

Village of Belmont
Executive Order 203
New York State
Police Reform and Reinvention Collaborative
2021

i. Introduction

1. On June 1, 2020, Governor Andrew Cuomo issued an executive order directing the chief executive of municipalities that employ police officers to convene the head of the local police agency, and stakeholders in the local community to develop a locally approved plan for the strategies, policies and procedures of local police agencies. This plan must be offered for public comment to all of the citizens in the locality and after consideration of such comments, must be adopted by resolution no later than April 1, 2021.

2. Municipality Demographics

- a. The Village of Belmont is located in the center of Allegany County, 3 miles south of Interstate 86. Our approximate population is 1000. The Village of Belmont was founded in the 1870's. The racial makeup of our Village is 96.11% White, 1.05% Hispanic, .95% Black and African-American, .11% Asian, 2.52% two or more races and .21% other race along (2000 Census). We have a K-12 school district in successful operation and the pride of our community, which is just outside of the Village limits. We are fortunate to retain a grocery store/deli, a library, bars/restaurants along with various other privately owned businesses. In 1859, we became the County seat. We hold a majority of county office buildings, departments and courts within our Village.

3. Agency Information

- a. The Village of Belmont employs one full-time Police Officer who works approximately 40 hours per week. There are also four part-time Police Officers. Their office is located within the Village Hall. Our part-time Officers also work for various other Police Departments.

Committee Members:

Stephen Crowell- Pastor in the Village of Belmont

Chris Finnemore- Officer in Charge, Belmont Police Department (12 years)

Mariann Fontaine- Resident/ Mental Health Counselor

Scott Grantier- Resident/ Probation Officer/ Village Trustee

Brock Mapes- Resident/ Substitute Teacher at GVCS

Jody Ralyea- Resident/ Retired Probation Officer

Based on our survey, the most common recommendations include:

A survey was created and placed on the Village of Belmont's website for approx. 22 days. A total of 24 anonymous individuals participated in the survey and the following recommendations were listed when asked what improvements could be made for the Police Department:

- Increase evening patrol
- More hours for the police dept to work evenings and nights!!!
- They have done a superior job in our community. I feel very safe living in the Village.
- Body worn cameras to promote transparency
- Hire employees who are more proactive and willing to produce revenue for the community. The Village Police Department has a long history of maintaining rather than enforcing.
- Later Hour Patrols
- No
- Town this small doesn't need any police officers, especially with sheriffs and state police so close. Need area to understand difference between all of them.
- Need to adapt to changing world, not just changing town
- Cars speeding up side streets with small children thinking they are out of the village.
- Add more officers for 24hr coverage and weekend coverage.
- Mark the police vehicle so people know he's around.
- More time in streets. Enhance the schedule for more enforcement

Question	Description	Action	Status
What functions should the Police perform? (9)	It was advised that Belmont currently enforces V&T laws and handles incidents while in service. If necessary, the PD will assist outside agencies with larger investigations. The committee is happy with the current functions of the PD.	None	N/A
How should the Police and the community engage with one another? (10)	Institutionalize the four pillars of the Principles of Policing. Respect; all are treated with respect and dignity. Trustworthiness; Officers convey trustworthy motives about those impacted by their decisions. Voice; all are given a chance to tell their side of the story. Neutrality; decisions are unbiased and guided by transparent reasoning.	Incorporate principles of policing into department training.	To be completed by 12/31/2021
Should Police be involved in non-criminal activity?	Belmont is a small community. The Police often get called to deal with non-criminal activity. Should this continue? Yes, this should continue for the community.	Yes, continue involvement.	N/A
Will curtailing Police activities decrease the risk of overreaction to minor offenses?	Will this lead to more complaints from the public of under reaction by the police as opposed to over reaction? There is an expectation the public has that a problem will be dealt with when the Police are called.	None	Completed
Should you deploy social service personnel instead of or in addition to Police Officers in some situation? (12-14)	The committee agreed that social services being deployed at this in not feasible, however, if the State can provide funding and resources in the future, it should be re-evaluated.	None	N/A
Should Law Enforcement have a presence in schools? (18-19)	The committee feels that Police should continue to be involved in schools. However, the interview process should be conducted by the school administration and find an Officer that is involved in the community and interacts with juveniles well.	None	N/A
Pretextual Stops (28-29)	Pretextual stops involve stopping an individual on one stated basis, when the real purpose is to investigate the individual for an entirely different and usually more serious crime. The Police Department does use this tactic and it is effective. Especially in DWI enforcement and illegal drug interdiction.	None	Completed
Informal quotas for summonses, tickets, or arrests (29-31)	NYS has banned formal quotas for issuance of tickets or summonses, stops of individuals suspected of criminal activity, and arrests. Not a practice used by the Belmont Police Department.	None	Completed
Shooting at moving vehicles and high speed pursuits (31-32)	Shooting at a moving vehicle risks injury to unintended targets, including innocent bystanders. Many experts believe that shooting at moving vehicles has low utility as a tactic for neutralizing threats. The committee feels that the current policies are appropriate for this and pursuits.	None	N/A
Use of SWAT Teams (32-33)	Belmont does not have a SWAT team and rely on the Allegany County Sheriff's Department or NYSP. Any SWAT actions would be done by ACSO or NYSP in accordance to their policies and procedures.	None	N/A

