



# **POLICE REFORM & REINVENTION REPORT**

City of Corning, New York  
December 2020

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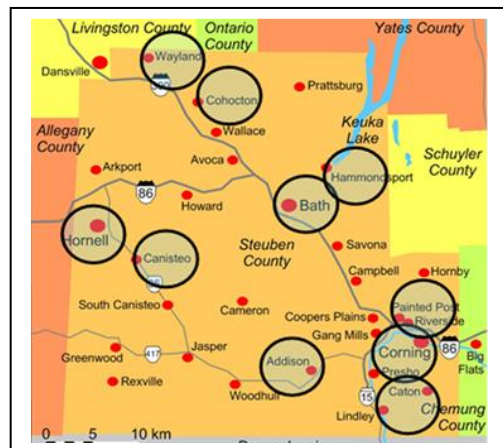
# Introduction

In July 2020, the City of Corning embarked on a groundbreaking collaboration in cooperation with the Steuben County Sheriff's Office to develop a model police reform and reinvention plan for use by police departments county-wide. It is believed this has been the first county-wide discussion of policing in Steuben County.

The City of Corning and the Steuben County Sheriff's Office agreed to work in partnership with other agencies throughout Steuben County to help ensure small municipalities can use this plan as a model to address reform needs in their own agencies.

## Confirmed Opt-in Partners:

- Village of Addison
- Village of Bath
- Village of Canisteo
- Town of Cohocton
- City of Corning
- Village of Hammondsport
- City of Hornell
- Village of Painted-Post
- Village of Wayland
- Steuben County Sheriff Department (32 towns)



**Core Working Team**

Mark L Ryckman  
City Manager

Bill Boland  
Mayor

Jeff Spaulding  
Police Chief

James Allard  
Steuben County Sheriff

Dawn White  
Corning Incorporated  
Program Manager

The process was initiated by the City Manager and the Steuben County Sheriff and was managed by a Core Working Team. Corning Incorporated, which is headquartered in Steuben County, allocated Dawn White's time to assist with program and change management expertise. Her assistance and passion for improvement was invaluable in designing the process and keeping this large undertaking on schedule.

The collaborative effort also involved consulting with over 100 people from dozens of stakeholder groups and engaging in listening sessions with the general public (see acknowledgements in Appendix A).

The process reflected upon and considered the voices of all that wanted to be heard. Input from this process has resulted in a set of action items which are intended to improve policing in 5 areas: Equality & Social Justice; Transparency & Accountability; Community Relations; Training; and Policies & Procedures.

Additional resources to implement these action items will be necessary if the changes are to be impactful and sustainable. Spreading the implementation over time will provide the City an opportunity to seek additional resources. Certain aspects of the plan may require bilateral negotiations with the Crystal City Police Benevolent Association as they may impact terms and conditions of employment.

## Governor’s Executive Order 203

On June 12, 2020, Governor Andrew Cuomo issued Executive Order 203 requiring local governments to review and develop a plan to improve police force deployments strategies, policies, procedures, and practices (see Appendix B). The Governor did not require the New York State Police to conduct a review or develop reform plans, even though they are an important part of policing in Steuben County.

The Governor’s Executive Order requires that the chief executives of local governments consult with the following stakeholders at a minimum:

- Membership and leadership of the local police force;
- Members of the community with emphasis in areas with high numbers of police and community interactions;
- Interested non-profit and faith-based community groups;
- The local office of the district attorney;
- The local public defender; and
- Local elected officials.

These plans are required to be offered for public comment to all citizens in the locality, and after consideration of such comments, the plans 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. Failure to ratify or adopt such plans can result in the loss of State funding. In the past year, the City of Corning has received the following State police funding:

Child Passenger Safety Program	\$ 1,900
Seatbelt Mobilization Enforcement Grant (Buckle Up New York)	\$ 5,130
Police Traffic Services Grant	\$12,825

It is uncertain from the Governor’s guidance if other categories of State aid could also be reduced if municipalities do not comply with his executive order.

## Community Profile

The City of Corning has a land area of approximately 3.2 square miles. It is located in the southeast portion of Steuben County. The city is located at the crossroads of the southern tier of the New York and is within a two-hour drive from Rochester and Syracuse. Interstate 86 (the Southern Tier Expressway) intersects with Interstates 99 and 390 to the north and south along with Route 414 to the Finger Lakes Region.

The City of Corning is home to the headquarters of Fortune 500 Company, Corning Incorporated, which is a manufacturer of glass and ceramic products for industrial, scientific and technical uses. In addition to Corning Incorporated, tourism is a significant

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contributor to the City's economy. The City is home to the Corning Museum of Glass, which houses one of the most comprehensive collections of glass objects from antiquity to the present. The museum houses the Rakow Library, a glass research center. Corning's Gaffer District is the City's main commercial area centered around its downtown. It has glass making studios, antiques, restaurants, and specialty shops which help to support tourism. The City has a large population of fine arts, from local glass artists to famous works featured in the Rockwell Museum of Western Art, as well as notable entertainment performed by local theater, ballet, and music groups. The City has been cited several times as one of the top twenty-five small city arts destinations in the United States. Corning is also the gateway to the popular Finger Lakes Region of New York State.

The City of Corning provides a full range of services to its residents. Services include full-time Police and Fire departments with additional police protection provided by the County Sheriff's Department and the New York State Police, along with an extensive mutual aid system with neighboring fire departments. Water and sewer services are delivered through the City's Department of Public Works which also provides the community with traffic control, parking facilities, street construction & maintenance, and snow removal. The City operates and maintains city-wide recreational facilities and parks.

The City employs approximately 102 full-time and 50 part-time workers. Most employees are represented by collective bargaining organizations.

Civil Service Employees Association, Local 8702  
Civil Service Employees Association – Supervisory Unit, Local 8702-01  
Corning International Association of Firefighters, Local 932  
Crystal City Police Benevolent Association, Inc.

