

3. Resolution to Create the Police Reform and Reinvention Collaborative Committee and Program Pursuant to Executive Order 203

Council Member Lichtenthal moved, seconded by Deputy Supervisor Saland, to adopt the following resolution:

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, there is a long and painful history in New York State of discrimination and mistreatment of black and African-American citizens dating back to the arrival of the first enslaved Africans in America; and

WHEREAS, this recent history includes a number of incidents involving the police that have resulted in the deaths of unarmed civilians, predominantly black and African-American men, that have undermined the public's confidence and trust in our system of law enforcement and criminal justice, and such condition is ongoing and urgently needs to be rectified; and

WHEREAS, these deaths in New York State include those of Anthony Baez, Amadou Diallo, Ousmane Zango, Sean Bell, Ramarley Graham, Patrick Dorismond, Akai Gurley, and Eric Garner, amongst others, and; in other states, include Oscar Grant, Trayvon Martin, Michael Brown, Tamir Rice, Laquan McDonald, Walter Scott, Freddie Gray, Philando Castile, Antwon Rose Jr., Ahmaud Arbery, Breonna Taylor, and George Floyd, amongst others,

WHEREAS, these needless deaths have led the Governor of the State of New York to sign into law the Say Their Name Agenda which reforms aspects of policing in New York State; 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, recent outpouring of protests and demonstrations, which have been manifested in every area of the state, have illustrated the depth and breadth of public interest in ending institutional racism and injustice; 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, the Governor 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 203 entitled the "New York State Police Reform and Reinvention Collaborative"; and

WHEREAS, Executive Order 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

WHEREAS, pursuant to Executive Order 203 each local government entity, including the Town, 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 Program (the “Guidance Document”); and

WHEREAS, the Supervisor of the Town is required to convene the head of the local police agency, and stakeholders in the community to develop such plan; and

WHEREAS, the Town, in coordination with its police agency, must consult with stakeholders, including stakeholders identified in the Guidance Document as required or recommended, and create a Police Reinvention and Collaborative Program (the “Program”) 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 Program 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.

WHEREAS, such Program 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 Town is then required to transmit a certification to the Director of the Division of the Budget to affirm that the Program has been developed and the required local law or resolution has been adopted approving the Program.

NOW, THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of New Castle hereby adopts the foregoing Resolution to establish the Program; and

BE IT FURTHER RESOLVED that the purpose of the Program shall be as follows:

- To review the needs of the community served by its police agency,
- Evaluate the relevant policies and practices of the department,
- Identify standards and strategies that foster trust, fairness, transparency, accountability, and legitimacy,
- Confirm or establish policies that allow police to effectively and safely perform their duties;
- Involve the entire community in the discussion;
- Develop policy recommendations resulting from this review;
- Offer a plan for public comment;
- Present the plan to the local legislative body to ratify or adopt it, and;
- Certify adoption of the plan to the State Budget Director on or before April 1, 2021.

BE IT FURTHER RESOLVED, a Police Reform and Reinvention Collaboration Committee (the "Committee") is hereby created to develop the Program and accomplish the goals set forth in Executive Order 203 and the Guidance Document.

BE IT FURTHER RESOLVED, that the following members are hereby appointed to the Committee:

New Castle Police	Chief James D. Carroll
	PBA President Anthony Rotolo
CRE	Hermian Charles; Alternate = Kimberly Carey
Interfaith Council	Reverend Martha Jacobs
District Attorney	Frank Luis
Legal Aid	Harvey Loeb
CCSD Representative	Superintendent Christine Ackerman
Children's Aid	Vince Canziani
Local Elected Official	Town Supervisor Ivy Pool
	Deputy Town Supervisor Jeremy Saland
Town Administration	Town Administrator Jill Shapiro
	Deputy Town Administrator Robert Deary

BE IT FURTHER RESOLVED, that Town board of the Town of New Castle hereby appoints Deputy Town Supervisor Jeremy Saland is appointed as Chair of the Committee.

VOTE	AYES	NAYS
Supervisor Pool	X	
Deputy Supervisor Saland	X	
Council Member Katz	X	
Council Member Levin	X	
Council Member Lichtenthal	X	

APPROVED BY
TOWN BOARD

Chloe Pappas

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Town Clerk

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October 20, 2020

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