Question	Description	Action	Status
No-knock Warrants (32-33)	Belmont Officers are not prohibited from obtaining no-knock warrants as it gives the tactical advantage of surprise if evidence can be easily destroyed or the people inside the location are dangerous.	Belmont Officers will have no-knock warrants reviewed by the District Attorney's office. Also, it will be recommended for Officers to have a County Court Judge sign the warrant.	To be completed by 12/31/2021
Less lethal weaponry such as Tasers and Pepper Spray	Less lethal weapons can still cause harm. The Belmont Police Department does not possess a Taser at this time. Policies and Procedures cover the use of less lethal weaponry.	None	N/A
How should the Police engage in crowd control? Should the Police be demilitarized?	Like most small departments, the Belmont Police Department is not equipped with adequate personnel or equipment to deal with a riotous crowd without outside assistance. The department does not possess any type of military style equipment.	None	N/A
Does the community wish to continue the enforcement of minor type offenses? Does this approach help deter more serious offenses from being committed?	There is a theory that minor offenses committed in public, such as disorderly conduct, contribute to degradation of society that, in turn, creates more serious crimes. This is currently practiced by this department and is enforcement encouraged by the community.	Continue enforcement	Completed
Chokeholds and other restrictions on breathing	NYS has criminalized the use of chokeholds by Police Officers that causes injury or death (aggravated strangulation). Chokeholds are not a use of force endorsed in department policies or training.	None	Completed
Use of Force for punitive or retaliatory reasons	How is the abuse of the use of force for retaliatory or punitive reasons addressed? Prohibited under Necessary Force policy. Also addressed in Use of Force policy under duty to intervene.	None	Completed
Diversion Programs (36-37)	Diversion programs recognize that incarceration or establishment of a criminal record may not be the most appropriate mechanism to address certain conduct and that education, drug or mental health treatment may provide a better alternative for the individuals and the community. There are several of these types of programs run at the County level. The Village does not have the resources to establish their own programs.	The Belmont Police Department will reach out to other agencies in the County to create a universal list of services that individuals can use.	To be completed by 12/31/2021
De-escalation Strategies (40-41)	De-escalation Strategies are important in policing. De-escalation has been taught in training for years and is incorporated into the Response to Resistance policy. Future training will also be offered to the Officers as well.	None	Completed
Can your department effectively identify, investigate, and prosecute Hate Crimes? (41-42)	The department complies with any hate crime reporting required. Officers are trained to identify any type of hate crime that could be committed. Depending on the circumstances, the NYSP may be required for assistance to investigate.	None	Completed
Community Outreach Plans	A specific plan is not necessary. Our department is available to give presentations to any groups as requested and is available to be contacted at any time during the day.	None	Completed
Citizen advisory boards and committees (44)	A community advisory board is a group that meets regularly to provide advise and perspectives to executive staff in police agencies. The committee would like something similar to the current reform committee possibly created for future involvement with the PD.	Look into keeping a similar group for future issues/concerns. Use social media for contact information as well.	Consider a group in the future, create a social media page by 12/31/2021