## Municipal Demographics

According to the American Community Survey, the City of Corning's estimated demographic data for 2019 is as follows:

RACE	PERCENTAGE
White alone, percent	92.80%
Black or African American alone, percent	2.30%
American Indian and Alaska Native alone, percent	0.00%
Asian alone, percent	2.10%
Native Hawaiian and Other Pacific Islander alone, percent	0.00%
Two or More Races, percent	2.20%
Hispanic or Latino, percent	1.60%

EDUCATION	PERCENTAGE
High school graduate or higher, percent of persons age 25 years+, 2014-2018	93.40%
Bachelor's degree or higher, percent of persons age 25 years+, 2014-2018	33.90%

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INCOME	
Median household income (in 2018 dollars), 2014-2018	\$49,539
Per capita income in past 12 months (in 2018 dollars), 2014-2018	\$32,128
Persons in poverty, percent	16.10%

HOUSEHOLDS	
Owner-occupied housing unit rate, 2014-2018	51.10%
Median value of owner-occupied housing units, 2014-2018	\$110,000
Median selected monthly owner costs -with a mortgage, 2014-2018	\$1,154
Median selected monthly owner costs -without a mortgage, 2014-2018	\$524
Median gross rent, 2014-2018	\$808
Households, 2014-2018	5,069
Persons per household, 2014-2018	2.1
Living in same house 1 year ago, percent of persons age 1 year+, 2014-2018	86.00%
Language other than English spoken at home, percent of persons age 5 years+, 2014-2018	5.90%
Households with a computer, percent, 2014-2018	85.40%
Households with a broadband Internet subscription, percent, 2014-2018	74.00%

## Police Department Profile

### HISTORY

The Corning Police Department was established in 1890. Over the past 130 years, policing has changed dramatically and the Corning Police Department has evolved with it. In the early 1990's, the Technical Support Unit of New York State Division of Criminal Justice Services (DCJS) undertook a "Feasibility Study for the Consolidation of Police Services in the Corning/Erwin Area".

The study analyzed current police services, staffing considerations, organization, and supervision. The report recommended a consolidated police force with Steuben County. Although a full consolidation never materialized, the report provided the basis for widespread change.

Many of the reforms that have been made over the past 30 years trace their origins back to this early effort. These include the creation of the rank of Sergeant, the establishment of the Field Training Program, formalizing the position of Investigator, and a focus on inter-departmental cooperation.

### MISSION

The principal mission of the Corning Police Department is to preserve the rights of citizens and to foster confidence in their well-being through the prevention of crime, protection of persons and property, and the maintenance of order in public places. It is also part of that mission to anticipate and respond to events that threaten harm to the public order, to life and to property. The fair and impartial enforcement of local, state and federal laws will aid the department in its efforts in accomplishing this goal.



### **DIVISIONS**

The Police Department organizes its efforts into divisions to focus resources around common themes.

#### **PATROL**

The most significant services the Police Department provides are through its patrol force. This force is divided into shifts and directed by a supervisor. Each shift is responsible to patrol a designated post, enforce traffic laws and City ordinances in addition to responding to calls for service.

#### **INVESTIGATIONS**

One Investigator is assigned to the Investigation Division and is overseen by a direct supervisor. The Investigator is responsible for criminal investigations, employee background checks, and drug enforcement activity. The Investigator assists Federal and State agencies with planning and protection for visiting officials.

#### **INSTRUCTION**

Police instructors provide training and instruction on a wide range of topics. Instructors provide in-service training for: employees of the Police Department, as well as other departments; instruction at the Southern Tier Law Enforcement Academy; child safety seat installation and instruction; and bicycle safety instruction and demonstrations in City parks in conjunction with the summer parks program.

#### **PARKING ENFORCEMENT**

The City of Corning enforces parking regulations through its patrol force and part-time parking attendants.

#### **ANIMAL CONTROL**

The City of Corning provides limited animal control services. These services include using outside service providers for dog control and skunk trapping. The Police Department works in cooperation with the New York State Department of Conservation Police to address other animal issues as they arise such as bear sightings or injured/sick wildlife.

#### **DISPATCH**

The Police Department operates a 24-hour dispatch center. In addition to traditional dispatch services, some of the other support services provided by the dispatch center include: 24-hour public walk-up service; jail cell monitoring; security camera monitoring; and records/clerical support. The Police Department's dispatchers serve as a backup to handle calls for the Fire Department when the firefighters are out of the building. They also notify Public Works crews of emergencies during non-business hours.

### **CALLS FOR SERVICE & USE OF FORCE**

The Corning Police Department calls for service and use of force data since 2015 are as follows:

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### CALLS FOR SERVICE

The Police Department responded to 94,398 calls for service.

2015	16,531
2016	17,696
2017	16,071
2018	18,197
2019	15,285
2020 (YTD)	12,618

Calls for service were wide-ranging including issues such as noise complaints, traffic violations, PAUSE violations, burglaries, homicides, sexual assaults, harassments, drug use, etc.

### CRIME STATISTICS

CLASSIFICATION	2015	2016	2017	2018	2019	2020*
Murder/Manslaughter	0	0	1	0	1	1
Attempted Murder/Manslaughter	0	0	0	0	2	1
Rape	2	3	2	2	4	0
Robbery	4	3	1	7	4	3
Assault	40	34	25	26	44	20
Burglary	60	65	50	46	51	64
Larceny	290	257	205	190	167	185
Motor Vehicle Theft	9	4	7	7	10	6
Arson	4	5	4	1	5	0
Drugs	128	135	144	253	256	239
Dangerous Weapons	35	38	39	33	32	45
Sex Offenses	18	17	19	22	11	11
Forgery	15	24	7	9	14	25
Stolen Property	15	16	16	20	20	41
Criminal Mischief	147	160	162	142	96	159
Simple Assault	123	105	103	108	75	67
DUI	60	58	48	51	52	21
Unauthorized Use MV	9	8	14	4	17	20
Disorderly Conduct	327	323	290	336	332	323
All Other Criminal Offenses	1,172	1,254	1,185	1,198	1,184	1,186
Mental Health (Non-Criminal)	140	169	170	182	206	255

\*Data is for the first 11 months of 2020.

