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Introduction

We at the Village of Freeport Police Department pride ourselves on being at the forefront of local-suburban policing. Since 1893 this department has made every attempt to adapt to the current times in an effort to provide the best possible police service to the residents and visitors of this great village. While the primary responsibility of crime prevention is undeniable, we understand that this can only be accomplished through mutual trust and cooperation with the community we serve. The current times are unique and difficult but they also present an opportunity to grow and become a more effective police department.

We believe that the mark of true professionals is their commitment to quality, high levels of performance, open-mindedness, and willingness to try new and different methods, techniques and strategies. Change is not feared by those who seek to improve and who are willing to take a creative and innovative approach to problem solving.

We are strongly committed to the idea that police work must be highly professional, ethical, competent, and friendly. We believe that the integrity of the police department and each of its individual employees is imperative and cannot be compromised without great harm. We ask that members of the department apply the golden rule in all of their law enforcement contacts with the public:

*If the facts and circumstances were exactly the same and you were standing in the other person's shoes, would you genuinely feel that you had been treated fairly, courteously and properly?*
Chief of Police Michael J. Smith’s Opening Comments:

The Freeport Police Department is working in conjunction with the Nassau County Police Department to develop and institute police reform as per Governor Cuomo’s Executive Order No. 203. Our department has reached out to gain input from residents and stakeholders in the community to work together in an effort to answer the public’s call for police reform. I would like to thank members of the Freeport’s various civic associations, members of our local clergy, local residents and members of the Nassau DA’s Freeport advisory committee for all of their input and efforts.

The deadline for completion of the governor’s order is April 1st, 2021. I anticipate that our reform proposal will be made ready to the public in January of 2021. It is my intention to continue meeting with members of the community to improve the relationship between the police and the public on a continual and regular basis. We have already developed new contacts and friends that have provided valuable insight that I hope we can build upon. It is my belief that through open and honest communication between the Freeport Police Department and the public, mutual trust and respect can be obtained. The following are just a few of the changes we have or are in the process of implementing:

- Publishing our use of force policies on the Freeport Village website.
- Increase training of our officers in areas of bias and de-escalation techniques.
- Updated our officers on recent regulations regarding strangulation and a duty to intercede.
- Gaining civilian input through an Auxiliary Police program.
- Updating our traffic ticket program (TRACS) to include the race of the motorist for statistical analysis.
- Assuring the public that facial recognition cameras are not used by the Freeport Police Department.
- Formation of a community affairs division to deal with non-criminal incidents and to interact with the youth of the community.
- Expanding the use of body worn cameras.
- Provide statistical data on use of force, complaints and summonses.
- Educating the public on the use of the department’s Military Vehicles for storm response and assurance that these vehicles will not be utilized for enforcement.
History of the Village of Freeport Police Department:

Formed in 1893, the Village of Freeport Police Department has grown to over 100 sworn police officers. Covering almost 5 square miles and serving over 40,000 residents, the Village of Freeport Police Department has continued to strive to be a model for what local-suburban policing should be. Over the past 127 years, the department has been constantly changing to adapt to the needs of the residents and visitors in New York’s second largest village. Today, the 100+ officers are dispersed through patrol, detective division, supervisors, administrators, the Community Response Unit (CRU), the Traffic Safety Enforcement Team (TSE), the Technical Services Unit (TSU), the Special Enforcement Team (SET) and the newly established Community Affairs Division (CAD).

Fostering Community-Oriented Leadership, Culture and Accountability

Institutional culture is the driving force behind the behavior exhibited by its members. This culture must be of utmost importance to those in command to maintain consistency between that culture and the goals of the department. Effective policy and strong leadership will ensure that these goals are in line with the goals of the community. Departmental culture must promote the pursuit of those goals with honesty and integrity. Members must be held accountable when deviations result in misconduct. Timely and transparent addressing of this misconduct must take place in order to keep community confidence that abuses will not be tolerated.

Employing Smart and Effective Policing Standards and Strategies

Effective policing cannot be done without the support of those which are served. The standards and strategies implemented by the police department must be in line with what is expected by the community. As stated above, these standards and strategies must be imposed by the leadership and properly executed to create a police culture in line with the joint goals of the department and community. By doing this, we can reliably ensure that the individual interactions between the police department and the public will help to create a foundation of positive, trust-based relationships and advance the goals of protecting the community.

Recruiting and Supporting Excellent Personnel

When it comes to police-community relations, the individual interactions which occur countless times each day have the largest impact. The personnel of a department are the most crucial aspect to the relationship built between the department and the community. Knowing this, recruitment of new officers, retention of quality officers and continued training are some of the most important aspects of a police department.
Fostering Community-Oriented Leadership, Culture and Accountability

Community-Based Outreach and Conflict Resolution

Definition:

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

Policy:

In 1995 the Freeport Police Department and Freeport Public Schools collaborated to create the Adopt-A-Cop program. The program was designed to develop positive relationships and mutual respect between officers and students. Through this program, every fourth grade class “adopts” two or three Freeport Police Officers. The officers visit their assigned classes throughout the year and participate in various activities. The officers teach the children about their work, about who they are as people, assist in classroom lessons, and visit for special events such as school concerts. The program culminates each year in June with a special event which is held at the Freeport Recreation Center. The event brings all the fourth graders in the district together for the first time, preparing them for leaving elementary school and taking their next step as fifth graders in an intermediate school. The students spend the day with their adopted officers as well as officers from special units from NCPD including aviation, Marine Bureau, K-9, the mounted unit, Highway and BSO. Officers are frequently approached by past participants who share fond memories of the program and even as adults can recall which officer they adopted when they were in fourth grade.

Another form of community-based outreach is the Freeport Police Activity League (PAL). PAL’s purpose is to operate youth clubs and provide sports, crafts, educational and other programs of a team and individual nature for all boys and girls in the Village of Freeport. The goal is to prevent juvenile delinquency, steer children clear from gang activity and to aid in the positive interaction of police officers and youth. The PAL brings the youth in the communities together to harbor friendships that will continue to grow in school and create a stronger community as they mature.
The Village of Freeport Police Department began its Community Affairs Division (CAD) in the spring of 2020. This unit is comprised of 2 Police Officers and 1 Sergeant who report directly to the Deputy Chief. The Mission of Community Affairs is to develop and maintain a partnership in the community between the police, residents, schools and businesses. This division partners with community leaders, civic organizations and concerned citizens to educate them on police policies and practices, and to develop solutions to challenges that arise within the Village communities. We are confident that by strengthening these relationships and building trust; the safety of the public will be enhanced and the bond between the public and the police will be fortified.

There are three main focuses for the Community Affairs Division:

1. **Conflict resolution through mediation**
   The Community Affairs Division has found success in addressing ongoing conflicts by using nontraditional methods. They have already addressed many neighbor and landlord/tenant disputes by using mediation tactics instead of traditional enforcement. Finding the source of the problem and correcting it has proven to obtain the desired end result of problem solving and limiting the future need for police intervention.

2. **Continued outreach and conversation with residents and leaders to build a better department**
   Outreach to local civic groups, clergy, schools, and the general public has been a priority focus of the Community Affairs Division. It is through this outreach that a clear view can be received for what the residents want from their local police agency. New ideas are born and communication is fostered.

