a favor or express an unethical expectation if they are properly educated. As police leaders, we clearly have a base of knowledge that has been accumulated over the course of a lengthy career and it would be illogical to assume that others would understand our role as clearly as we do. Therefore, frequent education is an essential aspect of policing and subsequently enhances one's career survival rate.

Irrespective of all this, there still may be times in which doing what is right will be in opposition to doing what is politically desired. These are the times when a clearly defined line in the sand must be established, and since making one unethical decision usually leads to others, that line in the sand must never be crossed. As a police leader this can easily compromise a career, but that is the unfortunate reality of policing today. Hopefully it never comes down to this, but it is always good to consider all possibilities much like the way a tactical team considers the risks that they may encounter during the execution of a high-risk warrant. In the end, there can never be a compromise to integrity or the oath you are sworn to uphold, therefore following the ethical path consistently is one of the best means for career survival in the policing profession.



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Director of Research, Development, & Training Report

Ambush-Style Attacks Against Law Enforcement Officers



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In 2015, the COPS (Community Oriented Policing Services) Office, which operates under the United States Department of Justice, published an extensive and highly comprehensive report on ambush-style attacks against law enforcement officers. The final report was extremely detailed and articulate, while providing significant insight into a multitude of factors that surround these deadly encounters. The completed study and subsequent final report was made possible through the assistance of the International Association of Chiefs of Police and CAN Analysis Solutions. I have condensed the original eighty-two page report into a very concise version to relay the essential content. All credit for the information contained herein should be given directly to the original report authors, George Fachner and Zoe Thorkildsen from COPS and CAN Analysis.

The COPS study on ambush attacks is the first comprehensive study on police ambushes in over twenty years, and since policing has changed so much in that timeframe, the information contained in this study has extreme value. Ambush attacks are best defined as “a planned surprise attack on a human target.” These surprise attacks may be preplanned in advance or they may be spontaneous, but ultimately, they are unexpected. With officer safety and wellness being one of the six pillars of effective 21st century policing, it is critical that this topic be examined and reviewed. With fatal attacks against law enforcement increasing, the statistical information, protective strategies, and incident characteristics that follow can be lifesaving.

The report cites that although officers should use de-escalation techniques and proper tactics when possible, it recognizes that “the nature of policing is dangerous and unpredictable; officers must not only be guardians of the public, but must also be prepared to face and respond effectively to violence against themselves and others.” Studies show that ambush-style attacks had decreased throughout the 1990s and remained around 200 per year for the 2000s, continuing to increase from 2010 and forward. Much of the statistical information which you’ll read from the report was drawn from the FBI’s LEOKA (Law Enforcement Officers Killed and Assaulted) reports, surveys, focus groups, and in-depth quantitative analysis.

Environmental research has shown that ambush style attacks occur more frequently in drug-related enforcement activities. Additionally, neighborhoods with low socioeconomic status’ experience higher rates of assaults against officers and

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“violence begets violence” meaning that areas where crime is high and assaults against police are high may be more prone toward ambush style attacks. It has been observed however that agencies that place higher scrutiny on use of force, experience lower levels of violence against their officers. One study found that officers with 0-4 years of service and who are in the age range of 30-39, had a higher likelihood of being attacked as opposed to officers with other levels of experience or age. A study in Baltimore County, Maryland revealed that officers injured or assaulted had between 7 and 12 years on the job. The reason behind this finding could be based upon complacency or a dissipation of tactical skills during that point in an officer’s career.

Regarding hiring, studies revealed that college education has been found to reduce the likelihood of injury if assaulted/ambushed and that officers who are resilient to stress performed better in violent encounters than those with a lower stress tolerance. Additionally, those officers who were less distracted by irrelevant stimuli and who could maintain focus had a reduced likelihood of injury if assaulted. Lastly, studies found that officers who are evaluated for good conflict management styles during the hiring process, have a reduced likelihood of injury from an assault or ambush.

Further research revealed that the interactions between officers and the assailants “shaped perceptions and the likelihood of violence.” The assailant’s perception as to whether the officer was doing his or her job properly contributed to the assailant’s decision to assault/ambush. Prior studies did not show a correlation between mental illness and assaults/ambushes against officers, however current studies show that the mental status of the suspects may reveal a much higher prediction towards potential violence against an officer than in the past. As one might expect, it has been determined that there is relatively little that an officer can do to prevent from being the target of an ambush/assault if he or she is serving in a patrol capacity.

Some elements that have been proven to minimize death and injury during ambushes are: wearing soft body armor, having access to tools such as pepper spray or Electronic Control Devices, and an agency placing higher scrutiny on activities such as foot pursuits. Also, tactical policy considerations towards vehicle pursuits have also played a key role in reducing the likelihood of ambush scenarios. Although back-up is extremely important, one study found that the more officers there are on a scene, then the more chance there is for making a tactical error.

Regarding vehicle and traffic stops, studies reveal that passenger-side approaches are superior for safety against an ambush/assault, and officers who drew their firearm while tactically retreating when confronted by a threat were better situated to protect themselves as opposed to those who drew after they have found cover. Training that includes dynamic entry drills, Reality-Based-Training scenarios, simulations, and lateral movement exercises are all extremely important for building the skills necessary to survive a potential ambush. Equally important is the fact that the training should occur in an environment which will mimic the stress and chaos of the actual situation. The vast improvements in police training has helped to promote officer survivability, & the generic concept of simply “remaining vigilant”

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is inadequate. Studies have further revealed that emergency first-aid training to allow an officer to treat themselves or their partner is paramount. This includes having provisions such as tourniquets readily available.

Anytime that a serious incident (ambush/assault) occurs, it is recommended that a complete post-incident analysis be completed. This allows for lessons to be learned, policies to be amended where needed, and revised training to occur. Equally important is sharing the after-action reports with other agencies so that the lessons learned can become a significant training tool for all.