### USE OF FORCE

During this period, the Police Department charged 60 individuals with Resisting Arrest. The Police Department completed 44 Use of Force Reports and used Less than Lethal Weapons 15 times. There were no discharges of firearms against suspects. There were 9 occurrences of assault upon a police officer.

### PERSONNEL

The Corning Police Department consists of 33 total members comprising 21 full-time sworn police officers, 3 full-time Dispatchers, 3 part-time Dispatchers, 3 part-time Parking Enforcement Official, and 1 part-time Dog Control Officer. One part-time parking official is black, no other personnel have identified themselves to the City as nonwhite. Of the sworn officers and full-time dispatchers, 3 and 3 are female respectively.



The department’s patrol force works in three shifts. The rank structure is divided to provide at least one Lieutenant or Sergeant on each shift. There are times due to days-off, sick-time or other leave that a Lieutenant or Sergeant is not working on a shift. In these cases, the senior patrol officer acts as the Officer-In-Charge (OIC).

FULL-TIME POSITION	NUMBER
Chief	1
Lieutenant	4
Sergeant	3
Investigator	1
Patrolman	12
Dispatcher	4

The City previously had more sworn personnel, but due to financial limitations, the department has been reduced over time.

POSITION	1997	2002	2004	2005	2006	2008	2011	2020
Chief	1	1	1	1	1	1	1	1
Lieutenant	3	4	4	4	4	4	4	4
Sergeant	0	3	2	3	3	3	3	3
Investigator	2	2	2	2	1	1	1	1
Patrolman	19	15	14	13	13	14	12	12
TOTAL	25	25	23	23	22	23	21	21

**CIVIL SERVICE**

Public sector employment in New York State is governed by a statewide civil service system under state statutes. The Civil Service System is intended to ensure that all public employment is based on merit and fitness. Depending upon the position, a written examination may or may not be required. The City of Corning relies on the Steuben County Personnel Office to provide the Civil Service function for our local government. Up until 2009, this function was provided by a three-member Civil Service Commission appointed by the City Manager with an appointed part-time Civil Service Secretary. In 2009, the City’s Civil Service function was merged with Steuben County as a cost-savings strategy and to improve service.

For police officers, a written examination is required. These exams are administered by the Steuben County Personnel Office and scored by New York State. Candidates must meet minimum Civil Service qualifications to sit for the exam. After the exam is administered and scored, the City is provided a list of the top three scoring candidates that passed the exam and expressed interest in serving after being canvassed. On occasion, the City does take lateral transfers from other departments.

**COLLECTIVE BARGAINING**

In 1967, New York State adopted the Public Employees’ Fair Employment Act, also known as the “Taylor Law”. This act provided public employees with the right to organize and be represented by employee unions. Public employers are required to negotiate and enter into agreements with these public sector unions regarding terms and conditions of employment. The act also establishes impasse procedures to resolve bargaining disputes

and defines improper bargaining practices of both management and labor. The Taylor Law prohibits strikes by public employees.

### **ADMINISTRATION OF THE TAYLOR LAW**

The New York State Public Employment Relations Board (PERB) was created as an independent, neutral agency to administer the Taylor Law. The three-member Board is appointed by the Governor, with the consent of the State Senate. The Board's major responsibility is to act as an umpire in disputes arising under the Taylor Law. Other responsibilities include: administration of the Taylor Law statewide; resolution of representation disputes; provision of impasse resolution services; adjudication of improper practice charges; designation of management/confidential employees; determination of employee organization responsibility for striking and ordering forfeiture of dues and agency fee check-off privileges; and, administration of grievance and interest arbitration panels.

### **TERMS & CONDITIONS OF EMPLOYMENT**

Over the years, PERB has identified numerous mandatory subjects of negotiation pertaining to terms and conditions of employment. These include such items as compensation, shift scheduling, disciplinary procedures, and performance evaluations. Management does not have the right to make unilateral changes to any matter deemed a mandatory subject of negotiation.

### **RESOLUTION OF CONTRACT DISPUTES**

Under the Taylor Law, the resolution of contractual disputes follows a defined process. The first step occurs when one or more parties declares impasse in the negotiations and files an application referred to as a "Declaration of Impasse" with PERB. If the application is approved, PERB's Director of Conciliation will assign a mediator from its full-time staff or a per diem mediator. The mediator acts as liaison between the parties and seeks to affect a settlement through persuasion and compromise.

For local police unions, the Taylor Law provides that if the dispute is not resolved in mediation, PERB will generally refer the dispute to arbitration adjudicated by a 3-member panel. Under the arbitration procedures, a Chairman of the arbitration panel is chosen by both parties, commonly referred to as the "neutral" panel member. These arbitrators are often listed in collective bargaining agreements to avoid a lengthy selection process. Both management and the police union each select their own panel members to represent their respective interests. After reviewing the history of negotiations, comparable labor agreements, and the municipality's ability to pay, the panel renders a final decision. The panel's decision is final and binding. It should be noted that the municipality's "ability to pay" is not defined in the statute.

### **THE TRIBOUROGH AMMENDMENT**

The Taylor Law was amended in the 1980's, requiring employers to continue all terms of an expired labor agreement until a new agreement is reached.

