

# NORTH TONAWANDA POLICE DEPARTMENT REFORM COLLABROTIVE

## Preface

In light of recent events of civil unrest throughout our nation, New York State Governor Andrew Cuomo issued Executive Order 203 on June 12, 2020. The executive order requires each local government to adopt a policing reform plan by April 1, 2021.

The Governor realizes that maintaining public safety is imperative and a primary function of government. This order requires law enforcement agencies to conduct a comprehensive review of police deployments, strategies, policies, procedures and practices. Law enforcement must conduct this review to ensure they are addressing the needs of the communities being served.

A comprehensive plan is also to be reviewed by community stakeholders who will provide input in areas of evidence based policing strategies to include, but not limited to: policies, procedural justice, implicit bias awareness training, de-escalation training, law enforcement assisted diversion programs, community based outreach, and problem-oriented policing.

Once this plan has been created in conjunction with community stakeholders, it shall be offered for public comment to all citizens in the locality. Upon completion of the review and comment, the plan will be presented to the local legislative body and adopted by local law or resolution.

In an effort to meet these requirements a committee was established and met for the first time on September 24, 2020. The committee was comprised of the following individuals;

North Tonawanda Mayor Art Pappas  
Chief of Police Thomas Krantz  
NTPBA President Erik Herbert  
Det. Lt. Michelle Day  
Niagara County District Attorney Caroline Wojtaszek  
NT City Council President Eric Zadzilka  
NT City Council Austin Tylec  
City Attorney's Ofc./Niagara County PD's Ofc. Nick Robinson  
Pastor Chad Rieselman  
NTHS Counselor Jennifer Kupiec  
Community member James Hamilton  
Community member Roger Blackwell  
Community member Tabitha Connelly-George  
Community member Ryan Howze  
Neighborhood Watch President Joseph Marranca  
Mental Health/Addiction Counselor Karl Shallowhorn

Open meetings were held for the public along with a survey and a public comment link to the department for input and several other meetings followed.

## **Process**

To rebuild the police-community relationship, Governor Cuomo required that we convene stakeholders for a fact-based and honest dialogue about the public safety needs of our community. The community was asked to envision for itself the appropriate role of the police. A survey was sent out to the community as well as an interdepartmental survey to get honest answers of feelings, experiences and needed changes. In addition to the survey the department had four, three hour open meetings to address concerns and answer questions, a suggestion/question section on our department website and a Facebook live discussion. “Collaborative” was the key word and every effort to impose top-down solutions was prevented. In other words the police did not impose their agenda on the committee.

The North Tonawanda Police Department gave the community time to air their issues and tell us what they felt the biggest problems in the city were. The community told us drugs, mental health, community trust and building positive relationships with the police. We have heard their concerns and together created programs and policies to work on all of them.

## **Purpose**

The purpose of the New York State Police Reform and Reinvention Collaborative is “to foster trust, fairness and legitimacy” within communities throughout our State and “to address any racial bias and disproportionate policing of communities of color.”

### **Assess where you are now:**

Gather information on how your police department currently operates including data, policies, procedures, prior complaint history, budget, contracts, equipment, etc. Share this information with the public. This self-assessment will help focus the conversation on what you and your community wants to change.

Keep in mind that this is a very general breakdown of how the department operates.

The North Tonawanda Police Department has 50 sworn officers, including the Chief of Police that makes up three divisions (Patrol, Training and the Detective Bureau). Each division is supervised by a Captain. There are eight Lieutenants in the department that report to their respective Captain and are the department’s first line supervisors. There are six Lieutenants assigned to the Patrol Division and one each assigned to the Detective Bureau and Training Division. The department handles approximately 45,000 calls per year.

The department also employs ten civilian employees that consist of a police mechanic, two account clerk typists, a clerk, a senior account clerk typist, a Dog Control Officer and four police matrons (Detention aides that watch our female prisoners). In addition we employ eight crossing guards, Monday through Friday, while schools are in session.

911 and general calls through our business line (716-692-4111) are answered by a Niagara County Dispatcher and then dispatched to us. If a caller needs to just speak with an officer rather than have one sent to their location, they are transferred to our desk officer. The front desk is covered 24 hours a day by an officer.