3. **Following up with residents to ensure their needs have been met**
   The Village of Freeport Police Department has recognized that in many instances, a report is not the end to many issues. Knowing this, CAD has been following up with victims and complainants to see if there is anything else the police department can offer. Community Affairs Officers have followed up on various calls ranging from the tragic death of a loved one to minor parking disputes. They are equipped with countless referral agencies and programs so that the best service can be provided.

   The Community Affairs Division maintains the department Facebook and Instagram pages. The Police Department is also featured on the Village’s website. We hope that these pages promote transparency, allow insight to the daily operations and act as an avenue for communication. The response to this division has been stellar and we hope to find new ways to utilize CAD so that it can best serve the residents and department.

   The Community Affairs Division is now working closely with the Nassau County District Attorney’s Office Freeport Advisory Committee to interact with and better gauge what the residents of this village want in their police department.
To ensure FPD Officers stay connected and engaged with the community, community-based outreach and conflict resolution practices were discussed during the Fall 2020 in-service training.

Problem-Oriented Policing

Definition:

In theory, problem-oriented policing replaces primarily reactive, incident-driven policies with strategies that proactively identify underlying issues that can be targeted to alleviate crime at its roots. Problem-oriented policing requires the careful analysis of issues to design tailor-made solutions response to similar obstacles. Police officers identify potential matters of concern, analyze the issue using a variety of data sources, design and implement response strategies, and assess the success of the strategies. Officers work closely with citizens to address crime concerns and quality-of-life issues.

Policy:

The concept of Problem-Oriented Policing has been successfully integrated into FPD policing strategies for decades. In 2000 the Community Response Unit (CRU) was established to place plain clothes police officers in the areas they are needed most. The purpose of the Community Response Unit (CRU) is to respond to the community’s needs in order to provide an improvement in the Quality of Life for all the residents of the Incorporated Village of Freeport. The Freeport Police Department’s CRU, is made up of a Commanding Officer (Lieutenant), a Sergeant, seven (7) Detectives, and six (6) Police Officers. The Police Officers are assigned to the unit for a period of two years. At the completion of their two-year assignment, the Officers are reassigned to the Patrol Division with a better understanding of how to meet and provide the type of policing that the community requires and deserves.

The primary duties of the Community Response Unit are targeted street crime enforcement, narcotics, Quality of Life issues, and the follow up investigations of all misdemeanors, violations, and many felonies.

In 2015 the Village of Freeport Police Department established the Special Enforcement Team (SET). This team, now comprised of 1 Sergeant and 6 Police Officers, is dedicated to addressing specific problems in the village which have been identified as needing extra police attention. The 6 uniformed police officers are assigned to 3 teams and are responsible for strategic enforcement ranging from quality of life violations to index crimes. During the summer months, the Special Enforcement Team’s primary concern is Woodcleft Avenue to address the substantial increase in vehicular and pedestrian traffic as well as other quality of life issues.

The Nassau County Police Academy instructs recruits on the methods of Problem-Oriented Policing in a two (2) hour course encompassing the value of community-oriented policing and problem solving.

Modifications:

Supervisors from SET, CAD and CRU will be working together to dissect issues and develop a plan to address it in the most effective way possible using all available resources. We recognize not
every problem can or should be solved with traditional enforcement methods. Knowing this, each specialized unit/team can be used strategically to gain the optimal outcome to serve the interest of the department and community.

Use of Force Policies

Definition:

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

Policy:

The use of force by members of law enforcement is a matter of utmost concern both to the public and the law enforcement community itself. When faced with a situation where the use of force is objectively reasonable under the circumstances, the guiding values of members for the Village of Freeport Police Department shall be those principles set forth, as well as the paramount objective of reverence for the sanctity of human life. In all cases, the primary duty of all Members of the Department is to protect human life and provide for the safety of the community. Force is authorized when reasonably believed to be necessary to affect a lawful arrest or detention, to prevent the escape of a person from custody, or in defense of one’s self or another. The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene. Whenever feasible and consistent with personal and public safety, members should de-escalate the use of force once a particular threat and/or resistance has dissipated. The progression of force goes from verbal, physical, non-lethal, impact and firearm. Officers are trained to recognize that this progression can go in both directions from escalation to de-escalation as the situation evolves. To determine the objective reasonableness of force, members shall consider the following factors:

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

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

Members of the Department who witness another Member of the Department using force that he/she believes to be clearly beyond what is objectively reasonable are duty bound to intervene to prevent the use of unreasonable force if and when he/she has a realistic opportunity to prevent harm. Members of the Department who observe another member using force that exceeds the use of what is objectively reasonable shall promptly report these observations to his/her supervisor. In every situation, Members of the Department are expected to act with intelligence and employ sound judgment in furtherance of the spirit of this policy. The use of non-lethal types of force should be considered during any encounter, it is recognized that the use of deadly force may be the only viable option available at times.

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

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

The basis for such a determination depends on the totality of circumstances. A Member of the Department must be able to clearly explain his or her reason(s) for the use of deadly force, the external circumstances that formulated his or her decision to utilize deadly force, or not to use alternative non-lethal methods of force, as well as the factors that led to the conclusion that the Member's life, the life of another Member of the Department, of the lives of the public, were in imminent peril and the use of deadly force was reasonable and necessary. When feasible, Members of the Department shall provide a warning prior to the use of deadly physical force.

Members of the Department shall notify their immediate supervisor as soon as possible of instances involving the use of force. Following involvement in any such incident, Members of the Department are required to complete FPD Form 21, the Use of Force Report. Use of force incidents are reviewed by the Command Staff, Desk Officer, Commanding Officer of the Firearms and Defensive Tactics Division. These use of force incidents will be examined to determine trends in weapons used, outcomes, reasons for usage, and where and when force is being used.

The FPD Policy prohibits the use of force except as provided by law, (Department Policies, Rules and Regulations 115.20, Use of Force) therefore, the use of force for punitive or retaliatory reasons is strictly prohibited. Members of the Village of Freeport Police Department will only use force in accordance with existing law and Village of Freeport Police Department policy, rules and procedures. Any unauthorized use of force which could be criminal in nature is immediately forwarded to the Nassau
County District Attorney’s Office for review. In all cases, the primary duty of all Members of the Department is to protect human life and provide for the safety of the community. It should be noted that members of law enforcement who use unreasonable force diminish the confidence of the community they serve, expose their department and fellow officers to legal and physical hazards and violate the rights of individuals upon whom unreasonable force is used.

The FPD is aware of the public concern for shooting at moving vehicles. General Order 9.10, Use of Deadly Force, III F.3 prohibits firing at or from a moving vehicle unless deadly force is being used against the Police Officer or another by means other than a moving vehicle.

New York State Department of Criminal Justice Services mandates Police Academies to instruct use of force for eleven (11) hours. The majority of FPD Police Officers have attended the Nassau County Police Academy. The Nassau County Police Academy addresses use of force for nineteen (19) hours including eight (8) hours of reality-based training. Academy staff utilizes training supplements to assist with fluid and dynamic situations. Simunitions and Virtual Reality Simulators replicate reality-based scenarios including an active shooter, when a subject points gun at officer, when subject turns around towards officer with a cell phone in hand, de-escalation of person in crisis and professional communications. Some FPD Officers attended the Suffolk County Police Academy or New York City Police Academy which both offer comparable training to the NCPD Academy.