The studies found that there is a much higher chance statistically of being ambushed when an officer works alone or is assigned to a single person patrol car. The average age of an ambushed officer is 38 years with an average time of service of 11 years. The range for ambush spans less than a year on the job to over 44 years of service. The victim officer is predominately a white male and the survivability rate has been found to be higher for those officers who have recently completed a defensive tactics training class.

Some further statistics are as follows: Often the assailant is a local to the area in which the ambush occurs (85% of the time they are from the same county.) Most of the ambushes involve one suspect. Approximately 75% of the assailants had a criminal record, 20% had a prior arrest for an assault on a law enforcement officer, 42% were on parole or probation, 41% had been arrested for a violent crime, 34% have had a drug law violation arrest, and 33% have had a weapons violation arrest. Additionally, 15% had been convicted of a crime as a juvenile and 13% were under the influence of a narcotic.

As per the FBI's LEOKA study from 2004-2011, which involved state, county, and local police agencies, 70% of the ambushes were spontaneous in that the assailant made the decision to attack at the exact time of the officer's approach or during the initial interaction. In 78% of the cases, the officer and the suspect had no relationship. More than 50% of the ambushes occurred in a residential location, 25% on government property, 20% at commercial locations such as businesses, and 84% occurred outside. 73% of the ambushes occur under fair lighting and 26% in the dark or poorly lit locations.

The distance from the ambushes ranges from 1 foot to 50 feet, with 30% occurring when the assailant is within five feet of the officer. 18% occurred when the assailant was more than 50 feet away. 94% of the officers faced an assailant armed with a firearm while 5% of the assailants were armed with a knife or other weapon of convenience. The assailants are generally younger than the officer and acting from places of tactical advantage. Statistics have shown that the survival rate is higher for officers when they are ambushed in poorly lit areas as opposed to well lit. For this reason, training should occur in low light settings.

To account for all the above, all agencies should have policies for first aid and tracking violent offenders through Computer Aided Dispatch (CAD). Training should be ambush-specific with training that covers tactical positioning and vehicle approaches, first responder/first aid training, and active shooter response training. As stated previously, Reality-based-training is of high value to aid in survivability against ambushes and should be a key component of training.

Agencies should develop protocol for sending two officers to 911 hang-up calls and other calls of a suspicious nature when possible. Equipment such as ballistic helmets, shields, tourniquets, and patrol rifles should be available to all officers. Agencies should also have armored vehicles available. All agencies should always conduct critical incident reviews and must continually examine policies and training for relevance. To read the entire 82-page report where this information was derived, please go to ric-zai-inc.com/Publications/c... As always, train often and stay safe.

Director of Research, Development, & Training Report

The Newly Revised Defensive Tactics Curriculum for Police Recruits Brings Much Positive Change



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For the first time in over two decades, the defensive tactics curriculum for police recruits has received a complete overhaul by the New York State Division of Criminal Justice Services, with the revised program designed to create an improved means for officers to most efficiently effect arrests while maintaining higher levels of safety for both themselves and the arrestee. As a long-time police defensive tactics instructor myself, I participated in one of the first, two-day (16 hour) instructor refresher trainings for this curriculum and was extremely impressed with the revisions and updates. The training which was held at the Monroe County Public Safety Facility on August 14th and 15th, was conducted by Jamestown, NY police officer, Jay Wadsworth, with the backing of the DCJS Municipal Police Training Council. In addition to Officer Wadsworth being a veteran New York State Certified Defensive Tactics Instructor, he is the lead defensive tactics instructor for the New York Tactical Officers Association (NYTOA), a tactical instructor for

Progressive Force Concepts, and a black belt in the highly effective grappling-based martial art of Brazilian Jiu-Jitsu. This article will highlight the fundamental components to the revised curriculum along with the rationale behind those changes.

One of the primary motivating factors in updating and revising the curriculum was to create a program that was based more upon subject control as opposed to a program based heavily in pain compliance techniques. Studies have shown that techniques based predominately in pain-compliance principles are only effective about one third of the time, thereby creating a significant gap in overall reliability. The tactics and concepts that are now being taught are control-based and do not involve complex techniques, thereby providing a dependable means of reliability for effectively controlling a resistant subject. The expectation is that with this concept and with less overall techniques to remember, officers will be more aptly able to focus on the following four (4) key principles to complete an arrest in the safest and most efficient manner possible.

The four principles of this revised system are as follows: maintaining mobility, creating angles, engaging and disengaging at the appropriate times, and effectively transitioning between techniques and weapon systems as necessary. Too frequently, we see situations whereby officers struggle to gain custody and control of a resistive subject and because of variables such as size and strength differences, environmental considerations, and pain tolerance levels among others, the arresting officer(s) find themselves significantly hindered from effecting the arrest. When the new principles as stated above are understood and properly utilized, the officer(s) will have a much better chance of quickly controlling the subject and subsequently effecting the arrest.

Understanding these key principles has significantly more value than relying on multiple techniques which in all reality an officer may be unable to recall or properly apply during a high-stress encounter. This is especially true for those officers that don't frequently train on

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their own to improve and reinforce previously learned tactics. Once the four principles are understood, officers will have the ability to apply them to every use-of-force encounter. Officers will also learn how to effectively apply a series of control-holds that have a high percentage rate of effectiveness such as bar-hammer locks, wrist weaves, hug armbars, arm-wraps, etc. The controlling holds are based upon gross motor movement and proper dynamics of leverage, positioning (creating angles), body mechanics, balance, and re-direction of force. The above four principles combined with those type of controlling techniques have been proven to allow a smaller officer to effectively control and arrest a larger, resistant subject.

