

Adopting An Implementation Plan Per Executive Order No. 203 Of Governor Andrew M. Cuomo, New York State Police Reform And Reinvention Collaborative

Referred to: The Law Enforcement and Public Safety Committee (Chairwoman Walter and Legislators Fabiano, Haynes, Heppner, and Parete)

Chairwoman of the Law Enforcement and Public Safety Committee, Eve Walter, Deputy Chair Heidi Haynes, and Chairman Donaldson offer the following:

WHEREAS, this resolution has been submitted at the request of the County Executive; and

WHEREAS, beginning on May 25, 2020, following the police-involved death of George Floyd in Minnesota, protests have taken place daily throughout the nation and in communities across New York State in response to police-involved deaths and racially-biased law enforcement to demand change, action, and accountability; and

WHEREAS, it has been determined that government has a responsibility to ensure that all of its citizens are treated equally, fairly, and justly before the law; and

WHEREAS, one of the essential roles of government is to maintain public safety, which requires mutual trust and respect between police and the communities they serve; and the success and safety of our society depends on positive police-community relationships and policies that allow police to do their jobs to protect every member of the public; and

WHEREAS, Governor Andrew Cuomo has determined that urgent and immediate action is needed to eliminate racial inequities in policing, to modify and modernize policing strategies, policies, procedures, and practices, and to develop practices to better address the particular needs of communities of color to promote public safety, improve community engagement, and foster trust; and

WHEREAS, the Governor has enacted Executive Order No. 203 entitled the “New York State Police Reform and Reinvention Collaborative”; and

WHEREAS, Executive Order No. 203 states that in coordination with the resources of the Division of Criminal Justice Services and the Division of the Budget, local governments may “increase the effectiveness of the criminal justice system by ensuring that the local police agencies within the state have been actively engaged with stakeholders in the local community and have locally-approved plans for the strategies, policies and procedures of local police agencies; and

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WHEREAS, pursuant to Executive Order No. 203 each local government entity, including the County, which has a police agency operating with police officers as defined under 1.20 of the criminal procedure law, must adopt a policing reform plan after performing a collaborative review of the needs of the community served by its police agency, and evaluate the department's current policies and practices to address any racial bias and disproportionate policing of communities of color and promote trust, fairness, and legitimacy; and

WHEREAS, on or about August 17, 2020, the Office of Budget released a Guidance Document in order to assist municipalities in the development of the Plan (the "Guidance Document"); and

WHEREAS, pursuant to Executive Order No. 203, the Ulster County Executive is required to convene the Ulster County Sheriff's Office, and stakeholders in the community to develop such plan; and

WHEREAS, the County, in coordination with the Ulster County Sheriff's Office, must consult with stakeholders, including stakeholders identified in the Guidance Document as required or recommended, and create a Police Reinvention and Collaborative Program (the "Plan") to adopt and implement the recommendations resulting from its review and consultation, including any changes to its policing deployments, strategies, policies, procedures, and practices, tailored to the specific needs of the community and general promotion of improved police agency and community relationships based on trust, fairness, accountability, and transparency, and which seek to reduce any racial disparities in policing; and

WHEREAS, recommendations included in the Plan may consider evidence-based policing strategies described in the Guidance Document, and shall consider transparency, accountability, training, community engagement, qualifications and recruitment, and policies and procedures; and

WHEREAS, such Plan must be offered for public comment to all citizens in the locality, and after consideration of such comments, shall be presented to the local legislative body in such political subdivision, which shall ratify or adopt such plan by local law or resolution, as appropriate, no later than April 1, 2021; and

WHEREAS, the County is then required to transmit a certification to the Director of the Division of the Budget to affirm that the Plan has been developed and the required local law or resolution has been adopted approving the Plan; and

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WHEREAS, a Stakeholder group (the “Commission”), as defined by Executive Order No. 203 first convened on June 29, 2020 to discuss and consider evidence-based strategies including but not limited to, use of force policies, procedural justice; 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; strengthening oversight and accountability; responding to mental health emergencies; responding to addiction and overdoses with treatment; increase community interaction; and

WHEREAS, the Commission also held follow up meetings to discuss and consider the aforementioned evidence-based strategies on August 5, 2020; August 25, 2020; September 9, 2020; October 22, 2020; November 11, 2020; December 10, 2020; and January 22, 2021; and

WHEREAS, the Commission held three Public Forum/Town Hall meetings on July 22, 2020, September 21, 2020 and January 14, 2021 to allow for public input on the evidence-based strategies; and

WHEREAS, after considering the input from the Commission and the public, the Plan was created to include immediate actions and long-term goals; now, therefore be it

RESOLVED, the Ulster County Legislature hereby adopts the Plan per Executive Order No. 203 of Governor Andrew M. Cuomo, New York State Police Reform and Reinvention Collaborative; and, be it further

RESOLVED that a certified copy of this resolution be forwarded to the New York State Budget Director,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

Passed Committee: Law Enforcement and Public Safety on March 3, 2021

FINANCIAL IMPACT:
NONE

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 16th Day of March in the year Two Thousand Twenty-One, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 18th Day of March in the year Two Thousand Twenty-One.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
18th Day of March 2021.

Approved by the County Executive this
23rd Day of March 2021.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

|s| Patrick K. Ryan
Patrick K. Ryan, County Executive