 Modifications:

The Nassau County Police Department issued Legal Bureau Bulletin 20-004 on 06/16/2020 which was disseminated to members of the FPD notifying of the new law, Aggravated Strangulation NYS PL 121.13-a. This law change was again addresses during the Use of Force/In-Service Training, Fall 2020.

The FPD is aware of community concerns regarding forms of force that restrict breathing. Members of the Department will not use any restraint technique during arrest or transport that dangerously inhibits a restrained person’s breathing. Members of the FPD have all been trained on the dangers of positional asphyxia and how it relates to the apprehension and detention of those in custody. The FPD Firearms and Defensive Tactics Training Division strictly adhere to the NYS DCJS curriculum for defensive tactics.

To further explain the circumstances in which Officers restrain a defendant, the FPD refers to General Order, Arrest Processing, 1.10, I.B.2, Handcuffing:

With assistance present, advise the subject that he or she is under arrest and place them in handcuffs with their palms facing outward and the double lock mechanism of the handcuffs engaged. Only handcuffs so equipped are to be utilized by members of the Freeport Police Department.

The basic objective of these guidelines is to ensure the safety of the officer, the public, and the person in custody. Any questions an officer may have regarding the proper procedure in matters involving handcuffing should be resolved in the interest of safety.
General Order 1.10 articulates the Safekeeping of Prisoners. "Members of the Force are responsible for the humane treatment and safekeeping of a prisoner in his custody or detained in a building or part thereof over which he has supervision".

Department Rules and Regulations 142.20, Physical Force (Specific), states that the indiscriminate use of force is prohibited, and officers may use force only to protect themselves, and others or to affect an arrest and detain an individual in custody. Generally, officers making an arrest may use only such force as they reasonably believe is necessary to:
1. Detain an offender, make the arrest and sustain the detention.
2. Overcome resistance.
3. Prevent escape, or recapture after escape.
4. Protect himself, herself, or others.
5. Officers may use only such force as is necessary and justifiable.

The Village of Freeport Police Department understands that in order to embolden our relationship with the communities we serve; we must promote further transparency, especially with matters of use of force. The department’s use of force policies have been added to the village website so that they can be read by the general public.

To ensure FPD Officers are aware of recent legislation and policy changes regarding use of force, this topic will be covered during in-service training.

Complaint Tracking and Transparency Policy:
In 2016, the department became the first police agency in New York State to mandate the use of body worn cameras (BWC) for all uniformed police officers and supervisors. The primary objectives for the use of these cameras are outlined in General Order 5.20 and are as follows:

1. Body Worn Cameras allow for accurate documentation of police-public contacts, arrests and critical incidents. They also serve to enhance the accuracy of officer reports and testimony in court.
2. Audio and video recordings also enhance this agency’s ability to review probable cause for arrest, officer and suspect interaction, and evidence for investigative and prosecutorial purposes and to provide additional information for officer evaluation and training.
3. The Body Worn Cameras may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.

Its use is outlined in section B of the same general order.

1. Unless it is unsafe or impractical to do so, or mechanical issues that impede the use of the device are present, officers shall make every reasonable effort to activate their BWC prior to making contact in any of the following incidents:

   a) Enforcement encounters where there is reasonable suspicion that the person is involved in criminal activity or violation of law. This includes, but is not limited to
dispatched assignments, self-initiated activities, traffic stops or any other investigative or enforcement encounters.

b) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording.

(1) Officers may activate the BWC before or during any other incident at their discretion.

(2) An officer shall have the latitude to terminate the recording when there is no likelihood of force being used or anything else of evidentiary value occurring. It shall be deemed a violation of this policy for an officer to fail to activate the device or intentionally terminate a recording in order to commit a violation of law or department policy.

2. Whenever possible, officers should inform individuals that they are being recorded. In locations where individuals have a reasonable expectation of privacy, such as residence, they may decline to be recorded unless the recording is being made pursuant to an arrest or search of the residence or the individuals. The BWC shall remain activated until the event is completed in order to ensure the integrity of the recording unless the contact moves into an area restricted by this policy.

Files are stored in accordance with NYS record retention laws and no longer than useful for purposes of training or for use in an investigation or prosecution.

The Freeport Police Department holds its members to a high standard of professional and individual conduct in order to serve the citizens of the village and its visitors with confidence, integrity and respect. In addition to its enforcement, members are required to obey the law and to respect the dignity of all people. In furtherance of our mandate and commitment to the principles of honesty and ethical behavior in all actions; all complaints are thoroughly and impartially investigated at the supervisory rank, followed by multiple levels of review before final approval. All allegations of misconduct are thoroughly investigated. Civilian complaints may be filed twenty-four (24) hours a day, seven (7) days a week. Anonymous complaints are accepted and complaints will be taken from anyone, with or without a connection or direct relationship to the incident. Investigative findings are provided to complainants who choose to provide their contact information.

The rules set forth regarding the investigation and reporting of alleged acts of misconduct are contained in Rules and Regulations sections 152.60 and 152.65 as well as General Order 10b:

The officer assigned to the investigation of an alleged act of misconduct on the part of another officer or employee of this Department shall conduct a thorough and accurate investigation. Such investigation shall include formal statements from all parties concerned, when necessary and pertinent. In addition, the investigating officer should gather and preserve any physical evidence pertaining to the case and all other information bearing on the matter. The Chief of Police or his designee will maintain close liaison with the District Attorney in investigating alleged criminal misconduct.
Alleged acts of misconduct must be investigated and the results of the investigation must be reduced to a written report. The investigating officer shall summarize the pertinent facts including:

1. An abstract (summary) of the complaint or alleged act of misconduct.
2. Pertinent portions of the statements of all parties to the incident.
3. A description of the incident, physical evidence and other evidence important to the case.
4. The observations and conclusions of the investigating officer.

All complainants, no matter where or how lodged, are promptly reviewed. Investigations are conducted by supervisors, followed by multiple layers of review before findings are approved. The Investigating Supervisor thoroughly interviews the complainant and available witnesses, and collects and reviews all evidentiary material. At the completion of the investigation, findings are provided to complainants who elect to provide their contact information. Investigative findings are categorized as follows:

1. **Unfounded**: The investigation indicates that the act or acts complained of did not occur or failed to involve police personnel.
2. **Exonerated**: Act did occur but was justified, lawful, and proper.
3. **Not Sustained**: Investigation fails to discover sufficient evidence to clearly prove or disprove the allegations in the complaint.
4. **Sustained**: The investigation disclosed sufficient evidence to clearly prove the allegations made in the complaint.
5. **Not involved**: Investigation establishes that the officer under investigation was not involved in the alleged incident.