Over the years, the City has advocated for reform to the Taylor Law to address barriers to management's abilities to effectively control costs and assert additional unilateral rights in favor of the City's interests. Many of these issues are described in the testimony the City

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Manager provided before committees of the State Senate and Assembly in October 2016 (see Appendix C).

### **TRAINING**

The Municipal Police Training Council (MPTC), created under Executive Law §839, determines minimally acceptable training and employment standards for law enforcement officers in New York State. The MPTC recommends rules and regulations for approval by the Governor.

The New York State Division of Criminal Justice (DCJS), Office of Public Safety, serves as the staff arm of the MPTC. It is the responsibility of DCJS to assist in the planning and evaluation of basic and in-service training curriculum to ensure that practitioners meet the minimum standards established by the MPTC.

The City's police officers receive a variety of training. These training opportunities can be identified in three broad categories: New York Municipal Police Academy; Field Training; and In-Service Training.

#### **NEW YORK MUNICIPAL POLICE ACADEMY**

This is the initial training that all potential candidates for State certification as a police officer must receive. The academy in the Corning area is the Southern Tier Law Enforcement Academy located in the Town of Big Flats.

The Basic Course for Police Officers (BCPO) has undergone a continual evolution since it was first established. When initiated in 1960, the Basic Course for Police Officers consisted of a minimum standard of 80 hours of instruction. The current BCPO consists of a minimum standard of over 700 hours established by MPTC. Local instructors routinely review the content of the Basic Course for Police Officers to ensure that the material remains relevant to criminal justice issues and best prepares officers to serve their communities. Today's Basic Course for Police Officers covers a wide range of topics including but not limited to: Ethics & Professionalism; Cultural Diversity; Bias Related Incidents; Professional Communication; Persons with Disabilities; Crisis Intervention; Use of Physical Force & Deadly Force; and Active Shooter Response. Police recruits are also mandated to complete Reality Based Training Scenarios to better prepare them for the situations they may encounter on the job. A sample of the curriculum from 2018 is attached in Appendix D.

#### **FIELD TRAINING PROGRAM**

The City's police officers also receive in-service training when initially hired. In 2000, the City and the Crystal City Police Benevolent Association developed and reached agreement on the structure of this program. The program is based on in-service training which originated in the San Jose Police Department in the early 1970's. It is provided after the officer graduates from the academy. This training focusses on the particular policies and procedures of the Corning Police Department, job behavior expectations, typical duties and incidents they may experience in Corning, as well as an awareness of the City's geography such as commercial/residential areas, critical infrastructure, landmarks and street names.

In order to ensure a fair and effective field training program, the City is committed to the following:

- Using trained, certified, and effective Field Training Officers to provide a quality training environment for the officer-in-training.
- Using valid evaluation procedures, with strict adherence to standardized guidelines, administered concurrently with the training provided.
- Making every attempt to ensure that all officers-in-training are evaluated equally.
- Conducting training in a logical format, where tasks correspond to the phase of training. Each new task is explained, demonstrated, and then reviewed during practical application. The emphasis is to train new officers in an environment that promotes and stimulates learning.

The program consists of a minimum of 8 weeks of training. Officers are assigned to different Field Training Officers (FTO's) on all three shifts. It is the responsibility of the FTO's to train and evaluate the officer. Throughout the process a Program Coordinator consults with the FTOs to review the employee performance and guide remedial action.

The City has a Review Board which consists of the Director of Public Safety, the Chief of Police, and the Department's Lieutenants. Upon the completion of 8 weeks of training, the Review Board evaluates the officer's overall progress to determine: 1) if additional remedial training is necessary; 2) the officer's employment should be terminated; or 3) if the officer is ready to be released for regular duty. The Program Coordinator's primary function is to present material or answer questions pertaining to the training program. At all times, it remains the sole responsibility of the Director of Public Safety to determine the employment status of the Officer in Training.

### **OTHER IN-SERVICE TRAINING**

In addition to the Municipal Police Academy and the Field Training Program, officers in the Corning Police Department routinely receive a wide variety of training. Some of these opportunities are provided by outside agencies, the City's insurance carrier, the Employee Assistance Program provider, and other City employees. These include such topics as Implicit Bias Awareness, Use of Force, Anti-Bias, Harassment, and Workplace Violence. A listing of many of the training various officers have received in recent years can be found in Appendix E.

### **COUNSELING & DISCIPLINE**

The City uses a combination of counseling and progressive discipline to correct performance issues on a continual basis rather than relying on an annual review. Counseling is intended to call attention to breaches in policy and/or procedure and for the purpose of instructing the employee on appropriate conduct to correct behavior.

Counseling memoranda are not intended as an admission of fact and are not a form of discipline. Counseling is generally used in the early stages of corrective actions, but is not

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required as a precursor to discipline depending upon the nature or severity of the employee's actions.

Discipline is used as a punitive measure to correct employee behavior. In general, the City uses a progressive disciplinary course consisting of written warnings, suspension, and termination. Civil Service Law also allows for the issuance of fines not to exceed one-hundred dollars (\$100.00). Throughout the disciplinary process, employees are allowed union representation and may grieve disciplinary actions up to and including binding arbitration. It should be noted that officers are not "at-will employees". Termination must meet a "just cause" standard.

### **EMPLOYEE ASSISTANCE PROGRAM**

The City uses an outside vendor for Employee Assistance Program (EAP) services. These services assist employees with both personal and work-related problems that may impact their job performance. Issues include physical and mental health, emotional well-being, marital issues, and financial pressures. These services are confidential and include short-term counseling sessions free of charge to the employee. Supervisors receive training on identifying behaviors which may result in the need for EAP services and how to appropriately make referrals. The City of Corning has enrolled both police officers and firefighters in an EAP program separate from general employees which is geared to the unique needs of public safety personnel.