29 officers are assigned to the Patrol Division and are divided into three shifts; 7am-3pm, 3pm-11pm and 11am -7am, with an officer from each respective shift coming in one hour early to have constant coverage of the city. Patrols handle the day to day calls of the department, which include, but are not limited to; vehicle and traffic enforcements, neighbor complaints, crimes in progress, accidents, domestics, fights, criminal complaints and follow ups, traffic control, building checks, etc. The number and types of calls vary from day to day and encompass just about anything you can imagine. Each officer is assigned a Body Worn Camera that uploads its videos at the completion of each shift.

The Training and Support Division is comprised of a Captain, Lieutenant, Range Officer, Canine Officer and Public Safety/Traffic Officer. This division handles all training within the department, grant writing, vehicle maintenance, IT support and any other functions of the department that are not handled by either the Patrol Division or Detective Bureau.

The Detective Bureau is comprised of a Captain, Lieutenant and five detectives. They handle all criminal investigations within the department that are not closed by the Patrol Division. They are also responsible for fingerprinting, background checks, pistol permits, affidavit services, evidence, warrants and a multitude of other tasks. Two of the detectives are assigned to specialized units which are the Niagara County Drug Task Force and the Department of Homeland Security Investigations.

The Special Victims/Youth Services Bureau is part of the Detective Bureau with one detective and the School Resource Officer assigned to that bureau. The Special Victims/Youth Services Bureau is overseen by the Detective Lieutenant. This is one of the busiest positions in the department and is responsible for all matters involving persons seventeen years old and younger along with all sex offenses and child abuse cases. The City of North Tonawanda and the Board of Education are currently in negotiations to add an additional School Resource Officer.

The department has eight holding cells for males and two for females.

Upon being hired by the North Tonawanda Police Department, each member attends the Law Enforcement Academy for 18 weeks and upon completion of the academy is assigned to the Field Training and Evaluation Program for 18 weeks, where they are assigned to Field Training Officers for an additional 18 weeks of on the job training. Each officer is required to have a minimum of 60 credit hours of college education or three years of active military duty prior to taking the civil service test for police officer.

The department has several specialized duties that various members are assigned to in addition to their regular duties. These include S.W.A.T., Hostage Negotiators, FTO (Field Training Officers), Accident Investigators, Fire Investigators, Firearm and Academy instructors, Bike Patrol, Car Seat Safety Installers, Honor Guard and Canine.

The policies of the North Tonawanda Police Department are consistent with the DCJS best practices and New York State and Federal Law. They are updated regularly through a paid service called Lexipol and are reviewed by all three Captains and the Chief for inclusion in our policy manual. Officers continually receive in-service training including but not limited to; Use of Force, Firearms, De-escalation, Crisis Intervention, NARCAN, CPR and basic first aid.

The North Tonawanda Police Department is proactive in dealing with the public. Community events such as National Night Out, monthly Child Safety Seat inspections, Bike Patrol, Neighborhood Watch, Canine demonstrations, station tours, Coffee with a Cop, speaking engagements and “ride-alongs” are just some of the events we participate in each year that has direct contact with the public in a “community policing” type atmosphere.

Complaints to the department about our members are minimal, with the most common complaint being that the officers can't do what the complainant wants, such as make an arrest without the elements of a crime being there or no probable cause to make an arrest. Formal complaints are investigated by the Detective Bureau and the findings are turned over to the Chief for a final determination unless there is reason to believe that the complaint may lead to criminal charges against an officer. In those cases the investigation is turned over to another agency after consultation with the Niagara County District Attorney's Office.

Equipment for the department is based either on budgeted items or grants.

The North Tonawanda Police Department has liaisons or working relationships with numerous assistance programs including but not limited to; Victim Assistance, Crisis Services, Criminal Drug Treatment Courts, domestic counseling, Youth Court, RAP (Resources for Adolescent Program), mental health, homeless shelters, etc.

### **Policies**

As part of this endeavor, the North Tonawanda Police Department reviewed the policy manual for the department to determine if any changes were necessary. The below policies were particularly reviewed as they relate to the police reform initiative.