Depending on the nature of the activity, repercussions for substantiated complaints range from verbal discipline and retraining, to fines and loss of pay and in more extreme instances, termination. Officers that engage in activity which may contain criminality, are screened by the Nassau County District Attorney’s Office for evaluation and if necessary, prosecution. Officers that engage in excessive force may find themselves in criminal, civil and civil rights proceedings. Members found guilty of criminal activity are subject to the same sanctions and penalties imposed by the law as the civilian population. Founded investigations for violation of rules or regulations are referred to the Department’s Command Staff for consideration of discipline, which is ultimately determined by the Commanding Officer.
There are levels of discipline depending on the offense and circumstances. These are outlined in Rules and Regulations Section 152.07:

1. Reprimand (Oral or Written)

2. Fine not exceeding twenty (20) days in pay.

3. Suspension without pay for up to twenty (20) days after a hearing before the Board of Trustees.

4. Dismissal from the Department after a hearing before the Board of Trustees.

5. Such other penalty as may be authorized by applicable law.

Modifications:

In accordance with the repeal of section 50-a of the New York State Civil Rights Law and the amendments to Article 6 of the New York State Public Officers Law (Freedom of Information Law) founded complaints and dispositions thereof will be made available to the public as required by law. NCPD Legal Bulletin 20-003 was issued notifying the members of the FPD of the change to the law. Outside of notifying the interested parties whether the complainant was founded, unfounded, undetermined or exonerated, no details were released to the public at large. With the repeal of 50-A and in fortifying Police Department transparency, the Freeport Police Department has decided to issue a bi-annual report on civilian complaints. This report will include the number of complaints to each of the aforementioned categories along with the statistics of their investigative findings.

In addition to bi-annual civilian complaint data, and to further the transparency into the actions taken by our police officers, the department will also release bi-annual data regarding use of force and summonses.

Policy on Reporting of Officer Misconduct by Other Officers

The Freeport Police Department Rules and Regulations, Section 102.10 (Reporting Violations) addresses the reporting of officer misconduct by other officers.

"Any officer who has knowledge of other officers who are violating any laws, ordinances, rules and regulations of the department, or who disobey orders, shall bring the matter to the attention of his or her immediate supervisor. The supervisor shall determine if further action is to be taken in the matter. Should any officer feel that the matter is of sufficient gravity, or involves supervisory personnel, he or she may bypass the official chain of command, and directly advise the Chief of Police or a Command Staff officer."
Rules and Regulations Section 152.50 (Misconduct Observed by Police Personnel) discusses supervisory responsibility when faced with misconduct observed by themselves or other officers.

“Whenever command or supervisory officers observe or are informed of the misconduct of other departmental employees, which indicates the need for disciplinary action, they shall take authorized and necessary action and render a complete report, in writing of the incident and their actions to the Chief of Police or other Command Staff officer.”

Modifications:
During the summer of 2020 all members of the Village of Freeport Police Department were required to attend a LEXIPOL webinar regarding an officer’s duty to intercede during incidents involving excessive force, false arrest and/or deprivation of medical care.

The 2nd Circuit Court which encompasses the Village of Freeport has addressed this as follows:

“A police officer is under a duty to intercede and prevent fellow officers from subjecting a citizen to excessive force, and may be held liable for his failure to do so if he observes the use of force and has sufficient time to act to prevent it.” Figueroa v. Mazza, 825 F.3d 89, 106 (2nd Cir. 2016)

Department Values and Culture when Off-Duty Policy:
The actions of members of the department off-duty can have drastic effects on the perception of the department as a whole. It is clear that the perception, whether justified or not, must be considered in the department’s ability to achieve its overall goal in crime prevention. The unbecoming conduct of an officer whether on or off duty is address in Rules and Regulations section 107.00:

“Police officers are the most conspicuous representatives of government, and to the majority of the people, they are symbols of stability and authority upon whom they can rely. All officers' conduct is closely scrutinized, and when their actions are found to be excessive, unwarranted, or unjustified, such actions are criticized far more severely than comparable conduct of persons in other professions. Since the conduct of officers, on or off duty may reflect directly upon the Department, officers must at all times conduct themselves in a manner which does not bring discredit to themselves, the Department, or the Village.”
Employing Smart and Effective Policing Standards and Strategies

Evidence-Based Policing:

Evidence-based policing is the theory that effective policing requires a tightly focused, collaborative approach that is measurable; based on sound, detailed analysis; and includes policies and procedures that promote and support accountability. Evidence-based policing practices are guided by research and evidence demonstrating their effectiveness. Departmental policies and decisions are based on practices and strategies which accomplish police missions most effectively and efficiently. Data is accumulated continuously to test hypotheses with empirical research findings. The focus on data-driven, science based criminal justice strategies serves to develop effective, economical, and innovative responses to crime. Governor Cuomo’s Executive Order No. 203 lists strategies for evidence-based policing to include: use of force, procedural justice, addressing systemic racial bias or racial justice in policing, implicit bias awareness training, de-escalation training and practices, law enforcement assisted diversion programs, restorative justice practices, community-based outreach and conflict resolutions, problem-oriented policing, hot spot policing, focused deterrence, crime prevention through environmental design, and violence prevention and reduction interventions.

Procedural Justice

Definition:

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

Policy:

The Village of Freeport Police Department understands procedural justice and police legitimacy play an essential role in establishing a positive relationship with the community. Police legitimacy exists when the public views the police as authorized to exercise power to maintain social order, manage conflicts, and solve problems in the community. FPD establishes long-lasting community partnerships when the public has confidence in the morality of the police and in its ability to safeguard the communities it serves. The ability to maintain procedural justice directly impacts the public’s willingness to defer to the authority of law enforcement and reaffirms their belief that police actions are morally justified and appropriate. The public reacts favorably when they believe officers are sincerely trying to act on behalf of the best interests of the citizens with whom they interact. Procedural justice policing has the potential to facilitate the role of citizens as agents of social control. When officers are perceived as legitimate, there is less resistance to their actions and greater potential for compliance without the use of force, making officers more effective at policing. Officers reduce racial disparities and build trust by promoting engagement over enforcement.
The Police Academy conducts a Procedural Justice Course which is ten (10) hours long and exceeds the NYS DCJS' mandated two (2) hours. The Procedural Justice Course includes sections on de-escalation and professional communication. The Police Academy stresses the importance of enhancing trust in the community, the use of language skills, the study of police behavior and interaction with police and how mannerisms of interactions shape the public’s view of police. In order to make forward progress towards procedural justice and police legitimacy, the NCPD Academy instills the Four Pillars of Procedural Justice in Officers. These four principles are fair in process, transparent in actions, providing opportunity for voice and being impartial in decision making. Officers are reminded to give others a voice. People want to be able to explain their situation or tell their side of the story to the Officer. The opportunity for the citizen to make arguments and present evidence should occur before the Officer decides how they are going to resolve the encounter. It is imperative to remain neutral in order to achieve impartial decision making. Consistency in decision making must be achieved at all times. Decisions need to be reasoned, objective and factually driven. Transparency and openness regarding the rules and procedures being employed to make decisions facilitates the perception of neutrality. Recruits are instructed to secure the situation and then explain the reason for their presence.

It is important for Officers to right their wrongs, when appropriate: admit it, apologize for it, and work to correct it. Pride should not get in the way of doing the right thing. Respect is an active process of engaging people from all backgrounds in a non-judgmental manner. Respectful treatment is practiced to increase our awareness and effectiveness. Individuals are sensitive to whether they are treated with dignity and politeness and to whether their rights are being respected. People may not remember the details but they will remember how they feel around the Officer. Recruits are reminded that during an encounter it is okay to give the person the last word because Officers have the last action. As reviewed in many topics of the Police Academy, the importance of being sensitive to cultural differences and being empathetic to a person’s situation is continuously emphasized.