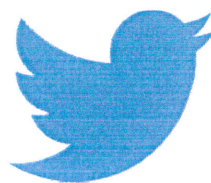
Recruit officers will learn the principles and techniques by first being introduced to each one in a progressive step by step manner. Through repetitive drilling, the recruit officers will isolate the new concept/principle/technique so that it can be performed on a non-resistant training partner. After this, the recruits will learn to integrate the new concept/principle/technique with scenario-based training that includes resistance and/or stress-based drills to assess the actual effectiveness. Finally, there will be time for inquiries so that all recruit officers can ask questions regarding anything that is unclear or causing doubt. The end goal is to create the ability to gain control of a resistive subject and control their body and movements so that an arrest can be made in the safest and most efficient way possible.

Some of the other things that recruit officers can expect to learn from this revised curriculum include drills to: defend and get up from the ground while wedged against a wall or other barrier by an assaultive subject, weapon retention techniques from a drawn position with the pistol, weapon retention techniques while carrying a long gun, break-falls to a standing position while carrying a long gun, ground control defenses to include sweeps and escapes, one and two-person takedowns of resistant subjects, knife disarming techniques, punch defenses to positions of safety or control, multi-person assault defense strategies, superior positioning and control tactics, handcuffing techniques, searching techniques, proper verbalization commands, and much, much more.

Since there is currently no mandate requiring annual in-service training in defensive tactics for all sworn members, it will be the decision of each agency if they will update their trained/non-recruit officers with this new curriculum. I personally think that it is a very good idea to do so through a department in-house defensive tactics instructor because these skills are so vitally important for all officers. In the coming weeks, please look for a podcast in which I interview Officer Jay Wadsworth to discuss this new curriculum in detail, along with his thoughts on training and tactics. The podcast will be available at www.nychiefs.org under the “Publications” link at the top of the page, and then click on “Podcasts” to listen. Lastly, please see page 8 in the September issue of the Chief’s Chronicle in which some photos of the refresher training for this new curriculum are displayed. Stay safe, and please contact me at dnavor@nychiefs.org with any questions.



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Director of Research, Development, & Training Report

Building Security is an Important Item of Consideration for all Police Administrators



Dennis R. Nayor
NYSACOP
Director of
Research, Development and
Training

An extremely important, but sometimes overlooked, component of policing is ensuring that the facility out of which you work is properly hardened and secured at all times. Whether it is a police headquarters, a substation, a barracks, or a temporary location set up for policing an event, there should never be complacency when it comes to making sure that your facility is properly fortified. This article will highlight some areas of consideration for agency heads to review regarding this topic.

In this age of readily available technology, one of the most imperative considerations for proper building security is the placement of surveillance cameras to record activity in and around the police station. This includes not only cameras at public access points where citizens enter and leave, but also at employee entrances, parking

areas, and restricted areas as well. If a crime were to occur with cameras in place, there would be recorded evidence, which can be utilized to establish leads. Equally, if a person is surveilling a police department for criminal reasons, there will be advanced warning of the potential threat. Digital cameras with the ability to record and store data to a digital video recording system are not very expensive and are well worth the investment.

A good means of restricting unauthorized access to your facility and to various points within involves the implementation of a prox card system. These systems allow administrators the ability to not only determine who has access to enter the building through the issuance of prox cards or key fobs, but they also create the opportunity to establish access rights to specific people for various areas within the building, such as the evidence room, armory, or even individual offices or wings. Administrators of these systems can review who enters each controlled area, thereby not only creating accountability, but also the ability to track access. If an issued prox card is misplaced or stolen, it can easily be deactivated and rendered invalid by the system administrator so that another person can not use it to gain unauthorized access. Temporary access can also be granted to people for controlled areas via these systems, which can be extremely helpful for approved visitors, contractors, or anyone else who is to be granted short-term access to a specific location. The antiquated method of trying to account for all keys or to regain a key from a former or suspended employee for key control purposes is no longer required with these systems in place and, therefore, a higher level of security is continually maintained.

Employee parking areas and other areas which are dark or dimly lit should have proper lighting installed to mitigate ambush attacks and to deter vandalism. Motion sensors, which activate both lights and surveillance cameras in these dark or infrequently occupied areas, are a sound investment. Likewise, convex mirrors

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can be easily installed to see around blind corners and are an inexpensive way to help minimize the chance of being caught off-guard by an unauthorized person in a restricted area. The areas in which public access is not authorized should be conspicuously posted as well so that action may be taken against trespassers if necessary. It is more difficult for a trespasser to claim ignorance of being in a restricted area if it is clearly posted as such.

In an era in which random acts of violence occur daily and in which disdain by some towards law enforcement is a known variable, the installation of magnetometers at public points of entry is a quality investment. Not only will they allow weapons to hopefully be found in advance of an attack, but they can also serve as a deterrence measure if a would-be attacker knows that he or she will have to go through a security check and magnetometer upon entry into the building. Since an employee would be required to be assigned to this duty, it is understood that logistical reasons may prevent this, but it is certainly an item for consideration.

A simple means to check the security of your building is to have an employee attempt to gain entry without using his or her key or prox card and to do so without being detected. If the employee can find a way to enter, then it is likely that a non-authorized person can do so as well. Finding the weaknesses in your security before someone else does is extremely valuable.

The cost associated with implementing security is always a key factor of course, but the cost for not having a secure police department is much higher than any of the items listed throughout this article. If the financial means exist, it would be great to see security posts installed in front of every police station to prevent vehicle attacks and to see the implementation of intrusion alarms on all doors and windows, but of course costs will always be a factor. If nothing else, I hope that this article will cause readers to pause and consider whether their agencies are properly secured and, if not, to ponder what improvements they can make. As the old saying goes, the time to fix a leaking roof is not when it is raining. For building security, the term “raining” equates to a security breach.