#### **Use of force: (NTPD Policy 300):**

The use of force by any member of the North Tonawanda Police Department is governed by New York State Penal Law Article 35 which provides for the justification of such force.

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The North Tonawanda Police Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.

Any officer present and observing another law enforcement officer or a member using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force.

Any officer who observes another law enforcement officer or a member use force that is potentially beyond that which is objectively reasonable under the circumstances should report these observations to a supervisor as soon as feasible.

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by this department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

Alternative tactics (de-escalation); When circumstances reasonably permit, officers should use non-violent strategies and techniques to decrease the intensity of a situation, improve decision-making, improve communication, reduce the need for force, and increase voluntary compliance (e.g., summoning additional resources, formulating a plan, attempting verbal persuasion).

Chokeholds are not permitted in our policy and have not been a part of the North Tonawanda Police Department's training curriculum in at least the last thirty years.

The North Tonawanda Police Department is obligated to report specific use of force incidents to the DCJS repository if they meet certain criteria. The criteria include: the use of chemical agents (pepper

spray), the use of a firearm, the use of an electronic control weapon (TASER), or any force which resulted in death or serious bodily injury as defined in the New York State Penal Law.

\*\*The full content of the North Tonawanda Police Department's Use of Force Policy can be found on the North Tonawanda Police Department website ([www.ntpolice.com](http://www.ntpolice.com))

**Standards of Conduct (NTPD Policy 320):**

This policy establishes standards of conduct that are consistent with the values and mission of the North Tonawanda Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

Discriminating against, oppressing or providing favoritism to any person because of age, race, color, creed, religion, sex, sexual orientation, gender identity or expression, national origin, ancestry, marital status, physical or mental disability, medical condition or other classification protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power or immunity, knowing the conduct is unlawful.

**Community Relations (NTPD Policy 341):**

It is the policy of the North Tonawanda Police Department to promote positive relationships between department members and the community by treating community members with dignity and respect and engaging them in public safety strategy development and relationship-building activities, and by making relevant policy and operations information available to the community in a transparent manner.

**Bias-Based Policing (NTPD Policy 401):**

This policy provides guidance to department members that affirm the North Tonawanda Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach and partnerships).

**Bias-based policing** - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement.

The North Tonawanda Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any bias-based actions by another member.

**Crisis Intervention Incidents (NTPD Policy 409):**

This policy provides guidelines for interacting with those who may be experiencing a mental health or emotional crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires an officer to make difficult judgments about a person's mental state and intent in order to effectively and legally interact with the individual.

**Person in crisis** - A person whose levels of distress or mental health symptoms have exceeded the person's internal ability to manage his/her behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; noncompliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive or dangerous behavior that may be accompanied by impaired judgment.

The North Tonawanda Police Department is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Department will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members' interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.

Members should be alert to any of the following possible signs of mental health issues or crises:

- a. A known history of mental illness
- b. Threats of or attempted suicide
- c. Loss of memory
- d. Incoherence, disorientation or slow response
- e. Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas
- f. Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt
- g. Social withdrawal
- h. Manic or impulsive behavior, extreme agitation or lack of control
- i. Lack of fear
- j. Anxiety, aggression, rigidity, inflexibility or paranoia

Members should be aware that this list is not exhaustive. The presence or absence of any of these signs should not be treated as proof of the presence or absence of a mental health issue or crisis.

Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer's authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that mental health issues, mental health crises and unusual behavior are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

An officer responding to a call involving a person in crisis should:

- a. Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.
- b. Request available backup officers and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.
- c. If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.
- d. Attempt to determine if weapons are present or available.
- e. Take into account the person's mental and emotional state and potential inability to understand commands or to appreciate the consequences of his/her action or inaction, as perceived by the officer.
- f. Secure the scene and clear the immediate area as necessary.
- g. Employ tactics to preserve the safety of all participants.
- h. Determine the nature of any crime.
- i. Request a supervisor, as warranted.
- j. Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.
- k. If circumstances reasonably permit, consider and employ alternatives to force.

Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

- Evaluate safety conditions.
- Introduce themselves and attempt to obtain the person's name.
- Be patient, polite, calm and courteous and avoid overreacting.
- Speak and move slowly and in a non-threatening manner.
- Moderate the level of direct eye contact.
- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (i.e., summarize the person's verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding officers generally should not:

- Use stances or tactics that can be interpreted as aggressive.

- Allow others to interrupt or engage the person.
- Corner a person who is not believed to be armed, violent or suicidal.
- Argue, speak with a raised voice or use threats to obtain compliance.

**Portable Audio/Video Recorders (NTPD Policy 423):**

The North Tonawanda Police Department may provide members with access to portable audio/video recording devices for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public.

Whenever a unit is available, each uniformed member will be responsible for making sure that he/she is equipped with a portable recorder, issued by the Department, and that the recorder is in good working order. If the recorder is not in working order or if the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor, document the problem on a radio repair form (NT 42) and obtain a functioning device as soon as reasonably practicable. Uniformed members should wear the recorder in a conspicuous manner or otherwise notify persons that they are being recorded, whenever reasonably practicable.

The Shift Supervisor will not be required to utilize the system but may do so if he/she so chooses.

Any member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes that such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever reasonably practicable.

This policy is not intended to describe every possible situation in which the recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident.

The recorder should be activated in any of the following situations:

- a. All enforcement and investigative contacts including stops and field interview situations.
- b. Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops.
- c. Self-initiated activity in which an officer would normally notify Niagara County Dispatch.
- d. Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording.

Members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

At no time is a member expected to jeopardize his/her safety in order to activate a portable recorder. However, the recorder should be activated in situations described above as soon as reasonably practicable.

Once activated, the portable recorder should remain on continuously until the member reasonably believes that his/her direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

**Recruitment and Selection (NTPD Policy 1000):**

In accordance with applicable federal, state and local law, the North Tonawanda Police Department provides equal opportunities for applicants and employees, regardless of race, gender expression, age, pregnancy, religion, creed, color, national origin, ancestry, physical or mental handicap, genetic information, veteran status, marital status, sex or any other protected class or status. The Department does not show partiality or grant any special status to any applicant, employee or group of employees unless otherwise required by law.

The Department will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

Upon the certification of a civil service list and following the laws and rules guiding selection from the list, the Department shall actively strive to identify the candidates who have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department should employ a comprehensive screening, background investigation and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

- a. A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
- b. Driving record
- c. Reference checks
- d. Employment eligibility, including U.S. Citizenship and Immigration Services Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.
- e. Information obtained from public internet sites
- f. Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- g. Local, state and federal criminal history record checks
- h. An impartial medical exam by a licensed physician or practitioner that meets the Municipal Police Training Council standards (may only be given after a conditional offer of employment)
- i. A psychological examination administered by qualified professionals to ensure psychological fitness (may only be given after a conditional offer of employment)

The Department will provide veteran preference credits as required (Civil Service Law § 85).

Every candidate shall undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the North Tonawanda Police Department.

Background investigators will ensure thorough, comprehensive and objective investigations of candidates. Elements of the background investigation will include verification of employment, education and residences; interviews with previous and current employers, family members, neighbors, social contacts, provided references, developed references and organizations; and review of credit history, military records, and other public records searches.

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA and the New York Fair Credit Reporting Act (15 USC § 1681d; General Business Law § 380-c).

Every applicant disqualified due to facts discovered during the background investigation by the North Tonawanda Police Department will be provided a written statement specifying the reasons for the disqualification and allowed an opportunity for rebuttal (Civil Service Law § 50).

Candidates shall meet the following minimum standards:

- a. Free of any felony convictions
- b. Citizen of the United States or permanent resident alien eligible for and has applied for citizenship
- c. At least 21 years of age and no more than 35 years of age with certain exceptions (Civil Service Law § 58)
- d. Fingerprinted for local, state and national fingerprint check
- e. Good moral character as determined by a thorough background investigation
- f. Graduation from High School or possession of a High School Equivalency Diploma and completion of 60 credit hours from a regionally accredited college or university or one accredited by NYS board of regents to grant degrees; or graduation from High School or Possession of a High School Equivalency Diploma and three years of full time active military duty.
- g. Free from any physical, emotional or mental condition which might adversely affect the exercise of police powers
- h. Candidates must also satisfy the Municipal Police Training Council (MPTC) selection requirements

In addition to the above minimum MPTC required standards, candidates should be subjected to additional evaluations including physical ability testing, drug screening, and pre-offer personality test.