### **RECORDS MANAGEMENT**

The City of Corning does not have an Information Technology Department. The City has one Data Processing Coordinator housed within the Finance Department with responsibilities for maintaining personnel records, benefits administration, and limited network and desktop/laptop support. The City's Information Technology needs largely fall to general personnel and outside vendors. The Police Department's Records Management System is circa 1998 and hasn't been substantially upgraded since 2007. Trying to analyze bias trends in policing require manual retrieval and analysis of data from the system. It is estimated that the cost of replacing this system is approximately \$50,000 which the department has in the operating budget and capital plan.

### **POLICING STRATEGIES**

The Corning Police Department uses various policing strategies. The Governor's Office has identified several strategies. Those strategies and how they are deployed in the City of Corning are described below.

#### **PROCEDURAL JUSTICE**

Procedural justice is the idea that the methods for resolving disputes should be fair. It focuses on the way police and other legal authorities interact with the public and how the characteristics of those interactions shape the public's views of the police, their willingness to obey the law, cooperation with the police in fighting crime, and actual crime rates. The Corning Police Department practices procedural justice through the treatment of individual cases in a uniform, transparent fashion. The emphasis is placed upon the quality of interactions rather than the number of arrests and tickets. The Corning Police Department does not have quota systems for stops, tickets or arrests.

The Corning Police Department is seeking updated training which is now referred to as “Principled Policing”. This term more accurately reflects the style of policing which strengthens the relationship of trust between officers and the community.

### **LAW ENFORCEMENT ASSISTED DIVERSION PROGRAMS**

Law Enforcement Assisted Diversion (LEAD) programs are a community-based police strategy to address those involved in the criminal justice system because of addiction, mental illness, or poverty. In lieu of the normal criminal justice system cycle (i.e. booking, detention, prosecution, conviction, incarceration) individuals are instead referred to agencies that partner with the law enforcement and can act as the case manager for diverted individuals. The potential support services that these agencies could provide to the individuals include transitional and permanent housing, drug treatment, and/or peer counseling. The Corning Police Department uses this strategy on an infrequent basis due to the lack of these types of services in our area, but is supportive of expanding this strategy if, and when, these services become more prevalent.

### **RESTORATIVE JUSTICE PRACTICES**

Restorative justice is an approach in which one of the responses to a crime is to organize a meeting between the victim and the offender, sometimes with representatives of the wider community. The goal is for them to share their experience of what happened, to discuss who was harmed by the crime and how, and to create a consensus for what the offender can do to repair the harm from the offense. This may include a payment of money given from the offender to the victim, apologies and other amends, and other actions to compensate those affected and to prevent the offender from causing future harm. This is outside the scope of the Corning Police Department’s responsibility and resources. However, it would be beneficial for the State of New York to fund these types of services for law enforcement referrals.

### **COMMUNITY BASED OUTREACH AND CONFLICT RESOLUTION**

Outreach and conflict resolution strategies rely upon increasing the amount of positive engagement in the community to leverage stakeholder networks. Using this approach can help identify and resolve issues in their earliest stages. Having regional dialogue groups would be a way to conduct these types of engagements on a structured and sustained basis.

### **PROBLEM-ORIENTED POLICING AND HOT SPOTS POLICING**

Problem oriented policing is a strategy that involves the identification and analysis of specific crime and disorder problems in order to develop effective response strategies. This approach requires police to be proactive in identifying underlying problems which can be targeted to reduce crime and disorder at their roots. Hot spots policing is a similar concept. Hot spots policing is a strategy that involves the targeting of resources and activities to those places where crime is most concentrated. The strategy is based on the premise that crime and disorder are not evenly spread within neighborhoods but clustered in small locations. The Corning Police Department currently uses these techniques, but the Department’s ability to identify targeted areas is limited due to the outdated records management system.



**FOCUSED DETERRENCE**

Focused deterrence (also known as pulling-levers policing) is a crime reduction strategy which aims to deter crime by increasing the swiftness, severity and certainty of punishment for crimes by implementing a mix of law enforcement, social services, and community mobilization. The Police Department uses this technique in collaboration with other law enforcement agencies, the District Attorney’s Office and the appropriate social services agencies or specialized agencies such as Child Protective Services, but is not commonly referred to as “focused deterrence” or “pulling-levers policing”.

**CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN**

Crime Prevention through Environmental Design (CPTED) strategies attempt to influence offender decisions that precede criminal acts. CPTED based strategies emphasize enhancing the perceived risk of detection and apprehension. Examples of CPTED are improved lighting in public areas and conspicuous display of surveillance cameras. Consistent with the CPTED approach, the Corning Police Department provides advice to property owners on ways to alter environmental design to improve safety. In addition, the Police Chief participates in regular discussions with the Chairman of the Planning Commission and other key City staff to discuss design aspects of site plan applications effecting safety.

## Critical Standards & Model Policies

Although the Corning Police Department is not accredited, the Department’s goal is to meet the critical standards as outlined by the New York State Law Enforcement Accreditation Program. The Police Department accomplished this through administrative policies, procedures and training.

<b>STANDARD</b>	<b>COMPLIANT</b>	<b>NOTES</b>
<b>ADMINISTRATIVE</b>		
Written Directives	Y	
Responsibility & Authority	Y	
Safeguarding Cash	Y	
Safeguarding Agency Weapons	Y	
Evidence & Non-Agency Property Management	Y	
Property Audit and Inventory Management	N	This item will be addressed as part of the Department’s new records management system.
Records Management System	N	The Department’s current system is aging and in need of replacement.
Background Investigation	Y	
Performance Evaluation System	N	The standard requires an annual performance evaluation. In place of this system, the City of Corning uses a counseling and progressive disciplinary

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			process to identify and correct performance issues as they occur rather than at the end of the yearly reporting period.
Rules of Conduct	Y		
Disciplinary System	Y		
Sexual Harassment	Y		
Use of Force – General	Y		
Internal Affairs Function	Y		
<b>TRAINING</b>			
In-Service Training			
<b>OPERATIONAL STANDARDS</b>			
Vehicle Pursuits	Y		
Domestic Incidents		N	The Department's policy needs to be updated to reflect the latest accreditation standards.
Criminal Investigations	Y		
Disaster Plans	Y		

In addition to meeting the above Critical Standards, the Corning Police Department also has numerous other administrative policies and procedures governing various aspects of the department's operations and officers' conduct. Some of the more notable administrative policies and procedures include:

### OFFICER RESPONSIBILITY AND AUTHORITY

All officers are expected to perform their duties and are accountable for the use of authority delegated to them. Police officers are required to use reasonable discretion when exercising their authority.