Modifications:

The community suggested the Police Department engage young adults in their communities to build stronger relationships between adolescents, their neighborhoods and officers. The Nassau County Department recently initiated a Young Adult Council (YAC) in every precinct. Each council will contain a minimum of six (6) members between the ages of seventeen (17) and twenty-three (23) with different social views such as community stakeholders, law enforcement explorers and other influencers who impact other young adults in their communities. The Freeport Police Department sees the value in this program and has since been given approval to join in with the YAC at the Nassau County 1st Precinct. The Freeport Police Community Affairs Division will join this Council and make it accessible to the youth of this village.

Systemic Racial Bias / Racial Justice in Policing

Definition:

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

Policy:

Freeport Police Department General Order 5A (effective 08/18/00) regarding investigative stops and enforcement addresses racial profiling. “Motorists or pedestrians shall only be subject to investigative stops, seizures or detentions based upon the articulable minimum standard of reasonable suspicion. “No person is to be stopped based on racial profiling.” Racial profiling is defined in this order as the intrusive contact or detention by the police of a person on the basis of their ethnic or racial group membership. The Police Department does not condone racial profiling and Members of the Department will not engage in racial profiling. Racial profiling undermines the efforts of law enforcement by causing a loss of respect for the law and a loss of creditability for the Department. Even the perception of racial profiling creates a distrust that discourages participation in the criminal justice system. Racial profiling occurs when a police officer relies on race or ethnicity as the primary basis for law enforcement action such as a traffic stop, pedestrian stop or request for a consent search. However, when an officer has information which links a specific criminal activity to an individual whose race, ethnicity or other identifying characteristic is known, that information may and should be appropriately used to identify and locate the individual. Discretion is at the core of a police officer’s job and it permits innovative and flexible problem solving. However, it also provides opportunities for the presence of conscious and unconscious bias and prejudice that could affect decision-making. A Fourth Amendment basis to stop does not legitimize stops which are initiated essentially because of race or ethnicity. Discriminatory or bias-based stops, searches and arrests are strictly prohibited. Such stops can cause deep cynicism about fairness and the legitimacy of law enforcement and the judicial system. As stated in the introduction, we ask that members of the department apply the golden rule in all of their law enforcement contacts with the public. If the facts and circumstances were exactly the same and you were standing in the other person’s shoes, would you genuinely feel that you had been treated fairly, courteously and properly?

General Order 5A was established to ensure respect for individual dignity. Individual dignity is highly valued in a free society and all persons have a right to dignified and respectful treatment under the law. Respect for individual dignity is an obligation that all Department Members must consider in their daily contacts with the public. The Police Department attempts to treat all persons with dignity and respect as individuals, and to exercise additional patience and understanding where language or cultural differences might be encountered.

Modifications:

A Village of Freeport Police Department law enforcement strategy to reduce racial disparities is to issue appearance tickets in lieu of arrests for marijuana offenses. The FPD Command Staff issued a directive on 09/12/2019 regarding Marijuana Offenses Field Processing which directs Officers to issue an appearance ticket for a marijuana offense at the place of occurrence. Nassau County Police Legal
Bureau Bulletin 19-004 was disseminated to Freeport Officers and informed our Members of the changes in NYS law regarding Unlawful Possession of Marijuana.

The FPD is making improvements in our summonses tracking to better record demographics on the citizens stopped. Through proper documentation of demographics, the FPD can generate reports on field stops and summonses. Summons and field stop data is reviewed for anomalies by Commanding Officers.

To ensure FPD Officers are aware of recent legislation and policy changes regarding systemic racial bias and racial justice in policing, this topic will be covered during our in-service training.

“Stop and Frisk”

The Freeport Police Department does not practice random “Stop and Frisk” or the purpose of finding something without pretext, nor teach it. We teach our members “Stop, Question and sometimes Frisk” in accordance with the provisions provided in the Criminal Procedure Law (CPL) 140.50. These stops are always based on a minimum of a reasonable suspicion that a crime has is or is about to committed. The frisk part of this is not absolute and is also regulated by law.

140.50 Temporary questioning of persons in public places; search for weapons.

1. In addition to the authority provided by this article for making an arrest without a warrant, a Police Officer may stop a person in a public place located within the geographical area of such officer’s employment when he reasonably suspects that such a person is committing, has committed or is about to commit either (a) a felony or (b) a misdemeanor defined in the penal law, and may demand of him his name, address and an explanation of his conduct.

2. Any person who is a Peace Officer and who provides security services for any court of the unified court system may stop a person in or about the courthouse to which he is assigned when he reasonably suspects that such a person is committing, has committed or is about to commit either (a) a felony or (b) a misdemeanor defined in the penal law, and may demand of him his name, address and an explanation of his conduct.

3. When upon stopping a person under circumstances prescribed in subdivisions one and two a Police Officer or Court Officer, as the case may be, reasonably suspects that he is in danger of physical injury, he may search such person for a deadly weapon or instrument, article or substance readily capable of causing serious physical injury and of a sort not ordinarily carried in public places by law-abiding persons. If he finds such a weapon or instrument, or any other property possession of which he reasonably believes may constitute the commission of a crime, he may take it and keep it until the completion of the questioning, at which time he shall either return it, if lawfully possessed, or arrest such person.

4. In cities with a population of one million or more, information that establishes the personal identity of an individual who has been stopped, questioned and/or frisked by a police officer or peace officer, such as the name, address or social security number of such person, shall not be
recorded in a computerized or electronic database if that individual is released without further legal action; provided, however, that this subdivision shall not prohibit Police Officers or Peace Officers from including in a computerized or electronic database generic characteristics of an individual, such as race and gender, who has been stopped, questioned and/or frisked by a police officer or peace officer.

In sum and substance, the Freeport Police Department instructs Officers to conduct field stops. We operate on the standard of proof of reasonable suspicion. Reasonable suspicion is defined as a quantum of knowledge sufficient to induce an ordinary prudent and cautious man under the circumstances to believe criminal activity is at hand. Factors to establish suspicion are: high crime area, time of day, day of week, season, sights and sounds, proximity to scene, presence at scene, carrying objects associated with criminal activity, clothing or disguises, description, furtive gestures, change direction or flight, unusual nervousness, independent knowledge, training and experience, and evasive, false, inconsistent statements. This standard is reached through an officers training and experience and is based on a number of the aforementioned factors that are observed by the Officer to get him to conduct a field stop. In order for an officer to frisk a field stop subject, the officer must reasonably suspect he is in danger of physical injury. Officers can frisk for weapons and only weapons during this encounter unless the subject gives consent to search for evidence. Frisk of an individual is never automatic and only undertaken to pat down for items that can harm Officers.

To demonstrate the Police Department’s commitment to fair and equitable policing and to provide unbiased and professional police service to every member of the community, the FPD utilizes a field interview report. This requires officers to record the gender and race/ethnicity of the person(s) subject to field stops. Officers are also required to record a disposition indicating if the person(s) stopped were issued summonses, warned, no police action was taken, interviewed, indicate if a case was generated, or if an arrest was made. By tracking demographics in this capacity, the Department can ensure there will be no biases and disparities in ticketing.