**Personnel Complaints (NTPD Policy 1009):**

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the North Tonawanda Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

The North Tonawanda Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law and municipal and county rules and the requirements of any collective bargaining agreements.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

The following applies to the source of complaints:

- a. Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.
- b. Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.
- c. Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
- d. Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
- e. Tort claims and lawsuits may generate a personnel complaint.

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Chief of Police or the authorized designee may direct that another supervisor investigate any complaint.

Each personnel complaint shall be classified with one of the following dispositions:

**Unfounded** - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

**Exonerated** - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

**Not sustained** - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

**Sustained** - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be provided with all rights afforded to a civilian. The member should not be administratively ordered to provide any information in the criminal investigation.

The North Tonawanda Police Department may release information concerning the arrest or detention of any member, including an officer that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

#### **North Tonawanda Police Department Commitment**

The North Tonawanda Police Department remains committed to ensuring the safety and security of all North Tonawanda residents and visitors to our community. This commitment has never wavered. We constantly review the operations of our department and seek to improve the services we provide to the community. The North Tonawanda Police Department remains committed to effecting positive change in our relationships with the community that we are so proud to serve.

We are committed to continually evaluate our department on an ongoing and continuous basis to ensure that we as a department are adapting to the ever evolving social issues that arise in the future so that our community knows that they can depend on us to be there in the time of their need.

#### **Conclusion**

The North Tonawanda Police Department is comprised of highly trained men and women who are service oriented and reflect the ideals consistent with our mission, to provide the finest and most professional public safety services to the residents and visitors to North Tonawanda.

A review of our department and policies indicates that we are up to all of the standards that Governor Cuomo mandated that we review. With that being said there is always room for improvement and we intend on implementing additional training and additional community policing programs to attain our

goals of fostering trust from the community. The North Tonawanda Police Department will continue to review our policies and make changes as needed in the future.

We are committed to working with the community, city departments, social service agencies and other law enforcement agencies and demand of ourselves the highest standards of honesty and integrity as we uphold all laws for which we are responsible and stand ready to proudly serve the needs of North Tonawanda.

The North Tonawanda Police Department recognizes the importance of public safety throughout our community. We are committed to utilizing all resources available in order to ensure the safety of our citizens and to foster trust, fairness and legitimacy between our community and the North Tonawanda Police Department.

As stated above, we have reviewed the department's current policies and practices with particular attention paid to mental health calls, domestic violence and overdose calls. We now have a team comprised of Detective Lieutenant Day, who is a certified Mental Health Counselor and/or a Detective from the Special Victims/Youth Services Bureau following up with each mental health crisis, drug overdose and domestic violence incidents. The purpose is to follow up after a crisis and be able to put services in place after the situation has calmed down.

The committee also found that there should be additional support for mental health once an individual has become involved in the criminal justice system due to the mental health. One way to implement this is with the starting of Mental Health Court in the City of North Tonawanda. This would be similar to Drug Court which is already in place in North Tonawanda and the Mental Health Court would mimic the Mental Health Courts that are already in place in other municipalities.

Officers will also receive additional training in crisis intervention and be provided with additional resources to link community members with these services when needed.

A therapy dog program was added for victims and officers to be utilized during and after traumatic events.

Officers have been and will continue to volunteer in the community they patrol, including Caring For Kids, Boxes of Hope, Senior Class Picnic, Neighborhood Watch and other events throughout the year. Officers will be pushing into class rooms to build positive relationships with the students and the NTPBA will be sponsoring and developing sporting events for kids who want to get involved in athletics to foster positive relationships.

These are just a sample of some of the changes that are happening within the North Tonawanda Police Department and more will likely follow once the Covid-19 Pandemic comes to an end.

If you have any comments regarding this plan, you can email Chief Krantz at [tkrantz@ntpolice.com](mailto:tkrantz@ntpolice.com)