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Director of Research, Development, & Training Report

The DCJS Training, “Assisting Individuals in Crisis,” is a Valuable Training for All Police Departments

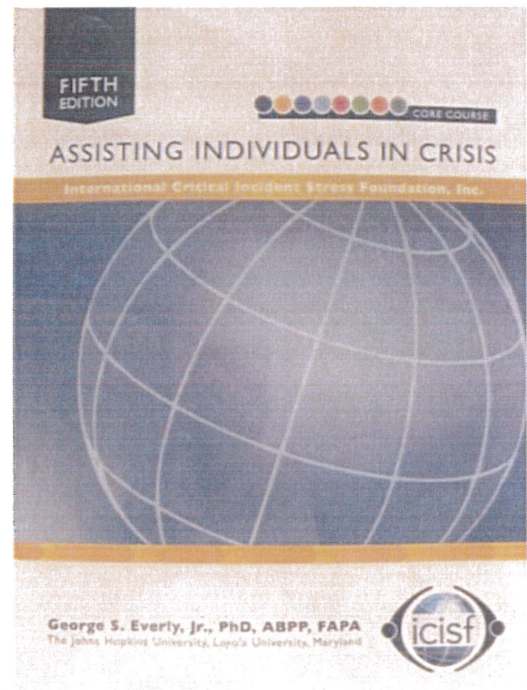


Dennis R. Naylor
NYSACOP
Director of
Research, Development, and
Training

Recently, I attended a course hosted by the New York State Division of Criminal Justice Services (DCJS) entitled “Assisting Individuals in Crisis,” which was developed by the International Critical Incident Stress Foundation. The course was designed to train first responders on effective ways in which to assist fellow first responders who have experienced a traumatic incident and who may be going through an episode of crisis. This article will discuss the value of this training and explain why it is so important for all police leaders to consider incorporating this course into their department’s training calendar.

One of the six pillars of professional policing stressed by the 21st Century Policing Task Force is “Officer Safety & Wellness.” For law enforcement, safety is often thought of in terms of tactical preparedness and related training. The wellness portion, however, is often overlooked until there is a problem too big to ignore. The fact is that officers are exposed to significant tragedy and trauma multiple times per shift. Yet, as is the culture in policing, the psychological trauma that goes along with this sort of exposure is often swept under the rug because of the misnomer that suffering from such exposure is a sign of weakness. The DCJS training teaches that psychological trauma does not just go away and that it can easily compound over the course of one’s career, causing varying degrees of Post-Traumatic Stress Disorder (PTSD). Additionally, research demonstrates that PTSD does not have to be caused by a single event, but can be the result of an accumulation of traumatic event exposure over time. According to the course instructor, Bonita Frazer of Erie County Mental Health, as high as 24% of the law enforcement population suffers with some form of PTSD.

Individuals trained in this course will become Peer Counselors within their departments, thereby providing a means



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for their fellow officers to reach out to them for assistance when they are in need. Although most departments have an Employee Assistance Plan (EAP) that provides confidential counseling to officers, many are reluctant to voluntarily pursue this avenue out of fear of being stigmatized or labeled for seeking help. Although counseling is extremely mainstream and proven to be beneficial, officers often resist the opportunity to talk to a professional and are more likely to find alternate means to cope with their problems, such as alcohol or drug usage.

A class example illustrated that, just as executives would not want to send an officer out on the road who is physically ill or in physical pain, they should not want to send officers out on the road who are in psychological turmoil. Knowing that a person's patience, critical thinking, and sound judgement diminish during times of physical pain and illness, why is it not considered that the same may occur when a person has some mental health issues that need to be addressed? In a time when police administrators work hard towards reducing cases of excessive force, citizen complaints, and apathy from their officers, there needs to be a continual focus on the psychological health of police officers. The more psychological damage that exists, the higher the likelihood that an officer will do something that is inconsistent with their department's policies or mission statement.

As chiefs and administrators, it is essential that we make sure that officers are provided with all the possible tools that not only allow them to stay well, but also get them well when they are not. One of the most important things that a police leader can do to support officers' mental health is to help remove the stigma of counseling and to not allow a "toughen up" or "deal with it" attitude to prevail within his/her agency. One way to achieve this goal is to bring in an EAP counselor at a department-wide meeting to explain what EAP is, why it is valuable, and how confidentiality works. Officers can use this opportunity to ask questions and, hopefully, develop a more positive attitude toward EAP and other forms of counseling.

Essentially, when trauma is not addressed on the front end in law enforcement with preventative care opportunities, administrators are forced to deal with it on the back end. In other words, complaints, tardiness, sick leave abuse, excessive force, apathy, rudeness, and the like will inevitably occur and subsequently require corrective or punitive responses when preventative steps are not taken. Also, after corrective actions are taken, the root causes, i.e. the psychological problems, still go untreated and the officers

that are subjected to the corrective actions will likely begin working with higher levels of bitterness. These are ticking time bomb situations in the truest sense, so the costs associated with ignoring psychological trauma far exceed any costs associated with training, creating wellness programs, giving officers time off when they need it for their mental health, or investing in a peer counseling program.

For more information, please view APB podcast 173 on our website by going to <https://www.nychiefs.org/publications/apb-podcast>. In this podcast, I interview Bonita Frazer on this training and we discuss the importance of preserving the psychological health of our officers.



Director of Research, Development, & Training Report

Comprehensive Annual Reports are Essential for all Police Agencies



Dennis R. Naylor
NYSACOP
Director of
Research, Development, and
Training

As the end of the calendar year is quickly approaching, this is the time when all police chiefs and agency leaders must reflect upon what their departments have accomplished through the preceding twelve months. This reflection will help them not only with the task of preparing their agencies' comprehensive annual reports, but it will help in defining the new list of goals and objectives to be achieved during the new year ahead. Agency annual reports, which are usually published and disseminated during the month of January, are essential documents and will, therefore, be the topic of this article.