Crowd Control
Policy:

The purpose of this strategy is to establish guidelines for managing crowds, protecting individual rights, and preserving the peace during demonstrations and civil disturbances. It is the policy of the Freeport Police Department to protect individual rights related to assembly and free speech; effectively manage crowds to prevent loss of life, injury, or property damage; and minimize disruption to persons who are not involved. The FPD cannot succeed without support from the communities we serve. We are increasingly building on the concepts of legitimacy and procedural justice; which put communities at the heart of policing here in the Village of Freeport. Earlier this year, protests across the United States occurred. Most of the demonstrations have remained peaceful; however, some cities around the country have seen widespread violence and significant property damage.

In the Village of Freeport we have had numerous protests with thousands of participants, regarding a wide range of societal issues. The protests have remained extraordinarily peaceful with no
injuries, damage to property or arrests. We attribute this accomplishment to our communication with the organizers, before and during such events and our internal preparation and planning. Our commitment to deescalating potential disturbances and compromising appropriately with organizers is also a critical component. Absent exigent circumstances, arrests will only be made with the approval of a sergeant or higher rank. In the past, our crowd management techniques were based upon long standing tactical formations and riot control. While these methods are still legitimate when violence is occurring; today we prefer to rely upon pre-operational planning, communication and collaboration, when possible, to achieve public safety and protect civil liberties.

It is our vision for the future of the Department and the community, to maintain and enhance the confidence and trust of the people we serve. Continually strengthen and expand the partnerships between the police and the communities we serve. Maximize community participation in identifying problems, developing solutions, and establishing relevant Department priorities and policies. Strive to effectively resolve problems of the communities we serve while protecting life and property.

The Freeport Police Department does not utilize surplus military equipment for crowd control. The only surplus military equipment, obtained through the NYS Military, are high water vehicles used during natural disasters.

Modifications:
Our Community Affairs Division will work to maintain an open line of communication with demonstration and protest organizers. This has proven to be a valuable tool in maintaining order while still ensuring the right to protest. In continuing these relationships, we hope to increase the trust and recognition that this department does in fact support the right to protest while still being fully invested in public safety.

The FPD has a commitment to continued learning. At our in-service training, our officers and supervisors will continue to acquire best practices related to crowd control and management. Specialized units like the Community Affairs Division, the Community Response Unit, the Special Enforcement Team and Bike Units will work together to more effectively manage large scale events. Use of force will be discussed in the context of crowd management. Unless exigent circumstances justify immediate action, officers shall not independently make arrests or employ force without authorization from a supervisor.

Pretextual Stops
If a Police Officer has probable cause to believe that a motorist has violated a vehicle traffic law (VTL), he may stop the automobile even though the Officer’s underlying reason is to conduct another investigation. Our courts acknowledge pretextual stops in this manner. In People v. Robinson, 97 N.Y. 2d 341 (2001), New York State’s highest court found such pretextual car stops to be constitutional. Although probable cause of a VTL violation is required for a pretextual car stop, Courts before and after the Robinson decision have consistently held that investigative car stops, based on reasonable suspicion, are constitutional.
Hot Spots Policing

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

Policy:
These “Hot Spot Policing” tactics are mainly employed by the specialized CRU, SET and TSE units. Each of these units has a commanding officer who regularly monitors the deployment, effectiveness and need of increased or decreased focus at particular locations.

The Nassau County Police Academy recognizes how valuable hot spot policing is and incorporates it into a three (3) hour course on intelligence led policing.

Modifications:
Although the FPD does not formally identify “Hot Spot Locations” the idea of increasing presence in areas where crime, violations and quality of life issues are prevalent is common sense policing. We will continue to deploy the specialized units in an effort to minimize the issues which can plague these locations. The Community Affairs Division will also be utilized to ensure all available avenues of problem solving are explored. Unit commanding officers will meet regularly to discuss “Hot Spot” locations and planning on a case by case basis.

Summonses
Informal Quotas
The Freeport Police Department does not hold its Member to any sort of quota, informal or otherwise. Quotas are illegal. Union representatives are always on guard for any activities that resemble informal requirements or suggestions that imply we are seeking quota compliance.

Summons Demographics
Summonses demographics regarding race and ethnicity are not available to the department at this time. Work is in progress to add this data to the current ticketing system to allow for further review. Currently the only data is that of which is already contained on the license through NYS DMV.

The Use of SWAT Teams and No-Knock Warrants
This department utilizes the Nassau County Police Department’s Bureau of Special Operations (BSO) as its primary tactical team.

The FPD has a very conservative policy regarding the deployment of the BSO tactical team and search warrants. We only utilize this option when all other alternatives have been exhausted to apprehend a suspect. When executing a search warrant, every possible attempt is made to minimize the
dangers to those involved and to notify of the presence of the police. The Freeport Police Department has not conducted a forced entry, no-knock search warrant in the past 3 years.

**High-Speed Pursuits**

The Freeport Police Department issued General Order 15 in regards to vehicle pursuits. The Department recognizes that the vehicular pursuit of fleeing suspects poses a danger to the lives of the public, Police Officers and the suspects involved in the pursuit. The Department also recognizes that in certain circumstances, the proper law enforcement response requires a pursuit. The policy of the Police Department is to minimize the risks of pursuit by limiting vehicle pursuits to only those situations where the escape of the suspect poses a greater risk of harm to the general public than does the pursuit itself. There must be a justification for a pursuit. When initiating or continuing a pursuit, an officer’s foremost thought must be justification based upon:

1. The potential threat to public and personal safety.
2. Possible alternative action to locate and apprehend the offender.
3. The seriousness of the criminal activity.

These pursuits are then closely monitored by police supervisors who continually assess the dangers present based on all circumstances including time of day, location, speed, etc. If at any point the dangers exceed the justifications for the pursuit, the pursuit is terminated.

**Prohibited Race-Based 911 Calls**

Section 79-n subdivision 2 of the New York State Civil Rights Law was amended to establish civil penalties for a person who intentionally summons a Police Officer or Peace Officer without reason to suspect a violation of the penal law, any other criminal conduct, or an imminent threat to a person or property, in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person. A person in violation of this law is liable in a civil action for injunction relief, damage, or any other appropriate relieve in law or equity. NCPD Legal Bulletin 20-004 was issued notifying the members of this department of the new law.

**Hate Crime Investigation**

The Freeport Police Department effectively identifies, investigates and prosecutes hate crimes. Hate crimes are investigated vigorously. A Police Officer is typically the first to respond to a bias incident/hate crime incident. A preliminary investigation is conducted at scene, which includes complainant/victim statement, witness statement, and capture of video evidence. If a summary arrest cannot be made, the investigation is then referred the local Detective Division or Nassau County Detective Squad. Once a Detective is assigned, a subsequent investigation is conducted, which includes re-interviewing of complainant/victim and witness. A secondary video canvass will be conducted in the field. Additionally, the investigating detective will research prior bias/hate crime incidents to determine if there is a discernible pattern or commonalities. If probable cause is established, an arrest will be made. Incidents of a hate crime are reported to Nassau County Data Processing. The Nassau County
Police Department’s Office of Chief of Detectives assigns a control number to all bias incident/hate crimes and maintains daily, weekly, monthly and annual statistics. The stats are categorized by incidents involving race, color, national origin, ancestry, gender, religion, religious practice, age, disability, or sexual orientation of a person. This data is shared monthly with the Chief of Department, District Attorney’s Office, New York State Division of Criminal Justice Services (DCJS) and Anti-Defamation League.