### ACCOUNTABILITY OF SUPERVISORY PERSONNEL

All members of the Police Department are required to be properly supervised. Supervisors are accountable for the performance of subordinate members under their immediate control. The duties and authority by which the supervision exercised to maintain discipline necessary within the organization are defined, along as the process used should an employee fail to follow the rules, regulations, policies, or standards of the department.

### LAWFUL ORDERS AND CONFLICTING ORDERS

Employees are required to obey all laws, ordinances, orders, rules and regulations and follow established procedures when given a conflicting order or directive.

### RECORDS MANAGEMENT SYSTEM

The Corning Police Department documents and retain records of complaints, police services, officer activity and general business records of the department. These records are maintained in written and/or computer form.

### **RULES OF CONDUCT**

All personnel are required to follow the Department's Rules of Conduct pertaining to appropriate behavior both on and off-duty.

### **DISCIPLINARY PROCESS**

The Department's disciplinary actions conform to the contractual requirements of the collective bargaining agreements with the Crystal City Police Benevolent Association, Inc. (PBA) and the Civil Service Employees Association (CSEA). No permanently appointed employee can be disciplined or discharged without just cause.

### **LESS THAN LETHAL SUBSTANCES/DEVICES**

Officers are only authorized to carry department approved less than lethal weapons. Less than lethal weapons are used only when necessary to overcome resistance or to defend the member or another from physical attack.

### **REPORTING REQUIREMENTS**

The Police Department documents and reviews all uses of force by its police officers, and takes corrective action as necessary.

### **REVIEW OF FIREARMS USE**

The Police Department documents and reviews all incidents wherein an officer discharges a firearm other than in training or for lawful recreational purposes, and takes corrective action as necessary.

### **REVIEW OF FORCE CAUSING INJURIES**

The Police Department documents and reviews and disposes of any incident wherein a member uses force causing injuries.

### **INTERNAL AFFAIRS FUNCTION**

The Corning Police Department accepts and investigates all complaints of police misconduct. The expeditious resolution of complaints in a fair and impartial manner ensures the maintenance of a high level of integrity by members of this department. The Chief of Police has the primary responsibility to see that all reports or accusations made against members of the department are completely investigated. The Chief of Police may designate personnel to conduct these investigations as the department does not have an internal affairs unit. If the complaint is against the Chief of Police, the complainant shall be referred to the Director of Public Safety.

### **INVESTIGATING COMPLAINTS**

It is the policy of the Corning Police Department to accept and investigate all complaints of police officer misconduct. The Chief of Police shall see that these investigations are complete, following a thorough and impartial examination of the available factual information. Investigations of complaints and discipline are handled in accordance with the collective bargaining agreement.

### **ROLE OF PERSONNEL**

The Corning Police Department strives to develop and maintain positive contacts with the public. Being a public service agency, all members of the department are

expected to contribute to this effort and be familiar with the various programs that this department may provide to the community. Members of this department are recognized as representing not only the Police Department but also the community in which they serve. It is the responsibility of every member of the department to conduct themselves, at all times, in a professional and courteous manner when dealing with the public.

### **CRIME PREVENTION**

Crime prevention is one of the most important tasks performed by the Corning Police Department. However, the prevention of crime cannot be accomplished solely through the efforts of the officers. It requires a concerted effort by all members of the community. All members of the Police Department are required to encourage community support for crime prevention.

### **CRIME VICTIMS**

The Police Department defines for its members its victim assistance program and sets forth duties and responsibilities of department personnel when encountering the victim of a crime.

### **SEX OFFENSE VICTIMS**

It is the policy of the Corning Police Department to treat victims of sex offenses, and incest, with the utmost respect and to comply with the provisions of New York State Executive Law, Section 642, Subdivision 2-a. The purpose of this policy is to assist department members in complying with the provisions of NYS Executive Law, Section 642, Subdivision 2-a, when investigating sex offenses and incest complaints

### **INSTRUCTOR QUALIFICATIONS**

The Police Department requires that all in-service training be provided to its police officers by qualified instructors. Instructors are certified in accordance with standards and qualifications as set forth in Part 6023 and 6024 of the New York Codes, Rules and Regulations; or Instructors possess qualifications established by other organizations specific to their area of instruction such as the American Red Cross, National Safety Council, etc.

### **SPECIALIZED TRAINING**

The Police Department requires that officers assigned to positions that require specialized training be provided and receive such training.

### **PATROL FUNCTION TASKS**

It shall be the policy of the Corning Police Department to establish a procedure that describes the various tasks associated with the patrol function including, but not limited to, such activities as traffic control, maintaining law and order, enforcing laws, crime prevention, and responding to calls for service.

### **RESPONSIBILITIES OF PATROL OFFICERS**

Incidents requiring investigation will be promptly assigned to the appropriate employee(s). The assigned employee(s) are required to promptly conduct a thorough investigation and document their efforts by completing all required reports.

#### **RESPONSIBILITY OF SUPERVISORS**

The Police Department requires that a supervisor be at the scene of certain incidents.

#### **AUTHORIZED EQUIPMENT**

All sworn and non-sworn personnel of the Police Department are required to appear professional and wear an approved and appropriate uniform while on duty or representing the Department.