Annual reports are the perfect mechanisms not only because they track everything from crime data to agency staffing levels, but because they also provide an excellent means to highlight the tremendous work

that has been accomplished by departments. Those to whom police chiefs report (i.e. city councils, town boards, mayors, city managers, town supervisors, and community members) can visually see department efforts and accomplishments in the report summarizations, without which they may otherwise be unaware. Annual reports can be compiled in countless ways, but the following description is an example of a method that I have found to work extremely well.

The front page of an annual report should be simplistic. It should clearly identify the document as the annual report of the reporting agency along with: the year, name of the chief of police, and, if applicable, the person who prepared it. The cover is the perfect place to boldly list the agency's mission statement and the core values to which it subscribes. If the agency is accredited, that should be clearly listed on this page as well. This style, along with an image of the agency patch and New York State accreditation seal, if applicable, serves as the official representation of a year's worth of hard work for all to see.

Since the annual report is a multipage document, the inclusion of a table of contents immediately following the cover page will help readers find exactly what they are looking for within the report. The body of the report could contain a list of all agency staff (sworn and non-sworn) from each unit or division, along with an annotation of vacant positions that currently exist. The first part of the statistical information should contain Part 1 and Part 2 crime numbers as derived from your monthly Uniform Crime Reports (UCRs) or National Incident Based Crime Reports (NIBRs). This section can also contain totals for all calls for service, motor vehicle accidents, traffic stops, uniform traffic tickets issued, parking tickets issued, and scofflaw violations. Additionally, the report body can contain information on sex offenders registered within your jurisdiction (inclusive of which

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levels), total numbers of arrests along with the total number of arrestees lodged at your facility, if applicable, as per the Commission of Corrections Standards, the total number of civilian complaints and their statuses (founded, unfounded, etc.), and any other statistics which you and your command staff feel have relevance. Having a quality records management system in service will be extremely helpful when it comes to maintaining and compiling these data.

I have always found that when a statistical analysis is performed that compares the numbers from the current year as described above to the numbers from the preceding year(s) to show a percentage increase or decrease, both you and those who read your report will have a much better understanding of trends within your jurisdiction. If crime is down, the trend can be a direct result of addressing the problems through DDACTs (data driven approaches to crime and traffic safety) or CompStat-based approaches as used by the NYPD and other large agencies. If crime and other numbers are up and your agency is progressive in using the above methods to track trends and address crime hotspots, then the trend can be an indication of inadequate staffing or some other resource deficiency. The annual report, therefore, can be a valuable tool that may assist you in making a valid request for increases in staffing or other lacking resources.

Most agencies are required to provide police coverage for numerous annual municipality-sponsored events during the course of any given year; such is the case for races, parades, and holiday events. The annual report is a great venue to list the events that your agency has covered, along with the total manpower and overtime costs associated with covering those events. If your overtime budget is in question and a significant amount of money is incurred through covering these municipality-sponsored events in which no reimbursement occurs, then an argument for increased funding can be made. If funding is not increased, at least a justification as to why the allotted budget was surpassed may exist.

One of the most important pillars of professional 21st-century policing is training. Thus, an entire section of the report should, therefore, be dedicated to highlighting the annual in-service training that occurs within your department. This section should list the name, number of officers who attended, and the total number of hours for each training. The total number of hours for all trainings should be included at the end of this section with a separate accounting breakdown for basic police academy training hours. The in-service training can be specifically broken down to show how many hours occurred for training with a foundation in the following key categories: leadership, patrol function, investigative function, police tactics, technology, legal updates, sensitivity-based training, and general professional development for everything else. This is the page(s) of your report that will inspire confidence in your department and show your community and municipality that your department is diversified and progressive in its training approach. Additionally, this section can be well-complimented with the use of a bar graph or pie chart to illustrate the percentage of hours spent in each type of training category. Visual representations help to strongly support the statistics presented.

The last section of a well-prepared annual report should include the pre-established goals that were accomplished throughout the year along with any overall department accomplishments, such as noteworthy or high-profile arrests or events, vehicle fleet updates, headquarter improvements, new acquisitions in technology and equipment, policy updates, awards given or received, new hires, new retirements, community-policing events sponsored by the department (toy drives, food drives, etc.), and anything else of similar relevance. Again, this shows the elected officials, the community, and anyone who reads the report

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Director of Research, Development, & Training Report—Continued

just how much your department does for the community it serves.

The annual report should conclude with a list of established goals to be achieved within the new year ahead. These goals should follow the SMART acronym and be specific, measurable, attainable, relevant, and timely (occurring within the calendar year). Additionally, these goals should be pre-approved by your city manager, town supervisor, or governing body because they will likely require funding and because the governing body will want involvement in the direction you are taking your agency. For these reasons, it is imperative that they have prior knowledge of the goals. Having your governing body on board has a positive value in that it also creates the needed support required to help you accomplish these goals.

When the report is completed, a hard copy should be disseminated to your city council or town board members, mayor, and city manager or town supervisor. The individuals at the board or council meeting(s) in which your report is disseminated will likely have questions regarding the information detailed within, so you must expect and be properly prepared to answer them. Knowing the likely questions and having the appropriate answers ready is paramount. If there are trends or items requiring further explanation, this meeting is where it will occur. I always believe in publishing the final report on the department website and social media platforms. This allows for the information to be viewed by all and ensures that it is continually available for review. I also recommend providing a copy to the media since this demonstrates a tremendous amount of transparency and highlights a year's worth of work by a professional agency.

There are indeed many ways to produce a comprehensive agency annual report and the description above is simply one way that I have found to be very effective and well-received during my years as chief. Any report which demonstrates an accurate assessment of your agency's accomplishments and the statistical information from the last twelve months will be effective. If I can be of any assistance with this endeavor, please contact me at dnayor@nychiefs.org. Best wishes for a safe holiday season!