**Failure to Pay Fees and/or Fines for Summonses**

The guide suggests some police departments create a debtors’ prison and prioritize revenue-generation at the expense of civil rights. The Police Department does not issue arrest warrants for failure to pay fees or fines. That is a function of the courts (criminal or traffic). Officers write tickets based on observation and violations of rules of the road, officer do not seek, nor is it their job to inquire regarding a citizen’s financial means. Such an inquiry could be considered too invasive, insulting, unprofessional, and not germane to the circumstance. Officers do have discretion to issue a ticket or warning based on a number of factors to include, the nature of the infraction, the rate of violations and accidents at high frequency accident locations, complaints from the public regarding persistent traffic violations as well as other variables including enforcement efforts directed as a result of traffic analysis. The act of driving is a privilege in New York State, all one must do to keep that privilege is follow the rules according to New York State Department of Motor Vehicles.

**Mental Health and Homelessness**

**Policy:**

The policy of the Freeport Police Department, regarding Mental Aideds, is to assist persons who are in need and outlined in General Order 11E. This includes necessary aid in a humane and sensitive manner to persons who appear to be suffering from a mental illness or disability. Given the unpredictable and sometimes violent nature of the mentally ill, officers should never compromise or jeopardize their safety or the safety of others when dealing with individuals displaying symptoms of mental illness.

When responding to a call for a mental aided, the officer is to make certain they have adequate assistance, a Patrol Supervisor, and an ambulance at the scene. In situations where the mental aided exhibits violent behavior and the situation is likely to result in serious harm, personnel from the NCPD Emergency Services Unit (ESU) will respond as well. A substantial risk of physical harm is defined as a threat or attempt at suicide or serious bodily harm, conduct demonstrating danger to oneself, or a risk of physical harm to other persons who are placed in reasonable fear of violent behavior. The responding officer is to assess the situation and obtain the following background information: aided’s mental and medical history, prescription or illegal drugs being taken, current problem, aided’s behavior prior to police arrival, and aided’s past violent behavior. It is the responding officer’s responsibility to determine if the mental aided is conducting themselves in a manner in which they are likely to inflict serious harm to themselves or others. If they are not a threat to themselves or others but appear to need evaluation, the officer will refer available resources such as Mobile Crisis Outreach Team, the
National Alliance on Mental Illness, 211, and the National Suicide Prevention Lifeline. If the aided appears to be a threat, officers must secure the immediate area to facilitate taking the subject into custody as per New York Mental Hygiene Law 9.41. While the aided is in custody, the Police Officer must search the aided, place the aided into the ambulance, unload their service weapon prior to entering patient compartment while guarding the aided during transport. During transport, Members of the Police Department are prohibited from using any restraint technique which could dangerously inhibit a restrained person’s breathing.

When an encounter with a mental aided involves a suicidal person, a barricaded individual or persons held against their will, the Nassau County Police Department Hostage Negotiation Team (HNT) is available to the Freeport Police Department and will be assigned.

HNT Negotiators conduct Police Academy training with recruits in de-escalation, crisis communication, rapport building and verbal threat assessment.

Village of Freeport Recruits in the Nassau County Police Academy undergo twenty (20) hours of NYS DCJS Mental Health curriculum. The purpose of this course is for recruits to be able to identify behavioral signs of emotional distress and people in distress, to effectively communicate with an emotionally disturbed/mentally ill person, and to help people with mental illnesses connect to resources. This curriculum uses role-play for reality-based training simulating people in crisis. In addition to the DCJS Mental Health course, the NCPD academy addresses mental health training in the syllabi for the following courses: crisis intervention, de-escalation and professional communication, hostage negotiation, autism awareness, and interview and verbal skills. Suffolk County PD and NYPD Academies employ comparable training programs.

The NYS Police Reform and Reinvention Collaborative Guide pose the question if the Department should deploy social service personnel in lieu of or in addition to police officers in some situations. The Freeport Police Department must consider its responsibility if a request for assistance is made. The Nassau County Police Department Academy conducts extensive mental health training for recruits and during in-service training. This training includes active listening, the importance of empathy and persuasive communication as discussed in previous sections.

Modifications:

The Freeport Police Department will begin a trial program with Mobile Crisis. At the determination of the supervisor at scene, a Mobile Crisis Outreach Team will be notified of the incident and possible help from their agency will be discussed.

The Freeport Police Department Community Affairs Division has begun working with the LIRR and “Services for the Underserved” for homeless outreach throughout the village. The agencies will work together to make periodic visits to contact those who may benefit from the services available.
Recruitment and Supporting Excellent Personnel

Department Staffing

The guide suggests considering whether the FPD staffing should be adjusted to include fewer uniformed officers and more civilians. The duties of Uniformed Members are reviewed regularly and as a relatively small department, the main assignments are that of traditional police duties which must be conducted by sworn police officers. The department employs a police clerical department staffed by 5 civilians, 4 civilian dispatchers, 6 civilian parking meter attendants and 1 civilian crime analyst. The increase and decrease in staffing often involve union negotiations.

Below is a breakdown of the appointment for FPD designated positions as well as ranks achieved through test scores:

The ranks within this department are generally governed by Civil Service. Tests are given for the ranks of Police Officer, Sergeant, and Lieutenant to establish the list based upon the candidates’ test scores. The Police Department, Nassau County Police Department and the Civil Service Commission continues to work with consultants and the communities to recruit a diverse group of candidates to take the police entrance exam in order to become police officers and supervisors that are representative of the Village. The village further attempts to have an accurate representation by creating a preferred resident list allowing the FPD to hire Freeport residents first. This Preferred Resident List is the list that the department then goes by in determining the order that candidates are processed and hired. The process is extremely regulated by civil service law and allows little interjection by the police department.

In an effort to create a more diverse Department, the FPD will be promoting the Police Officer Civil Service Exam through the Police Department website, distributing pamphlets and utilizing social media platforms. If a citizen is interested in becoming a Police Officer, they can call 1-800-RECRUIT or by clicking on the the links or scanning the QR code provided. Users will then access the Test Pre-Registration Application Form which can be electronically submitted. Once the test is announced, the Department will utilize the contact information provided on the pre-registration form to contact the applicant.

Incentives for Officer to Advance Policing Goals

Promotion of professional progression through the many divisions of the Police Department is a traditional method for incentivizing Officers to advance their careers. Officers who are drawn to promote traffic safety may request to be transferred to the Traffic Safety Enforcement Team, others interested in investigations may request to become part of the Community Response Unit or be selected to the Detective Division, and those who wish to enhance community service may request to be transferred to Community Affairs Division.
Supervisors perform quarterly reports on the progress of their subordinate police officers and relay those findings to the Chief of Police. These quarterly reports are a good tool in identifying officers who have excelled in specific areas and may benefit from being placed in specialized units.

There are many Civic Groups that issue accolades to our members, such as the Elks Club, Mothers Against Drunk Driving (MADD), Town of Hempstead Police Awards, Local Chambers of Commerce, etc. These awards are usually nominated by the Commanding Officer.

The FPD has a recognition program and it’s delineated in General Order 12. It includes medals and certificates. The majority of these medals are for bravery, exemplary service and lifesaving.