Question	Description	Action	Status
Involving youth in discussions on the role of Law Enforcement agencies (49-50)	The Belmont Police Dept. does not have a school within it's jurisdiction, but does have Genesee Valley just outside of the Village. The committee feels that this is something that the School Resource Officer for the school could look into for youth involvement.	None	N/A
What incentives does your department offer Officers to advance policing goals? (54)	Departments could consider offering awards, prizes, or other recognition to Officers who advance reform goals. The committee advised that letters of commendations would be good for Officers. Also, social media recognition.	Letters of commendation will be provided to Officers when recognition is deserved.	Begin by 04/01/2021
When should Officers be required to report use of force to their supervisor/Officer in Charge?	The Belmont Police Department has clear policies and procedures regarding the reporting of Use of Force. All Use of Force incidents are reviewed to ensure proper actions are acted on. Use of Force also is reported to the State.	None	N/A
What does your department expect of Officers who know of misconduct by another Officer (60-61)	This topic is covered under section 1.3 of the Rules of Conduct for the Belmont Police Department. Any and all misconduct observed will be reported to the supervisor/Officer in Charge.	None	N/A
Does your department expect leaders and Officers to uphold the department's values and culture when off-duty? (63-64)	Upholding our department's values is very important, not only while on-duty, but off-duty as well. This is covered under the Belmont Police Department's Rules of Conduct under section 1.5 (A).	None	N/A
Does or should your department have some form of civilian oversight over misconduct investigations or policy reform? (64-67)	The committee feels that this is not needed for Belmont PD. It could be revisited if several complaints are made, however, it is not currently necessary.	None	N/A
Is there an easy, accessible and well-publicized process for members of the public to report complaints about Police misconduct? (67-68)	There is a form labeled "How to make a complaint" that will be located in the Clerks' office. They are open M-T 8am-430pm, Wed 8am-12pm and Th-F 8am-430pm. Committee also feels that the forms should be posted under Belmont's website.	Contact website manager to post the forms on the page.	To be completed by 6/1/2021
Are investigation outcomes reported to the complainant? Are they reported to the public?	The Chief/Officer in Charge will always notify a complainant the outcome of complaint filed against an Officer. Depending on the complaint, a FOIL request could be submitted for a member of the public to obtain a record of it.	None	N/A
Should the department or the citizen complaint review entity, if any, accept anonymous complaints? (68)	It is recommended that departments review anonymous complaints, but can hinder the review process. Any type of misconduct by an Officer should be in writing and signed by the complainant for discipline actions to be taken.	None	N/A
How can your Police Department demonstrate a commitment to transparency in it's interactions with the public? (74-75)	The committee feels that business cards would be helpful for the public to identify Officers during incidents.	The PD will continue to provide business cards to be handed out.	Completed
How can your Police Department make it's policies and procedures more transparent? (75-76)	Does your department have policies and procedures in place to address common and controversial forms of police activity? Policies and procedures are subject to FOIA.	None	N/A
Should your Police Department leverage video cameras to ensure Law Enforcement accountability and increase transparency? (80-81)	In-car and body worn cameras are frequently recommended and are mandated for some departments. The cost of those cameras would not be able to be covered in the budget. The committee would like body cameras for the Officers in the future if they can be budgeted.	None	N/A

<u>Question</u>	<u>Description</u>	<u>Action</u>	<u>Status</u>
What training policies can you adopt to ensure that Police Officers continuously receive high-quality, relevant in-service training sessions? (93-94)	Belmont Police Officers will attend and complete any training that is necessary and also mandated by the state.	None	Completed
How can your Police Department use it's training programs to avoid potential bias incidents and build stronger connections with communities of color and vulnerable populations? (98-100)	Future training will be available for Officers when COVID restrictions are lifted.	Complete trainings by 4/1/2022	Completed
How can your training program help Officers effectively and safely respond to individuals experiencing mental health crises or struggling with substance abuse? (100-102)	Officers are aware of certain programs offered at the County level to help those in need of assistance, including mental health crises and substance abuse.	None	Completed
How can you effectively and proactively address the mental health challenges experienced by many Police Officers throughout their careers? (105-106)	Officer can reach out to programs provided by Employee Assistance Programs (EAP) if they need mental health assistance. There are also specific "hotlines" for Police Officers. Officers may also reach out to any other member of the department for help. The committee agrees that Officers mental health is very important.	Will remind Officers of these programs agencies.	To be completed by 6/1/2021