Podcast Updates

Check out the newest NYSACOP podcasts on our [website](#) or subscribe to our [YouTube Channel](#).

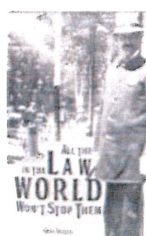
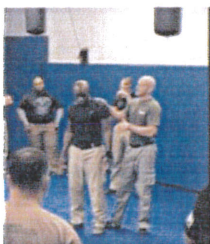
APB 171—Defensive Tactics Curriculum Update

APB 172—Greg Veitch - Police Chief & Author

APB 173—Assisting Individuals in Crisis

APB 174—NY State Preparedness Training Center

APB 175—Contemporary Police Recruit Training



Director of Research, Development, & Training Report

Field Training Officers Perform an Essential Role



Dennis R. Naylor
NYSACOP
Director of
Research, Development, and
Training

One of the most important duty assignments that can be given to any patrol officer is that of Field Training Officer (FTO). The Field Training Officer not only sets the tone for their trainee post-academy, but much of what he or she espouses will stay with that trainee for many years to come. For these reasons, much thought must be given to the decision as to who is assigned to this essential role. This article will highlight some essential considerations.

Some theorize that a new employee will thoroughly learn the culture of an organization within their first two weeks of employment. With this in mind, it is extremely important that the new employee is exposed to a person who represents the best that the organization has to offer. As is human nature, the views and opinions of the FTO will be shared with his or her recruit as they sit in a patrol car for hours each day, so for this reason it is essential to ensure that those in this

role do not hold bitterness or anger towards the Department. Equally important, the person in the FTO role must want to be a field trainer. If a person is placed in that assignment simply because of their amount of time in service, but would rather not be training new officers, then it will be a negative experience for all involved.

Since the trainee is likely to model the behavior and attitude of their trainer, especially during the beginning of his or her career, it is important to verify that the field training officer is polite, community-oriented, and fair to all those with whom he or she contacts. The recruit officer needs to learn at the onset of his or her career that decency, professionalism, and fairness will be their backbone, which is why every police chief needs to know that those in the FTO role are expressing those values.

Equally important is the fact that the FTO must be tactically sound and a person of excellent judgement. The worst thing to have is a Field Training Officer who does things his or her way, regardless of policy and procedure. Today's police academies are charged with instilling the best practices for 21st century policing, so it is imperative that the FTO is not the type of person who would tell their trainee to forget everything that was learned in the police academy. It is understood that there is a difference between the classroom and the real-world environment, so the job of the field trainer therefore is to bridge that gap, not circumvent the academy training. Whenever there is a clear disjunction between what the recruit says that he or she was taught in the academy and the appropriate procedure for that situation, then obviously that is something which must be ironed-out on a case by case basis.

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It is known that some departments base their training assignments heavily on seniority, and I believe that seniority has its merits, especially when all other factors are equal. For the role of FTO however, the most senior officer may not necessarily be the best fit. If that is the case, then the assignment should not be given to him or her for the reasons stated above. A good fit for the role of FTO are officers who have the following qualities: at least three years of post-academy service, have completed the DCJS required training course for FTO, have high enthusiasm, are physically fit, possess a positive attitude, have a good attendance record, is a team player, have limited founded personnel complaints, does quality work, is respected by their peers and superiors, regularly applies the appropriate levels of force when required, and as stated above, wants to train others. If an officer with significant seniority lacks those defined qualities, then he or she should not be given the assignment based solely upon their time in service. In as much as this person may feel that he or she deserves it, they do not, and would be doing a significant disservice to the trainee and the Department in that role.

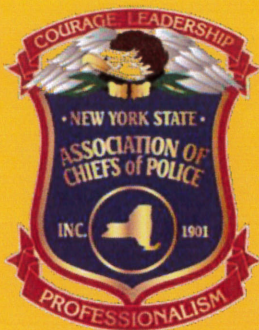
The field trainer should also be the type of person who is comfortable in giving honest feedback in a constructive format so that the trainee can properly learn his or her duties. A field trainer who does not allow sufficient time for their trainee to learn, or one who allows mistakes to perpetuate are both problematic. The FTO must be able to know when their recruit is progressing appropriately and when the recruit is not. When progress is not occurring within a reasonable amount of time, adjustments must be made. Sometimes those adjustments can be as simple as figuring out the obstacle to learning, and then making the correction, whereas other times learning may not be occurring due to a personality conflict between the recruit and the FTO. When this happens, it is important to reassign the recruit to a different FTO to see if that remedies the issue. If it doesn't, then other steps of remediation will be required. The proper completion of the daily FTO sheets will therefore become an essential administrative tool of documentation if the recruit trainee continues to fail to respond to training.

During my time as chief, I know exactly what it's like to invest time, energy, and thousands of dollars into a recruit for academy training, uniforms, salary, etc., only to have to let him or her go, but as we all know, every hire is a calculated risk. The best efforts are always made to ensure that a quality officer is screened, hired, and trained, but ultimately it is an unknown factor as to whether a recruit officer can properly apply their academy training to a real-world environment until that time comes. If this proper application does not occur, then the difficult decision of releasing the recruit officer from employment must be made. The reality is that if this is not done, the department will forever have a member who will be a liability to themselves, other officers, and the community who they are sworn to serve and protect, which is not good for anyone.

In closing, the Field Training Officer is the person who can singularly most establish a positive representation of the organization's culture to a new officer, verify that their trainee employs sound tactics, verify that the trainee knows and follows policy, and ensure that the trainee treats people with courtesy and professionalism. This gives the best odds for the department to have a great officer within its ranks and for that officer to remain safe as he or she embarks upon their law enforcement careers.