The Governor’s Guidance suggests establishing a policing award where community members could nominate officers. The Freeport Police Department sees this as a great opportunity to recognize the hard work and dedication of our Department Members. After researching citizen nominated policing awards in other departments throughout the Country, we feel a good model for us to be guided by is the Denver Police Department’s Citizen Appreciate Police (CAP) award. This award was formed by a non-profit in 1978 to recognize Denver Police Officers who assisted public citizens beyond the scope of traditional policing. The CAP Board consists of fifteen (15) civilian volunteers that meet four times a year to review nominations, select recipients and present awards. Nominations for the CAP Award come primarily from letters from community members wishing to thank officers for deeds that has assisted a person immensely outside of acts of bravery. Nominations could be accepted that are emailed or mailed to the board. Awardees would receive a recognition pin or bar for their uniform and a plaque or certificate. Additionally, the award ceremony picture could be posted on the department Facebook page with further directions on how the community could nominate future recipients. The nomination and selection process should be part of the board’s responsibility and they could use social media to advance these goals. Police Supervisors could also nominate a member with the Board ultimately selecting the recipient.

Implicit Bias Awareness Training

Definition:

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

It is imperative our officers are more accepting and respectful to everyone’s principles and lifestyles. The Nassau County Police Academy educates our recruits about implicit bias for a total of sixteen (16) hours. Eight (8) hours are spent on decision making which includes concepts of implicit bias including how to reduce stereotypical ideology and subconscious biases. Eight (8) hours of training is also spent on cultural diversity. This exceeds the NYS DCJS mandate by three (3) hours. Different scenarios are presented by means of role-play to simulate potential community interactions. Members of the community are invited to lecture recruits about their culture and address common misconceptions or prejudices they experience in their everyday lives. SCPD and NYPD Academies have comparable training programs.

Modifications:

In June of 2020, the Nassau County Police Academy added an additional eight (8) hours of training addressing anti-bias, morality, ethical awareness and cultural diversity. This supplementary eight (8) hour training will occur just prior to recruit graduation. The academy staff stresses ethical and moral courage and the importance of holding each other accountable for their actions.

To ensure FPD Officers are aware of recent legislation and policy changes regarding implicit bias awareness, this topic will be covered during the in-service trainings.

De-Escalation Training and Practices

Definition:

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

Policy:

The Village of Freeport Police Department has comprehensive ideology on de-escalation practices. Through effective communication and control over their own emotions, officers can bring almost any interaction with their constituents to a successful, non-violent conclusion. De-escalation enhances the safety of police officers and the public. The most important tool an officer has available to them is communication and the ability to verbally disarm someone. The FPD strives for a positive outcome in every situation.
In the Nassau County Police Academy, our recruits are taught the Five Universal Truths of Human Interaction: people feel the need to be respected, people would rather be asked than told, people have a desire to know why, people prefer to have options instead of threats, and people want to have a second chance. The academy instructors also stress the importance of understanding that being in charge of a situation does not necessarily mean you are in control. Officers can gain control of a situation through effective communication. Officers should use verbal, non-verbal and tactical communication to be persuasive speakers. Officers are also provided with methods of interaction in basic street encounters as well as appropriate dialogue for each aspect of the encounter.

De-escalation requires the ability to be not only a persuasive speaker, but also an active and engaged listener. To be an active listener, an officer must be open and unbiased, listen to all of what is conveyed (verbal and non-verbal), interpret the meaning and respond appropriately and be free of judgment. The FPD stresses the importance of empathy, as it recognizes the ability to understand someone’s feelings and emotions. Empathy is key to understanding another person’s perspective. Successful interactions to de-escalate a situation require Officers to assess, engage and resolve. Assessment of a situation is one of the most vital aspects of response to a situation. Officers are given very limited information prior to responding to a call and therefore the initial assessment is extremely important. Engaging in a situation is the most critical part of conflict resolution. Officers must control themselves and free their minds of anger, fear, judgment and ego so they can respond without outside influence. Resolution is where the encounter will end, whether good or bad. If the Officer can maintain control of the situation and themselves, a successful conclusion is a near guarantee. In all situations, it is imperative Officers respond and not react. When an Officer reacts, they are no longer in control as the situation is controlling them. Recruits are also taught to identify their weaknesses. Once identifying the trigger, one could make attempts to remove it. By recognizing that a weakness exists, the Officer can consciously avoid being triggered by others and therefore remain in control.

To ensure FPD Officers are aware of recent legislation and policy changes regarding de-escalation training and practices, this topic will be covered during the in-service trainings.

Modifications:

The Use of Force/In-Service Training, Fall 2020, included a segment specifically dedicated to the use of de-escalation tactics. All sworn members of the FPD were required to attend this training which was administered by the Freeport Police Department Firearms and Defensive Tactics Division.

Supporting Officer Well-Being

During the course of a career in law enforcement, an Officer may be exposed to a traumatic event. Traumatic events are covered by the NCPD Peer Support Team who responds to scenes and/or hospitals and other locations as needed. This team includes village officers and is available twenty-four (24) hours a day, seven (7) days a week to all Village of Freeport Police Officers. At times, Officers can be mandated to Employee Assistance by Supervisors.
During the COVID-19 pandemic, the officers were placed in a difficult position of executing their duties to the community and observing the effects of the pandemic on the community all while ensuring the safety and health of themselves and their families. The command staff addressed this mental stress by distributing virtual training material and presentations to promote officer well being during this trying time.

The Department understands the stress level of an Officer could be correlated with shift lengths. Freeport Police Department’s Officer Charts are negotiated by the unions and County. FPD observes a nine (9) hour rule which states, once a Member signs off-duty, they are not permitted to sign on-duty for a minimum of nine (9) hours. This rule is in place to provide officers a mechanism to rest and not be pressed in to service before adequate recovery time.
Developing a Collaborative Plan

The Freeport Police Department is in the process of creating the “Freeport Police Reform Council”. The council will be made of up of community members who have expressed interest and submitted a resume. Individuals will be selected so as to have a broad range of perspectives, experiences and values to help guide the department through this process. We believe that the relationship between the police and community is very strong here in Freeport but we are eager to take advantage of this opportunity for communication and growth. Although COVID-19 restricts the amount of people who can attend meetings in person, we are looking at all avenues to include as many people as possible and have the highest possible transparency. In addition to the selected reform council, the Community Affairs Division well regularly meet with other groups to collect thoughts and ideas as well as routine engagement of the general public to ensure all areas of the community are heard.

Policing Data to be Made Public

Some of the preceding sections mentioned transparency in reporting. Below is a summary of all areas in which the FPD will be publicizing data and issuing reports to be posted on the Departments website:

| Use of Force | Civilian Complaints | Summonses |

Transparency in Police Interactions and Initial Contact Protocol

The Department views openness in matters of public interest an issue of importance. The Police Department strives to disseminate accurate and factual accounts of occurrences of public interest, consistent with the protection of legal rights, the safety of persons involved, and with consideration for maintaining the confidentiality of certain Department records. In addition, the Department strives to make known its policies and objectives.

Initial contact protocol is covered in the department Rules and Regulations section 115.3. “Members of the Department will be respectful in their contact with Superior Officers and all other persons within and without the Police Department. Members will give their rank, name, shield number, and command to any person who requests same. Members will give the rank, name, shield number, and command of another Member of the Department to any person who appears personally and can demonstrate a legitimate interest in obtaining same”.

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