#### **VEHICLE PURSUITS**

The Police Department requires officers to only attempt vehicle pursuits when, in the judgment of the member, the danger created by the possible escape of the fleeing violator outweighs the danger created by the pursuit and no reasonable alternative exists.

#### **DOMESTIC INCIDENTS**

The Police Department responds to every report of a domestic incident and to consider domestic violence as conduct that shall be investigated, as would any other offense. Dispute mediation is not used as a substitute for appropriate criminal proceedings in domestic incident cases. Department members are required to protect victims of domestic incidents and provide them with support through a combination of law enforcement and community services. The department promotes officer safety by ensuring that officers are fully prepared to respond to and effectively deal with domestic incident calls.

#### **ENFORCEMENT OF TRAFFIC REGULATIONS**

It shall be the policy of the Corning Police Department to enforce the New York State Vehicle and Traffic Law in an attempt to enhance public safety.

#### **CONSTITUTIONAL REQUIREMENTS**

It is the policy of the Corning Police Department to have a standardized guideline to ensure that all members recognize and comply with the constitutional guarantees given to all citizens during criminal investigations.

#### **INCIDENT REPORTS**

The Police Department requires its personnel to document all calls for service, incidents, reported criminal activity, unusual occurrences, or accidents, and complete any necessary reports.

#### **USE OF MOBILE CAMERA EQUIPMENT**

Members of the Corning Police Department operating a vehicle that is equipped with the mobile camera equipment are required to activate and utilize this equipment during any vehicle and traffic stop, or at any other time when evidence collection may be enhanced with audio or video recording.

## Collaboration Process

The City established a goal to have an open and transparent process. Although the Governor's Executive Order focused on people of color, the Core Working Team expanded input to include multiple segments of the population to ensure we are working towards improving relations with all citizens. To this ending, starting in August 2020, the Core Working Team began identifying the various municipalities and key stakeholder groups it would engage. The team also reviewed current demographics, practices, and looked at examples nationally to identify best practices. A significant portion of the process focused on stakeholder and community engagement.

### **COMMUNITY FEEDBACK**

The Core Working Team used various community feedback channels to measure opinions of stakeholders, the general public, law enforcement officers, and arrested persons.

#### **LISTENING SESSIONS**

The core team conducted listening sessions from September 9-17, 2020 via Zoom. It is estimated over 200 people participated in the sessions.

The three public listening sessions were open to all members of the public and were advertised via local television news channels, newspapers, websites, and social media. Attendance including individuals consisting of City residents, County residents and others from communities such as Elmira and Ithaca, as well as a few from out of state.

Ten private listening sessions were held with: Community Stakeholder Participant Group; Drug Abuse & Alcohol Group; Corning Community College Students; Corning Black Employee Network; SPECTRA LGBTQ Group; Global Latino Community; Friendship Baptist Church; Face to Faith Ministries; Steuben Greens; and the LGBTQ+ Community.

These listening sessions yielded substantial feedback and suggestions for improvement. Overall, there was positive support for the Corning Police Department, but some areas of concern, criticism, opportunities for improvement were identified. These tended to center around the five plan categories: Equality & Social Justice; Transparency & Accountability; Community Relations; Training; and Policies & Procedures.

It should be noted that there seemed to be a general lack of knowledge about the Police Department's operations, training, policies and procedures which signify a need to improve community awareness. In addition, the Core Working Team realized through these sessions that the public had concerns that fell outside the scope of this planning process. These items centered around limited social services in the area, State statutes, the NYS Taylor Law, the Civil Service system, employee rights, etc. A list of those out-of-scope items can be found in Appendix F.

#### **OPINION SURVEYS**

The Core Working Team also designed and administered various surveys to gain additional feedback. Because of the large volume of data, these findings have not



been included as an addendum to this report, but will be posted on the City's website for a period of time. Overall, the responses were positive, and yielded several suggestions. The following is a summary of some of the highlights.

### **Stakeholder Group Participant Survey:**

- The Stakeholder survey included 15 general questions and 4 demographic questions to help evaluate the responses. The survey was emailed to the participants on August 14, 2020 and they had 5 days to respond.
- Of the 103 stakeholders who received the survey, 83 responded for an 81% response rate.

### **General Public Survey:**

- The general public survey consisted of 15 survey questions and 4 demographic questions to help evaluate the responses. This survey was shared via television news channels, newspapers, websites, and social media from August 12, 2020 through September 20, 2020.
- Printed copies were also dropped off at various locations in the community and collected by City Hall personnel for manual entry.
- 1,766 participants responded to the survey. The geography varied widely including City residents, County residents, out of county residents and out of state participants.

### **Police Officer Survey**

- The survey of police officers contained 6 general questions, and 1 demographic question to identify their police department. The survey was shared by email and hand copies in October 2020.
- 47 police officers responded to the survey from various agencies in Steuben County.

### **Arrested Persons Survey**

- The survey of arrested persons contained 3 general questions and 3 demographic questions to help analyze the responses.
- The questions were administered during the booking process by agencies in Steuben County. Surveys were taken during September 2020. Booking officers administered the survey, upon intake.
- 55 arrested persons responded to the survey.

The findings of these 4 opinion surveys yielded an overall high opinion of the Corning Police Department. In general, respondents found the police officers

responsive to their needs, were fundamentally honest, and strive to have a positive impact on the community. However, the data also identified areas where segments of the population had strong criticism. Suggestions for improvement tended to center around the following areas:

- Increase police visibility especially walking and bike patrols, as well as a presence at functions sponsored by stakeholder groups including marginalized populations.
- Increase police transparency and accountability.
- Increase training for public on current police practices.
- Increase communication training to foster trust, confidence and customer satisfaction.
- Increase training in mental health awareness, bias and de-escalation techniques.
- Standardize personnel complaint reporting and investigation procedures throughout the county
- Increase external oversight.
- Establish a body camera program.
- Increase diversion programs for addiction treatment.
- Increase availability of citizen access to records and data concerning police activities.