Director of Research, Development, & Training Report

Succession Planning and Mentoring Within Your Department Is An Important Activity



Dennis R. Nayor
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Director of
Research, Development, and
Training

As many of you may remember from the days of studying for your police chief exams, there is an acronym that succinctly defines much of what police executive positions are all about. That acronym, POSDCORB, represents: Planning, Organizing, Staffing, Directing, Coordinating, Reporting, and Budgeting. The planning portion is somewhat all-encompassing because, as police chiefs, there is always planning to be done. One specific category within the planning portion, which relates directly to staffing, is succession planning. Sound succession planning essentially ensures that there will be individuals available and prepared to assume positions as they become available within your departments. It is equally important for every rank, from officer through chief. Thus, this article will discuss why succession planning and, consequently, mentoring must be a point of consideration within every police department.

For all ranks and positions within every police department, chiefs can help to ensure that plans for succession and attrition are always in place by verifying with their human resource departments that their civil service eligibility lists are active. Some departments may wait until positions open, or are about to become open, before requesting civil service exams to be ordered, but this unfortunately limits their ability to have seamless transitions when positions are available and need to be filled immediately. Also, when positions open based upon unforeseen circumstances, such as sickness, retirement, resignation, or a transfer, valid eligibility lists of qualified candidates ensure that departments have the ability to maintain operations with limited disruptions.

Having up-to-date eligibility lists of officers, sergeants, lieutenants, captains, and other personnel at all times is important not only because the lists allow departments to keep positions filled, but also because they make for more knowledgeable departments since those who are interested in advancement will be studying for their promotional exams on a regular basis. The absence of eligibility lists for specific ranks mandates that positions remain either unfilled for periods of time or that the persons deemed most suitable for them be placed in their new ranks on a provisional basis. Provisional appointments are stressful because, if appointees do not score appropriately on their civil service exams, they will not be eligible to remain in their positions, even if they are doing great jobs. Thus, these appointments are potentially problematic for both the persons assigned to the provisional appointments and their police departments.

Because patrol divisions serve as the backbones of all police agencies, it is important to take proactive recruitment measures prior to the announcement of entry-level exams. Community recruitment efforts at colleges, religious organizations, or service clubs are necessary to help to ensure that quality candidate pools are generated and have the opportunity to test and gain hiring eligibility. Continual coordination with the

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Director of Research, Development, & Training Report—Continued

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department's office of human resources will help to ensure that there are no lapses in eligibility lists for every position. Furthermore, it is equally important for chiefs to know who are on these lists so that they can have knowledge of who the eligible candidates for specific positions are when openings need to be filled. Good succession planning requires diligence, but this is the only way to stay in line with attrition and keep departments functioning properly.

Going a step further, it is said that the role of a supervisor is not only to supervise, but to do his or her best to mentor his or her subordinates so that someday they can rise up to perform the same duties. As we all know, some people may not aspire to climb the career ladder while others may lack some of the qualities that are required for advancement. Regardless, mentoring should take place in your police departments, starting at the rank of first-line supervisor. Mentorship can be as simple as identifying the officers who have the desires to be promoted and then assisting them with the development of their skills and abilities, thereby ensuring that they are qualified for upper-level positions when they become available. This can be accomplished by coordinating trainings that will aid them in performing the duties associated with higher ranks or by slowly giving the interested persons increased responsibilities to see how they handle more difficult challenges. Mentoring can be formal or informal, as long as it creates the means that will assist employees in their ascension to their next rank.

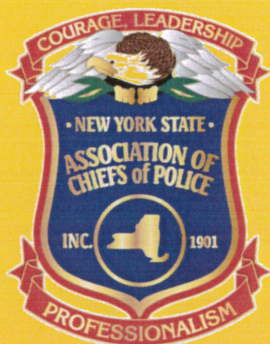
Mentorship should not be limited to only police officers. Lieutenants should assist their sergeants in the same manner. Providing first-line supervisors with the opportunities to handle administrative duties helps to identify the individuals who would be good candidates for promotion to the next level, when the opportunity arrives. This theory holds true for the roles of captain, deputy chief, and even the top position of chief. The police chief position is obviously one that requires a very unique skill set, and a very broad base of knowledge. Chiefs, however, can work towards identifying the executive officers within their departments who can best handle the tasks of the position and help to provide them with quality mentorship along the way. Doing this can help to ensure that the most suitable candidates are ready to take the helm when the current chief retires.

Attrition can easily become a continual battle for agencies. Even when the best efforts are made to ensure personnel retention, there will always be reasons that officers will leave. While no agency can completely control for this, having the proper plans in place to quickly fill vacant positions when needed is definitely a variable that can be controlled. Now is the perfect time to check with your human resource departments to see what civil service lists are active and which tests need to be ordered. The commencement of mentorship programs within your departments can help officers ascend to sergeants, sergeants to lieutenants, lieutenants to captains, and so forth. Recruitment for new officers can be a task that all officers within every department can partake in on an ongoing basis. As the saying goes, "the time to fix a leaking roof is not when it's raining." Therefore, making succession planning and mentoring a continual effort will help to ensure that your departments are poised to continually function through attrition.

I included the following addendum at the end of my March 2018 Chronicle article and wanted to repost it here for those who may not have received it yet: I have tremendously enjoyed the opportunity to serve as your Director of Research, Development, and Training. I've met some amazing people along the way and have had many great experiences that I will always value. Although I will be moving on from the Association in the very near future to pursue other interests, I will continue to be a resource for you. If I can ever be of assistance to anyone on any contemporary law enforcement issue after I move on, please don't hesitate to contact me at nayor61@yahoo.com. In the meantime, please look for my April Newsletter article and stay safe and keep up the excellent work that you all do for this noble profession! -Dennis Nayor

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Director of Research, Development, & Training Report



Dennis R. Naylor
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Physical Fitness and the Law Enforcement Profession

As promised, here is one last newsletter article from me before I move on from my role as the Director of Research, Development, and Training. If I can ever be of assistance to anyone on any contemporary law enforcement issue in the future don't hesitate to contact me at nayor61@yahoo.com. In the meantime, stay safe and keep up the great work you all do!