It also should be noted that respondents identifying as minority and lower income populations had less favorable ratings of the Police Department.

## Draft and Final Plans

On November 6, 2020, the Core Working Team released a draft plan for public comment. The draft plan included 35 action items across 5 key themes: Equality & Social Justice; Transparency & Accountability; Community Relations; Training; and Policies & Procedures. The public was able to review the draft plan on the City's website and was welcomed to provide comments through email or regular postal mail by 4:00 p.m. on November 20, 2020. Draft plans were also available at the Southeast Steuben County Library, the Corning Visitor's Center, and Corning City Hall.

The Core Working Team received 35 comments by the deadline in the official response email. These comments were anonymized as best as possible without altering the nature of the comments. Many of the comments involved time frames (either too slow or too fast), wanting a review board of disciplinary matters, seeking progress measurement, and

## Police Reform & Reinvention Plan

annual review. They will be posted for a period of time on the City's website for the public to view.

Each comment was considered by the Core Working Team. Based on the input received, the team modified the draft plan. The Final Plan is included in Appendix F. Modifications included:

### **EQUALITY & SOCIAL JUSTICE**

1. Diversify and Increase Candidate Pools
2. Provide Test Training

These two action items were modified to clarify that the City will partner with community stakeholder groups to ensure that recruitment, training, and exam training opportunities are widely distributed to ensure we reach marginalized populations.

### **TRANSPARENCY & ACCOUNTABILITY**

6. Provide Use of Force Data to the Public

This action item was modified in response to a specific public feedback request to add the word "develop" to the implementation action. The item now reads, "Identify and develop method of collecting and releasing data."

### **TRANSPARENCY & ACCOUNTABILITY**

9. Establish Multiple Regional Community Dialogue Groups

This action item was modified to clarify the role these groups will have in increasing the exchange of information and input the public will have on law enforcement practices. There will be three areawide dialogue groups (i.e. Corning, Bath, Hornell). This action item was originally contained as one of the actions to item #3 of the Community Relations category, but was moved to the Transparency & Accountability section to provide it with greater prominence to reflect the heightened importance for this type of public interaction.

### **TRANSPARENCY & ACCOUNTABILITY**

10. Establish a Countywide Citizen Review Panel

This action item will establish a countywide citizen review panel to examine practices, training, and officer conduct of adjudicated incidents through further external analysis and objective assessment to promote best practice policing. (e.g. uses of force, police misconduct, vehicle pursuits, etc.) The panel, consisting of subject matter experts, will review cases after they are adjudicated. Active law enforcement officials will not participate as panel members.

### **TRANSPARENCY & ACCOUNTABILITY**

14. Evaluate Potential Body Camera

There has been competing feedback on this issue with some members of the community having a high desire to implement a body camera program, and others concerned about the initial and ongoing costs as well as the need given the low number of police complaints. In the draft plan, this had a medium target timeline, but has been moved forward to a short target timeline.

**TRANSPARENCY & ACCOUNTABILITY**

**13. Implement Advanced Data Tracking System**

This item was previously #12. It has been modified to explain that the system will improve the City's ability to evaluate the Police Department's practices, as well as agency and individual performance.

**TRANSPARENCY & ACCOUNTABILITY**

**16. Create Countywide Police Reform Reporting Process**

This action item was added to monitor the progress of each police reform plan in Steuben County on annual basis.

**COMMUNITY RELATIONS**

**3. Strengthen Community Relations**

This action item was modified to move the Community Dialogue Groups to the Transparency & Accountability section in order these groups more emphasis. In addition, the need to identify other community policing opportunity was listed.

**TRAINING**

**1. Establish and Promote Core Values**

This action item was modified to clarify that the establishment of a set of core values for the Police Department is intended to guide officer conduct. In addition, the values will not only be posted internally, but online for the public to view.

**TRAINING**

**3. Expand De-escalation Training**

This action item was modified to clarify that the expanded de-escalation training will include crowd management as required by the Governor's Executive Order.

**TRAINING**

**6. Provide Mental Health Awareness Training**

The original description for this item was confusing. It has been rewritten to clarify the type of mental health training that will be provided.

**TRAINING**

**7. Provide Joint Training and Coordination between Law Enforcement and Social Workers**

This action item was modified to clarify that this training is for both mental health and social work.

**POLICIES & PROCEDURES**

**3. Ensure Victim Privacy**

This action item was renamed from "Ensure Victim Sensitivity" to "Ensure Victim Privacy" in response to a specific public comment to the draft plan.

The final reform plan is attached as Appendix G.

## Concluding Remarks

Although this has been a long and time-consuming process, it will ultimately be beneficial to the community. It has provided the law enforcement community, stakeholder groups and the general public the opportunity to discuss policing on a county-wide basis over the past 6 months. Conversations and input have been open and wide-ranging, which has resulted in a plan with aggressive, yet attainable expectations if the plan can maintain a high degree of support and current resource levels sustained.

It is unfortunate there was no State funding for municipalities to undertake this mandated process or offered to support the implementation actions in the reform plans. Over time, as the Department continues to look at new technologies and increased training, we will need to consider the City's lack of Information Technology or Human Resources personnel. As has been discussed in the past, these positions would not only benefit the Police Department, but all City operations. Once the economy recovers and the City is on a sound long-term financial footing, a review of these needs would be worthwhile.

Lastly, the City of Corning is fortunate to have a professional and dedicated police force. Members of the Police Department have devoted their careers to help other despite the risk to their own safety. The Department is an important contributing factor to maintaining the high quality of life we all enjoy here in the City of Corning.