Maintaining physical fitness is one of the highest items of importance for every law enforcement officer, of every rank, from every agency, for the duration of his or her career. Unfortunately, it is oftentimes a fact that the pinnacle of an officer's physical fitness will be upon their graduation from the police academy, with a steady decline as the years pass. Fitness however does not, and should not, have to end as the police academy becomes a memory and an officer's career and personal life take center stage. For police chiefs, it is essential to have a sworn staff that is healthy and physically fit, therefore this article will offer some thoughts on this topic, along with ideas on how to achieve it.

It's extremely easy to impose physical fitness regimens on those who are required to partake in them, such as is the case for those in the military, the police academy, or those in athletic and sport programs. When the requirement to engage in daily physical fitness activities no

longer exists however, it becomes an individual preference on whether fitness will remain a priority for a person. For a few, fitness will be a lifestyle, for some it will be an occasional interest, and for others it will be an endeavor that will be given the lowest of importance. For this reason, the first step is to strive to hire those who already have a keen interest in activities related to physical fitness. During the oral interview and background investigation process, this can easily be determined and should be clearly annotated within a prospective employee's file. Whether a candidate's fitness interests take the form of running, swimming, weightlifting, yoga, martial arts, team sports, or hiking, to name a few, it should serve as a positive asset towards that person's rankings within the hiring process. Although it can never be guaranteed that an individual will remain attached to the same fitness interests throughout their careers, there is at least an established foundation formed which will serve as a good predictor for their future.

As officers are within the initial stages of their careers, the benefits of youth, strength, endurance, and a body free of the wear and tear from aging will serve as a positive asset to offset any deficiency in his or her regular maintenance of good physical fitness. As time goes by however, those attributes will wane and the ability to rely on those youthful qualities becomes less viable. For this reason, all police officers must participate in some form of physical fitness if they are to remain effective and healthy throughout their careers. One way for administrators to assist with this is to create incentive-based programs for meeting annual physical fitness standards within your departments. This can be included as an item of negotiation during the collective bargaining process, and can offer a predefined incentive (money, time-off, etc.) for the officers who meet certain standards in the areas of cardiovascular endurance, strength, flexibility, and agility. The standards for each element, along with the type of exercise to be evaluated can be based upon Cooper Standards or other established protocol that allows for adjustment for variables such as age and gender.

Another viable way to promote fitness within your agency is to coordinate with your Human Resources Department in conjunction with your City, Town, or Village Board / Council to authorize reimbursement to officers for the costs associated with joining YMCAs, gyms, health clubs, martial art schools, yoga studios, or other fitness-based facilities. The costs for reimbursement will pale in comparison to the costs of 207-C workers compensation cases, line of duty injuries resulting in permanent disability, sick time usage with related overtime expenses, and related personnel expenses along these lines. Also, a healthy officer is generally a happier officer which equates to better morale and better interaction with the public. Additionally, as much as physical fitness is integral to police work, it is also an important activity to undertake because it serves as an interest outside of policing, which is essential to help officers maintain balanced lifestyles, while hopefully forming friendships with people who are not strictly in law enforcement. This reimbursement initiative may likely be an area that will fall within the umbrella of the collective

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Director of Research, Development, & Training Report—Continued

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bargaining process too, so it is good to start developing these ideas in advance of contractual negotiations.

When officers maintain good levels of physical fitness, they are likely to have a higher level of confidence in their ability to handle tough situations. Physically fit officers will also be more likely to have higher resilience from injury during physical confrontations as compared to officers who are poorly conditioned, and fit officers will likely heal quicker when injured. Physical fitness will also support an improved ability to deal with the physiological effects of stress on the body. This relates to having the ability to work back towards a homeostatic condition (heartrate, respiration, blood pressure, etc.) after the rush of chemicals such as adrenalin and cortisol flood the body during a high stress situation.

All the above is equally true for sergeants, lieutenants, captains, and even chiefs. Although the higher level command ranks are generally no longer the first to respond to calls for service on a routine basis, there is still a chance for that to occur and for that reason, physical fitness needs to be on their side. Additionally, police chiefs and those in command roles set the tone for the department. Being physically fit and appearing physically fit become the example of what is expected within department. It also sets the right image for the public and the media when they see police leaders who appear fit.

As we all know, the policing profession can easily take its toll on a person, so for those who may have gotten out of shape, it is never too late to get back to it. When I attended Police Physical Fitness Instructor School, one of the most important lessons involved assisting officers who were deconditioned to get back in the game. The best way to do this is to simply get those individuals moving and involved in a physical activity that they enjoy; it can be activities as simple as a game of catch, jogging, walking, or anything that involves movement. The next step is to maintain consistency so that it becomes a regular activity. When a person realizes that he or she can enjoy being active, and starts to feel the benefits that go with that, the challenge becomes easier. Once consistent activity is reestablished, then the goal is to incorporate training into the routine that involves cardiovascular exercise such as running, swimming, cycling, etc.; strength-based exercise such as weightlifting, calisthenics, plyometrics, etc.; and flexibility-based training such as yoga, Pilates, or simple stretching. Proper nutrition and sleep are all equally important as well and serve to support a physically fit and healthy lifestyle.

The goal is to stay healthy and to remain effective during one's career in law enforcement and to have the highest quality of life despite the hours, the stresses, and the trappings that go with this profession when the time for retirement comes. Those who have maintained good physical fitness throughout their careers are on the right track. Those who have strayed a bit can now regroup and reestablish a fitness regimen. Starting slow and staying consistent will be the most important ingredients for success.